

OFFICERS REPORT FOR:

DISTRICT PLAN COMMITTEE

SUBJECT:

**PROPOSED DISTRICT PLAN CHANGE NO. 14
CENTRAL COMMERCIAL ACTIVITY AREA**

DATE OF HEARING:

9TH – 10TH SEPTEMBER 2010

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1 Introduction

The City of Lower Hutt District Plan (hereafter referred to as the 'District Plan') was made operative on 2nd March 2004. In 2008, Council notified and made operative Plan Change 8 relating to the height of buildings and structures near residential areas. During that Plan Change process it was determined a fuller review of the Central Commercial Activity Area chapter in the District Plan was appropriate. In addition, Council had commenced work on a Vision for the Central Business District, with the District Plan identified as one of the implementation methods for the Vision.

As a first step in the review of the Central Commercial Activity Area, the efficiency and effectiveness of the existing plan provisions were undertaken. This review included an examination of the resource consents applied for in the Central Commercial Activity Area since the District Plan was made operative. In addition, an evaluation of the current state and condition of the Central Commercial Activity Area was undertaken.

Proposed Plan Change 14 aims to update the Central Commercial Activity Area plan provisions to respond to the issues identified in the review, as well as bring them in line with the CBD Vision 2030 and associated 'CBD Making Places' project. The Proposed Plan Change re-focuses the existing issues, objectives, policies and rules on the outcomes set out in the Vision and Making Places.

The Proposed Plan Change also includes proposed amendments to Chapter 14A (Transport) and Chapter 14B (Signage). In addition, some additions and amendments are proposed to Chapter 3 (Definitions) which are associated with new terms used in other sections of the Proposed Plan Change.

It is noted that this report primarily provides responses to matters raised in submissions. Additional details as to the reasoning behind the proposed Plan Change can be found in the Section 32 report prepared and notified as part of the proposed plan change documentation.

2 Background to Proposed Plan Change 14

Report Purpose

The purpose of this report is to summarise the key issues raised in submissions and provide advice to the Committee on the issues raised. While recommendations have been provided in this report, ultimately it is the role of the District Plan Committee to consider the issues, the submissions and advice of the reporting officer before making a decision.

Report Structure

Section 4 of this report contains information on the Proposed Plan Change, as notified. Section 5 provides an evaluation of each specific amendment including details of submissions received and an evaluation thereof. Section 6 then overviews the main changes to the Proposed Plan Change (as notified) resulting from the evaluation of submissions. Appendix One provides details on submitters and Appendix Two provides an annotated version of the Proposed Plan Change within the District Plan as per the recommendations of this report.

Statutory Provisions

Part II of the Resource Management Act (herein referred to as the "Act") underpins the exercise of all functions, duties and powers, with Section 5 providing that the purpose of the Resource Management Act 1991 (RMA), is to provide the sustainable management of natural and physical resources. As such, Section 5 is fundamental to any assessment, with the approach

being to weigh the matters in Section 5(2) in order to reach a broad judgement as to whether a policy or rule would promote the sustainable management of natural and physical resources.

The Council has additional responsibilities under Section 6 of the Act in respect matters of national importance, including - *the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development; and the protection of historic heritage from inappropriate subdivision, use, and development.* Section 7 of the Act requires Council to have particular regard to (amongst other matters) - *the efficient use and development of natural and physical resources; the maintenance and enhancement of amenity values; and maintenance and enhancement of the quality of the environment.*

Section 31 outlines the functions of the Council under the Act and includes *The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district, and the methods used to carry out any functions under subsection (1) may include the control of subdivision.*

Section 74 sets out the framework for Council to change its plan in accordance with its functions under Section 31, the provisions of Part II, its duty under Section 32 and any regulations.

Section 76 outlines the contents that a District Plan must contain, including objectives, policies and rules. Section 76 enables the Council to include rules in the District Plan for the purpose of carrying out its function under the Act, and to achieve the objectives and policies of the Plan. In making a rule the Council: *“.....shall have particular regard to the actual or potential effect on the environment of activities including, in particular, any adverse effect.....”*

CBD Vision

Alongside the review of the Central Commercial Activity Area chapter, the CBD Vision exercise was undertaken and completed. The CBD Vision exercise culminated in the Vision CBD 2030 document which was adopted by Council in 2009. The Vision document sets out what the Council and community want for the CBD in the long term. The vision statement contained in this document states *“Shaped by the Hutt River, the Hutt CBD connects people and nature to create a lively and vibrant place”*.

CBD Vision 2030 is intended to guide Council’s future decision making in a way that develops a cohesive and strong CBD as well as recognising and preserving what is valued in the central area. One of the first steps agreed in the Vision CBD 2030 document was to consider what District Plan changes would be required to ‘make the Vision happen’.

Vision 2030 is based on six broad themes, being:

- Liveable
- Unique
- Sustainable
- Growth
- Connected
- Quality

For each of the themes, a series of outcomes are listed to guide and measure progress towards achieving the vision. In addition, suggested initiatives are also listed and parties to be involved in their implementation are identified. Some of these initiatives include District Plan changes to provide for and support activities and developments which contribute towards achieving the vision. The table below summarises the main initiatives relevant to the District Plan.

Table 1: CBD Vision 2030

Outcome	Initiative
Liveable: c. Beautify our urban space	<ul style="list-style-type: none"> • Develop urban spaces and buildings that harness the views of our river and the surrounding hills

	<ul style="list-style-type: none"> • District Plan changes to include quality urban design features
Sustainable: c. Encourage sustainable energy usage in the CBD	<ul style="list-style-type: none"> • Encourage better building designs
Connected: a. Ensure people-friendly connections	<ul style="list-style-type: none"> • Give priority to pedestrians, cyclists and public transport • Create safe and accessible connections for everyone with sufficient shelter from the weather • Allow for car-free areas within the CBD
Growth e. Identify strategic sites	<ul style="list-style-type: none"> • Investigate and identify potential sites for reuse and development in the CBD
Quality: b. Adhere to quality development and management practices c. Plan for an agreed future CBD skyline d. Provide a range of living choices e. Develop quality commercial buildings in the CBD	<ul style="list-style-type: none"> • Encourage buildings that make the best use of natural light, views and surroundings • District Plan to encourage sustainable urban form and quality urban design • Include in the CBD planning the need to maintain views from within and around the CBD • Set approach for long-term city skyline • District Plan to provide for possible developments • A range of quality residential dwellings within the CBD for people from 'cradle to grave' • Increase the number of residents living in the CBD • Consider reducing parking requirements for residential dwellings • Encourage quality developments of office spaces within the CBD • District Plan to provide for possible developments

CBD Making Places

One of the primary tools for advancing the CBD Vision 2030 is the 'Making Places' project. 'Making Places' establishes an overall design framework for implementing the Vision, and includes key project strategies and design initiatives. One of the five overall strategic priority areas identified in the Making Places project is "enabling the CBDs identity, character and future development quality".

Through the Making Places project it was noted the current District Plan did not have enough 'teeth', which had led to the construction of lower grade, 'big box' developments which have degraded the character of the traditional CBD. It was noted that the Central Commercial Activity Area chapter review should not be about creating more or less rules but rather identifying the right rules that make development easier to undertake but in a manner which also helps make the Hutt CBD more sustainable, attractive and a vibrant place'

Of the strategies and initiatives included in the Making Places report, various aspects related to the District Plan, such as the mix of activities within the CBD, height limits and carparking. In addition, the strategies suggest new provisions may be required in the District Plan, including protection of sunlight to public places, maintenance of front yard qualities on specific streets and development of a river side promenade. Another key initiative is the preparation of an urban design and development guideline to improve the quality of the urban development in the CBD.

The research and consultation referred to above for the Making Places project was used to inform Proposed District Plan Change 14.

New Zealand Urban Design Protocol

The Hutt City Council became a signatory to this protocol in early 2008. By becoming a signatory, the Council agreed to work to raise the standard and quality of the urban design of developments built in the city. The Plan Change seeks to implement the urban design principles contained in the Urban Design Protocol, in terms of providing for sustainable urban form and creating a high quality urban environment.

Wellington Regional Strategy (Sustainable Economic Growth Strategy)

The Wellington Regional Strategy provides direction on drivers and initiatives to support economic growth in the greater Wellington region. The Strategy has three main focus areas, one being investment in good regional form. Within this focus area, the Hutt City central area is recognised as a “sub-regional centre”. These sub-regional centres are recognised in the Strategy as areas which provide significant business, retailing and community services, and it is important to sustain economic growth in these locations.

Another initiative in the Strategy is its support of quality urban design, as it recognises that a city which looks good, feels safe and is easy to get around attracts economic growth. Good regional form also supports more intensive residential activity within and around the sub-regional centres. The District Plan can assist in implementing many of these initiatives related to good regional form, which helps contribute towards the economic wellbeing of Hutt City and the wider greater Wellington region.

Operative Wellington Regional Policy Statement

The Wellington Regional Policy Statement was made operative in May 1995. The Regional Policy Statement sets out the resource management issues for the Wellington region, and outlines the policies and methods required for achieving the objectives in the Policy Statement. The Policy Statement has been prepared under the Resource Management Act, and the District Plan “must give effect to” the policy directions contained in the Operative Regional Policy Statement.

The Operative Regional Policy Statement has a section on ‘The Built Environment and Transportation’. Appendix Three to this report includes a list of policies from the Operative Regional Policy Statement which this plan change gives effect to. These policies relate to efficient use of resources through urban form, efficient transportation system, high level of environmental quality in urban areas and encouraging good urban design. These policies have been considered in the assessment of the submissions that follow in Section 4 of this report.

Proposed Wellington Regional Policy Statement

The Proposed Wellington Regional Policy Statement was notified in March 2009 and decisions on submissions were released in May 2010. When preparing a Proposed Plan Change, Council is required to ‘have regard to’ any Proposed Regional Policy Statement. Therefore, both the Operative and Proposed Regional Policy Statements have to be considered in preparing and processing this Proposed Plan Change. I consider more weight should be given to the Proposed Regional Policy Statement as it has been through the formal submission process and decisions released, noting appeals are still to be resolved.

The Proposed Regional Policy Statement includes a number of thematic issues which are specifically relevant to the Hutt City central area, including:

- Energy, infrastructure and waste
- Fresh water
- Historic heritage
- Indigenous ecosystems

- Natural hazards
- Regional form, design and function

The Proposed Regional Policy Statement includes more directional policies relating to the above matters. The particular policies relevant to this Proposed Plan Change in the Proposed Regional Policy Statement are listed in Appendix Three to this report. In summary, these policies promote travel demand management, energy efficient design, maintaining and enhancing the viability and vibrancy of regionally significant centres (which includes Lower Hutt city centre), and identifying and promoting higher density and mixed use development in particular locations. These policies have been considered in the assessment of the submissions below.

Review of the Current Provisions in the District Plan

In addition to the above vision and strategy documents, a separate review of the current Central Commercial Activity Area and associated provisions commenced in 2008. This review entailed consideration of the effectiveness of the policies and methods in achieving the objectives in the Plan. It was informed by consideration of the background and research in developing in the Plan provisions, what provisions are working well and what are not, and what are the future aspirations for the central area taking into account the strategic directions in the recent planning and visioning exercises.

The above review included an examination of the resource consent applications for the Central Commercial Activity Area. The primary 'trigger' for the resource consents was non-compliance with parking, loading and earthworks standards. The findings of this examination raised issues about the efficiency of these standards, and whether they are the most efficient in achieving the objectives in the Plan.

In addition, complaints about activities and developments in the Central Commercial Activity Area also provide an insight into the effectiveness of the current Plan provisions. Over the last five years, Council has received a limited number of complaints in relation to the central area. There have been a few isolated complaints about excessive noise, including from specific events held in the central area. In addition, new or proposed buildings near the residential areas have received complaints, in terms of excessive height, too close to boundaries, and poor building design and quality. The majority of complaints received have been from residents who live in the residential area on the periphery of the central area.

In response to complaints about proposed taller buildings near the adjoining residential area, Council prepared and notified Proposed Plan Change 8. Given the recent adoption of this Plan Change, it is too early to gauge its effectiveness.

In addition to the internal Council review of the current provisions, comments were sought from the public and parties regularly involved with the District Plan (e.g. architects, surveyors, builders, developers). These comments were received through a series of meetings with various individuals. Comments received primarily related to issues associated to parking and loading requirements, relationship of buildings to the street, variable quality in building design, and certainty and flexibility with the resource consent process. This review process identified issues with the current Plan provisions as well as identifying emerging trends and issues the District Plan may have to address in the future.

Discussion Document

As part of the review, a District Plan discussion document was prepared to scope the issues in the central area that could be addressed through the District Plan, and identify potential options for managing these issues. Ten topic areas were identified in the discussion document under which a range of issues and options were covered. The ten topic areas were:

- Activities and land use
- Urban form
- Urban amenity
- River

- Residential interface
- Public space
- Transport
- Historic heritage
- Infrastructure
- Urban ecology and energy efficiency

The options for each issue in the discussion document can be grouped into three categories. These categories are:

- No change – the provisions as they currently apply would remain
- New regulatory methods including amended rules and other provisions
- New non-regulatory methods or other tools

The discussion document was released for public comment in December 2008. Feedback received on the Discussion Document was from a cross section of the community, including landowners, designers, interest groups and local residents. This feedback was used to inform the preparation of this Proposed Plan Change.

Summary of Proposed Plan Change 14

Below is a summary of the amendments in Proposed District Plan Change 14:

- Amendments to Section 1 of the District Plan that amend the text relating to Commercial Activity in the whole city
- An amendment to Section 3 Definitions that amends the definition of dwelling house
- Amendments to Section 5A 1 Central Commercial Activity Area that replaces the existing issues, objectives and policies section with new issues, objectives and policies. The new provisions address the issues raised in the vision documents, other statutory plans and during consultation.
- Amendments to Section 5A 2 Central Commercial Activity Area that delete, add and amend the rules to effectively and efficiently achieve the new objectives. The new provisions amend the activity status of various activities and add and amend the permitted activity standards. Revised maps for applying the Central Commercial Activity Area rules are also proposed, which are detailed in the Appendix in Section 5A 2.
- Amendments to Section 14A Transport that delete, add and amend the explanation text, rules, standards and accompanying maps. The on-site parking and loading standards for the Central Commercial Activity Area are proposed to be amended to address the issues raised during consultation with the existing standards. The roading hierarchy in the Central Commercial Activity Area is also proposed to be amended
- An amendment to Section 14B Signs that amends the permitted activity standard that manages the size of signs in the Central Commercial Activity Area.
- Introduction of a Central Commercial Activity Area Design Guide

3 Submissions

A total of 19 submissions and seven further submissions were received on Proposed Plan Change 14. Copies of the submissions are attached as Appendix One.

Submitters are a mix of property owners, retailers, architects, government agencies, interest groups and private individuals. The submissions cover a wide range of issues, from development and structure requirements through to the mix of activities. The submissions seek a variety of changes to the proposed plan provisions.

Pre-Hearing Meetings

A series of pre-hearing meetings were held during August with the submitters listed below. The purpose of these pre-hearing meetings was to discuss and clarify the relief sought in the

submissions. Meeting notes from the pre-hearing meetings are contained in Appendix Four of this report.

4 Submissions and Discussion

The submissions received have been grouped according to the specific amendment to which they relate. Provided for each amendment is a brief summary of the issues raised by submitters and identification of the specific submitters, a discussion of the relief sought by submitters and rationale for the resulting report officer's recommendation, and finally the reporting officer's recommendation in relation to submission points on the amendment.

Amendment 1 – Section 1.10.2 Explanation and Reasons – Amenity Values

Submissions

No submissions were received on Amendment 1.

Discussion and Evaluation

As no submissions were received in relation to Amendment 1, it is recommended Amendment 1 amending the explanation and reasons for Amenity Values in Section 1.10.2 is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 1 as notified.

Amendment 2 - Section 1.10.4 Objective for Commercial Activity

Submissions

No submissions were received on Amendment 2.

Discussion and Evaluation

As no submissions were received in relation to Amendment 2, it is recommended Amendment 2 amending the objective for commercial activity in Section 1.10.4 is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 2 as notified.

Amendment 3 - Section 1.10.4 Policies for Commercial Activity

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/14 (14.1)	Petone Planning Action Group	Oppose in part	Request a rider that any references to the Petone area will be likely to need amending when the Petone review happens

Petone Planning Action Group DPC14/14 (14.1) request that the references to Petone area be reviewed and amended if required as part of the Petone District Plan review.

Discussion and Evaluation

Amendment 3 proposes to replace the existing policies in Section 1.10.4 relating to the integrated and hierarchical approach to commercial centres in Lower Hutt City. Petone is referred to in new proposed policy (b) in recognition that it is one of the primary centres in Lower Hutt City along with the Central Area.

I consider this reference to Petone in this context is appropriate as it recognises the role and function of both the Central Area and Petone as the main commercial centres in Lower Hutt City. Notwithstanding this, I note Council is currently considering the preparation of a Proposed Plan Change for the Petone West area which is part of the Petone commercial area. It may be determined through that Proposed Plan Change that further refinements to Section 1.10.4, including the policies may be required. However, I do not consider it appropriate to include a 'rider' in the District Plan to recognise this potential future review or change in relation to Petone, as this change should not be contingent on the outcome of this process.

Reporting Officers Recommendation

Reject submission DPC14/14 (14.1) requesting the addition of a 'rider' to Section 1.10.4.

Amendment 4 - Rule 1.10.4 Explanation and Reasons for Commercial Activity

Submissions

No submissions were received on Amendment 4.

Discussion and Evaluation

As no submissions were received in relation to Amendment 4, it is recommended that Amendment 4 amending the explanation and reasons for commercial activity in Section 1.10.4 is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 4 as notified.

Amendment 5 – Chapter 3 (Definitions) – Dwellinghouse

Submissions

No submissions were received on Amendment 5.

Discussion and Evaluation

As no submissions were received in relation to Amendment 5, it is recommended that Amendment 5 amending the definition of 'dwellinghouse' is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 5 as notified.

Amendment 6 - Chapter 3 (Definitions) – Noise Sensitive Activity

Submissions

No submissions were received on Amendment 6.

Discussion and Evaluation

As no submissions were received in relation to Amendment 6, it is recommended that Amendment 6 adding a of 'noise sensitive activity' is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 6 as notified.

Amendment 7 – Section 5A 1.1.1 – Heading - Capacity of the Central Commercial Activity Area

Submissions

No submissions were received on Amendment 7.

Discussion and Evaluation

As no submissions were received in relation to Amendment 7, it is recommended that Amendment 7 amending the heading of Section 5A 1.1.1 to refer to 'Capacity' is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 7 as notified.

Amendment 8 - Section 5A 1.1.1 – Issue - Capacity of the Central Commercial Activity Area

Submissions

No submissions were received on Amendment 8.

Discussion and Evaluation

As no submissions were received in relation to Amendment 8, it is recommended that Amendment 8 amending the wording of the issue statement relating to the capacity of the Central Commercial Activity Area in Section 5A 1.1.1 is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 8 as notified.

Amendment 9 - Section 5A 1.1.1 – Objective - Capacity of the Central Commercial Activity Area

Submissions

No submissions were received on Amendment 9.

Discussion and Evaluation

As no submissions were received in relation to Amendment 9, it is recommended that Amendment 9 amending the wording of the objective relating to the capacity of the Central Commercial Activity Area in Section 5A 1.1.1 is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 9 as notified.

Amendment 10 - Section 5A 1.1.1 – Policies - Capacity of the Central Commercial Activity Area

Submissions

No submissions were received on Amendment 10.

Discussion and Evaluation

As no submissions were received in relation to Amendment 10, it is recommended that Amendment 10 amending the wording of the policies relating to the capacity of the Central Commercial Activity Area in Section 5A 1.1.1 are adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 10 as notified.

Amendment 11 - Section 5A 1.1.1 – Explanation and Reasons - Capacity of the Central Commercial Activity Area

Submissions

No submissions were received on Amendment 11.

Discussion and Evaluation

As no submissions were received in relation to Amendment 11, it is recommended that Amendment 11 amending the wording of the explanation and reasons relating to the capacity of the Central Commercial Activity Area in Section 5A 1.1.1 is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 11 as notified.

Amendment 12 - Section 5A 1.1.2 – Delete Residential Activity Section

Submissions

No submissions were received on Amendment 12.

Discussion and Evaluation

As no submissions were received in relation to Amendment 12, it is recommended that Amendment 12 deleting the issue, objective, policies and explanation and reasons relating to residential activity in the Central Commercial Activity Area in Section 5A 1.1.2 is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 12 as notified.

Amendment 13 - Section 5A 1.1.2 – Add New Activities Section

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/09 (9.2)	New Zealand Transport Agency	Oppose in part	Insert additional words into Policy 5A 1.1.2(b) as below: (b) Ensure that activities are managed to avoid, remedy or mitigate adverse effects in the Central Commercial Activity Area, <u>including the road network</u> or on properties in nearby residential areas.

The submission from the New Zealand Transport Agency DPC14/09 (9.2) requests an amendment to the wording of Policy (b) to recognise the potential effects of new activities on the road network.

Discussion and Evaluation

Policy (b) recognises activities have the potential to generate adverse effects which are to be avoided, remedied or mitigated. The second part of Policy (b) recognises some of these activities may have adverse effects on the residential areas near the central area, as the residential environment is particularly sensitive to some nuisances, such as noise.

It is consider the existing policies in Section 14A Transport of the District Plan appropriately address the management of activities to avoid, remedy or mitigate the adverse effects on the road network. The road network is only one type of infrastructure or element in the central activity, with other infrastructure or elements including reticulated services, open space and amenity values. Therefore, it is not considered appropriate to add a specific reference to the road network in Policy (b).

Reporting Officers Recommendation

Reject submission DPC14/09 (9.2) and retain Policy (b) as notified.

Amendment 14 - Section 5A 1.1.3 – Delete Service Stations Section

Submissions

No submissions were received on Amendment 14.

Discussion and Evaluation

As no submissions were received in relation to Amendment 14, it is recommended that Amendment 14 deleting the issue, objective, policies and explanation and reasons relating to service stations in the Central Commercial Activity Area in Section 5A 1.1.3 is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 14 as notified.

Amendment 15 - Section 5A 1.1.3 – Add New Retail Activities Section

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/10	Retail	Oppose in part	Amend Rule 5A1.1.3 Explanation and Reasons to read:

(10.2)	Holdings Ltd & Lower Hutt Properties Ltd		"Retail activities are continually changing in response to market pressures. As the central focus and main concentration of existing retail activity in Lower Hutt City, the Central Commercial Activity Area needs to be adaptive to these changes, while ensuring these changes do not degrade or undermine the vitality and vibrancy of this area and its amenities. The retail activities in the central area are a mix of <u>larger format/anchor</u> , specialty and comparative shops. They vary in size throughout the central area, with a general pattern of small-scale specialty shops at the southern end and larger-scale shops at the northern end."
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F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS4 (FS4.1)	Westfield (NZ) Ltd	Retail Holdings Ltd & Lower Hutt Properties Ltd (DPC14/10)	Support

The submission from Retail Holdings Ltd & Lower Hutt Properties Ltd (DPC14/10) (10.2) requests an amendment to the explanation and reasons for Section 5A 1.1.3 by inserting text referring to larger format/anchor retail activities. Westfield (NZ) Ltd supports this relief sought.

Discussion and Evaluation

The new Section 5A 1.1.3 recognise retail activities are a significant activity in the Central Commercial Activity Area. The explanation and reasons text describes the policy framework for retail activities to assist with their interpretation and application. Adding reference to 'large format/anchor' retail activities is supported, as this better reflects the full range of retail activities in the Central Commercial Activity Area with the existing text referring only to speciality and comparative shops.

Reporting Officers Recommendation

Accept submission DPC14/10 (10.2) to amend the explanation and reasons as noted below.
Accept further submission DPC14/FS4 (FS4.1) which supports submission DPC14/10 (10.2).

Reporting Officers Recommended Amendments

Submitter number	Provision Ref	Recommended Amendment
DPC14/10 (10.2)	5A 1.1.3	"Retail activities are continually changing in response to market pressures. As the central focus and main concentration of existing retail activity in Lower Hutt City, the Central Commercial Activity Area needs to be adaptive to these changes, while ensuring these changes do not degrade or undermine the vitality and vibrancy of this area and its amenities. The retail activities in the central area are a mix of <u>larger format/anchor</u> , specialty and comparative shops. They vary in size throughout the central area, with a general pattern of small-scale specialty shops at the southern end and larger-scale shops at the northern end."

Amendment 16 - Section 5A 1.1.4 – Delete Traffic Effects of Large Scale Retail Activities Section

Submissions

No submissions were received on Amendment 16.

Discussion and Evaluation

As no submissions were received in relation to Amendment 16, it is recommended that Amendment 16 deleting the issue, objective, policies and explanation and reasons relating to the traffic effects of large scale retail activities in the Central Commercial Activity Area in Section 5A 1.1.4 is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 16 as notified.

Amendment 17 - Section 5A 1.1.4 – Add New Incompatibility Between Different Activities Section

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/09 (9.3)	New Zealand Transport Agency (NZTA)	Oppose in part	Insert additional words into the second paragraph of the Explanation and Reasons of 5A 1.1.4, as below: However, residential activities may be incompatible with some other activities in the Central Commercial Activity Area, in particular, they may be sensitive to noise from other activities, <u>such as traffic noise</u> . Rather than overly restricting other activities, it is appropriate that the residential activities mitigate this sensitivity by providing for external noise insulation.
DPC14/14 (14.2)	Petone Planning Action Group	Support	Not stated
DPC14/17 A (17.3)	McDonalds Restaurants NZ Ltd	Support	Retain Policy 5A1.1.4(a) as proposed and associated rules.

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS4 (FS4.2)	Westfield (NZ) Ltd	McDonalds Restaurants NZ Ltd (DPC14/17A)	Support

New Zealand Transport Agency DPC14/09 (9.3) requests that the explanation and reasons be amended by adding reference to 'traffic noise'. Petone Planning Action Group DPC14/14 (14.2) supports Amendment 17. McDonalds Restaurants NZ Ltd DPC14/17A (17.3) supports Policy 5A 1.1.4(a) and requests it be retained. Westfield (NZ) Ltd DPC14/FS4 supports the submission from McDonalds.

Discussion and Evaluation

The support from McDonalds, Westfield and Petone Planning Action Group in relation to Amendment 17 is noted.

The second paragraph of the Explanation and Reasons provides a description of the particular nuisance effects generated by some activities which are likely to create some incompatibility with sensitive activities, such as residential activities. Noise is highlighted as the primary nuisance effect. Traffic noise is one potential source of noise that may be a nuisance to residential activities, as highlighted by the request from the New Zealand Transport Agency. However, traffic noise is not a major issue in the Lower Hutt central area, with the main roads and intersections on the periphery the central area likely to experience the greatest traffic noise levels.

The main noise sources from activities in the central area are likely to be amplified music and conversations associated with entertainment activities. Adding reference specifically to traffic noise is not supported as this type of noise is not considered to be the main potential noise

source that is likely to create incompatibility issues. The existing wording is considered to be the most appropriate wording as it recognises noise in general (from various sources) is the primary incompatibility issue. Referring specifically to traffic noise could confuse this meaning, or unnecessarily highlight a noise source that is not a major issue in the central area.

Reporting Officers Recommendation

Reject submission DPC14/09 (9.3) by not amending the explanation and reasons.
Accept submissions DPC 14/14 (14.2) and DPC 14/17A (17.3) and retain Amendment 17.
Accept further submission DPC14/FS4 (FS4.2) which supports submission DPC14/17A (17.3).

Amendment 18 - Section 5A 1.1.5 – Add New Hutt River Corridor Section

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/15 (15.2)	Greater Wellington Regional Council	Support	Supports Objective.
DPC14/15 (15.3)	Greater Wellington Regional Council	Support	Amend Policy 5A1.1.5 a) to read: Encourage <u>Explore the opportunities for</u> the development of a river side promenade by managing activities and development along the river frontage, in conjunction with flood protection works.
DPC14/15 (15.4)	Greater Wellington Regional Council	Not stated	Amend 5A1.1.5 Explanation and Reasons to better reflect the overall responsibilities and management of the Hutt River Corridor and Greater Wellington Regional Council's role. Also requests clarification on who would pay for any development in the Hutt River Corridor.

Greater Wellington Regional Council DPC14/15 (15.2) supports the objective in Section 5A 1.1.5 relating to the Hutt River Corridor. Greater Wellington Regional Council DPC14/15 (15.3) requests Policy (a) be amended to explore opportunities for developing a river side promenade rather than encouraging it. Greater Wellington Regional Council DPC14/15 (15.4) also requests that the Explanation and Reasons be amended to recognise the Hutt River Corridor and its management framework, and to clarify how any development in the corridor would be funded.

Discussion and Evaluation

The support for the Objective in Section 5A 1.1.5 relating to the Hutt River Corridor is noted.

The development of a river side promenade is one of the key elements of improving the vibrancy and attractiveness of this part of the central area. The promenade would make an important contribution to enhancing the relationship between the central area and one of the key features and resources in the central area, the Hutt River corridor. Amending the policy to 'explore' instead of 'encourage' the development of the river side promenade is not considered the most effective approach in achieving the objective of recognising and enhancing the significant amenity, natural and recreational values of the Hutt River and its relationship to the central area. Through encouraging the development of a river side promenade, this places more importance and pro-active position compared to exploring.

However, it is recognised that no detailed investigations have been carried out into the feasibility of the river side promenade and its relationship to flood protection works. It is recommended that Policy 5A 1.1.5(a) be retained as notified, but text be added to the associated Explanation and Reasons outlining that further investigations are required to confirm the opportunities for a river side promenade. In addition, it recommended that the text be amended on the responsibilities and management of the Hutt River corridor.

Reporting Officers Recommendation

Accept submission DPC14/15 (15.2) in relation to Amendment 18.
Accept in part submission DPC14/15 (15.3) in so far as retaining Policy 5A 1.1.5(a) and amending the Explanation and Reasons on the river side promenade as noted below.
Accept in part submission DPC14/15 (15.4) in so far as amending the text in the Explanation and Reasons on responsibilities and management of the Hutt River corridor as noted below.

Reporting Officers Recommended Amendments

Submitter number	Provision Ref	Recommended Amendment
DPC14/15 (15.4)	5A 1.1.5	Add to the end of the first paragraph in the Explanation and Reasons to read: <u>“Detailed investigations are required to determine the specific opportunities and form of a river side promenade along the Hutt River corridor.”</u>
DPC14/15 (15.4)	5A 1.1.5	Amend to the second paragraph in the Explanation and Reasons to read: <u>“The Hutt River Flood Plain Management Plan is a non-statutory document setting out a 40-year blueprint for the management of the river corridor. Greater Wellington Regional Council is responsible for managing the river, flood protection and flood warning systems, while Hutt City Council is responsible for land use activities in and adjacent to the river corridor, including the development of a river side promenade. The two Councils work in partnership in managing the river corridor.”</u> The river is also an ever present flood risk to the central area. Upgrading and ongoing maintenance of the flood protection works is required to ensure the integrity of these structures are maintained. It is important that activities and development are managed on and adjacent to these flood protection works to protect them from damage. It is imperative the management of the river corridor is undertaken in collaboration with Greater Wellington Regional Council.

Amendment 19 - Section 5A 1.1.6 – Add New Vehicle Oriented Activities Section

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/05 (5.2)	Foodstuffs Co-Op Society Ltd	Oppose	Amend to recognise the positive effects associated with enabling larger single retail activities such as supermarkets within the Commercial Area and in particular on the fringe or outer areas of the core precinct.
DPC14/09 (9.4)	New Zealand Transport Agency	Oppose in part	Insert the following new policy into 5A.1.1.6. as below: <u>(c) Use travel management techniques to minimise the potential for increased congestion in the Central Commercial Activity Area.</u> Amend the Explanation and Reasons of 5A 1.1.6, as below: Explanation and Reasons Some types of activities have a heavy dependence on private motor vehicles for access, such as supermarkets, takeaway outlets and service stations. Managing these types of activities ensures the effects

			on the transport network can be effectively assessed. This approach also relates to retail activity precincts for the Central Commercial Activity Area, where vehicle-oriented activities are typically larger in scale. This integrated approach ensures that vehicle oriented activities are managed in terms of their effects on the amenity values of the central area. <u>The good use of travel management techniques will minimise the adverse effects of road traffic in the Central Commercial Activity Area by providing a safe, efficient and convenient roading network.</u>
DPC14/17 A (17.2)	McDonalds Restaurants NZ Ltd	Oppose	Add to 5A 1.1.6 as follows: "Some types of activities have a heavy dependence on private motor vehicles for access, such as supermarkets, takeaway outlets and service stations. <u>However, the Council acknowledges the important role played by vehicle oriented retail activities in adding to the diversity of the City Centre. Whilst growth and intensification is intended to result in a change to the form and function of the Central Commercial Activity Area, it is recognised that this is a gradual process. During such time, vehicle oriented activities will continue to have a role particularly where they form part of a vehicle oriented node or are on the fringe of the centre. Managing these types of activities...</u> ". Such other relief as may give effect to the submission including any consequential amendments.

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS7 (FS7.1)	McDonalds Restaurants NZ Ltd	Foodstuffs Co-operative Society Ltd DPC14/05 (5.2)	Support
DPC14/FS3 (all)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Foodstuffs Co-operative Society Ltd DPC14/05 (5.2)	Support
DPC14/FS4 (all)	Westfield (NZ) Ltd	McDonalds Restaurants NZ Ltd (DPC14/17A)	Support

The submission from Foodstuffs Co-operative Society Ltd DPC14/05 (5.2) seeks recognition in new Section 5A 1.1.6 on vehicle oriented activities of the positive benefits of larger retail activities. McDonalds Restaurants NZ Ltd DPC14/FS7 (FS7.1) and Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/FS3 (all) support this submission from Foodstuffs.

The submission from McDonalds PDC 14/17A (17.2) requests text be added to the Explanation and Reasons to recognise the role of vehicle oriented activities in the Central Commercial Activity Area will change over time. Westfield (NZ) Ltd DPC14/FS4 (all) support this submission from McDonalds.

The submission from New Zealand Transport Agency DPC14/09 (9.4) requests a new policy be added on travel management techniques and associated text in the Explanation and Reasons.

Discussion and Evaluation

It is recognised that vehicle oriented activities, such as supermarkets, takeaway outlets and services are an important part of any central area. They provide goods and services to the local community and contribute to its overall economic well-being. However, they can generate some adverse effects as they generally generate high vehicular movements.

In parts of the central area, creation of a more pedestrian focussed environment and streets is proposed. Consequently, it may be inappropriate for new vehicle oriented activities to be located in these pedestrian environments, particularly where the higher traffic volumes could be incompatible with the pedestrian focus. Generally, it would be preferable for the vehicle oriented activities to be located on the periphery and/or on major transport routes in the central area where higher vehicular movements are anticipated.

Notwithstanding the above, it is recognised there are some existing vehicle oriented activities in the Hutt City central area. These existing activities make a contribution to the central area and it is important the District Plan does not unduly restrict their continued operation and development. In providing for their continued operation and development, it is anticipated the whole central area will gradually change over time as intensification occurs. This intensification is in the form of new and expanded mixed use development, including retail, commercial and residential development. There is an expectation that as part of this intensification, the existing vehicle oriented activities would adapt and change in response to these changing conditions. This transition process would result in an improved urban environment which is one of the principle objectives for the central area.

In terms of the New Zealand Transport Agency submission, at the pre-hearing meeting held in August it was clarified that the requested policy wording related to ‘travel demand management techniques’. These techniques are more commonly used for managing travel movements relating to an overall transport network, rather than individual developments or activities. However, it may be appropriate to consider these techniques for developments of a significant scale. It is recommended a new policy be added as well as further details in the Explanation and Reasons section on this matter.

Reporting Officers Recommendation

Accept in part submission DPC14/05 (5.2) in so far as amending the Explanation and Reasons to recognise the role of existing vehicle oriented activities as noted below.

Accept in part further submission DPC14/FS7 (FS7.1) which supports submission DPC14/05 (5.2) in so far as amending the Explanation and Reasons as noted below to recognise the role of existing vehicle oriented activities.

Accept in part further submission DPC14/FS3 (all) which supports submission DPC14/05 (5.2) in so far as amending the Explanation and Reasons as noted below to recognise the role of existing vehicle oriented activities.

Accept in part submission DPC14/09 (9.4) in so far as adding a further policy as noted below on travel demand management techniques and amending the associated Explanation and Reasons.

Accept in part submission DPC14/17A (17.2) in so far as amending the Explanation and Reasons as noted below to recognise the role of existing vehicle oriented activities.

Accept in part further submission DPC14/FS4 (all) which supports submission DPC14/17A (17.2) amending the Explanation and Reasons as noted below to recognise the role of existing vehicle oriented activities.

Reporting Officers Recommended Amendments

Submitter number	Provision Ref	Recommended Amendment
DPC14/09 (9.4)	5A 1.1.6	Add new Policy to read: <u>“(c) Minimise the potential traffic effects in the Central Commercial Activity Area by using travel demand management techniques for large-scale development proposals, such as integrated retail complexes.”</u>
DPC14/09 (9.4)	5A 1.1.6	Amend Explanation and Reasons to read as follows: <u>“Some types of activities have a heavy dependence on private motor vehicles for access, such as supermarkets, takeaway outlets and service stations. Managing these types of activities ensures the effects on the transport network can be effectively assessed. However, it is recognised there are some existing vehicle oriented activities in the central area which contribute to its role and function as one of the primary commercial centres in Hutt City. Whilst growth and intensification is anticipated to result in a change to the form and character of the Central Commercial Activity Area, it is recognised that this is a gradual process. During this transition, vehicle oriented activities will continue to have a role.”</u>

		<p>This <u>management</u> approach also relates to retail activity precincts for the Central Commercial Activity Area, where vehicle-oriented activities are typically larger in scale. This integrated approach ensures that vehicle oriented activities are managed in terms of their effects on the amenity values of the central area.</p> <p>Overall, good access to the central area for all modes of transport would contribute towards a sustainable city. The District Plan seeks to promote improved access to the central area for all modes of transport, including public transport and non-motorised modes of transport such as pedestrians and cycling. Providing for the needs of people with mobility requirements also contributes to the wellbeing of residents and visitors. A collaborative approach with other authorities will be required in implementing these policies, including the New Zealand Transport Agency and Greater Wellington Regional Council.</p> <p><u>Travel demand management techniques can be effective in managing the traffic effects of large-scale developments, such as integrated retail complexes, where the number of traffic movements generated could have a significant impact on the safe, efficient and convenient functioning of the transport network.”</u></p>
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Amendment 20 - Section 5A 1.2.1 – Delete Weather Protection Section

Submissions

No submissions were received on Amendment 20.

Discussion and Evaluation

As no submissions were received in relation to Amendment 20, it is recommended that Amendment 20 deleting the issue, objective, policies and explanation and reasons relating to weather protection in the Central Commercial Activity Area in Section 5A 1.2.1 is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 20 as notified.

Amendment 21 - Section 5A 1.2.1 – Add New Quality of Buildings and Open Spaces Section

Submissions

No submissions were received on Amendment 21.

Discussion and Evaluation

As no submissions were received in relation to Amendment 21, it is recommended that Amendment 21 adding the issue, objective, policies and explanation and reasons relating to the quality buildings and open spaces in the Central Commercial Activity Area in Section 5A 1.2.1 is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 21 as notified.

Amendment 22 - Section 5A 1.2.2 – Delete Building Frontages and Display Windows Section

Submissions

No submissions were received on Amendment 22.

Discussion and Evaluation

As no submissions were received in relation to Amendment 22, it is recommended that Amendment 22 deleting the issue, objective, policies and explanation and reasons relating to building frontages and display windows in the Central Commercial Activity Area in Section 5A 1.2.2 is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 22 as notified.

Amendment 23 - Section 5A 1.2.2 – Add New Relationship of Buildings to Streets and Open Spaces Section

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/10 (10.3)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Oppose in part	Amend clause 5A1.2.2 Policy (b) to read: "(b). Require <u>Encourage</u> buildings to maintain an active, transparent and continual frontage, as well as shelter along identified streets, to provide a pedestrian focused central core to the Central Commercial Activity Area." Amend the Explanation and Reasons for clause 5A1.2.2 as follows: "Explanation and Reasons Maintaining and enhancing ... and the streetscape. Requiring <u>Encouraging</u> display windows and buildings to be located on the front boundary of identified key roads maintains and enhances the quality of the streetscape for pedestrians. In addition, requiring <u>encouraging</u> shelter for pedestrians along the identified key roads provides protection from adverse climatic conditions and provides a more comfortable environment."
DPC14/14 (14.3)	Petone Planning Action Group	Support	Not stated – support the reinstatement of what look like workable wind rules.

The submission from Retail Holdings Ltd and Lower Hutt Properties Ltd DPC14/10 (10.3) seeks that the continuous frontage be promoted rather than required. Petone Planning Action Group DPC14/14 (14.3) supports the new wind rules.

Discussion and Evaluation

The support for Amendment 23 from Petone Planning Action Group is noted.

As described in the introduction to this report, the vision for the central area is to have a vibrant, active, safe and attractive central business district. Specifically, the southern and central parts of the central area are the historical heart of the central area, where buildings and activities and their relationship to the street have a significant influence on these elements which contribute to a successful centre business district.

Requiring buildings to maintain an active, transparent and continual frontage is one of the fundamental aspects to achieving a number of objectives for the central area. Encouraging these building requirements is considered to be ineffective, as the term implies that this matter be a more discretionary consideration. As some recent developments in the Hutt City central area demonstrate, poor quality urban environments can result if these building design elements are not provided. Therefore, it is recommended that the submission from Retail Holdings and Lower Hutt Properties be rejected and the notified policy and explanation text be retained.

Reporting Officers Recommendation

Reject submission DPC14/10 (10.3).

Accept submission DPC14/14 (14.3) in relation to the support for the wind rules.

Amendment 24 - Section 5A 1.2.3 – Delete Landscaping and Screening Section

Submissions

No submissions were received on Amendment 24.

Discussion and Evaluation

As no submissions were received in relation to Amendment 24, it is recommended that Amendment 24 deleting the issue, objective, policies and explanation and reasons relating to landscaping and screening in the Central Commercial Activity Area in Section 5A 1.2.3 is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 24 as notified.

Amendment 25 - Section 5A 1.2.3 – Add New Adjoining Residential Areas Section

Submissions

No submissions were received on Amendment 25.

Discussion and Evaluation

As no submissions were received in relation to Amendment 25, it is recommended that Amendment 25 adding the issue, objective, policies and explanation and reasons relating to adjoining residential areas in the Central Commercial Activity Area in Section 5A 1.2.3 is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 25 as notified.

Amendment 26 - Section 5A 1.2.4 – Delete Wind Protection Section

Submissions

No submissions were received on Amendment 26.

Discussion and Evaluation

As no submissions were received in relation to Amendment 26, it is recommended that Amendment 26 deleting the issue, objective, policies and explanation and reasons relating to wind protection in the Central Commercial Activity Area in Section 5A 1.2.4 is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 26 as notified.

Amendment 27 - Section 5A 1.2.4 – Add New Hutt River Corridor Section

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/15 (15.5)	Greater Wellington Regional Council	Support in part	Amend Policy 5A1.2.4 a) to read: Encourage <u>Explore the opportunities for the development of a river side promenade by managing activities and development</u> along the river frontage, in conjunction with flood protection works.
DPC14/15 (15.6)	Greater Wellington Regional Council	Support in part	Amend explanation and reasons to reflect the overall responsibilities and management of the Hutt River Corridor

Greater Wellington Regional Council DPC14/15 (15.5) requests Policy (a) be amended to explore opportunities for developing a river side promenade rather than encouraging it. Greater Wellington Regional Council DPC14/15 (15.6) also requests the Explanation and Reasons be amended to recognise the Hutt River Corridor and its management framework.

Discussion and Evaluation

As discussed above under Amendment 18, the development of a river side promenade is one of the key elements of improving the vibrancy and attractiveness of this part of the central area. The same discussion and evaluation in Amendment 18 applies to this Amendment. Therefore, it is recommended that text be added to the Explanation and Reasons in Section 1.2.4 on future detailing investigations. In addition, it is recommended the Explanation and Reasons be amended on the responsibilities and management of the Hutt River corridor, noting there is some existing text on this matter which is recommended to be replaced to have similar wording to the earlier recommendation.

Reporting Officers Recommendation

Accept in part submission DPC14/15 (15.5) in so far as retaining Policy 5A 1.2.4(a) and amending the Explanation and Reasons as noted below on the river side promenade.
Accept in part submission DPC14/15 (15.6) in so far as adding the text noted below to the Explanation and Reasons on responsibilities and management of the Hutt River corridor.

Reporting Officers Recommended Amendments

Submitter number	Provision Ref	Recommended Amendment
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DPC14/15 (15.5)	5A 1.2.4	Add the following text after the second sentence in the first paragraph in the Explanation and Reasons to read: <u>“Detailed investigations are required to determine the specific opportunities and form of a river side promenade along the Hutt River corridor.”</u>
DPC14/15 (15.6)	5A 1.2.4	Amend the second paragraph in the Explanation and Reasons to read as follows: <u>“The river corridor itself is identified and managed in the District Plan for flood protection purposes. In addition, the Hutt River Flood Plain Management Plan is a non-statutory document setting out a 40-year blueprint for the management of the river corridor. Greater Wellington Regional Council is responsible for managing the river, flood protection and flood warning systems, while Hutt City Council is responsible for land use activities in and adjacent to the river corridor, including the development of a river side promenade.</u> <u>For the physical flood protection works built and maintained by Greater Wellington Regional Council, including future upgrade works, it is important that activities and development within the Central Commercial Activity Area are managed to protect these works from damage. It is imperative the two Councils work in partnership in managing the river corridor.</u> The river corridor itself is identified and managed in the District Plan for flood protection purposes. Physical flood protection measures are built and maintained by Greater Wellington Regional Council, with planned upgrading to occur. For the section of the river corridor adjacent to the Central Commercial Activity Area, upgrade works may be undertaken in the future. It is important that activities and development are managed on and adjacent to these flood protection works to protect them from damage. It is imperative the management of the river corridor is undertaken in collaboration with Greater Wellington Regional Council.”

Amendment 28 - Section 5A 1.2.5 – Delete Sites Abutting Residential or Recreation Activity Areas Section r

Submissions

No submissions were received on Amendment 28.

Discussion and Evaluation

As no submissions were received in relation to Amendment 28, it is recommended that Amendment 28 deleting the issue, objective, policies and explanation and reasons relating to sites abutting residential or recreation activity areas in the Central Commercial Activity Area in Section 5A 1.2.5 is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 28 as notified.

Amendment 29 - Section 5A 1.2.5 – Add New Carparking Section

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/09 (9.5)	New Zealand Transport Agency	Oppose in part	<p>Insert additional words into the Issue of 5A 1.2.5, as below: Issue Providing for carparking within the Central Commercial Activity Area in a way that does not dominate streetscapes, or break up continuous built frontages, which can detract from the area's amenity values. <u>Provide for carparking in a way that reduces the reliance on private vehicles and encourages the use of sustainable transport modes.</u></p> <p>Insert additional words into the Explanation and Reasons of 5A 1.2.5, as below: Explanation and Reasons Activities within the Central Commercial Activity Area require good access provision both for pedestrians and vehicle based users. The integration of the transport network with development and activities is essential for the effective functioning of the central area. The provision of carparking needs to ensure that supply is both adequate and well located, while not compromising other forms of transport or degrading the amenity values of the central area. <u>Controlling the growth of private vehicle commuter traffic, by limiting carparking can influence commuters to use other transport modes. This in turn will seek to avoid, remedy or mitigate congestion and to improve the Central Area environment.</u></p> <p>The provision of suitable on-site carparking, servicing and access for all sites in the Central Commercial Activity Area is essential for the efficient functioning of the city. However, it is not necessary for each individual site to be self-sufficient, with the ability for shared facilities or reliance on public facilities, such as public carparks and service lanes, <u>or public transport.</u> If on-site carparking, servicing and access is to be provided on-site, it should reflect the anticipated existing or future needs of the activities...</p>
DPC14/10 (10.4)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Oppose in part	<p>Amend the Issue in clause 5A1.2.5 to read: "Providing for car parking within the Central Commercial Activity Area in a way that does not dominate streetscapes, or <u>unduly</u> break up continuous built frontages, which can detract from the area's amenity values."</p>
DPC14/10 (10.5)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Support	<p>Retain the second paragraph of the Explanation and Reasons in clause 5A1.2.5 in its notified form.</p>
DPC14/10 (10.6)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Oppose in part	<p>Amend the third paragraph of the Explanation and Reasons in clause 5A1.2.5 as follows: "On-site car parking can also degrade <u>can be designed in a way to enhance</u> the streetscape and character of the Central Commercial Activity Area. Therefore, performance standards and design guidance is provided to ensure on-site car parking is provided in a manner which recognises and reflects the streetscape and character of the different precincts in the Central Commercial Activity Area. These standards and guidelines include managing ground level car parking and car parking structures."</p>

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS6 (FS6.1)	Greater Wellington Regional Council	New Zealand Transport Agency DPC14/09 (9.5)	Support
DPC14/FS7 (FS7.3)	McDonalds Restaurants NZ Ltd	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.6)	Support

New Zealand Transport Agency DPC14/09 (9.5) requests adding text to the explanation and reasons to recognise the potential adverse effects carparking can have on other transport modes and how increased carparking can reduce use of other transport modes such as public transport. Greater Wellington Regional Council DPC14/FS6 (FS6.1) supports this submission from the New Zealand Transport Agency.

Retail Holdings Ltd and Lower Hutt Properties Ltd DPC14/10 (10.4) request the Issue Statement in Section 5A 1.2.5 be amended to recognise carparking that breaks up continuous built frontages may be appropriate on some sites. Retail Holdings Ltd and Lower Hutt Properties Ltd DPC14/10 (10.5) also request the second paragraph of the Explanation and Reasons in clause 5A1.2.5 be retained.

Lastly, Retail Holdings Ltd and Lower Hutt Properties Ltd DPC14/10 (10.6) request the third paragraph in the Explanation and Reasons be amended to recognise on-site carparking can be designed in a way that enhances the streetscape and character of the Central Commercial Activity Area. McDonalds Restaurants NZ Ltd DPC14/FS7 (FS7.3) supports this submission from Retail Holdings and Lower Hutt Properties DPC14/10 (10.6).

Discussion and Evaluation

Amendment 29 proposes to introduce a new section on managing carparking within the Central Commercial Activity Area. The new text recognises parking plays a role in facilitating access to and within the central area to support the range of activities and facilities in the central area. The new text also recognises that there is a link between the provision of carparking and the amount and nature of traffic movements and the impact it can have on the quality of the urban environment.

The intent of the wording in the submission from the New Zealand Transport Agency is supported as it further recognises that the provision of carparking can influence traffic movements. The recommended wording is detailed below.

The submission from Retail Holdings and Lower Hutt Properties requesting the addition of 'unduly' is not supported. The term 'unduly' is qualitative in nature and is open to interpretation. Furthermore, it is not considered the term adds any further clarity to the issue.

The support in the second submission point above from this submitter is noted.

The third submission point from this submitter is partly supported as it recognises that the design of a carpark can influence the streetscape and character of an area. It is recommended additional text be added to recognise that the design of carparking areas can influence the adverse effects on streetscape and character.

Reporting Officers Recommendation

Accept in part submission DPC14/09 (9.5) in so far as amending the Issue Statement and Explanation and Reasons as noted below to better recognise the better between carparking and vehicle movements.

Accept in part further submission DPC14/FS6 (FS6.1) which supports submission DPC14/09 (9.5)

Reject submission DPC14/10 (10.4).

Accept submission DPC14/10 (10.5) by retaining the second paragraph in the Explanation and Reasons.

Accept in part submission DPC14/10 (10.6) by recognising that the design of carparking areas can minimise the effects on streetscape and character.

Accept in part further submission DPC14/FS7 (FS7.3) which supports submission DPC14/10 (10.6).

Reporting Officers Recommended Amendments

Submitter number	Provision Ref	Recommended Amendment
DPC14/09 (9.5)	5A 1.2.5	<p>Amend Issue Statement and Explanation and Reasons as detailed below:</p> <p>Issue Providing for carparking within the Central Commercial Activity Area in a way that does not dominate streetscapes, or break up continuous built frontages, which can detract from the area's amenity values. <u>Also, provide for carparking in a way that reduces the reliance on private vehicles and encourages the use of sustainable transport modes.</u></p> <p>Explanation and Reasons Activities within the Central Commercial Activity Area require good access provision both for pedestrians and vehicle based users. The integration of the transport network with development and activities is essential for the effective functioning of the central area. The provision of carparking needs to ensure that supply is both adequate and well located, while not compromising other forms of transport or degrading the amenity values of the central area. <u>The supply of carparking can influence the transport modes people use.</u></p> <p>The provision of suitable on-site carparking, servicing and access for all sites in the Central Commercial Activity Area is essential for the efficient functioning of the city. However, it is not necessary for each individual site to be self-sufficient, with the ability for shared facilities or reliance on public facilities, such as public carparks and service lanes, <u>or public transport.</u> If on-site carparking, servicing and access is to be provided on-site, it should reflect the anticipated existing or future needs of the activities”</p>
DPC14/10 (10.6)	5A 1.2.5	<p>Amend the third paragraph of the Explanation and Reasons to read as follows:</p> <p>“On-site carparking can also degrade the streetscape and character of the Central Commercial Activity Area, <u>with the design of carparking areas being one technique which can minimise the adverse effects.</u> Therefore, performance standards and design guidance is provided to ensure on-site carparking is provided in a manner which recognises and reflects the streetscape and character of the different precincts in the Central Commercial Activity Area. These standards and guidance include managing ground level carparking and carparking structures.”</p>

Amendment 30 - Section 5A 1.2. 6 – Delete Sites that do not Abut Residential Activity Areas but are Adjacent to Residential Activity Areas Section

Submissions

No submissions were received on Amendment 30.

Discussion and Evaluation

As no submissions were received in relation to Amendment 30, it is recommended that Amendment 30 deleting the issue, objective, policies and explanation and reasons relating to sites that do not abut residential activity areas but are adjacent to residential activity areas in Section 5A 1.2.6 is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 30 as notified.

Amendment 31 - Section 5A 1.2.6 – Add New Energy Efficient and Low Impact Urban Development Section

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/09 (9.6)	New Zealand Transport Agency	Oppose in part	Insert a policy into 5A. 1.2.6. as below: <u>(e) Promote cycle parking provisions in new buildings.</u>

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS6 (FS6.2)	Greater Wellington Regional Council	New Zealand Transport Agency DPC14/09 (9.6)	Support

New Zealand Transport Agency DPC14/09 (9.6) requests a new policy be added to Section 1.2.6 on promoting cycle parking in new buildings. Greater Wellington Regional Council DPC14/FS6 (FS6.2) supports this submission from the New Zealand Transport Agency.

Discussion and Evaluation

The provision of cycling parking in new buildings would be one way of facilitating increased cycling. This provision would apply to commercial and residential buildings where the cycle parking could be used by workers and residents. 'Promoting' cycle parking instead of 'requiring' cycle parking provides greater flexibility and opportunity to be applied in the design and development of new buildings. Council could use various methods for implementing this policy, including guidance material, advocacy at the time of building design, and raising public awareness about cycling in the central area. It is recommended a further policy and associated explanation and reasons be added as detailed below.

Reporting Officers Recommendation

Accept in part submission DPC14/09 (9.6) by adding a new policy to Section 5A 1.2.6 as noted below.

Accept in part further submission DPC14/FS6 (FS6.2) which supports submission DPC 14/09 (9.6).

Reporting Officers Recommended Amendments

Submitter number	Provision Ref	Recommended Amendment
DPC14/09 (9.6)	5A 1.2.6	Add a new policy to read: <u>(d) Promote cycle parking in new buildings.</u> Add the following text at the end of the Explanation and Reasons to read: <u>"The provision of cycle parking in buildings is one way to encourage increased cycling to, from and within the central area. A range of guidance is available on the design and</u>

		<u>location of cycle parking both internationally and domestically.”</u>
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Amendment 32 - Section 5A 2.1 – Delete Permitted Activities (a) to (j)

Submissions

No submissions were received on Amendment 32.

Discussion and Evaluation

As no submissions were received in relation to Amendment 32, it is recommended that Amendment 32 deleting the permitted activities (a) – (j) in Rule 5A 2.1 is adopted as notified.

Reporting Officers Recommendation

Adopt Amendment 32 as notified.

Amendment 33 - Section 5A 2.1 – Add Permitted Activity (a) – Activities

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/13 (13.1)	Harvey Norman Stores Pty NZ Ltd	Support	Retain office and warehouse uses as permitted activities
DPC14/15 (15.12)	Greater Wellington Regional Council	Support	Retain Rule 5A2.1
DPC14/16 (16.3)	Hutt Valley Chamber of Commerce	Support	Not stated - Support widening the range of permitted activities to include residential use.

Harvey Norman Stores Pty NZ Ltd DPC14/13 (13.1) requests office and warehouse uses be retained as a permitted activity. Greater Wellington Regional Council DPC14/15 (15.12) and Hutt Valley Chamber of Commerce DPC 14/16 (16.3) support Rule 5A 2.1.

Discussion and Evaluation

The support for Rule 5A 2.1(a) from the above submitters is noted.

Reporting Officers Recommendation

Accept submission DPC14/13 (13.1) by retaining Rule 5A 2.1(a) as notified.
Accept submission DPC14/15 (15.12) by retaining Rule 5A 2.1(a) as notified.
Accept submission DPC14/16 (16.3) by retaining Rule 5A 2.1(a) as notified.

Amendment 34 - Section 5A 2.1 – Add Permitted Activity (b) - Redevelopment, Alteration and Repair of Existing Buildings

Submissions

Submitter	Submitter name	Support /	Decision/Relief Sought
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number		Oppose	
DPC14/17 A (17.4)	McDonalds Restaurants NZ Ltd	Support	Retain Rule 5A2.1(b) without amendment

McDonalds Restaurants NZ Ltd DPC14/17A (17.4) requests Rule 5A 2.1(b) permitting the redevelopment, alteration and repair of existing buildings be retained.

Discussion and Evaluation

The support for Rule 5A 2.1(b) from the above submitter is noted.

Reporting Officers Recommendation

Accept submission DPC14/17A (17.4) by retaining Rule 5A 2.1(b) as notified.

Amendment 35 - Section 5A 2.1 – Add Permitted Activity (c) - Erection, Construction and Development of Additions to Existing Buildings

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/17 A (17.5)	McDonalds Restaurants NZ Ltd	Support	Retain Rule 5A2.1(c) without amendment
DPC14/07 (7.2)	Costas Nicolaou, Gary Edridge, Steve Shadwell, Bruce Sedcole	Support in part	Amend Rule 5A 2.1 (c) to clarify the measure/dimension that the 5% relates to.

McDonalds Restaurants NZ Ltd DPC14/17A (17.5) requests Rule 5A 2.1(c) permitting the erection, construction and development of additions to existing buildings be retained.

Discussion and Evaluation

The support for Rule 5A 2.1(c) from the above submitters is noted.

In terms of the measure or dimension that the phrase “5% of the size” relates to, the intention is that it applies to ‘gross floor area’. To avoid potential confusion regarding the interpretation of this rule, it is recommended the rule be re-worded as detailed below.

Reporting Officers Recommendation

Accept submission DPC14/17A (17.5) in so far as retaining the original intent of Rule 5A 2.1(c) as notified.

Accept submission DPC14/07 (7.2) amending Rule 5A 2.1(c) as noted below to clarify the measure/dimension of 5%.

Reporting Officers Recommended Amendment

Submitter number	Provision Ref	Recommended Amendment
DPC14/07 (7.2)	5A 2.1(c)	Amend Rule 5A 2.1(c) to read as follows: (c) The erection, construction and development of additions to existing buildings <u>where the gross floor area of</u> with the additions having a gross floor area of is less than 5% of the gross floor area size of the existing building.

Amendment 36 - Section 5A 2.1 – Add Permitted Activity (d) - Total or Partial Demolition or Removal of Buildings and Structures

Submissions

No submissions were received on Amendment 36.

Discussion and Evaluation

As no submissions were received in relation to Amendment 36, it is recommended that Amendment 36 adding Rule 5A 2.1(d) permitting total or partial demolition or removal of buildings and structures.

Reporting Officers Recommendation

Adopt Amendment 36 as notified.

Amendment 37 - Section 5A 2.1.1 – Delete Permitted Activity Standards (a) to (e)

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/08 A (8.4)	Making Places Reference Group	Support	Not stated - Replacement of floor area ratios and bonus rules with a maximum graduated height limits.

Making Places Reference Group DPC14/08 (8.4) supports the replacement of the floor area ratios and bonus rules with maximum graduated height limits.

Discussion and Evaluation

The support for deleting standards 5A 2.1.1 (b) and (c) relating to floor area ratios and floor area bonus is noted.

Reporting Officers Recommendation

Accept submission DPC14/08 (8.4) by deleting standards 5A 2.1.1 (b) and (c).

Amendment 38 - Section 5A 2. 1.1 – Add Permitted Activity Standard (a) – Maximum Height of Buildings and Structures

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/08 A (8.4)	Making Places Reference Group	Support	Not stated - Replacement of floor area ratios and bonus rules with a maximum graduated height limits.
DPC14/13 (13.2)	Harvey Norman Stores Pty NZ Ltd	Support	Retain maximum height of 18 metres for buildings and structures in the Riverfront Precinct.
DPC14/01 (1.3)	R & E Marvally	Support	Adopt Plan Change 14. The restoration of a 12m height limit for the Residential Transition Precinct and its defined future character will bring comfort and security to the nearby residents and to those who should move into the area.
DPC14/06 (6.2)	Stephen Shadwell	Oppose in part	The 12 metre threshold needs reviewing with consideration given to raising it. It should not be based on experience in another city where conditions

			are different.
DPC14/06 (6.3)	Stephen Shadwell	Oppose in part	Consideration should be given to having a higher threshold for buildings with verandas.

Making Places Reference Group DPC14/08 (8.4) supports the replacement of the floor area ratios and bonus rules with maximum graduated height limits. Harvey Norman Stores Pty NZ Ltd DPC14/13 (13.2) requests Rule 5A 2.1.1(a) the maximum height limit of 18m for the Riverfront Precinct be retained. R & E Marvally DPC14/01 (1.3) support the 12m height limit for the Residential Transition Precinct.

Stephen Shadwell DPC14/06 (6.2) and (6.3) requests the 12 metre height limit be reviewed and a higher height limit applied, particularly for buildings with verandahs.

Discussion and Evaluation

The support for Rule 5A 2.1.1 (a) from the above submitters is noted, particularly for the Riverfront and Residential Transition Precincts.

In determining the proposed height limits the overall capacity of activities and development in the Central Commercial Activity Area, the overall city urban form, and relationship to streets and adjoining residential and recreation areas were considered. The 12 metre height limit applies to the Residential Transition Precinct along the eastern side of the central area, the Ward St commercial area at the southern end, and parts of the Commercial Precinct at the northern end. These areas are in close proximity to residential areas where taller buildings could degrade the character and amenity values of the residential areas. In addition, the characteristics of this part of the Central Commercial Activity Area are low-rise buildings which typically have a commercial, retail or service use. Permitting taller buildings (above 12 metres) in these areas are not considered appropriate as it would compromise the low rise and residential character and amenity values of the adjoining residential areas and the character of these parts of the Central Commercial Activity Area. Taller buildings can over-dominate the street, and cause excessive shading and loss of privacy. It is recommended the 12 metre height limit be retained.

Reporting Officers Recommendation

Accept submission DPC14/08 (8.4) in so far as adding standard 5A 2.1.1 (a).
Accept submission DPC14/13 (13.2) retaining standard 5A 2.1.1 (a) with a 18m height limit for the Riverfront Precinct as notified.
Accept submission DPC14/1 (1.3) retaining standard 5A 2.1.1 (a) with a 12m height limit for the Residential Transition Precinct as notified.
Reject submission DPC14/06 (6.2) and (6.3) in so far as retaining standard 5A 2.1.1 (a) retaining the 12m height limit.

Amendment 39 - Section 5A 2. 1.1 – Add Permitted Activity Standard (b) – Minimum Yard Requirements

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/14 (14.4)	Petone Planning Action Group	Support	Not stated - support the minimum yard requirements.

Petone Planning Action Group DPC14/14 (14.4) supports the minimum yard requirements.

Discussion and Evaluation

The support for standard 5A 2.1.1(b) from the above submitter is noted.

Reporting Officers Recommendation

Accept submission DPC14/14 (14.4) by retaining standard 5A 2.1.1 (b) as notified.

Amendment 40 - Section 5A 2. 1.1 – Add Permitted Activity Standard (c) – Sunlight Protection

Submissions

No submissions were received on Amendment 40.

Discussion and Evaluation

As no submissions were received in relation to Amendment 40, it is recommended that Amendment 40 adding standard 5A 2.1.1 (c) for sunlight protection be retained.

Reporting Officers Recommendation

Adopt Amendment 40 as notified.

Amendment 41 - Section 5A 2. 1.1 – Add Permitted Activity Standard (d) – Building Frontages and Display Windows

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/10 (10.7)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Oppose in part	Amend Condition 5A 2.1.1 (d) to read; "(d) Building frontages and display windows: Any part of a building fronting a street, pedestrian mall, pedestrian walkway or other public space identified in Appendix Central Commercial 3 - Verandahs, Building Frontages and Display Windows, shall be <u>that is</u> built to the front boundary shall have display windows along the frontage. The display windows shall meet the following requirement: (i) Within the Core, Commercial and Riverfront precincts identified in Appendix Central Commercial 1 - Precincts, at least 60% of the ground floor façade surface <u>that fronts a street, pedestrian mall, pedestrian walkway, or other public space, shall be transparent glass display windows.</u> "
DPC14/15 (15.13)	Greater Wellington Regional Council	Support	Retain Rule 5A2.1.1(d)

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS7 (FS7.4)	McDonalds Restaurants NZ Ltd	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.7)	Support
DPC14/FS4 (FS4.1)	Westfield (NZ) Ltd	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.7)	Support

Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.7) requests standard 5A 2.1.1(d) be amended regarding building frontages and display windows. McDonalds Restaurants NZ Ltd DPC14/FS7 (FS7.4) and Westfield (NZ) Ltd DPC14/FS4 (4.1) support this submission from Retail Holdings and Lower Hutt Properties.

Greater Wellington Regional Council DPC14/15 (15.13) supports standard 5A 2.1.1(d).

Discussion and Evaluation

The support for standard 5A 2.1.1(d) from Greater Wellington Regional Council is noted.

The intent of standard 5A 2.1.1(d) is to require buildings to be located to the boundary in the areas identified in Appendix 3 Central Commercial 3, and that the ground level facade have at least 60% transparent display windows. In response to the potential confusion contended by the submitter about where and what is required by this standard, it is recommended it be re-worded to clarify its application.

Reporting Officers Recommendation

Accept submission DPC14/10 (10.7) in so far as amending standard 5A 2.1.1(d) as noted below to clarify the application of this standard.

Accept submission DPC14/15 (15.13) by retaining the original intent of standard 5A 2.1.1(d) as notified.

Accept further submission DPC14/FS7 (FS7.4) which supports submission DPC14/10 (10.7) in so far as amending standard 5A 2.1.1(d) as noted below to clarify the application of this standard.

Accept further submission DPC14/FS4 (FS4.1) which supports submission DPC14/10 (10.7) in so far as amending standard 5A 2.1.1(d) as noted below to clarify the application of this standard.

Reporting Officers Recommended Amendments

Submitter number	Provision Ref	Recommended Amendment
DPC14/10 (10.7)	5A 2.1.1(d)	<p>Amend standard 5A 2.1.1(d) to read:</p> <p>(d) Any part of a building fronting a street, pedestrian mall, pedestrian walkway, or other public space <u>For sites within the area identified in Appendix Central Commercial 3 – Verandahs, Building Frontages and Display Windows, the following building requirements shall be met:</u></p> <p>shall be built to the front boundary and have display windows along the frontage. The display windows shall meet the following requirement:</p> <p><u>(i) All buildings shall be built to the front road boundary of the site; and</u></p> <p><u>(ii) Any parts of a building fronting a street, pedestrian mall, pedestrian walkway or other public space shall have at least 60% transparent glass display windows for the ground floor facade surface on each facade.</u></p> <p>(i) Within the Core, Commercial and Riverfront Precincts identified in Appendix Central Commercial 1 – Precincts, minimum of 60% of the ground floor facade surface shall be transparent glass display windows.</p>

Amendment 42 - Section 5A 2. 1.1 – Add Permitted Activity Standard (e) – Verandahs

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
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DPC14/10 (10.8)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Oppose in part	Amend clause 5A 2.1.1(e) to read: "(e) Verandahs: <u>Where Any part of a building, but not its associated at grade parking,</u> fronts a street, pedestrian mall, pedestrian walkway or other public space identified in Appendix Central Commercial 3 - Verandahs, Building Frontages and Display Windows, it shall have a verandah The verandah shall meet the following requirements: (i) ... (v) provide continuous shelter with any adjoining verandah or pedestrian shelter <u>unless interrupted by an at grade car park.</u> "
DPC14/15 (15.13)	Greater Wellington Regional Council	Support	Retain Rule 5A2.1.1(d)

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS7 (FS7.5)	McDonalds Restaurants NZ Ltd	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.8)	Support

Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.8) requests standard 5A 2.1.1(e) be amended to clarify the requirement for a verandah where at grade carparking is provided. McDonalds Restaurants NZ Ltd DPC14/FS7 (FS7.5) supports this submission from Retail Holdings and Lower Hutt Properties.

Greater Wellington Regional Council DPC14/15 (15.13) supports standard 5A 2.1.1(e).

Discussion and Evaluation

The support for standard 5A 2.1.1(e) from Greater Wellington Regional Council is noted.

Similar to the submission from Retail Holdings Ltd and Lower Hutt Properties Ltd on standard 5A 2.1.1(d) above, the same submitter seeks an exemption to standard 5A 2.1.1(e) relating to verandahs where at grade parking is provided. This exemption is not considered appropriate, as this would undermine the primary purpose of this standard, which is to provide a continuous verandah along streets in the Core Precinct. This standard is considered to be the most effective in achieving the objective of ensuring development maintains and enhances the amenity and safety of the Central Commercial Activity Area, in particular, maximising pedestrian comfort and safety.

However, as discussed above in Amendment 41 for standard 5A 2.1.1(d), it is recommended the standard be re-worded to clarify its application. Amending 5A 2.1.1(e) would provide for consistent in language and format to standard 5A 2.1.1(d), which would improve the usability of the Plan.

Reporting Officers Recommendation

Accept submission DPC14/10 (10.8) in so far as amending standard 5A 2.1.1(e) as noted below to clarify the application of this standard regarding at grade car parks.

Accept submission DPC14/15 (15.13) by retaining the original intent of standard 5A 2.1.1(e) as notified.

Accept further submission DPC14/FS7 (FS7.5) which supports submission DPC14/10 (10.8) in so far as amending standard 5A 2.1.1(e) as noted below to clarify the application of this standard regarding at grade car parks.

Reporting Officers Recommended Amendments

Submitter number	Provision Ref	Recommended Amendment
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DPC14/10 (10.8)	5A 2.1.1(e)	<p>Amend standard 5A 2.1.1(e) to read:</p> <p>(e) Any part of a building fronting a street, pedestrian mall, pedestrian walkway, or other public space For sites within the area identified in Appendix Central Commercial 3 – Verandahs, Building Frontages and Display Windows, <u>the following verandah requirements shall be met:</u></p> <p>identified in Appendix Central Commercial 3 – Verandahs, Building Frontages and Display Windows shall have a verandah. The verandah shall meet the following requirements:</p> <p>(i) <u>Any parts of a building fronting a road, pedestrian mall, pedestrian walkway or other public space shall have a verandah.</u></p> <p>(ii) A minimum clearance of 2.5 metres directly above the footpath or formed ground surface.</p> <p>(iii) No more than 4 metres (measured at the base of the verandah fascia) directly above the footpath or formed ground surface.</p> <p>(iv) Extend for the full length of the building.</p> <p>(v) Extend outwards from the front of the building to the far side of the kerbing less 450mm, or 3 metres whichever is the lesser.</p> <p>(vi) Provide continuous shelter with any adjoining verandah or pedestrian shelter.</p>
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Amendment 43 - Section 5A 2.1. 1 – Amend Permitted Activity Standard (f) – Screening

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/14 (14.5)	Petone Planning Action Group	Support	Not stated - agree that all areas of outdoor storage should be screened.

Petone Planning Action Group DPC14/14 (14.5) supports the minimum screening requirements.

Discussion and Evaluation

The support for standard 5A 2.1.1(f) from the above submitter is noted.

Reporting Officers Recommendation

Accept submission DPC14/14 (14.5) by retaining standard 5A 2.1.1 (f) as notified.

Amendment 44 - Section 5A 2.1. 1 – Amend Permitted Activity Standard (g) – Sites Abutting Residential or Recreation Activity Areas

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/13 (13.9)	Harvey Norman Stores Pty NZ Ltd	Oppose	Exclude sites abutting the Hutt River Recreation area by amending as follows: Where a site abuts a Residential or Recreation

			Activity Area the following shall apply: i. ... ii. Side and rear yards - minimum of 7 metres from the side and rear boundaries of any site in the Residential or Recreation Activity Area, <u>but excluding the Hutt River Recreation Area</u> iii... iv. Servicing of activities shall not occur between the hours of 10.00pm and 7.00am, <u>where a site immediately abuts a Residential Activity Area.</u>
DPC14/14 (14.6)	Petone Planning Action Group	Support in part	Amend Rule 5A 2.1.1(g)(i) to replace the term “abutting” with either “adjacent” and “adjoining”.

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS6 (FS6.5)	Greater Wellington Regional Council	Harvey Norman Stores Pty NZ Ltd DPC14/13 (13.9)	Oppose

Harvey Norman Stores Pty NZ Ltd DPC14/13 (13.9) requests standard 5A 2.1.1(f) be amended so the setback requirements and servicing hours do not apply for sites adjacent to the Hutt River corridor. Greater Wellington Regional Council DPC14/FS6 (FS6.5) opposes this submission from Harvey Norman and requests that the submitted amendment be rejected.

Petone Planning Action Group DPC14/14 (14.6) seeks standard 5A 2.1.1(f) be amended to clarify ‘abutting’, ‘adjacent’ and ‘adjoining’.

Discussion and Evaluation

As discussed above in Amendment 24 for the new policy section on the relationship to the Hutt River corridor, development in the Central Commercial Activity Area could threaten or damage the flood protection works. The setback distance in Rule 5A 2.1.1(f) from the Hutt River Recreation Activity Area seeks to minimise this damage by providing a buffer between buildings and the stopbank. This setback also provides sufficient distance for maintenance and access to the stopbanks. Conversely, the setback can result in the inefficient use and development of the land resource in the Central Commercial Activity Area. Furthermore, the development of a river side promenade with buildings constructed to the edge of stop bank and having active frontages and ground levels on top of the stopbank could be frustrated by this setback requirement.

At this time, it is considered the setback distance is the most effective and efficient method for achieving the objectives of protecting the integrity of the flood protection works and enhancing the relationship to the river corridor. If an encroachment of the setback was proposed, a resource consent would be required which would assess on a case-by-case basis the proposed development, its relationship to the river corridor and maintaining the integrity of the flood protection works. I note this was the case with the Harvey Norman development. Therefore, it is recommended the existing text is retained unchanged, noting that the policies and explanation and reasons in new Section 5A 1.2.4 provide new guidance for assessing any future resource consent applications.

In terms of the standard restricting the hours of operation for servicing, this is primarily an issue for commercial sites adjacent to the Residential Activity Area. Servicing activities can generate noise and other nuisances for neighbouring residents, therefore, the restriction on hours is considered appropriate. However, the same nuisance issues do not arise for commercial sites adjacent to Recreation Activity Area, as the recreation areas are generally not occupied during the night resulting in disturbances. Therefore, it is recommended that the hours of operation for servicing do not apply to the Recreation Activity Area.

In addition, this submission highlights the issue with grouping the standards for sites adjacent to the Recreation Activity Area and Residential Activity Area into the same rule. As a consequential amendment to this submission, it is recommended that Rule 5A 2.1.1(g) be split into two rules, one applying to Sites Abutting Residential Activity Areas and secondly, Sites Abutting Recreation Activity Areas.

The use of the term ‘abut’ has been clarified in a declaration from the Environment Court¹. Given this determination, it is considered that this term is understood and does not require amending. In summary, the Environment Court declaration stated in the context of Rule 5A 2.1.1(g) that abut means a site shares a common boundary with another site, and a site does not abut where it is separated by legal road or other land.

Reporting Officers Recommendation

Accept in part submission DPC14/13 (13.9) in so far as retaining the setback distance but removing the hours of servicing for sites abutting Recreation Activity Areas.
Accept in part further submission DPC14/FS6 (FS6.5) which opposes submission DPC14/13 (13.9) in so far as retaining the setback distance from the Hutt River Recreation Activity Area.
Reject submission DPC14/14 (14.6) and retain the use of the term ‘abut’.

Reporting Officers Recommended Amendments

Submitter number	Provision Ref	Recommended Amendment
DPC14/13 (13.9)	5A 2.1.1(g) and (h)	<p>Amend standards 5A 2.1.1(g) and (h) as follows:</p> <p><u>(g) Sites Abutting Residential or Recreation Activity Areas:</u> Where a site abuts a Residential or Recreation Activity Area, the following conditions shall apply:</p> <ul style="list-style-type: none"> (i) Buildings and structures shall comply with the recession plane requirements of the abutting Residential or Recreation Activity Areas. (ii) Side and rear yards - minimum of 7 metres where the site abuts a residential or recreation activity area <u>from the side and rear boundaries of any site in the Residential Activity Area.</u> (iii) Where a site abuts a residential or recreation activity area <u>All outdoor storage, carparking, and servicing areas must be screened so they are not visible from abutting sites in the Residential Activity Area.</u> (iv) Where a site abuts a residential or recreation activity area <u>servicing of activities must shall not occur between the hours of 10.00pm and 7.00am.</u> <p><u>(h) Sites Abutting Recreation Activity Areas:</u> <u>Where a site abuts a Recreation Activity Area, the following conditions shall apply:</u></p> <ul style="list-style-type: none"> (i) <u>Buildings and structures shall comply with the recession plane requirements of the abutting Recreation Activity Areas.</u> (ii) <u>Side and rear yards - minimum of 7 metres from the side and rear boundaries of any site in the Residential Activity Area.</u> (iii) <u>All outdoor storage, carparking, and servicing areas must be screened so they are not visible from abutting sites in the Recreation Activity Area.</u> <p>Further consequential amendment: Re-number Rules 5A 2.1.1(h) – (k) as Rules 5A 2.1.1(i) – (l).</p>

¹ Decision No. W046/2007

Amendment 45 - Section 5A 2.1.1 – Delete Permitted Activity Standard (h) – Sites that do not Abut Residential Activity Areas

Submissions

No submissions were received on Amendment 45.

Discussion and Evaluation

As no submissions were received in relation to Amendment 45, it is recommended that Amendment 45 deleting the standards for sites that do not abut Residential Activity Areas be confirmed.

Reporting Officers Recommendation

Adopt Amendment 45 as notified.

Amendment 46 - Section 5A 2. 1.1 – Add Permitted Activity Standard (h) – Lighting

Submissions

No submissions were received on Amendment 46.

Discussion and Evaluation

As no submissions were received in relation to Amendment 46, it is recommended that Amendment 46 adding standards for lighting be adopted.

Reporting Officers Recommendation

Adopt Amendment 46 as notified.

Amendment 47 - Section 5A 2.1. 1 – Delete Permitted Activity Standard (i) – Building Frontages and Display Windows

Submissions

No submissions were received on Amendment 47.

Discussion and Evaluation

As no submissions were received in relation to Amendment 47, it is recommended that Amendment 47 deleting the standards for building frontages and display windows be confirmed.

Reporting Officers Recommendation

Adopt Amendment 47 as notified.

Amendment 48 - Section 5A 2.1.1 – Add Permitted Activity Standard (i) – Dust

Submissions

No submissions were received on Amendment 48.

Discussion and Evaluation

As no submissions were received in relation to Amendment 48, it is recommended that Amendment 48 adding standards for dust be adopted.

Reporting Officers Recommendation

Adopt Amendment 48 as notified.

Amendment 49 - Section 5A 2.1.1 – Add Permitted Activity Standard (j) – Parking, Loading and Access

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/17 A (17.6)	McDonalds Restaurants NZ Ltd	Oppose	i) Delete Rule 5A 2.1.1 (j)(i)(ii), or in the alternative: ii) Amend Rule 5A 2.1.1 (j)(i)(ii) to by adding the following: - <u>this rule does not apply to existing activities where additions or alterations to buildings do not exceed 10% of existing GFA</u> - <u>sites with frontage to more than one street may provide parking at ground level at the front of the street with the lower traffic volume</u> iii) Or alternatively, inclusion of the McDonald's site within the Commercial Precinct instead of the Core Precinct iv) Such other relief as may give effect to the submission including any consequential amendments.
DPC14/05 (5.9)	Foodstuffs Co-Op Society Ltd	Oppose	Amend 5A 2.1.1(j) by deleting the phrase "and in the Commercial Precinct identified in Appendix Central Commercial 1 - Precincts" and replacing the word "lesser" with "greater".
DPC14/10 (10.9)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Oppose in part	Amend clause 5A 2.1.1 (j)(ii) to read: "For front road boundaries not identified in Appendix Central Commercial 3 - Verandahs, Building Frontages and Display Windows and in the Commercial Precinct identified in Appendix Central Commercial 1 - Precincts, any surface or ground level parking area shall not exceed a maximum width of 45 <u>18m</u> along the site frontage or 40% of the site frontage whichever is the lesser <u>greatest</u> ."

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS7 (FS7.2)	McDonalds Restaurants NZ Ltd	Foodstuffs Co-operative Society Ltd DPC14/05 (5.9)	Support
DPC14/FS3 (all)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Foodstuffs Co-operative Society Ltd DPC14/05 (5.9)	Support

McDonalds Restaurants NZ Ltd DPC14/17A (17.6) requests the requirement relating to distance of road frontage for surface or ground level carparking be deleted or an exclusion added to allow for small additions and sites with more than one street frontage. Foodstuffs Co-Operative Society Ltd DPC14/05 (5.9) request that the requirement relating to distance of road frontage for surface or ground level carparking not apply to the Commercial Precinct and replacing 'lesser' with 'greater'. McDonalds Restaurants NZ Ltd DPC14/FS7 (FS7.2) and Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/FS3 (all) support this submission from Foodstuffs.

Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.9) requests that the requirement relating to distance of road frontage for surface or ground level carparking be amended from 15m to 18m and replace 'lesser' with 'greater'..

Discussion and Evaluation

Large areas of carparking can degrade the streetscape and character of the central area. The proposed maximum site frontage requirements for carparking seek to minimise the extent of carparking along streets to ensure an attractive and high quality urban environment. Deleting this requirement would not be effective in achieving the objectives about the quality of the central area, such as providing buildings and activities fronting the street.

The alternative relief sought by McDonalds seeks to add an exemption for minor changes to the gross floor area of an existing building. The proposed standard does not have a relationship with building area, therefore, it is not considered appropriate that this alternative relief sought is applied. In addition, achieving a quality urban environment applies to all precincts in the central area, therefore, not applying it to the Commercial Precinct is considered ineffective and could undermine the intent of the objectives sought for the central area.

The request to amend the dimension from 15m to 18m is supported. As outlined by the submitter, the dimensions for carparking areas require an 18m wide area to fit a typical carpark layout. However, changing the term 'lesser' with 'greater' is not supported, as this change could result in excessively large carpark street frontages which could degrade the urban environment.

Reporting Officers Recommendation

Reject submission DPC14/17A (17.6).
Reject submission DPC14/05 (5.9).
Reject further submission DPC14/FS7 (FS7.2) which supports submission DPC14/05 (5.9).
Reject further submission DPC14/FS3 (all) which supports submission DPC14/05 (5.9).
Accept in part submission DPC14/10 (10.9) in so far as amending standard 5A 2.1.1(j) on the dimension for maximum frontage.

Reporting Officers Recommended Amendments

Submitter number	Provision Ref	Recommended Amendment
DPC14/10 (10.9)	5A 2.1.1(g) and (h)	Amend standard 5A 2.1.1(j) as follows: (ii) For front road boundaries not identified in Appendix Central Commercial 3 – Verandahs, Building Frontages and Display Windows and in the Commercial Precinct identified in Appendix Central Commercial 1 - Precincts, any surface or ground level parking area shall not exceed a maximum width of 15m 18m along the site frontage or 40% of the site frontage whichever is the lesser.

Amendment 50 - Section 5A 2.2 – Amend Restricted Discretionary Activities (a) – (d) – Retail Activities and Construction, Alteration of, and Addition to Buildings and Structures

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/05 (5.4)	Foodstuffs Co-Op Society Ltd	Oppose	Amend 5A 2.2(a) by deleting the word "Core".
DPC14/05 (5.5)	Foodstuffs Co-Op Society Ltd	Oppose	Delete 5A 2.2(b).

DPC14/07 (7.2)	Costas Nicolaou, Gary Edridge, Steve Shadwell, Bruce Sedcole	Support	Retain Rule 5A 2.2(d).
DPC14/08 (8.6)	Making Places Reference Group (MPRG)	Support	Not stated - The requirement for resource consents for all new buildings and major additions/alterations to existing buildings as a means to improve the quality of developments (and open space). The introduction of design guides to improve the quality of buildings and open spaces is critical to the ongoing development of the city.
DPC14/10 (10.10)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Oppose in part	Amend clause 5A 2.2(a) to read: "(a) Any single retail activity with a gross floor area <u>exceeding 3,000m2 in the Core Precinct identified in Appendix Central Commercial 1 Precincts and any single retail activity with a gross floor area</u> exceeding 500m2 up to 3,000m2 in the Riverfront and Residential Transition Precincts identified in Appendix Central Commercial 1 Precincts. "
DPC14/13 (13.7)	Harvey Norman Stores Pty NZ Ltd	Oppose in part	Amend Rule 5A2.2 as follows: a) Any single retail activity with a gross floor area exceeding 500m2 up to 3,000m2 in the Core, Riverfront (<u>Core</u>) and Residential Transition Precincts identified in Appendix Central Commercial 1 - Precincts. b) Any single retail activity with a gross floor area exceeding 3,000m2 in the Commercial <u>and Riverfront (Commercial)</u> Precincts identified in Appendix Central Commercial 1 Precincts...
DPC14/16 (16.4)	Hutt Valley Chamber of Commerce	Support	Not stated - support the concept of allowing smaller shops in the core precinct and encouraging larger shop, including "big box" retailing in the northern commercial precinct.
DPC14/16 (16.5)	Hutt Valley Chamber of Commerce	Support	Not stated - support restricting activities to those which are appropriate for an area (e.g. entertainment should be permitted activity in the core precinct but service stations should not).
DPC14/17 A (17.7)	McDonalds Restaurants NZ Ltd	Oppose	Amend Rule 5A 2.2 (a) as follows: i) "Precincts identified in Appendix Central Commercial 1 – Precincts. <u>For the purpose of this rule, Gross Floor Area does not include covered refuse enclosures, children's covered playland areas</u> "...xx ii) Or alternatively, inclusion of the McDonald's site within the Commercial Precinct instead of the Core Precinct. iii) Such other relief as may give effect to the submission including any consequential amendments.

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS7 (FS7.7)	McDonalds Restaurants NZ Ltd	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.10)	Support
DPC14/FS4 (FS4.1)	Westfield (NZ) Ltd	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.10)	Support
DPC14/FS3 (all)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Foodstuffs Co-operative Society Ltd DPC14/05 (5.4)	Support

Retail Activities (Rules 5A 2.2 (a) and (b))

Foodstuffs Co-Op Society Ltd DPC14/5 (5.4) requests Rule 5A 2.2(a) be amended by deleting reference to the 'Core' Precinct. In addition, Foodstuffs Co-Op Society Ltd DPC14/5 (5.5) requests Rule 5A 2.2(b) be deleted. Retail Holdings and Lower Hutt Properties DPC14/FS3 (all) support these submissions from Foodstuffs.

Retail Holdings Ltd and Lower Hutt Properties Ltd DPC14/10 (10.10) request Rule 5A 2.2(a) be amended by permitting 3,000m² retail activities in the Core Precinct. McDonalds Restaurants NZ Ltd DPC14/FS7 (FS7.1) and Westfield (NZ) Ltd DPC/FS4 (FS4.1) support this submission from Retail Holdings and Lower Hutt Properties.

Harvey Norman Stores Pty (NZ) Ltd DPC14/13 (13/7) request Rule 5A 2.2(a) be amended to apply to the Core and Riverfront (Core) Precincts and Rule 5A 2.2(b) be amended to apply to the Riverfront (Commercial) Precinct.

Hutt Valley Chamber of Commerce DPC14/16 (16.4 and 16.5) support the concept of smaller shops in the core and larger shops at the northern end of the CBD.

McDonalds Restaurants NZ Ltd DPC14/17A (17.7) request Rule 5A 2.2 be amended by adding a reference excluding enclosed areas from the gross floor area calculation.

Buildings and Structures (Rule 5A 2.2 (d))

Costas Nicolaou, Gary Edridge, Steve Shadwell, Bruce Sedcole DPC14/07 (7.2) and Making Places Reference Group DPC14/08 (8.6) support Rule 5A 2.2(d) and request it be retained.

Discussion and Evaluation

Retail Activities (Rules 5A 2.2 (a) and (b))

As detailed in Amendment 15, the objective is to encourage a public and pedestrian focused core area in the central business district. Retail activities will play a role in this pedestrian focused environment by providing goods and services for local residents and visitors, as well as contributing to the attractiveness and vibrancy of the area.

A large number of smaller retail activities (commonly referred to as 'fine grained') generally create a more pedestrian focused environment than a smaller number of larger retail activities. Single large format retail activities can overly dominate the streetscape and generally offers only limited variety and interest, thereby reducing the central area experience, vitality and vibrancy.

In addition, larger format retail activities are more vehicle oriented in nature, and can be single shop destinations. Therefore, these larger format retail activities can generate higher private vehicle movements than a range of smaller retail activities.

Deleting Rules 5A 2.2(a) and (b) or amending them by removing reference to the Core Precinct would undermine the proposed objectives for the central area. Permitting larger format retail activities in the Core Precinct is not considered the most effective approach as the resultant streetscape, urban character and traffic effects could degrade the quality urban environment the objectives are aiming to achieve.

The proposed restricted discretionary activity status rules recognise retail activities of all sizes are generally appropriate throughout the central area. However, given the characteristics and associated potential adverse effects of larger retail activities it would be more appropriate that they be assessed through the resource consent process to determine whether such effects can be avoided, remedied or mitigated. The consent process is considered the most effective and efficient method to recognise the different design solutions and options available to address potential effects. In addition, it offers greater opportunity and flexibility in the design of development to meet individual development requirements and aspirations. The consent process would take into account the location, site specific issues, existing environment and proposed use. Therefore, it is recommended proposed rules 5A 2.2 (a) and (b) be retained as notified.

In terms of the submission from McDonalds to excluding certain types of areas from the gross floor area, it is considered these circumstances are a particular issue for McDonalds. It is not considered appropriate to exclude covered or enclosed play areas from the definition of gross floor area, as this is the predominant use of some activities (e.g. children's entertainment activities such as 'Lollipops' and 'Chipmunks'). Therefore, adding an exception is not supported.

As discussed in Amendment 74 below, Harvey Norman highlight the differences between the two areas of the Riverfront Precinct, one at the north near Melling Link and the other at the south near Daly Street. We concur with the submitter that these two distinct areas be recognised differently in the central area precincts, as they exhibit different character and qualities, and their function and role in the future central area differs. These two areas of the Riverfront Precinct more closely align with the adjacent precincts, being the Core and Commercial Precincts. Therefore, it is recommended the Precincts Plan be amended recognising these two riverside precincts which are called the “Riverfront (Core) Precinct” and “Riverfront (Commercial) Precinct”. In addition it is recommended a number of consequential amendments be made to a number policies and rules as detailed in Amendment 74.

Buildings and Structures (Rule 5A 2.2 (d))

The submissions in support of Rule 5A 2.2(d) is noted.

Reporting Officers Recommendation

Reject submission DPC14/05 (5.4).
 Reject further submission DPC14/FS3 (all) in support of submission DPC14/05 (5.4).
 Reject submission DPC14/05 (5.5).
 Reject further submission DPC14/FS3 (all) in support of submission DPC14/05 (5.5).
 Accept submission DPC14/07 (7.2) to retain Rule 5A 2.2(d).
 Accept submission DPC14/08 (8.6) to retain Rule 5A 2.2(d).
 Reject submission DPC14/10 (10.10).
 Reject further submission DPC14/FS7 (7.7) in support of submission DPC14/10 (10.10).
 Reject further submission DPC14/FS4 (4.1) in support of submission DPC14/10 (10.10).
 Accept submission DPC14/13 (13.7) in so far as amending Rules 5A 2.2(a) and (b) to refer to the Riverfront (Core) and Riverfront (Commercial) Precincts.
 Accept in part submission DPC14/16 (16.4 and 16.5) in so far as retaining the original intent of Rules 5A 2.2(a) and (b) relating to retail activities.
 Reject submission DPC14/17 (17.7).

Reporting Officers Recommended Amendments

Submitter number	Provision Ref	Recommended Amendment
DPC14/13 (13.7)	5A 2.2(a) and (b)	Amend 5A 2.2(a) and (b) to refer to the two Riverfront Precincts as follows: a) Any single retail activity with a gross floor area exceeding 500m ² up to 3,000m ² in the Core, Riverfront (<u>Core</u>) and Residential Transition Precincts identified in Appendix Central Commercial 1 - Precincts. b) Any single retail activity with a gross floor area exceeding 3,000m ² in the Commercial and <u>Riverfront (Commercial) Precincts</u> identified in Appendix Central Commercial 1 - Precincts.

Amendment 51 - Section 5A 2.2 – Add Restricted Discretionary Activities (e) - Construction, Alteration of, and Addition to Buildings and Structures

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/14 (14.7)	Petone Planning Action Group	Not stated	Not stated - What does this mean for buildings under 12 metres in height?

Petone Planning Action Group DPC14/14 (14.7) queries what does Rule 5A 2.2(e) mean for buildings under 12 metres in height.

Discussion and Evaluation

Rule 5A 2.2(e) seeks to manage the wind effects of buildings in specific locations (identified in Appendix Central Commercial 5) and over 12 metres in height. If a building is proposed which is less than 12 metres in height in the identified locations it would not be subject to this rule, and therefore, no subject to any wind effect requirements.

Reporting Officers Recommendation

Accept submission DPC14/14 (14.7) in so far as clarifying the application of Rule 5A 2.2(e) to buildings below 12m in height.

Amendment 52 - Section 5A 2.2 – Add Non-Notification Clause for Restricted Discretionary Activities (d) – (e)

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/05 (5.8)	Foodstuffs Co-Op Society Ltd	Oppose	Amend 5A 2.2 by providing for non-notification/service for all activities under this rule.
DPC14/10 (10.11)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Oppose in part	Amend clause 5A 2.2 Non-notification Service to read: "Non-notification/service In respect of Rules 5A 2.2.1(a)(d) and (e), applications do not need to be publicly notified and do not need to be served on affected persons. "
DPC14/14 (14.8)	Petone Planning Action Group	Support in part	Seek reassurance this refers back to Amendments 34 and 35 only.

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS7 (FS7.8)	McDonalds Restaurants NZ Ltd	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.11)	Support
DPC14/FS3 (all)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Foodstuffs Co-operative Society Ltd DPC14/05 (5.8)	Support
DPC14/FS4 (FS4.1)	Westfield (NZ) Ltd	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.11)	Support

Foodstuffs Co-Op Society Ltd DPC14/5 (5.8) and Retail Holdings Ltd and Lower Hutt Properties Ltd DPC14/10 (10.11) request the non-notification clause for Rules 5A 2.2(d) and (e) be amended to apply to all rules in Section 5A 2.2 (a) – (e). McDonalds Restaurants NZ Ltd DPC14/FS7 (FS7.8) and Westfield (NZ) Ltd DPC/FS4 (FS4.1) support this submission from Retail Holdings and Lower Hutt Properties.

Petone Planning Action Group DPC14/14 (14.8) seeks a re-assurance that this non-notification clause only applies to Amendments 34 and 35.

Discussion and Evaluation

The relevant rules that the non-notification clause applied to in the notified version of the Proposed Plan Change was clarified with the Petone Planning Action Group at the pre-hearing meeting held in August - the non-notification clause only applies to Rule 5A 2.2 (d) and (e).

The non-notification clause applies to the two rules which relate to technical aspects of the external design and appearance and wind effects. The retail activities and emergency facilities managed by Rules 5A 2.2 (a) – (c) can have adverse effects on the immediate area and wider environment. Therefore, it is considered appropriate the standard notification tests under the Resource Management Act apply, rather than applying the non-notification clause.

Reporting Officers Recommendation

Reject submission DPC14/05 (5.8).
Reject submission DPC14/10 (10.11).
Reject further submissions DPC 14/FS7 (FS7.8) and DPC14/FS4 (4.1).
Accept submission DPC14/14 (14.8) in so far as clarifying the non-notification clause.

Amendment 53 - Section 5A 2.2.1 – Amend Heading

Submissions

No submissions were received on Amendment 53.

Discussion and Evaluation

As no submissions were received in relation to Amendment 53, it is recommended that Amendment 53 amending the heading for Section 5A 2.2.1 be adopted.

Reporting Officers Recommendation

Adopt Amendment 53 as notified.

Amendment 54 - Section 5A 2.2.1 – Amend Matters of Discretion for Restricted Discretionary Activities (a) and (b)

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/10 (10.12)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Oppose in part	Amend the description of 5A2.2.1 (a) and criteria (ii) of clause 5A2.2.1 (a) to read: "(a) Any single retail activity with a gross floor area exceeding 3,000m ² in the Core Precinct identified in Appendix Central Commercial 1 - Precincts and any single retail activity with a gross floor area exceeding 500m ² up to 3,000m ² in the Riverfront and Residential Transition Precincts identified in Appendix Central Commercial 1 Precincts. (i) ... (ii) Traffic effects, including but limited to the suitability of site access and site servicing arrangements"...
DPC14/10 (10.13)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Oppose in part	Amend criteria (ii) of clause 5A 2.2.1 (b) to read: "(ii) Traffic effects, including but limited to the suitability of site access and site servicing arrangements."
DPC14/09 (9.7)	New Zealand Transport Agency	Oppose in part	Insert the following matter in which Council has Restricted its Discretion for (a) (ii), (b) (ii) and (d) (ii) of 5A 2.2.1, as: (ii) Traffic effects, including the suitability of site access, and site servicing arrangements, <u>number of traffic movements and potential for congestion, and use of other transport modes.</u>

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS2 (FS2.4)	New Zealand Transport Agency	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.12)	Oppose
DPC14/FS2 (FS2.5)	New Zealand Transport Agency	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.13)	Oppose
DPC14/FS4 (FS4.1)	Westfield (NZ) Ltd	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.12 and	Support

		10.13)	
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Retail Holdings Ltd and Lower Hutt Properties Ltd DPC14/10 (10.12 and 10.13) request the matters of discretion for Rules 5A 2.2(a) and (b) for traffic effects be amended to limit consideration to site access and site servicing arrangements. New Zealand Transport Agency DPC14/FS2 (FS2.4 and FS2.5) oppose these submissions from Retail Holdings and Lower Hutt Properties and request their originally requested amendments be made. New Zealand Transport Agency DPC14/09 (9.7) request that the matters of discretion for Rules 5A 2.2(a) and (b) for traffic effects be amended by adding consideration of the number of traffic movements, congestion and other modes of transport.

Discussion and Evaluation

Larger format retail activities can be a generator of significant amounts of traffic. Rules 5A 2.2 (a) and (b) seek to manage the effects of these traffic movements. Limiting the matter of discretion to site access and site servicing is not consider appropriate, as the traffic effects on the transport network would be an important consideration in assessing any resource consent application.

The relief sought by the New Zealand Transport Agency focuses on specific aspects of the traffic effects, which may or may not be an issue for different developments. Rather than focus on these specific aspects, adding a reference to 'the transport network' would appropriately encapsulate these matters. It is considered that this amended wording would better reflect the original intent of this matter of discretion, which was to simplify the existing matter of discretion to traffic effects.

Reporting Officers Recommendation

Reject submission DPC14/10 (10.12).
Reject submission DPC14/10 (10.13).
Accept further submissions DPC 14/FS2 (FS2.4) and (FS2.5) in so far as amending the matter of discretion to consider the effects on the transport network.
Accept submission DPC14/09 (9.7) in so far as amending the matter of discretion to consider the effects on the transport network.

Reporting Officers Recommended Amendments

Submitter number	Provision Ref	Recommended Amendment
DPC14/09 (9.7)	5A 2.2.1 (a) and (b)	Amend matter of discretion (ii) in Rules 5A 2.2.1 (a) and (b) to read: (ii) Traffic effects, including <u>effects on the transport network and the suitability of site access and site servicing arrangements.</u>

Amendment 55 - Section 5A 2.2.1 – Delete Matters of Discretion for Restricted Discretionary Activities (c)

Submissions

No submissions were received on Amendment 55.

Discussion and Evaluation

As no submissions were received in relation to Amendment 55, it is recommended Amendment 55 deleting the matters of discretion for Section 5A 2.2.1(c) be adopted.

Reporting Officers Recommendation

Adopt Amendment 55 as notified.

Amendment 56 - Section 5A 2.2.1 – Amend Matters of Discretion for Restricted Discretionary Activities (d)

Submissions

No submissions were received on Amendment 56.

Discussion and Evaluation

As no submissions were received in relation to Amendment 56, it is recommended Amendment 56 amending the matters of discretion for Section 5A 2.2.1(d) be adopted.

Reporting Officers Recommendation

Adopt Amendment 56 as notified.

Amendment 57 - Section 5A 2.2.1 – Add Matters of Discretion for Restricted Discretionary Activities (d)

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/05 (5.6)	Foodstuffs Co-op Society Ltd	Oppose	Amend 5A 2.2.1 (d) by deleting (ii) in its entirety.
DPC14/08 (8.6)	Making Places Reference Group	Support	Not stated - The requirement for resource consents for all new buildings and major additions/alterations to existing buildings as a means to improve the quality of developments (and open space). The introduction of design guides to improve the quality of buildings and open spaces is critical to the ongoing development of the city.
DPC14/10 (10.14)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Oppose in part	Amend criteria (ii) of clause 5A 2.2.1(d) to read: "(ii) Traffic effects, including <u>but limited to</u> the suitability of site access and site servicing arrangements."
DPC14/09 (9.7)	New Zealand Transport Agency	Oppose in part	Insert the following matter in which Council has Restricted its Discretion for (a) (ii), (b) (ii) and (d) (ii) of 5A 2.2.1, as: (ii) Traffic effects, including the suitability of site access, and site servicing arrangements, <u>number of traffic movements and potential for congestion, and use of other transport modes.</u>

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS3 (all)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Foodstuffs Co-operative Society Ltd DPC14/05 (5.6)	Support
DPC14/FS2 (FS2.6)	New Zealand Transport Agency	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.14)	Oppose
DPC14/FS4 (FS4.1)	Westfield (NZ) Ltd	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.14)	Support

Foodstuffs Co-operative Society Ltd DPC14/05 (5.6) requests that matter of discretion for Rule 5A 2.2(d) for traffic effects be deleted. Retail Holdings and Lower Hutt Properties Ltd DPC14/FS3 supports this submission.

Retail Holdings Ltd and Lower Hutt Properties Ltd DPC14/10 (10.12 and 10.13) request the matters of discretion on traffic effects be amended to limit consideration to site access and site servicing arrangements. Westfield (NZ) Ltd DPC14/FS4 (all) supports this submission. New Zealand Transport Agency DPC14/FS2 (FS2.4 and FS2.5) oppose these submission and requests their originally requested amendments be made. New Zealand Transport Agency DPC14/09 (9.7) request that the matters of discretion for Rules 5A 2.2(d) for traffic effects be amended by adding consideration of the number of traffic movements, congestion and other modes of transport.

Discussion and Evaluation

New construction, alteration and addition to existing buildings and structures can be a generator of significant amounts of traffic. Rule 5A 2.2 (d) seeks to manage the effects of these traffic movements. Limiting the matter of discretion to site access and site servicing is not consider appropriate, as the traffic effects on the transport network would be an important consideration in assessing any resource consent application.

The relief sought by the New Zealand Transport Agency focuses on specific aspects of the traffic effects, which may or may not be an issue for different developments. Rather than focus on these specific aspects, adding a reference to 'the transport network' would appropriately encapsulate these matters. It is considered that this amended wording would better reflect the original intent of this matter of discretion.

Reporting Officers Recommendation

Reject submission DPC14/05 (5.6).

Reject further submission DPC14/FS3 (all) in so far as retaining matter of discretion (ii).

Accept submission DPC 14/08 (8.6).

Reject submission DPC14/10 (10.14).

Reject further submission DPC14/FS4 (4.1) in so far as supporting submission DPC14/10 (10.14).

Accept further submission DPC 14/FS2 (FS2.6) in so far as amending the matter of discretion to consider the effects on the transport network.

Accept submission DPC14/09 (9.7) in so far as amending the matter of discretion to consider the effects on the transport network.

Reporting Officers Recommended Amendment

Submitter number	Provision Ref	Recommended Amendment
DPC14/09 (9.7)	5A 2.2.1 (d)	Amend matter of discretion (ii) in Rule 5A 2.2.1 (d) to read: (ii) Traffic effects, including <u>effects on the transport network</u> and the suitability of site access and site servicing arrangements.

Amendment 58 - Section 5A 2.2.1 – Add Matters of Discretion for Restricted Discretionary Activities (e)

Submissions

No submissions were received on Amendment 58.

Discussion and Evaluation

As no submissions were received in relation to Amendment 58, it is recommended that Amendment 58 adding the matters of discretion for Section 5A 2.2.1(e) be adopted.

Reporting Officers Recommendation

Adopt Amendment 58 as notified.

Amendment 59 - Section 5A 2.2.2 – Amend Heading for Standards and Terms

Submissions

No submissions were received on Amendment 59.

Discussion and Evaluation

As no submissions were received in relation to Amendment 59, it is recommended that Amendment 59 amending the heading for Section 5A 2.2.2 be adopted.

Reporting Officers Recommendation

Adopt Amendment 59 as notified.

Amendment 60 - Section 5A 2.2.2 – Add New Restricted Discretionary Activities Standard (b) Noise Insulation and Ventilation

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/14 (14.9)	Petone Planning Action Group	Oppose in part	Not stated - Concerned that mechanical ventilation units create noise outside and ugliness on and around buildings.

Petone Planning Action Group DPC14/14 (14.9) raises concern about noise and visual clutter from mechanical ventilation units outside buildings.

Discussion and Evaluation

This matter was discussed at the pre-hearing meeting with Petone Planning Action Group. It was noted ventilation equipment would be required to comply with the maximum noise standards for the Central Commercial Activity Area. In terms of visual clutter, ventilation components are excluded from the definition of 'height'. However, poorly located or designed equipment on rooftops or in prominent positions if located on ground level can detract from the amenity values of the Central Commercial Activity Area. Given the operational requirements and generally small scale of this equipment, it is not considered effective or efficient to add any new rules or standards.

Reporting Officers Recommendation

Accept in part submission DPC14/14 (14.9) in so far as recognising ventilation equipment is to comply with the maximum noise level requirements.

Amendment 61 - Section 5A 2.2.2 – Add New Restricted Discretionary Activities Standard (c) Wind Protection

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/06 (6.4)	Stephen Shadwell	Oppose in part	Consideration should be given to not requiring compliance with 5A 2.2.2(c) for insignificant additions to existing buildings.
DPC14/06 (6.5)	Stephen Shadwell	Oppose in part	Consideration should be given to not requiring compliance with 5A 2.2.2(c) for medium scale additions to buildings where there is an existing veranda or a new veranda is proposed.
DPC14/06 (6.6)	Stephen Shadwell	Oppose in part	There needs to be more clarity around when the wind report requirement is triggered for additions to an existing building.

Stephen Shadwell DPC14/06 (6.4, 6.5 and 6.6) queries aspects of the new wind requirements and suggests consideration of alternative thresholds for height and building additions as triggers for applying the wind requirements.

Discussion and Evaluation

This matter was discussed at the pre-hearing meeting with Stephen Shadwell held in August. The 12m height limit was explained, along with the fact that the wind requirements only applied to specific streets/intersections.

Advice from a specialist in the wind effects of buildings is that any alterations or additions to existing buildings over 12 metres in height should be subject to a wind assessment. Minor changes to the façade of a building can significantly influence the wind dynamics of a building, and such changes should be subject to a case-by-case assessment. However, minor additions and alterations to existing buildings are permitted under Rules 5A 2.1(b) and (c), with these building works exempt from the wind requirements as stated in the current rule wording. Therefore, the current wording of Rule 5A 2.2.2(c) is considered to apply an appropriate trigger for applying the wind requirements, which allow for minor changes.

Following a review of the advice from the wind specialist, it is noted that the 12 metre height factored in verandah requirements being in place. Therefore, a taller height trigger is not considered appropriate.

It is noted a correction is required to the text in Amendment 60 to ensure consistency with the related rule wording in Amendments 51 and 58. The first section of text in Amendment 60 should read as follows:

(e) The construction, alteration of, and addition to buildings and structures over 12 metres in height (except for those works permitted under Rules 5A 2.1(b) and (c)) and where any part of the building or structure fronts a street, pedestrian mall, pedestrian walkway, or other public space identified in Appendix Central Commercial 5 – Wind Protection.

Reporting Officers Recommendation

Accept in part submissions DPC14/06 (6.4, 6.5 and 6.6) in so far as clarifying how, where and to what building changes the wind requirements apply to.

Reporting Officers Recommended Correction

Submitter number	Provision Ref	Recommended Amendment
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DPC14/06 (6.6)	5A (c)	2.2.2	The first section of text in Amendment 60 should read as follows: <u>(e) The construction, alteration of, and addition to buildings and structures over 12 metres in height (except for those works permitted under Rules 5A 2.1(b) and (c)) and where any part of the building or structure fronts a street, pedestrian mall, pedestrian walkway, or other public space identified in Appendix Central Commercial 5 – Wind Protection.</u>
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Amendment 62 - Section 5A 2.3 – Amend Discretionary Activities (a) and (b)

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/05 (5.7)	Foodstuffs Co-op Society Ltd	Oppose	Amend 5A 2.3(b) by deleting the word "Core".
DPC14/05 (5.10)	Foodstuffs Co-op Society Ltd	Oppose	Amend DPC 14 so that the activity status of any permitted or restricted discretionary activity which fails to comply with any relevant activity condition/standard/term is a Restricted Discretionary Activity.
DPC14/13 (13.8)	Harvey Norman Stores Pty NZ Ltd	Oppose	Amend Rule 5A2.3(b) as follows: b) Any single retail activity with a gross floor area exceeding 3,000m ² in the Core, Riverfront (Core) and Residential Transition Precincts identified in Appendix Central Area Commercial 1 - Precincts.

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS3 (all)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Foodstuffs Co-operative Society Ltd DPC14/05 (5.7 and 5.10)	Support

Foodstuffs Co-operative Society Ltd DPC14/05 (5.7) requests Rule 5A 2.3(b) be amended by deleting reference to the 'Core Precinct'. In addition, Foodstuffs Co-operative Society Ltd DPC14/05 (5.10) requests any non-compliance with the permitted or restricted discretionary activity standards should default to a restricted discretionary activity and not full discretionary. Retail Holdings and Lower Hutt Properties Ltd DPC14/FS3 supports this submission.

Harvey Norman Stores Pty NZ Ltd DPC14/13 (13.8) request that Rule 5A 2.3(b) be amended to apply to the 'Riverfront (Core) Precinct'.

Discussion and Evaluation

As discussed above in Amendments 15 and 50, the objective is to encourage a public and pedestrian focused core area in the central business district. Retail activities will play a role in this pedestrian focused environment by providing goods and services for local residents and visitors, as well as contributing to the attractiveness and vibrancy of the area.

A large number of smaller retail activities (commonly referred to as 'fine grained') generally create a more pedestrian focused environment than a smaller number of larger retail activities. Single large format retail activities can overly dominate the streetscape, have limited variety and interest.

In addition, larger format retail activities are more vehicle oriented in nature, and can be single shop destinations. Therefore, these larger format retail activities can generate higher private vehicle movements than a range of smaller retail activities.

Deleting Rules 5A 2.2(a) and (b) or amending them by removing reference to the Core Precinct would undermine the proposed objectives by diluting and conflicting with the centrally located public focus retail core. Permitting larger format retail activities in the Core Precinct is not

considered the most effective approach as the resultant streetscape, urban character and traffic effects could degrade the quality urban environment the objectives are aiming to achieve.

The proposed restricted discretionary activity status rules recognise retail activities of all sizes are generally appropriate throughout the central area. However, given the characteristics and associated potential adverse effects of larger retail activities they would be assessed through the resource consent process to determine whether these effects can be avoided, remedied or mitigated. The consent process is considered the most effective and efficient method to recognise the different design solutions and options available to address potential effects. In addition, it offers greater opportunity and flexibility in the design of development to meet individual development requirements and aspirations. The consent process would take into account the location, site specific issues, existing environment and proposed use. Therefore, it is recommended proposed rules 5A 2.2 (a) and (b) be retained as notified.

For non-compliances with the permitted activity and restricted discretionary activity performance standards, proposals would default to a full discretionary activity under Rule 5A 2.3(a). This activity status means all aspects of a proposed development can technically be assessed as part of the resource consent process. The relief sought by the submitter requests that non-compliances default to a restricted discretionary activity. The matter of discretion would be focused on the actual or potential adverse effects of the non-compliance.

This request is supported for permitted activity non-compliances, as it provides for a more effective and efficient consent process, where the assessment only considers the non-complying aspect, and not other aspects which comply with the District Plan requirements. However, for restricted discretionary activities that do not comply with the applicable standards, it is considered full discretionary activity status is appropriate, as it ensures a thorough assessment of the potential effects. It is recommended new Rule 5A 2.2(f) be added as detailed below.

As discussed in Amendment 74 below, Harvey Norman highlight the differences between the two areas of the Riverfront Precinct, one at the north near Melling Link and the other at the south near Daly Street. We concur with the submitter that these two distinct areas be recognised in the Precincts. It is recommended that the Riverfront Precinct be amended and be called “Riverfront (Core) Precinct” and “Riverfront (Commercial) Precinct”.

Reporting Officers Recommendation

Reject submission DPC14/05 (5.7).
Reject further submission DPC14/FS3 (all).
Accept in part submission DPC 14/05 (5.10) for non-compliances with permitted activities.
Accept in part further submission DPC14/FS3 (all) for non-compliances with permitted activities.
Accept submission DPC14/13 (13.8) in so far as amending Rule 5A 2.3 (b) to refer to the Riverfront (Core) Precinct.

Reporting Officers Recommended Amendments

Submitter number	Provision Ref	Recommended Amendment
DPC14/05 (5.10)	5A 2.2 (f)	<p>Add Rule 5A 2.2(f) as follows: <u>(f) Except where stated in the Central Commercial Activity Area or General Rules, any Permitted Activity which fails to comply with any of the relevant Permitted Activity Conditions, or relevant requirements of Chapter 14 - General Rules.</u></p> <p>Add New Matters of Discretion for Rule 5A 2.2.1(f) as follows: <u>(f) Except where stated in the Central Commercial Activity Area or General Rules, any Permitted which fails to comply with any of the relevant Permitted Activity Conditions, or relevant requirements of Chapter 14 - General Rules.</u> <u>(i) Any actual or potential adverse effects arising from the proposed non- compliance, and measures to avoid,</u></p>

		<p><u>remedy or mitigate such effects.</u></p> <p>Amend Rule 5A 2.3(a) as follows: (a) Except where stated in the General Rules, any Permitted or Restricted Discretionary Activity which fails to comply with any of the relevant Permitted Activity Conditions, Restricted Discretionary Activity Standards or Terms, or relevant requirements of Chapter 14 – General Rules.</p>
DPC14/13 (13.8)	5A 2.3(b)	<p>Amend Rules 5A 2.3 (b) to refer to the Riverfront (Core) Precinct as follows: b) Any single retail activity with a gross floor area exceeding 3,000m² in the Core, Riverfront (<u>Core</u>) and Residential Transition Precincts identified in Appendix Central Commercial 1 - Precincts.</p>

Amendment 63 - Section 5A 2.3 – Add Discretionary Activities (c) Non-compliance with Wind Requirements

Submissions

No submissions were received on Amendment 63.

Discussion and Evaluation

As no submissions were received in relation to Amendment 63, it is recommended that Amendment 63 adding a discretionary activity rule to Section 5A 2.3 for non-compliance with the wind requirements be adopted.

Reporting Officers Recommendation

Adopt Amendment 63 as notified.

Amendment 64 - Section 5A 2.3 – Add Discretionary Activities (d) Residential Activities on the Ground Floor

Submissions

No submissions were received on Amendment 64.

Discussion and Evaluation

As no submissions were received in relation to Amendment 64, it is recommended that Amendment 64 adding a discretionary activity rule to Section 5A 2.3 for residential activities on the ground floor be adopted.

Reporting Officers Recommendation

Adopt Amendment 64 as notified.

Amendment 65 - Section 5A 2. 3 – Add Discretionary Activities (e) Service Stations

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/04 (4.1)	D Mann (Rutherford Holdings Ltd)	Oppose	Amend definition of 'service station' to exclude 'repair and servicing of motor vehicles' so that vehicle mechanic outlets remain a permitted activity.

D Mann (Rutherford Holdings Ltd) DPC14/04 (4.1) requests the definition of 'service station' be amended to exclude 'repair and servicing of motor vehicles' so that vehicle mechanic outlets remain a permitted activity.

Discussion and Evaluation

Amending the definition of 'service stations' to exclude the 'repair and servicing of motor vehicles' would apply to all Activity Areas in the District Plan which specifically refer to "service stations" in the rules and standards. Therefore, this change would have implications outside of the central area and is not supported.

However, it is recognised that the repair and servicing of motor vehicles is necessary for local residents and providing for this type of activity within parts of the central area is considered appropriate. The primary reason for managing 'service stations' as a discretionary activity (requires resource consent) is there are potential incompatibility with other activities in the central area (such as residential), as well as the potential effects on the streetscape and amenity values.

It is considered the Commercial Precinct at the northern end of the central area is the appropriate location for the repair and servicing of motor vehicle activities. This location is characterised by generally larger scale activities and residential activities are not as likely to occur in this location. In addition, it is not considered appropriate that repair and servicing of motor vehicle activities be undertaken on sites abutting the Residential Activity Areas, as this could result in significant amenity conflicts.

In addition, it is considered the Commercial Precinct at the northern end of the central area is the appropriate location for the repair and servicing of motor vehicle activities. This location is characterised by generally larger scale activities and residential activities are not as likely to occur in this location. Therefore, it is recommended Rule 5A 2.3(e) relating to service stations be amended to recognise and provide for the above.

Reporting Officers Recommendation

Accept in part submission DPC14/04 (4.1) in so far as permitting motor vehicle repair and servicing in the Commercial Precinct.

Reporting Officers Recommended Amendments

Submitter number	Provision Ref	Recommended Amendment
DPC14/04 (4.1)	5A 2.3 (e)	Amend Rule 5A 2.3(e) as follows: <u>(e) Service stations, except for the mechanical repair and servicing of motor vehicles, (excluding trucks, buses and heavy vehicles) trailers and motor fueled domestic equipment, provided that all motor repair and servicing activities are undertaken inside a building.</u> <u>For the purposes of this rule, mechanical repairs and servicing shall not include body repairs, panel beating, trimming, spray</u>

		<p><u>painting, and heavy engineering (such as engine reboring and crankshaft regrinding).</u></p> <p>Add to Rule 2.1.1(g) (see Amendment 44 for the other parts of this rule)</p> <p><u>(v) No mechanical repair and servicing of motor vehicles, trailers or motor fueled domestic equipment shall be undertaken on the site.</u></p>
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Amendment 66 - Section 5A 2.3 – Add Discretionary Activities (f) Car Sales Yards

Submissions

No submissions were received on Amendment 66.

Discussion and Evaluation

As no submissions were received in relation to Amendment 66, it is recommended that Amendment 66 adding a discretionary activity rule to Section 5A 2.3 for car sales yards be adopted.

Reporting Officers Recommendation

Adopt Amendment 66 as notified.

Amendment 67 - Section 5A 2. 3 – Add Discretionary Activitie s (g) Pa rking Facilities

Submissions

No submissions were received on Amendment 67.

Discussion and Evaluation

As no submissions were received in relation to Amendment 67, it is recommended that Amendment 67 adding a discretionary activity rule to Section 5A 2.3 for parking facilities be adopted.

Reporting Officers Recommendation

Adopt Amendment 67 as notified.

Amendment 68 - Sect ion 5A 2.3 – Add Di scretionary Activities (h) Industria l Activities

Submissions

No submissions were received on Amendment 68.

Discussion and Evaluation

As no submissions were received in relation to Amendment 68, it is recommended that Amendment 68 adding a discretionary activity rule to Section 5A 2.3 for industrial activities be adopted.

Reporting Officers Recommendation

Adopt Amendment 68 as notified.

Amendment 69 - Section 5A 2.3 – Add Discretionary Warehouses Activities (i) Trading Warehouses

Submissions

No submissions were received on Amendment 69.

Discussion and Evaluation

As no submissions were received in relation to Amendment 69, it is recommended that Amendment 69 adding a discretionary activity rule to Section 5A 2.3 for trading warehouses be adopted.

Reporting Officers Recommendation

Adopt Amendment 69 as notified.

**Amendment 70 - Section 5A 2.3 – Amend Discretionary Activities (j) and (k)
Brothels and Commercial Sexual Services**

Submissions

No submissions were received on Amendment 70.

Discussion and Evaluation

As no submissions were received in relation to Amendment 70, it is recommended that Amendment 70 amending the discretionary activity rules in Section 5A 2.3 for brothels and commercial sexual services be adopted.

Reporting Officers Recommendation

Adopt Amendment 70 as notified.

Amendment 71 - Section 5A 2.3 – Add New Assessment Criteria

Submissions

No submissions were received on Amendment 71.

Discussion and Evaluation

As no submissions were received in relation to Amendment 71, it is recommended that Amendment 71 adding a new assessment criteria to Section 5A 2.3 relating to the Central Commercial Activity Area Design Guide be adopted.

Reporting Officers Recommendation

Adopt Amendment 71 as notified.

Amendment 72 - Section 5A 2.4 – Delete Non-Complying Activities

Submissions

No submissions were received on Amendment 72.

Discussion and Evaluation

As no submissions were received in relation to Amendment 72, it is recommended that Amendment 72 deleting the non-complying activity rule from Section 5A 2.4 be adopted.

Reporting Officers Recommendation

Adopt Amendment 72 as notified.

Amendment 73 - Section 5A 3 – Amend Anticipated Environmental Results

Submissions

No submissions were received on Amendment 73.

Discussion and Evaluation

As no submissions were received in relation to Amendment 73, it is recommended that Amendment 73 amending the Anticipated Environmental Results in Section 5A 3 be adopted.

Reporting Officers Recommendation

Adopt Amendment 73 as notified.

Amendment 74 - Section 5A Appendix Central Commercial 1 - Precincts

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/01 (1.2)	R & E Marvelly	Support	Adopt Plan Change 14 - The treatment of the CBD with the defining of precincts, especially the Residential Transition Precinct is a very welcome departure from the former "one site fits all" concept.
DPC14/05 (5.1)	Foodstuffs Co-op Society Ltd	Oppose	Amend Appendix Central Commercial 1 to exclude the New World site from the Core Precinct and include it in the Commercial Precinct and/or add policies and explanation to 5A 1.1.3 that recognise the need to enable the sustainable management of existing single larger retail activities within the Core Precinct with associated car parking.
DPC14/08 (8.2)	Making Places Reference Group (MPRG)	Support	Not stated - The introduction of four distinct precincts: core, riverfront, commercial and residential transition.
DPC14/13 (13.4)	Harvey Norman Stores Pty NZ Ltd	Oppose in part	Amend 5A Appendix Central Commercial 1 Precinct Map to divide the proposed Riverfront Precinct into the Riverfront (Core) Precinct and the Riverfront (Commercial) Precinct
DPC14/15 (15.7)	Greater Wellington Regional Council	Oppose in part	Exclude the Hutt River Corridor and therefore should exclude Daly Street. Also, the small triangular section on the northern side of the Melling Bridge area be excluded from the 'Riverfront Precinct', as a result of extending the Harvey Norman boundary.

DPC14/16 (16.2)	Hutt Valley Chamber of Commerce	Support	Not stated - Support the proposal to define four different areas – Core, Commercial, Riverfront and Residential Transition
DPC14/17 A (17.1)	McDonalds Restaurants NZ Ltd	Oppose	Amend 5A Appendix Central Commercial 1 - Precincts, 5A Appendix Central Commercial 2 - Maximum Height & 5A Appendix Central Commercial 3 - Verandahs, Building Frontages & Display Windows, as follows: i. The block bounded by Raroa Road, High Street and Kings Crescent, and in particular the McDonald's site at the corner of High Street and Raroa Road (and also fronting Kings Crescent) be removed from the Core Precinct and 18m Maximum Height area, and included in the Commercial Precinct and 12m Maximum Height area instead. ii. That the block bounded by Raroa Road, High Street and Kings Crescent, and in particular the McDonald's site at the corner of High Street and Raroa Road (and also fronting Kings Crescent) be removed from Appendix Central Commercial 3 - Street Frontages requiring verandahs, building frontages and display windows. iii Such other relief as may give effect to the submission including any consequential amendments.

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS3 (all)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Foodstuffs Co-operative Society Ltd DPC14/05 (5.1)	Support
DPC14/FS5 (FS5.3)	Harvey Norman Stores Pty NZ Ltd	Greater Wellington Regional Council DPC14/15 (15.7)	Oppose
DPC14/FS4 (FS4.2)	Westfield NZ Ltd	McDonalds Restaurants NZ Ltd DPC14/17 (17.1)	Support

R & E Marvelly DPC14/01 (1.2), Making Places Reference Group (MPRG) DPC14/08 (8.2) and Hutt Valley Chamber of Commerce DPC14/16 (16.2) support the proposed precincts.

Foodstuffs Co-operative Society Ltd DPC14/05 (5.1) requests that Appendix 1 be amended by applying the 'Commercial Precinct' to the New World site rather than the 'Core Precinct' and/or add policies and explanation to 5A 1.1.3 that recognise the need to enable the sustainable management of existing single larger retail activities within the Core Precinct with associated car parking. Retail Holdings and Lower Hutt Properties Ltd DPC14/FS3 support this submission.

McDonalds Restaurants NZ Ltd DPC14/17A (17.1) requests that Appendix 1 be amended by applying the 'Commercial Precinct' to the block bounded by Raroa Road, High Street and Kings Crescent, and in particular the McDonald's site, rather than the 'Core Precinct'. Westfield NZ Ltd DPC14/FS4 supports this submission.

Harvey Norman Stores Pty NZ Ltd DPC14/13 (13.4) request that Appendix 1 be amended by dividing the proposed 'Riverfront Precinct' into the 'Riverfront (Core) Precinct' and the 'Riverfront (Commercial) Precinct'.

Greater Wellington Regional Council DPC14/15 (15.7) requests that Appendix 1 be amended by excluding the Hutt River Corridor from the precinct areas (i.e. exclude Daly Street). In addition, GWRC request that the small triangular section on the northern side of the Melling Bridge area be excluded from the 'Riverfront Precinct' as a result of extending the Harvey Norman boundary. Harvey Norman Stores Pty NZ Ltd DPC14/FS5 opposes this submission.

Discussion and Evaluation

The support for the Precincts from R & E Marvelly, Making Places Reference Group (MPRG) and Hutt Valley Chamber of Commerce is noted.

The New World site is located within the block bordered by Queens Drive, Waterloo Road, Bloomfield Terrace and Kings Crescent. This street block is located on the eastern side of the Core Precinct. Queens Drive is one of the main streets through the southern end of the central area, and Waterloo Road and Kings Crescent are major roads connecting with the residential and wider city to the east. The location and characteristics of this street block is an integral part of the Core Precinct and is a contiguous and coherent part of this Precinct. Revising the boundaries and extent of the Core and Commercial Precincts to incorporate the New World site as part of the Commercial Precinct is not supported, as it would create an island and be at odds with the central pedestrian focused core objective. The Commercial Precinct is separated by one street block from the New World site, therefore, it would also not be contiguous with the remainder of the Commercial Precinct.

It is noted Foodstuffs sought alternative relief regarding amendments to the policies if the Precinct change was not supported. As discussed above in Amendments 15 and 19, it is recommended changes be made to recognise existing activities in some circumstances.

The McDonalds site is located on the corner of High Street and Raroa Road. McDonalds have requested this site (as well as the whole street block) be changed from the Core Precinct to the Commercial Precinct. In reviewing the location and extent of the Precincts in response to this request, the notified location and extent are considered appropriate. The Queens Drive/High Street intersection is considered the northern extent of the 'core' area for the central area. The four corners of this intersection are considered to have a key role in establishing the start/end to the core, with the relationship and profile of these corner sites being particularly important. The requirements for the Core Precinct are considered appropriate in this context.

In addition, Raroa Road is considered to be a street with higher amenity values with the well-established street trees and the majority of existing buildings are located on or near the front boundary. These values are partly the future anticipated character desired by this proposed plan change for this area. Applying the Core Precinct to the southern side of Raroa Road seeks to maintain and enhance the relationship of activities and development to the street through ensuring activities are oriented towards the street and buildings are located on the front boundary. The Commercial Precinct character is not considered appropriate on the southern side of the street as it could diminish the existing streetscape and amenity values. Therefore, it is recommended the Core Precinct apply to the McDonalds site.

At the pre-hearing meeting with Harvey Norman and Greater Wellington Regional Council (GWRC) in August, the requested changes to Appendix 1 were discussed. It was clarified that the changes requested regarding the Hutt River corridor related to the graphics in the Design Guide showing the extent of the Precincts covering roads. As discussed in Amendment 81 below, it is recommended these graphics be amended to remove the Precinct overlays from roads.

In terms of the small triangular section of land on the northern side of Melling Bridge, it was confirmed that this did not relate to the Harvey Norman site (on the southern side of Melling Bridge). In addition, GWRC confirmed that it is currently investigating flood protection upgrade works in this area and that some land acquisition may be required. However, as no formal proceedings have commenced at this time, the proposed extent of the Precinct areas which follow current cadastral boundaries is considered the most appropriate approach. If land is acquired in the future, the Precinct areas can be adjusted if required.

Harvey Norman highlight the differences between the two areas of the Riverfront Precinct, one at the north near Melling Link and the other at the south near Daly Street. We concur with the submitter that these two distinct areas be recognised differently in the central area precincts, as they exhibit different character and qualities, and their function and role in the future central area differs. These two areas of the Riverfront Precinct more closely align with the adjacent precincts, being the Core and Commercial Precincts. Therefore, it is recommended the Precincts Plan be amended recognising these two riverside precincts which are called the "Riverfront (Core) Precinct" and "Riverfront (Commercial) Precinct". A number of consequential changes are required to give effect to this change throughout the Plan text as detailed below.

Reporting Officers Recommendation

Accept submission DPC14/01 (1.2).
 Reject submission DPC14/05 (5.1).
 Accept submission DPC14/08 (8.2).
 Accept submission DPC14/13 (13.4). in so far as amending Appendix 1 and associated policies and rules to refer to the Riverfront (Core) and Riverfront (Commercial) Precincts.
 Accept in part submission DPC14/15 (15.7) in so far as amending the Precinct Plan in the Design Guide by excluding roads.
 Reject further submission DPC14/FS5 (FS5.3) in so far as retaining Appendix 1 as notified.
 Accept submission DPC14/16 (16.2).
 Reject submission DPC 14/17A (17.1).
 Reject further submission DPC14/FS4 (all).

Reporting Officers Recommended Amendments

Amend Appendix Central Commercial 1 – Precincts Map as shown in the Appendix Two in this Report.

Consequential Amendments below.

Submitter number	Provision Ref	Recommended Amendment
DPC14/13 (13.4)	Appendix 1	<p>It is recommended the following amendments be made to the reference to the Riverfront Precinct.</p> <p>Amend Policy 5A 1.1.1(b) as follows:</p> <p>(b) Recognise that the Central Commercial Activity Area has four <u>five</u> precincts, being: Core, Commercial, Riverfront (<u>Core</u>), <u>Riverfront (Commercial)</u> and Residential Transition, which have different issues and values, with different management approaches (see Map in Appendix Central Commercial 1 – Precincts).</p> <p>Amend the first paragraph in the Explanation and Reasons in 5A 1.1.1(b) as follows:</p> <p>The Central Commercial Activity Area needs to be of a sufficient capacity to meet the needs of current and future generations. The existing footprint of the central area is well-established with boundaries defined based on existing land uses. Within the overall central area, there are four <u>five</u> sub-areas or precincts which have specific issues and values. These precincts are entitled Core, Commercial, Riverfront (<u>Core</u>), <u>Riverfront (Commercial)</u> and Residential Transition, and have different management frameworks and requirements applying to the respective precincts.</p> <p>Amend Policy 5A 1.2.1(d) as follows:</p> <p>(d) Manage building height based on precincts which reflect the form and context of their location, with taller buildings in the Core, <u>Riverfront (Core)</u> and Riverfront (<u>Commercial</u>) Precincts and lower buildings in the Commercial and Residential Transition Precincts.</p> <p>Amend the fifth paragraph in the Explanation and Reasons in 5A 1.2.1 as follows:</p> <p>The general built form of Lower Hutt City is based on a conceptual urban transect of taller buildings and higher density in the central area through to lower buildings and density in the surrounding areas. In the Central Commercial Activity Area, the tallest buildings are located in the centre, being the Core, <u>Riverfront (Core)</u> and Riverfront (<u>Commercial</u>) Precincts, with</p>

		<p>lower buildings in the Commercial and Residential Transition Precincts reflecting the gradation towards the predominantly residential areas. Height standards are applied to manage new buildings which reflect this built form.</p> <p>Amend Policy 5A 1.2.4(b) as follows: (b) Manage new buildings and larger additions to existing buildings in the Riverfront <u>(Core)</u> and Riverfront <u>(Commercial)</u> Precincts to ensure they are designed to provide for adaptation in the future to respond to the upgraded flood protection works.</p> <p>Amend the first paragraph in the Explanation and Reasons in 5A 1.2.4 as follows: Buildings located within the Central Commercial Activity Area which are adjacent to the Hutt River corridor present some opportunities and constraints for maintaining and enhancing the attractiveness and vitality of the central area. The development of a river side promenade could occur in conjunction with an upgrade to the flood protection works adjacent to the central area. Buildings and development adjacent to this promenade will play a key role in activating this area, to create a vibrant and attractive area. New buildings and larger additions to existing buildings in the Riverfront <u>(Core)</u> and Riverfront <u>(Commercial)</u> Precincts need to be designed to provide for future adaptation to facilitate the long term vision for the riverfront, such as providing for a future active edge on the first floor facing Daly Street. Furthermore, in managing new buildings and development and larger additions to existing buildings, a key characteristic will be facilitating improved public access along the river corridor and connections with the core area of the Central Commercial Activity Area.</p> <p>Amend Policy 5A 1.2.5(d) as follows: (d) Manage ground level carparking areas and carparking within structures in the Core, Riverfront <u>(Core)</u>, Riverfront <u>(Commercial)</u> and Residential Transition Precincts to maintain and enhance the streetscape and character in these precincts.</p> <p>Amend Rule 5A 2.3(d) as follows: (d) Residential activities on the ground floor in the Core, Riverfront <u>(Core)</u>, Riverfront <u>(Commercial)</u> and Commercial Precincts identified in Appendix Central Commercial 1 - Precincts.</p> <p>Amend Rule 5A 2.3(f) as follows: (f) Car Sales Yards in the Core, Riverfront <u>(Core)</u>, Riverfront <u>(Commercial)</u> and Residential Transition Precincts identified in Appendix Central Commercial 1 - Precincts.</p> <p>Amend Rule 14A(iv) 2.1(b) as follows: For retail and industrial activities (except in the Core, Riverfront <u>(Core)</u>, Riverfront <u>(Commercial)</u> and Residential Transition Precincts in the Central Commercial Activity Area), the number of loading spaces to be provided shall not be less than the following requirements:</p>
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Amendment 75 - Section 5A Appendix Central Commercial 2 – Maximum Height

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/01 (1.3)	R & E Marvelly	Support	Adopt Plan Change 14 - The restoration of a 12m height limit for the Residential Transition Precinct and its defined future character will bring comfort and security to the nearby residents and to those who should move into the area.
DPC14/06 (6.2)	Stephen Shadwell	Oppose in part	The 12 metre threshold needs reviewing with consideration given to raising it. It should not be based on experience in another city where conditions are different.
DPC14/06 (6.3)	Stephen Shadwell	Oppose in part	Consideration should be given to having a higher threshold for buildings with verandas.
DPC14/11 (11.1)	Louise Ferrari	Support in part	Not stated - Changes to building height, from the existing rules are no improvement. However, they need to ensure that the amenity of the CBD and interconnectedness with building stock is improved. Rules should possibly not place the highest buildings near the river corridor – or the buildings should ensure they account for the residual flood risk.
DPC14/17 A (17.1)	McDonalds Restaurants NZ Ltd	Oppose	Amend 5A Appendix Central Commercial 1 - Precincts, 5A Appendix Central Commercial 2 - Maximum Height & 5A Appendix Central Commercial 3 - Verandahs, Building Frontages & Display Windows, as follows: i. The block bounded by Raroa Road, High Street and Kings Crescent, and in particular the McDonald's site at the corner of High Street and Raroa Road (and also fronting Kings Crescent) be removed from the Core Precinct and 18m Maximum Height area, and included in the Commercial Precinct and 12m Maximum Height area instead. ii. That the block bounded by Raroa Road, High Street and Kings Crescent, and in particular the McDonald's site at the corner of High Street and Raroa Road (and also fronting Kings Crescent) be removed from Appendix Central Commercial 3 - Street Frontages requiring verandahs, building frontages and display windows. iii Such other relief as may give effect to the submission including any consequential amendments.

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS4 (FS4.2)	Westfield NZ Ltd	McDonalds Restaurants NZ Ltd DPC14/17 (17.1)	Support

R & E Marvelly DPC14/01 (1.3) support the proposed maximum height requirements.

Stephen Shadwell DPC14/06 (6.2) and (6.3) requests the 12 metre height limit be reviewed and a higher height limit applied, particularly for buildings with verandahs.

Louise Ferrari DPC14/11 (11.1) requests that the tallest buildings should not be located near the river corridor.

McDonalds Restaurants NZ Ltd DPC14/17A (17.1) requests that Appendix 2 be amended by applying the 'Commercial Precinct' and 12 metre height limit to the block bounded by Raroa Road, High Street and Kings Crescent, and in particular the McDonald's site rather than the 'Core Precinct'. Westfield NZ Ltd DPC14/FS4 supports this submission.

Discussion and Evaluation

The support for the maximum height requirements from R & E Marvally is noted.

As discussed in Amendment 38 above, in determining the proposed height limits the overall capacity of activities and development in the Central Commercial Activity Area, the overall city urban form, and relationship to streets and adjoining residential and recreation areas were factors that were considered. The 12 metre height limit applies to the Residential Transition Precinct along the eastern side of the central area, the Ward St commercial area at the southern end, and parts of the Commercial Precinct at the northern end. These areas are in close proximity to residential areas where taller buildings could degrade the character and amenity values of the residential areas.

In addition, the characteristics of this part of the Central Commercial Activity Area are low-rise buildings which typically have a commercial, retail or service use. Permitting taller buildings (above 12 metres) in these areas are not considered appropriate as it would compromise the low rise character and amenity values of the adjoining residential areas and the character of these parts of the Central Commercial Activity Area. Taller buildings can over-dominate the street, excessive shading, and loss of privacy. It is recommended the 12 metre height limit be retained for the Residential Transition Precinct.

In terms of the height of buildings adjacent to the Hutt River corridor, providing for taller buildings in the 'Riverfront Precinct' responds to the policy directions in the CBD Vision and CBD Making Places exercises. Allowing for taller buildings in this area would encourage a greater range and intensity of land use. This intensification of activities would increase the number of people living and/or working in the area which would contribute to the social and economic wellbeing of the central area.

However, it is recognised the area adjacent to the river corridor is subject to the risk of flooding. The existing and upgraded flood protection works would provide a level of protection to the whole central area, not just buildings on the river front. New buildings constructed adjacent to the river corridor will be assessed to ensure the building design takes into account its relationship to the river edge. In addition to assessing the relationship to the river corridor, the overall building design would be assessed. This overall assessment is considered appropriate to improve the quality of new building stock in the central area. In terms of flooding, the existing and proposed plan provisions would appropriately manage any likely risk, and it is considered taller buildings are unlikely to exacerbate this.

As discussed in Amendment 74 above, the McDonalds site is located on the corner of High Street and Raroa Road. McDonalds have requested this site (as well as the whole street block) be changed from the Core Precinct to the Commercial Precinct and that the 18m maximum height area be amended to 12m maximum height area instead. In reviewing the location and extent of the Precincts and height limits in response to this request, the notified provisions are considered appropriate. The Queens Drive/High Street intersection is considered the northern extent of the 'core' area for the central area. The four corners of this intersection are considered to have a key role in establishing the start/end to the core, with the relationship and profile of these corner sites being particularly important. Buildings and activities on these four corners play a key role in achieving the objectives of a pedestrian focused core area. The requirements for the Core Precinct and height limits are considered appropriate in this context.

In addition, Raroa Road is considered to be a street with higher amenity values and reflect the future character desired by this proposed plan change. Applying the Core Precinct to the southern side of Raroa Road seeks to maintain and enhance the relationship of activities and development to the street given the existing higher quality. The Commercial Precinct character is not considered appropriate on the southern side of the street as it could diminish the existing streetscape and amenity values. Therefore, it is recommended the Core Precinct and 18m height limit apply to the McDonalds site.

Reporting Officers Recommendation

Accept submission DPC14/01 (1.3).

Reject submission DPC14/06 (6.2) and (6.3) in so far as retaining the height limits shown in Appendix 2.

Accept in part submission DPC14/11 (11.1) in so far as retaining Appendix 2 as notified.

Reject submission DPC 14/17A (17.1).

Reject further submission DPC14/FS4 (all).

Amendment 76 - Section 5A Appendix Central Commercial 3 - Verandahs, Building Frontages and Display Windows

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/04 (4.3)	D Mann (Rutherford Holdings Ltd)	Oppose	Remove the requirement to provide verandas from 33 Rutherford Street and properties to the north.
DPC14/05 (5.3)	Foodstuffs Co-op Society Ltd	Oppose	Amend to exclude the Waterloo Road and Kings Crescent frontages of the New World site and the Bloomfield Terrace frontage between Waterloo Road and Kings Crescent.
DPC14/13 (13.5)	Harvey Norman Stores Pty NZ Ltd	Oppose in part	Delete the verandah and display window controls relating to the Hutt River frontages for the area identified as Riverfront (Commercial) Precinct in the submission from Appendix Central Commercial 3.
DPC14/15 (15.13)	Greater Wellington Regional Council	Support	Retain Rules 5A2.1.1(d), 5A2.1.1(e) and 5A Appendix Central Commercial 3.
DPC14/17 A (17.1)	McDonalds Restaurants NZ Ltd	Oppose	Amend 5A Appendix Central Commercial 1 - Precincts, 5A Appendix Central Commercial 2 - Maximum Height & 5A Appendix Central Commercial 3 - Verandahs, Building Frontages & Display Windows, as follows: i. The block bounded by Raroa Road, High Street and Kings Crescent, and in particular the McDonald's site at the corner of High Street and Raroa Road (and also fronting Kings Crescent) be removed from the Core Precinct and 18m Maximum Height area, and included in the Commercial Precinct and 12m Maximum Height area instead. ii. That the block bounded by Raroa Road, High Street and Kings Crescent, and in particular the McDonald's site at the corner of High Street and Raroa Road (and also fronting Kings Crescent) be removed from Appendix Central Commercial 3 - Street Frontages requiring verandahs, building frontages and display windows. iii Such other relief as may give effect to the submission including any consequential amendments.

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS3 (all)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Foodstuffs Co-operative Society Ltd DPC14/05 (5.3)	Support
DPC14/FS5 (FS5.1)	Harvey Norman Stores Pty NZ Ltd	D Mann (Rutherford Holdings Ltd) DPC14/04 (4.3)	Support
DPC14/FS4 (FS4.2)	Westfield NZ Ltd	McDonalds Restaurants NZ Ltd DPC14/17 (17.1)	Support

D Mann (Rutherford Holdings Ltd) DPC14/04 (4.3) requests Appendix 3 be amended by removing the requirement to provide verandahs from 33 Rutherford Street and properties to the north. Harvey Norman Stores Pty NZ Ltd DPC14/FS5 (FS5.1) supports this submission.

Foodstuffs Co-operative Society Ltd DPC14/05 (5.3) requests that Appendix 3 be amended by removing the verandah requirements from the Waterloo Road and Kings Crescent frontages of the New World site and the Bloomfield Terrace frontage between Waterloo Road and Kings Crescent. Retail Holdings and Lower Hutt Properties Ltd DPC14/FS3 support this submission.

Harvey Norman Stores Pty NZ Ltd DPC14/13 (13.5) request that Appendix 3 be amended by deleting the verandah and display window controls relating to the Hutt River frontages for the area identified as Riverfront (Commercial) Precinct in the submission from Appendix Central Commercial 3.

McDonalds Restaurants NZ Ltd DPC14/17A (17.1) requests that Appendix 3 be amended by deleting the verandah and display window controls from the block bounded by Raroa Road, High Street and Kings Crescent, and in particular the McDonald's site at the corner of High Street and Raroa Road (and also fronting Kings Crescent). Westfield NZ Ltd DPC14/FS4 supports this submission.

Greater Wellington Regional Council DPC14/15 (15.13) supports Appendix 3 and requests it be retained.

Discussion and Evaluation

The support for the verandah and window display requirements from Greater Wellington Regional Council is noted.

As discussed above in Amendment 74, the New World site is located within the block bordered by Queens Drive, Waterloo Road, Bloomfield Terrace and Kings Crescent. This street block is located on the eastern side of the Core Precinct. Queens Drive is one of the main streets through the southern end of the central area, and Waterloo Road and Kings Crescent are major roads connecting with the residential and wider city to the east. The location and characteristics of this street block is an integral part of the Core Precinct and is a contiguous and coherent part of this Precinct. Removing the verandah and display window requirements from the whole street block or just the New World site would create a gap or broken section of verandahs which is at odds with the central pedestrian focused core objective. Therefore, it is considered appropriate to retain the verandah and display windows along the Queens Drive, Waterloo Road and Kings Crescent frontages.

However, Bloomfield Terrace is a connecting street within the central area and is not a major pedestrian route and does not have any particular destinations or pedestrian generating activities at either end. Therefore, it is recommended that the verandah and display window requirements do not apply to Bloomfield Terrace. The recommended changes to Appendix 3 are attached to this report.

As discussed in Amendments 74 and 75 above, the McDonalds site is located on the corner of High Street and Raroa Road. McDonalds have requested this site (as well as the whole street block) be changed from the Core Precinct to the Commercial Precinct, 18m maximum height area be amended to 12m maximum height area, and verandah and display windows requirement be removed. In reviewing the location and extent of the Precincts, height limits and verandah and display window requirements in response to this request, the provisions as notified are considered appropriate. The Queens Drive/High Street intersection is considered the northern extent of the 'core' area for the central area. The four corners of this intersection are considered to have a key role in establishing the start/end to the core, with the relationship and profile of these corner sites being particularly important. Verandahs and display windows on these four corners would play a key role in achieving the objectives of a pedestrian focused core area, particularly in ensuring pedestrian comfort and safety. Consequently, the requirements for the Core Precinct, height limits, and verandah and display windows are considered appropriate in this context.

In addition, Raroa Road is considered to be a street with higher amenity values and partly the future character desired by this proposed plan change. Applying the Core Precinct to the southern side of Raroa Road seeks to maintain and enhance the relationship of activities and

development to the street given the existing higher quality. The Commercial Precinct character is not considered appropriate on the southern side of the street as it could diminish the existing streetscape and amenity values. Therefore, it is recommended the Core Precinct, 18m height limit and verandah and display window requirements apply to the McDonalds site.

At the pre-hearing meeting with Westfield NZ in August, the street frontages and associated verandah and display window requirements for the Queensgate site were discussed. It is considered similar circumstances apply to the New World site discussed above apply. It is recommended that the verandah and display window requests are retained for Queens Drive, Waterloo Road, Bunny Street and Knights Road. However, this requirement along Bloomfield Terrace is recommended to be removed.

As discussed above in Amendment 74 above, Harvey Norman highlights the differences between the two areas of the Riverfront Precinct, one at the north near Melling Link and the other at the south near Daly Street. We concur with the submitter that these two distinct areas be recognised in the Precincts. It is recommended that the Riverfront Precinct be amended and be called “Riverfront (Core) Precinct” and “Riverfront (Commercial) Precinct”. One of the consequential amendments is the removal of the verandah and display window requirements.

However, as discussed in Amendment 27 above, the relationship of buildings to the Hutt River corridor is an important quality of the central area. Therefore, it is recommended that the verandah and display window requirements continue to apply to the river side boundary.

With the removal of the verandah and display window requirements from the western side of Rutherford Street, it is recommended it also be removed from the eastern side, down to the boundary of the Core and Commercial Precincts. The recommended changes are shown on an amended Appendix 3 attached to this report.

Reporting Officers Recommendation

Reject submission DPC14/04 (4.3).

Reject further submission DPC14/FS5 (5.1).

Accept in part submission DPC14/05 (5.3) in so far as removing the verandah and display window requirements from Bloomfield Terrace.

Reject further submission DPC14/FS3 (all) in so far as removing the verandah and display window requirements from Bloomfield Terrace.

Accept in part submission DPC14/13 (13.5) in so far as removing the verandah and display window requirements from Rutherford Street and Melling Link.

Accept submission DPC14/15 (15.13).

Reject submission DPC 14/17A (17.1).

Reject further submission DPC14/FS4 (all) in so far as retaining Appendix 3 as notified.

Reporting Officers Recommendation

Amend Appendix Central Commercial 3 – Verandahs, Building Frontages and Display Windows Map as shown in the Appendix Two in this Report

Amendment 77 - Section 5A Appendix Central Commercial 4 – Sunlight Protection

Submissions

No submissions were received on Amendment 77.

Discussion and Evaluation

As no submissions were received in relation to Amendment 77, it is recommended that Amendment 77 adding Appendix 4 on sunlight protection to Section 5A be adopted.

Reporting Officers Recommendation

Adopt Amendment 77 as notified.

Amendment 78 - Section 5A Appendix Central Commercial 5 – Wind Protection

Submissions

No submissions were received on Amendment 78.

Discussion and Evaluation

As no submissions were received in relation to Amendment 78, it is recommended that Amendment 78 adding Appendix 5 on wind protection to Section 5A be adopted.

Reporting Officers Recommendation

Adopt Amendment 78 as notified.

Amendment 79 - Section 5A Appendix Central Commercial 6 – Wind Report

Submissions

No submissions were received on Amendment 79.

Discussion and Evaluation

As no submissions were received in relation to Amendment 79, it is recommended that Amendment 79 adding Appendix 6 on wind report requirements to Section 5A be adopted.

Reporting Officers Recommendation

Adopt Amendment 79 as notified.

Amendment 80 - Section 5A Appendix Central Commercial 7 – Noise Insulation

Construction Schedule

Submissions

No submissions were received on Amendment 80.

Discussion and Evaluation

As no submissions were received in relation to Amendment 80, it is recommended that Amendment 80 adding Appendix 7 containing a noise insulation construction schedule to Section 5A be adopted.

Reporting Officers Recommendation

Adopt Amendment 80 as notified.

Amendment 81 - Section 5A Appendix Central Commercial 8 - Central Commercial Activity Area Design Guide

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/04 (4.2)	D Mann (Rutherford Holdings Ltd)	Oppose	Remove isolation strip from Melling Link Road to allow access onto Melling Link Road.
DPC14/08 (8.3)	Making Places Reference Group (MPRG)	Support	Not stated - The future character of each precinct is endorsed. MPRG supports the inclusion of statutory and non-statutory guidelines. The introduction of design guides to improve the quality of buildings and open spaces is critical to the ongoing development of the city.
DPC14/10 (10.19)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Oppose in part	Amend the Statutory Guidelines 2.1 Making a Good Street Frontage point 1 page 23 to read: 1. <u>Unless at grade car parking is being provided</u> , buildings in the Core and Riverfront precincts should be continuous from side boundary to side boundary, except that floors above the fourth storey may be set back;"
DPC14/10 (10.20)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Oppose in part	Amend the Statutory Guidelines 2.1 Making a Good Street Frontage 'Frontage Type Table' page 25 line 4 row 3 to read as follows: "30% minimum <u>(except if the first floor level contains car parking in which case no transparent glass windows are required)</u> ."
DPC14/10 (10.21)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Oppose in part	Amend the Statutory Guidelines 2.3 Providing for Car Parking 'Addressing Surface Car Parking' point 2 page 31 to read: "In the Commercial Precinct surface parking fronting the street should not exceed more than 40% of the total lot frontage or 45 <u>18</u> metres, whichever is the shortest <u>greatest</u> ."
DPC14/10 (10.22)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Oppose in part	Amend the map diagram in 3.7 Private or Public Lane Access Design on page 35 of the non-statutory Guidelines to delete the new laneway identified on the submitters' land.
DPC14/11 (11.2)	Louise Ferrari	Support in part	Include a link to the existing heritage schedule in the Design Guide so that larger trees on new and existing sites can be protected in the same way through District Plan.
DPC14/11 (11.3)	Louise Ferrari	Support	Amend Section 3.4 Greening the Central Area in the Design Guide with emphasis on maintaining/protecting existing trees in the CBD.
DPC14/11 (11.4)	Louise Ferrari	Support	Retain Section 3.2 Managing Signage as outlined on page 49.
DPC14/13 (13.6)	Harvey Norman Stores Pty NZ Ltd	Oppose in part	Amend the Central Commercial Activity Area Design Guide to divide the Riverfront (Core) and Riverfront (Commercial) Precincts
DPC14/14 (14.17)	Petone Planning Action Group	Support	Retain Central Commercial Activity Area Design Guide
DPC14/15 (15.7)	Greater Wellington Regional Council	Support	Exclude the Hutt River Corridor and therefore should exclude Daly Street. Also, the small triangular section on the northern side of the Melling Bridge area be excluded from the 'Riverfront Precinct', as a result of extending the Harvey Norman boundary.
DPC14/15 (15.8)	Greater Wellington Regional Council	Support in part	Amend Section 1.7 Character and Context Description (page 14) to include an acknowledgement that this area is subject to flood hazard.
DPC14/15	Greater	Support in	Amend Section 2.7 Designing to Address the River

(15.9)	Wellington Regional Council	part	(page 40), first paragraph, replacing the 'riverfront parkland', with 'river corridor'. Amend diagram to show the Hutt River Corridor extends to the outside toe of the stop-bank. Amend the second paragraph on page 41 of the guide for both statements be amended to read: " <u>in the order of 1 metre</u> ".
DPC14/16 (16.6)	Hutt Valley Chamber of Commerce	Support	Not stated - Support the introduction of a design code for the CBD.
DPC14/17 A (17A.1)	McDonalds Restaurants Ltd NZ	Oppose in part	Amend the Commercial Central Activity Area Design Guide by introducing the specific additional matters relating to Drive Through Restaurants (refer to the appendix of the submission for the specific additional matters).
DPC14/17 A (17A.2)	McDonalds Restaurants Ltd NZ	Oppose in part	Amend the Precinct Map (page 11) by excluding the block bounded by Raroa Road, High Street and Kings Crescent, and in particular the McDonald's site at the corner of High Street and Raroa Road (and also fronting Kings Crescent) from the Core Precinct, and included in the Commercial precinct instead.
DPC14/17 A (17A.3)	McDonalds Restaurants Ltd NZ	Oppose in part	Amend the Frontage Type Plan on page 24 by deleting the Type 2 - secondary frontage notation from Raroa Road and Kings Crescent, and replace with Type 3 Commercial Precinct Frontage.
DPC14/17 A (17A.4)	McDonalds Restaurants Ltd NZ	Oppose in part	Amend the provision for parking in Section 2.3.8 page 31 by adding the following text: - <u>this rule does not apply to existing activities where additions or alterations to buildings do not exceed 10% of existing GFA</u> - <u>sites with frontage to more than one street may provide parking at ground level at the front of the street with the lower traffic volume</u>
DPC14/17 A (17A.5)	McDonalds Restaurants Ltd NZ	Oppose in part	Such other relief as may give effect to the submission including any consequential amendments.

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS4 (FS4.1)	Westfield (NZ) Ltd	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (all)	Support
DPC14/FS7 (FS7.10 and 7.11)	McDonalds Restaurants NZ Ltd	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.19 and 10.21)	Support
DPC14/FS4 (FS4.2)	Westfield NZ Ltd	McDonalds Restaurants NZ Ltd DPC14/17 (all)	Support
DPC14/FS5 (FS5.3)	Harvey Norman Stores Pty NZ Ltd	Greater Wellington Regional Council DPC14/15 (15.7)	Oppose

Making Places Reference Group (MPRG) DPC14/08 (8.3), Petone Planning Action Group DPC14/14 (14.17) and Hutt Valley Chamber of Commerce DPC14/16 (16.6) support the proposal design guide.

D Mann (Rutherford Holdings Ltd) DPC14/04 (4.2) requests the Design Guide be amended by removing the isolation strip from Melling Link Road to allow access onto Melling Link Road.

Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.19 and 10.20) requests amendments to Section 2.1 on Making a Good Street Frontage in relation to ground or surface level carparking. Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.21) also request amendments to Section on Providing for Car Parking regarding the appropriate dimensions. McDonalds Restaurants NZ Ltd supports these submissions. Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.22) requests changes to the map diagram in Section 3.7 Private or Public Lane Access Design by deleting the new laneway identified on the submitters' land.

Louise Ferrari DPC14/11 (11.2, 11.3 and 11.4) requests a series of amendments to the design guide relating to linking with the heritage schedule, protecting existing trees and managing signage.

Harvey Norman Stores Pty NZ Ltd DPC14/13 (13.6) request the Design Guide be amended by identifying the Riverfront Precinct as 'Riverfront (Core) Precinct' and 'Riverfront (Commercial) Precinct'.

Greater Wellington Regional Council DPC14/15 (15.7, 15.8 and 15.9) supports the Design Guide and requests a number of amendments including amending the Precinct Plan and references to flood risk and flood protection works. Harvey Norman Stores Pty NZ Ltd opposes some of the relief sought by GWRC.

McDonalds Restaurants NZ Ltd DPC14/17A (17A.1, 17A.2, 17A.3, 17A.4 and 17A.5) requests a number of amendments to the Design Guide including adding guidance on drive through restaurants and amending the design guidance similar to the requested changes to the rules and standards. Westfield NZ Ltd DPC14/FS4 supports this submission.

Discussion and Evaluation

The support for the Design Guide from Making Places Reference Group, Petone Planning Action Group and Hutt Valley Chamber of Commerce is noted.

In terms of the issue of the isolation strip referred to by Rutherford Holdings Ltd, I understand that it runs along Melling Link Road is a legal instrument registered on the submitter's Certificate of Title for this property. As noted by the submitter, the isolation strip restricts access to Melling Link Road from the submitter's property. The Proposed Plan Change does not propose to alter or change the status of this isolation strip in any way. Removing this isolation strip is a separate legal process not associated with the plan change. This matter has been referred to Council's traffic team in terms of whether they would support the removal of this isolation strip.

As discussed above in Amendment 49, the request to amend the maximum carparking frontage dimension from 15m to 18m is supported. As outlined by the submitter, the dimensions for carparking areas require an 18m wide area to fit a typical carpark layout. However, changing the term 'shortest' with 'greatest' is not supported, as this change could result in excessively large carpark street frontages which could degrade the urban environment. Similarly, the other requested amendments to the carparking guidance are not supported.

L Ferrari raises issues about the relationship and reference of other District Plan requirements and the Design Guide, particularly heritage and notable tree schedules. It is recommended additional text be added to Section 1.2 'How the Design Guide Relates to the District Plan' of the Design Guide as detailed below.

For the reasons outlined in Amendment 74 above, it is recommended that the Riverfront Precinct be amended into the 'Riverfront (Core) Precinct' and 'Riverfront (Commercial) Precinct'.

As discussed above in Amendment 74 on Appendix 1, at the pre-hearing meeting with Harvey Norman and Greater Wellington Regional Council (GWRC) in August, it was clarified the graphics in the Design Guide show the extent of the Precincts covering roads. It is noted that this Precinct Plan is part of the introduction in the Design Guide where for illustrative purposes, the Precincts are shown as contiguous areas, including covering roads. However, legal roads are technically not part of the precincts as shown in Precinct Plan in Appendix 1 of the Central Commercial Activity Area. It is recommended the Precinct Plan in the Design Guide is retained as notified (except for the Riverfront (Commercial) Precinct amendment recommended above).

In terms of the Character and Context Description in Section 1.7 for the Riverfront Precinct, the amendments requested by GWRC are supported. These amendments would better describe the flood risk and environment for the Hutt River corridor. It is recommended Section 1.7 for the Riverfront Precinct read as shown on the attached pages.

McDonalds has requested that a new section be added to the Design Guide on Drive Through Restaurants. The Design Guide has sections which apply for all activity types. It is recommended that a section be added to provide guidance for assessing application for vehicle oriented activities such as drive through restaurants and service stations. In addition, it is recommended a new section be added on managing large format retail activities as they are anticipated to be a major type of development in the central area.

For the reasons given in Amendments 74 and 76 above, it is recommended the Precinct and verandah and display window requirements are retained for the McDonalds site.

All recommended amendments to the Design Guide are detailed in Appendix Five of this report.

In addition, in amending the Design Guide in response to submissions, it was noted the Private or Public Lane Access Design, Walking and Cycling, and Servicing Sections in Part B of the Design Guide had incorrect layout and formatting in the notified version. The corrected pages of these Sections are also attached in Appendix Five.

Reporting Officers Recommendation

Reject submission DPC14/04 (4.2).
Accept submission DPC14/08 (8.3).
Reject submission DPC14/10 (10.19).
Reject further submission DPC14/FS7 (7.10).
Reject submission DPC14/10 (10.20).
Accept in part submission DPC14/10 (10.21) in so far as amending 15m to 18m.
Accept in part further submission DPC14/FS7 (7.11) in so far as amending 15m to 18m.
Reject submission DPC14/10 (10.22).
Reject further submission DPC14/FS5 (5.1).
Reject further submission DPC14/FS4 (all).
Accept submission DPC14/11 (11.2).
Accept submission DPC14/11 (11.3).
Accept submission DPC14/11 (11.4).
Accept submission DPC14/13 (13.6).
Accept submission DPC14/14 (14.17).
Reject submission DPC14/15 (15.7).
Reject further submission DPC14/FS5 (FS5.3) in so far as retaining the extent of the Precincts as notified.
Accept submission DPC14/15 (15.8).
Accept submission DPC14/15 (15.9).
Accept submission DPC 14/16 (16.6).
Accept in part submission DPC 14/17A (17A.1) in so far as adding a section on vehicle oriented activities and large format retail activities.
Reject submission DPC 14/17A (17A.2).
Reject submission DPC 14/17A (17A.3).
Reject submission DPC 14/17A (17A.4).
Reject submission DPC 14/17A (17A.5).
Reject further submission DPC14/FS4 (all) in so far as retaining the Design Guide as notified.

Reporting Officers Recommended Amendments

Refer Appendix Five showing recommended amendments to Design Guide.

Amendment 82 - Section 14A(i) 2.1(f) – Amend Provisions of Roads

Submissions

No submissions were received on Amendment 82.

Discussion and Evaluation

As no submissions were received in relation to Amendment 82, it is recommended that Amendment 82 deleting standard 2.1(f) relating to access roads in Section 14A(i) be adopted.

Reporting Officers Recommendation

Adopt Amendment 82 as notified.

Amendment 83 - Section 14A(iii) 1.1.1 – Amend Issue for Adequate Car Parking Provision in the Central Commercial Activity Area

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/03 (3.1)	Beverley Tyler	Oppose	Provision of additional car parking in the Inner Central Area Parking District using specific performance standards regarding location, design and appearance. As acknowledged in the Hutt News article of 9 March 2010 the District Plan needs to be changed to allow for parking buildings.
DPC14/09 (9.8)	New Zealand Transport Agency	Oppose in part	Insert additional words into the Issue of 14A (iii) 1.1.1, as: Issue The increased ownership of private vehicles and increased activity in the Central Commercial Activity Area in recent years has contributed to a high demand for long and short stay parking. Each activity should provide sufficient parking on site, however, the inner area sites are generally small which makes it difficult to provide on site parking. It is also desirable to maintain a continuous pedestrian frontage for shoppers. <u>The potential growth of private vehicle commuter traffic from increased parking can also have adverse effects on the Central Commercial Activity Area environment, which needs to be considered to avoid, remedy or mitigate potential congestion.</u> Policies for the Central Commercial Activity Area have maintained the approach that sites within the inner area are not required to provide on site parking, as sufficient on and off street parking will be provided in the immediate vicinity. Sites in the outer area will be required to provide on site parking to meet the high demand for long and short stay parking, <u>unless suitable alternatives such as good public transport uptake are available.</u> The provision of safe and, adequate and well located parking contributes to the maintenance of amenity values, and the vitality and viability of the Central Commercial Activity Area.
DPC14/14 (14.10)	Petone Planning Action Group	Oppose	Amend Rule 14A(iii)2.1 to require at least one car park per future residential unit or retail or business development in the Central Commercial Activity Area.

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS2 (FS2.1)	New Zealand Transport Agency	Beverly Tyler DPC14/03 (3.1)	Oppose
DPC14/FS6 (FS6.3)	Greater Wellington Regional Council	New Zealand Transport Agency DPC14/09 (9.8)	Support

Beverly Tyler DPC14/03 (3.1) requests that specific provision should be made in the Central Commercial Activity Area for parking including parking buildings. New Zealand Transport Agency DPC14/FS2 (FS2.1) opposes this submission.

New Zealand Transport Agency DPC14/09 (9.8) requests additional text be added to Section 14A(iii) 1.1.1 relating to the link between private vehicle use and congestion, as well as recognising the need for good alternative public transport options. Greater Wellington Regional Council DPC14/FS6 (FS6.3) supports this submission.

Petone Planning Action Group DPC14/14 (14.10) requests that developments be required to provide one carpark per residential, retail or commercial unit in the Central Commercial Activity Area.

Discussion and Evaluation

Minor changes to the current parking requirements in the District Plan are proposed in Proposed Plan Change 14. These changes relate to clarifying the requirements for large format retail activities, reducing the requirements for residential units from two carparks to one carpark per unit, and re-defining the extent of the Inner and Outer Parking Districts in the Central Commercial Activity Area.

A balance is required to find the optimum combination of usable land and parking areas, as well as achieving the other objectives for the Central Commercial Activity Area. The core of the central area is focused on a pedestrian environment where private vehicle parking is less desirable. The periphery of the central area is more focused towards private vehicular transport which the provision of parking is more appropriate. As noted in the submission from the New Zealand Transport Agency, the supply of carparking can be a contributor to the mode of transport, with a high supply of carparking generally relating to increased private vehicle use and less public transport. Permitting carparking or requiring carparking in the Inner Parking District is not considered the most effective or efficient approach to achieving the objectives of an attractive and sustainable central area.

It is noted that under Amendment 67 parking facilities are proposed to be discretionary activity. Therefore, resource consent for such activities would be assessed on a case-by-case basis, and if considered appropriate, consent could be granted.

The submission from the New Zealand Transport Agency requests the addition of text to Issue 1.1.1. However, Proposed Plan Change 14 only proposes to add the words “and well located” to Issue 1.1.1, with all the other text in this Issue statement unchanged from the current District Plan. It is questionable whether this additional text is within the scope of the proposed plan change given the minor nature of the amendment to this section. It is recommended that this additional text is not added to Issue 1.1.1 given this uncertainty.

Reporting Officers Recommendation

Accept in part submission DPC14/03 (3.1) in so far as recognising that parking facilities are listed as a discretionary activity.

Accept in part further submission DPC14/FS2 (2.1) in so far as retaining the notified text.

Reject submission DPC 14/09 (9.8).

Reject further submission DPC14/FS6 (6.3).

Reject submission DPC14/14 (14.10).

Amendment 84 - Section 14A(iii) 1.1.1 – Amend Explanation and Reasons for Adequate Car Parking Provision in the Central Commercial Activity Area

Submissions

Submitter	Submitter name	Support /	Decision/Relief Sought
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number		Oppose	
DPC14/03 (3.2)	Beverley Tyler	Oppose	Provision of additional car parking in the Inner Central Area Parking District using specific performance standards regarding location, design and appearance. As acknowledged in the Hutt News article of 9 March 2010 the District Plan needs to be changed to allow for parking buildings.
DPC14/09 (9.9)	New Zealand Transport Agency	Oppose in part	Insert an additional paragraph after the fourth paragraph of the Explanation and Reasons of 14A(iii) 1.1.1, as below: <u>Parking must be considered in relation to traffic demand to manage potential adverse effects to the Central Commercial Activity Area. Such potential adverse effects include increased congestion from increased commuters, which in turn will decrease the amenity and pleasantness of the Central Commercial Activity Area.</u>
DPC14/10 (10.15)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Support	Retain the following wording as notified in the Explanation and Reasons of clause 14A(iii)1.1.1: ...Sites in this area shall not be required to provide on-site parking, as these sites are generally small, and it would degrade the overall quality of the central area, such as breaking up to the continuous pedestrian shopping frontage”
DPC14/10 (10.16)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Support	Retain the following words in the Explanation and Reasons in clause 14A(iii)1.1.1 if the changes sought by the submitters to the standards for 'at grade' car parks are allowed: "However, large surface areas of car parking can detract from the streetscape and amenity values in the Central Commercial Activity Area. Therefore, standards are used to manage the location, extent and design of car parking areas to ensure they maintain and enhance the streetscape and amenity values. If the changes sought by the submitters for 'at grade' carparks are not allowed, then delete the last two sentences in the Explanation and Reasons of clause 14A(iii)1.1.1 noted above.
DPC14/14 (14.11)	Petone Planning Action Group	Oppose	Unclear – seek clarification over wording of 14A(iii) 1.1.1 as statement is not true

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS2 (FS2.2)	New Zealand Transport Agency	Beverly Tyler DPC14/03 (3.2)	Oppose
DPC14/FS6 (FS6.4)	Greater Wellington Regional Council	New Zealand Transport Agency DPC14/09 (9.9)	Support
DPC14/FS4 (FS4.1)	Westfield (NZ) Ltd	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (all)	Support

Beverly Tyler DPC14/03 (3.2) requests that specific provision should be made in the Central Commercial Activity Area for parking including parking buildings. New Zealand Transport Agency DPC14/FS2 (FS2.2) opposes this submission.

New Zealand Transport Agency DPC14/09 (9.9) requests additional text be added to Section 14A(iii) 1.1.1 relating to the link between parking and travel demand. Greater Wellington Regional Council DPC14/FS6 (FS6.4) supports this submission.

Retail Holdings Ltd and Lower Hutt Properties Ltd DPC14/10 (10.15 and 10.16) support the existing text relating to parking areas. Westfield NZ Ltd DPC14/FS2 (all) supports this submission.

Petone Planning Action Group DPC14/14 (14.11) requests clarification relating to text in Section 14A(iii) 1.1.1.

Discussion and Evaluation

As discussed above for Amendment 83, minor changes to the current parking requirements in the District Plan are proposed in Proposed Plan Change 14. These changes relate to clarify the requirements for large format retail activities, reducing the requirements for residential units from two carparks to one carpark per unit, and re-defining the extent of the Inner and Outer Parking Districts in the Central Commercial Activity Area.

A balance is required to find the optimum combination of usable land and parking areas, as well as achieving the other objectives for the Central Commercial Activity Area. The core of the central area is focused on a pedestrian environment where private vehicle parking is less desirable. The periphery of the central area is more focused towards private vehicular transport which the provision of parking is more appropriate. As noted in the submission from the New Zealand Transport Agency, the supply of carparking can be a contributor to the mode of transport, with a high supply of carparking generally relating to increased private vehicle use and less public transport. Permitting carparking or requiring carparking in the Inner Parking District is not considered the most effective or efficient approach to achieving the objectives of an attractive and sustainable central area.

The proposed amendments to Section 14A(iii) 1.1.1 seek to recognise the poor quality streetscape and degradation to urban character resulting from large areas of carparking. The support from Retail Holdings Ltd and Lower Hutt Properties Ltd is noted.

The submission from the New Zealand Transport Agency highlights the link between the supply of parking and travel demand. This issue is particularly apparent for large carparking areas. It is recommended further text be added to Section 14A(iii) 1.1.1 as detailed below to recognise this matter.

Reporting Officers Recommendation

Accept in part submission DPC14/03 (3.2) in so far as recognising that parking facilities are listed as a discretionary activity.

Accept in part further submission DPC14/FS2 (2.2) in so far as retaining the notified text.

Accept in submission DPC 14/09 (9.9) in so far as amending the text to recognise the link between provision of parking and travel demand.

Accept in part further submission DPC14/FS6 (6.4) in so far as amending the text to recognise the link between provision of parking and travel demand.

Accept submissions DPC14/10 (10.15 and 10.16).

Accept further submission DPC14/FS2 (all).

Accept in part submission DPC14/14 (14.11) in so far as clarifying the text in Section 14A(iii) 1.1.1.

Reporting Officers Recommended Amendment

Submitter number	Provision Ref	Recommended Amendment
DPC14/09 (9.9)	14A(iii) 1.1.1	<p>Amend the last paragraph of Section 14A(iii) 1.1.1 to read as follows:</p> <p>The provision of adequate car parking in the Central Commercial Activity Area assists the safe and efficient operation of the roading system and enhances the amenity value of the area, thereby contributing to the vitality and viability of the commercial centre. <u>However, large surface areas of car parking can detract from the streetscape and amenity values in the Central Commercial Activity Area. In addition, the provision of parking must be considered in relation to travel demand and increased traffic movements, which can also decrease the amenity and attractiveness of the Central Commercial Activity Area. Therefore, standards are used to manage the location, extent and design of car parking</u></p>

		<u>areas to ensure they maintain and enhance the streetscape and amenity values.</u>
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Amendment 85 - Section 14A(iii) 2.1 – Amend Car Parking Standards

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/03 (3.3)	Beverley Tyler	Oppose	New rules, similar to those for the Outer Central Area, requiring new developments in the Inner Parking Area to provide onsite parking using specific performance standards e.g. one car park space per residential unit for high rise apartment developments, preferably by providing basement carparks.
DPC14/10 (10.17)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Support	Retain in its notified form 'Permitted Activities - Conditions' in 14A (iii) 2.1 in respect of (c) 'Special Parking Area', which provides in (i) 'Central Commercial Activity Area' that: "There shall be no on-site parking requirements within the Inner Central Area Parking District".
DPC14/13 (13.3)	Harvey Norman Stores Pty NZ Ltd	Support	Supports deletion of the top-tier for on-site car parking requirements in this rule.
DPC14/14 (14.10)	Petone Planning Action Group	Oppose	Amend Rule 14A(iii)2.1 to require at least one car park per future residential unit or retail or business development in the Central Commercial Activity Area.
DPC14/14 (14.12)	Petone Planning Action Group	Oppose	Amend Rule 14A(iii)2.1 to remove the requirement for nil parking for retail activities and licenses premises of less than 500m ² GFA.
DPC14/15 (15.11)	Greater Wellington Regional Council	Support in part	Add a maximum parking standard for Outer Parking Area to limit over-supply within new developments (e.g. 1.5 car parks per dwelling)
DPC14/16 (16.7)	Hutt Valley Chamber of Commerce	Oppose	Not stated - Do not support any reductions to the on-site parking requirements in the CBD. All residential developments in the CBD should be required to provide carparking, regardless of which precinct they are in.

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS2 (FS2.3)	New Zealand Transport Agency	Beverly Tyler DPC14/03 (3.3)	Oppose
DPC14/FS4 (FS4.1)	Westfield (NZ) Ltd	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (all)	Support
DPC14/FS2 (FS2.7)	New Zealand Transport Agency	Petone Planning Action Group DPC14/14 (14.10)	Oppose
DPC14/FS2 (FS2.8)	New Zealand Transport Agency	Petone Planning Action Group DPC14/14 (14.12)	Oppose
DPC14/FS2 (FS2.9)	New Zealand Transport Agency	Greater Wellington Regional Council DPC14/15 (15.11)	Support
DPC14/FS2 (FS2.10)	New Zealand Transport Agency	Hutt Valley Chamber of Commerce DPC14/16 (16.7)	Oppose

Beverly Tyler DPC14/03 (3.3) requests that new rules, similar to those for the Outer Central Area, requiring new developments in the Inner Parking Area to provide onsite parking using specific performance standards e.g. one car park space per residential unit for high rise apartment developments, preferably by providing basement carparks. New Zealand Transport Agency DPC14/FS2 (FS2.3) opposes this submission.

Retail Holdings Ltd and Lower Hutt Properties Ltd DPC14/10 (10.17) support Rule (iii) 2.1 (c) 'Special Parking Area' (i.) Westfield NZ Ltd DPC14/FS2 (all) supports this submission. Harvey Norman Stores Pty NZ Ltd DPC14/13 (13.3) supports the deletion of the top-tier for on-site car parking requirements in this rule.

Petone Planning Action Group DPC14/14 (14.10) request the parking standards be amended to require at least one car park per future residential unit or retail or business development in the Central Commercial Activity Area. In addition, Petone Planning Action Group DPC14/14 (14.12) request that the requirement for nil parking for retail activities and licenses premises of less than 500m² GFA be removed. New Zealand Transport Agency DPC14/FS2 (FS2.7 and FS2.8) opposes both these submissions.

Greater Wellington Regional Council DPC14/15 (15.11) requests a maximum parking standard for Outer Parking Area to limit over-supply within new developments (e.g. 1.5 car parks per dwelling). New Zealand Transport Agency DPC14/FS2 (FS2.9) supports this submission.

Hutt Valley Chamber of Commerce DPC14/16 (16.7) do not support any reductions to the on-site parking requirements in the CBD. All residential developments in the CBD should be required to provide carparking, regardless of which precinct they are in. New Zealand Transport Agency DPC14/FS2 (FS2.10) oppose this submission.

Discussion and Evaluation

As discussed above for Amendment 83, minor changes to the current parking requirements in the District Plan are proposed in Proposed Plan Change 14. These changes relate to clarify the requirements for large format retail activities, reducing the requirements for residential units from two carparks to one carpark per unit, and re-defining the extent of the Inner and Outer Parking Districts in the Central Commercial Activity Area.

A balance is required to find the optimum combination of usable land and parking areas, as well as achieving the other objectives for the Central Commercial Activity Area. The core of the central area is focused on a pedestrian environment where private vehicle parking is less desirable. The periphery of the central area is more focused towards private vehicular transport where the provision of parking is more appropriate. As noted in the submission from the New Zealand Transport Agency, the supply of carparking can be a contributor to the mode of transport, with a high supply of carparking generally relating to increased private vehicle use and less public transport. Permitting carparking or requiring carparking in the Inner Parking District is not considered the most effective or efficient approach to achieving the objectives of an attractive and sustainable central area, as it could result in a significant increase in the amount of carparking, increasing private vehicle movements and expansive open areas of carparking.

The support from Retail Holdings and Lower Hutt Properties Ltd and Harvey Norman Stores Pty NZ Ltd for Amendment 85 is noted.

Adding parking requirements to the Inner Parking District would potentially increase the supply of parking spaces in the central area. This increased supply is not considered effective or efficient in achieving the objectives of an attractive and sustainable central area, as well as the objective of a safe and efficient transport network. The increased supply would likely result in increased private motor vehicle movements which would increase conflict and congestion on the existing road network. In addition, the larger number of vehicles crossing and carparking areas would also detract from the streetscape and urban character of the central area, particularly the pedestrian focused areas, with potentially increased conflicts between vehicles and pedestrians, and poor urban qualities with expansive carparking areas.

Adding a maximum parking standard to the Outer Parking District could be effective in managing travel demand and achieving the objectives for a safe and efficient transport network. However, given the costs associated with developing large areas of carparking areas, including the opportunity costs of not using land for other purposes, it is considered there would be relatively few significantly large carparking areas. Therefore, it is considered the other existing

and proposed plan provisions are the most effective methods for managing traffic effects of activities and development in the central area, such as managing the size of retail activities and transport standards.

Reporting Officers Recommendation

Reject submission DPC14/03 (3.3).
Accept further submission DPC14/FS2 (2.3) in so far as retaining the notified text.
Accept submission DPC14/10 (10.17).
Accept submission DPC14/13 (13.3).
Reject submissions DPC14/14 (14.10 and 14.12).
Accept further submission DPC14/FS2 (2.7 and 2.8) in so far as retaining the notified text.
Reject submissions DPC14/15 (15.11).
Reject further submission DPC14/FS2 (2.9) in so far as retaining the notified text.
Reject submissions DPC14/16 (16.7).
Accept further submission DPC14/FS2 (2.10) in so far as retaining the notified text.

Amendment 86 - Section 14A(iii) 2.2 – Add Car Parking Rule – Discretionary Activity

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/13 (13.10)	Harvey Norman Stores Pty NZ Ltd	Oppose	Amend Rule 14A(iii)2.2 from a Discretionary Activity status to Restricted Discretionary Activity status.
DPC14/13 (13.11)	Harvey Norman Stores Pty NZ Ltd	Oppose	The submitter requests further clarification on the reference to a maximum width for car parking on street frontages.
DPC14/15 (15.10)	Greater Wellington Regional Council	Support in part	Retain Rule 14A(iii)2.2(c)
DPC14/16 (16.8)	Hutt Valley Chamber of Commerce	Oppose	Not stated - Do not support the rule restricting the maximum number of carparks on any one site to 90.

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS2 (FS2.11)	New Zealand Transport Agency	Hutt Valley Chamber of Commerce DPC14/16 (16.8)	Oppose

Harvey Norman Stores Pty NZ Ltd DPC14/13 (13.10) request that new Rule 14A(iii) 2.2(c) be a Restricted Discretionary Activity instead of full Discretionary Activity. Harvey Norman Stores Pty NZ Ltd DPC14/13 (13.11) also request clarification on the maximum width for carparking on street frontages.

Greater Wellington Regional Council DPC14/15 (15.10) supports proposed Rule 14A(iii) 2.2(c).

Hutt Valley Chamber of Commerce DPC14/16 (16.8) do not support the proposed rule restricting the maximum number of carparks on any one site to 90. New Zealand Transport Agency DPC14/FS2 (FS2.11) opposes this submission.

Discussion and Evaluation

The support from Greater Wellington Regional DPC14/15 (15.10) for proposed Rule 14A(iii) 2.2(c) is noted.

Proposed Rule 14A(iii) 2.2(c) seeks to manage the traffic effects and effects of large carparking areas on the streetscape and urban qualities of the central area. The larger the carparking area, the potentially more significant the effects on the central area could be. Not introducing a

maximum carparking size of the Outer Parking District is considered ineffective in achieving the objectives of an attractive and sustainable central area, as well as the objective of a safe and efficient transport network. Expansive carparking can result in poor quality urban environments and can have impacts on the transport network through significant traffic movements associated with vehicles moving to and from the carpark.

Changing the activity status from a full discretionary activity to a restricted discretionary activity for proposed Rule 14A(iii) 2.2(c) was discussed at the pre-hearing meeting with Harvey Norman in August, as well as clarifying the carparking frontage requirements to streets. Initially, it was considered appropriate to amend the activity status. However, following further consideration, the proposed full discretionary activity status is considered the most effective activity status. To provide consistency with the activity status of a non-compliance with the parking standards in Section 14A(iii) 2.2, the full discretionary activity status ensures the most consistent approach to managing these effects.

Reporting Officers Recommendation

Reject submission DPC14/13 (13.10).
Accept in part submission DPC14/13 (13.11) in so far as clarifying the maximum carparking frontage requirements in Amendment 49.
Accept submissions DPC14/15 (15.10).
Reject submissions DPC14/16 (16.8).
Accept further submission DPC14/FS2 (2.11) in so far as retaining the notified text.

Amendment 87 - Section 14A(iv) 1.1.1 – Amend Explanation and Reasons for Safe and Adequate Provision for Servicing

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/14 (14.13)	Petone Planning Action Group	Oppose in part	That references to the Petone area will be likely to need amending when the Petone review happens

Petone Planning Action Group DPC14/14 (14.13) request that the references to the Petone area may need amending when the Petone provisions are reviewed.

Discussion and Evaluation

At the pre-hearing meeting with Petone Planning Action Group in August the reference to Petone was discussed, noting it is existing text not proposed to change under Proposed Plan Change 14. The appropriateness of this existing wording would be reviewed as part of any proposed plan change for the Petone Area.

Reporting Officers Recommendation

Accept in part submission DPC14/14 (14.13) in so far as retaining the reference to Petone.

Amendment 88 - Section 14A(iv) 2.1 – Amend Permitted Activity Loading and Unloading Standards

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/10 (10.18)	Retail Holdings Ltd & Lower Hutt	Oppose in part	Amend Table 7 of clause 14A(iv)2.1 to read: Table 7 - Loading Area Requirements

	Properties Ltd			<table border="1"> <tr> <th>GFA (m²)</th> <th>No of spaces</th> <th>Minimum Design Vehicle</th> </tr> <tr> <td><2000</td> <td>1</td> <td>Maximum rigid truck</td> </tr> <tr> <td>2000-4000</td> <td>1</td> <td>For supermarkets and retail activities serviced by articulated truck – Maximum articulated truck Plus 1 Maximum rigid truck: For all other retail and industrial activities 1 Maximum rigid truck</td> </tr> <tr> <td>>4000</td> <td>1</td> <td>For supermarkets and other retail activities serviced by articulated truck – 1 Maximum articulated truck Plus 2 Maximum rigid truck: For all other retail and industrial activities 2 Maximum rigid truck</td> </tr> </table>	GFA (m ²)	No of spaces	Minimum Design Vehicle	<2000	1	Maximum rigid truck	2000-4000	1	For supermarkets and retail activities serviced by articulated truck – Maximum articulated truck Plus 1 Maximum rigid truck: For all other retail and industrial activities 1 Maximum rigid truck	>4000	1	For supermarkets and other retail activities serviced by articulated truck – 1 Maximum articulated truck Plus 2 Maximum rigid truck: For all other retail and industrial activities 2 Maximum rigid truck
GFA (m ²)	No of spaces	Minimum Design Vehicle														
<2000	1	Maximum rigid truck														
2000-4000	1	For supermarkets and retail activities serviced by articulated truck – Maximum articulated truck Plus 1 Maximum rigid truck: For all other retail and industrial activities 1 Maximum rigid truck														
>4000	1	For supermarkets and other retail activities serviced by articulated truck – 1 Maximum articulated truck Plus 2 Maximum rigid truck: For all other retail and industrial activities 2 Maximum rigid truck														
DPC14/14 (14.14)	Petone Planning Action Group	Oppose in part	Amend Rule 14A(iv)2.1 to require residential developments to provide loading spaces.													

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS4 (FS4.1)	Westfield (NZ) Ltd	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (all)	Support

Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.18) request that specific loading requirements apply to supermarkets and retail activities serviced by articulated trucks. Westfield NZ Ltd DPC14/FS4 (FS4.1) support this submission.

Petone Planning Action Group DPC14/14 (14.14) request the Rule 14A(iv) 2.1. be amended to require residential developments to provide loading spaces.

Discussion and Evaluation

The objectives for the central area aim to maintain and enhance the vitality and vibrancy of the area. One method for achieving this objective is to provide opportunities for residential development. Loading requirements are not considered a mandatory requirement for residential developments as they can be used infrequently and alternative loading space is available, such as on service lanes and on-street loading areas. Therefore, it is recommended the proposed exemption for residential activities as notified be adopted.

In terms of amending the loading standards to provide specific requirements for supermarkets and other retail activities serviced by articulated trucks, this standard is considered uncertain and could create issues concerning enforceability. For example, buildings may be used by different types of retail activities over a period of time, and the type of vehicles used to deliver goods to these activities may also differ. Therefore, it is recommended the notified version of the loading requirements be retained.

Reporting Officers Recommendation

Reject DPC14/10 (10.18).
Reject further submission DPC14/FS4 (FS4.1).
Reject submission DPC14/14 (14.14).

Amendment 89 - Appendix Transport 1 (a) – Amendment and Roading Hierarchy Classification Schedule

Submissions

No submissions were received on Amendment 89.

Discussion and Evaluation

As no submissions were received in relation to Amendment 89, it is recommended that Amendment 89 deleting Bunny Street and Margaret Street as local distributor roads in Appendix Transport 1 (a) be adopted.

Reporting Officers Recommendation

Adopt Amendment 89 as notified.

Amendment 90 - Appendix Transport 1 (c) – Amend Central Commercial Area Inset

Submissions

No submissions were received on Amendment 90.

Discussion and Evaluation

As no submissions were received in relation to Amendment 90, it is recommended that Amendment 90 amending the map deleting Bunny Street and Margaret Street as local distributor roads in Appendix Transport 1 (c) be adopted.

Reporting Officers Recommendation

Adopt Amendment 90 as notified.

Amendment 91 - Appendix Transport 2 – Amend Inner and Outer Central Parking Districts Map

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/17 A (17.8)	McDonalds Restaurants NZ Ltd	Oppose	Amend Appendix Transport 2 as follows: i. The block bounded by Raroa Road, High Street and Kings Crescent, and in particular the McDonald's site at the corner of High Street and Raroa Road (and also fronting Kings Crescent) be removed from the Inner Parking District and included in the Outer Parking District instead ii. Such other relief as may give effect to the submission including any consequential amendments.

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS4 (FS4.2)	Westfield NZ Ltd	McDonalds Restaurants NZ Ltd DPC14/17 (17.8)	Support

McDonalds Restaurants NZ Ltd DPC14/17A (17.8) requests that Appendix Transport 2 be amended by removing the block bounded by Raroa Road, High Street and Kings Crescent, and in particular the McDonald's site at the corner of High Street and Raroa Road (and also fronting Kings Crescent) from the Inner Parking District and including in the Outer Parking District instead. Westfield NZ Ltd DPC14/FS4 supports this submission.

Discussion and Evaluation

As discussed above in Amendment 74 above, it is recommended that the McDonalds site be retained in the Core Precinct. For similar reasons, it is recommended that the McDonalds site be retained in the Inner Parking District.

Reporting Officers Recommendation

Reject submission DPC 14/17A (17.8).
Reject further submission DPC14/FS4 (all).

Amendment 92 - Section 14B 2.1.5 – Amend Permitted Activity Signage Standards

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/10 (10.23)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Oppose	Delete the changes to clause 14B2.1.5 relating to Signage (c) Maximum Face Area (iv).
DPC14/13 (13.12)	Harvey Norman Stores Pty NZ Ltd	Oppose	Amend rule 14B2.1.5 to read: (i)... (ii)... (iii)... (iv) Where a sign is erected within the Core, Riverfront <u>(Core)</u> or Residential Transition Precincts of the Central Commercial Activity Area identified in Appendix Central Commercial 1 - Precincts, the maximum face area of all signs shall not exceed 5m2. (v) Where a sign is erected within the Commercial <u>or Riverfront (Commercial)</u> Precincts of the Central Commercial Activity Area identified in Appendix Central Commercial 1 - Precincts, the maximum face area of all signs shall not exceed 20m2.
DPC14/17 A (17.9)	McDonalds Restaurants NZ Ltd	Oppose	i. Amend Rule 14B 2.1.5 (c)(iv) to exclude its application to the Core Precinct. ii. Such other relief as may give effect to the submission including any consequential amendments.

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS4 (FS4.1)	Westfield (NZ) Ltd	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (all)	Support
DPC14/FS7 (FS7.12)	McDonalds Restaurants NZ Ltd	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.23)	Support
DPC14/FS4 (FS4.2)	Westfield (NZ) Ltd	McDonalds Restaurants NZ Ltd DPC14/17A (all)	Support

Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.23) request that the proposed changes to standard 14B 2.1.5(c)(iv) be deleted. Westfield NZ Ltd DPC14/FS4 (FS4.1) and McDonalds Restaurants NZ Ltd support this submission. McDonalds Restaurants NZ Ltd DPC14/17A (17.9) request that the proposed changes to standard 14B 2.1.5(c)(iv) do not apply to the Core Precinct.

Harvey Norman Stores Pty NZ Ltd DPC14/13 (13.12) request that the sign standards be amended to apply to the Riverfront (Core) Precinct and Riverfront (Commercial) Precinct.

Discussion and Evaluation

Signs play an important role of identifying activities and facilities. They provide information, identify places, control and direct traffic, and advertise products, goods and services. However,

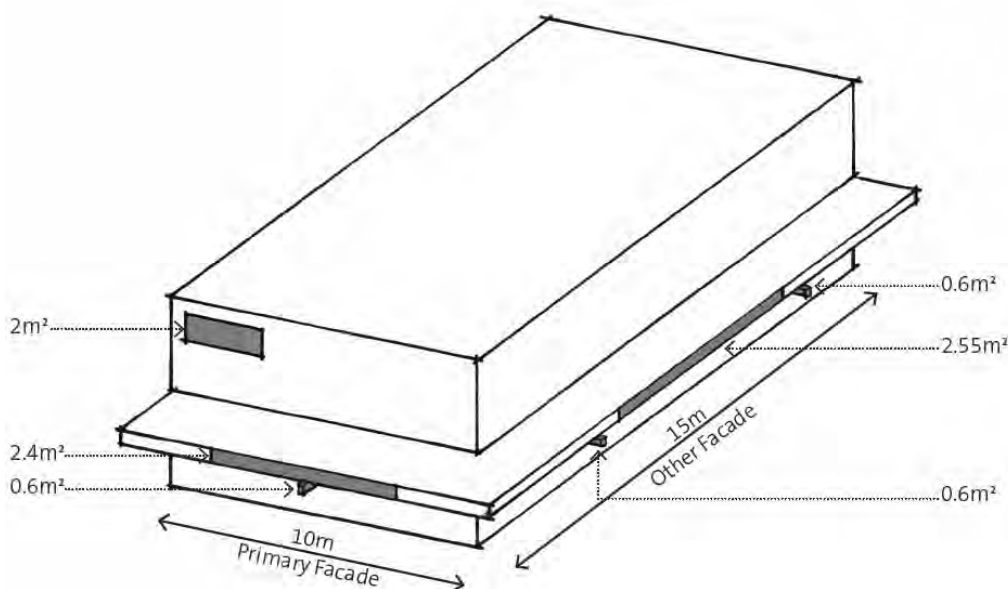
signs can degrade the character and visual amenity values of environments. Therefore, in order to maintain and enhance the character and visual amenity values of the Central Commercial Activity Area, rules and standards apply.

During the review of the current District Plan provisions that apply to the Central Commercial Activity Area, excessively large signs were identified as a particular issue in detracting from the visual qualities and amenity in the central area. Some signs were excessively out of scale to the buildings they were attached too, and degraded the character and visual amenity in these locations.

A balance is required in recognising signs have a role and function in the central area, while minimising the potential adverse effects on the character and visual amenity values. Submitters have expressed concern that the proposed 5m² threshold for all signs in some precincts unduly restricts the amount of signage.

Given these submissions, the particular issues with larger signage have been reviewed. The key issue is the proportionality of signs in relation to the size of buildings. For example, some excessively large signs have been attached to relatively small buildings as well as multiple large signs attached to larger buildings which overly dominate the character and amenity values. Rather than introduce an overall maximum face area for all signs, it is considered that the standard on the proportion of signs attached to a building be amended. It is recommended that the 5m² be deleted and the proportionality standards be amended by replacing the percentage threshold with a linear threshold, as this threshold is considered to relate better to the portion of the building and its relationship to the street and surrounding areas. In addition, it is considered these amendments would simplify the interpretation and administration of the sign rules.

The sketch below shows an example of how the recommended thresholds would apply. For the primary facade (e.g. the facade facing the main street), the recommended standard of 0.5m² of sign face area per 1.0m of linear horizontal facade equates to 5m² where the primary facade is 10 metres wide. For the other facades (e.g. side walls and side streets), the recommended standard of 0.25m² of sign face area per 1.0m of linear horizontal facade equates to 3.75m² where the side wall facade is 15 metres long.



Reporting Officers Recommendation

Accept in part submission DPC14/10 (10.23) in so far as deleting the maximum sign rule and amending the maximum face area rule for signs attached to buildings.
Accept in part further submission DPC14/FS4 (FS4.1) in so far as deleting the maximum sign rule and amending the maximum face area rule for signs attached to buildings.

Accept in part submission DPC14/13 (13.12) in so far as in so far as deleting the maximum sign rule and amending the maximum face area rule for signs attached to buildings.

Accept in part submission DPC14/17A (17.9) in so far as in so far as deleting the maximum sign rule and amending the maximum face area rule for signs attached to buildings.

Accept in part further submission DPC14/FS4 (FS4.2) in so far as in so far as deleting the maximum sign rule and amending the maximum face area rule for signs attached to buildings.

Reporting Officers Recommended Amendments

Submitter number	Provision Ref	Recommended Amendment
DPC14/10 (10.23)	14B 2.1.5(c)	Amend Rule 14B 2.1.5(c)(i) as below and proposed Rules 14B 2.1.5(c)(iv) and (v) be deleted.
DPC14/13 (13.12)		(i) Where any sign is painted on or attached in any way to the exterior of a building, the maximum total face area of all signs on the primary facade shall not exceed 0.5m² in per 1 metre of lineal horizontal facade visible in any one direction may not exceed 30% of the area of that wall up to a maximum face area of 20 m ² .
DPC14/17 A (17.9)		(ii) Where any sign is painted on or attached in any way to the exterior of a building, the total face area of all signs on all other facades shall not exceed 0.25m ² in face area per 1 metre of lineal horizontal facade up to a maximum face area of 20 m ² .
		(iv) Where a sign is erected within the Core, Riverfront or Residential Transition Precincts of the Central Commercial Activity Area identified in Appendix Central Commercial 1 – Precincts, the maximum face area of all signs shall not exceed 5 m ² .
		(v) Where a sign is erected within the Commercial Precinct of the Central Commercial Activity Area identified in Appendix Central Commercial 1 – Precincts, the maximum face area of all signs shall not exceed 20 m ² .
		Consequential Amendment: Re-number Rules 14B 2.1.5(c) (ii) – (iii) to (iii) – (iv).

Amendment 93 - Section 14C 2.1.2 – Amend Permitted Activity Standard Noise

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/14 (14.15)	Petone Planning Action Group	Support	Retain Rule 14C2.1.2(b)

Petone Planning Action Group DPC14/14 (14.15) support the amendment to standard 14C 2.1.2(b).

Discussion and Evaluation

The support for the amendment to standard 14C 2.1.2(b) is noted.

Reporting Officers Recommendation

Accept submission DPC14/14 (14.15).

General – Miscellaneous Matters

Submissions

Submitter number	Submitter name	Support / Oppose	Decision/Relief Sought
DPC14/01 (1.1)	R & E Marvelly	Support	Adopt Plan Change 14 - The Plan Change provides firm guidelines for future development of the city.
DPC14/02 (2.1)	Sherry Phipps	Not stated	Not stated - Council's intentions are not clear. It looks as though Council's intentions are to provide the minimum of carparking. Residential buildings must have parking provision built into the structure.
DPC14/02 (2.2)	Sherry Phipps	Not stated	Not stated - Council makes reference to sun and wind, but does not say this marries in with height restrictions. Conditions need to be laid down.
DPC14/02 (2.3)	Sherry Phipps	Not stated	Not stated - Council says nothing about water conservation in the construction of new buildings.
DPC14/02 (2.4)	Sherry Phipps	Oppose	Not stated - The large in-your-face ads in High Street are disgusting. Five metres square seems too large.
DPC14/02 (2.5)	Sherry Phipps	Oppose	Not stated - Council proposes smaller scale shops in the southern core and large scale shops in the northern precinct. Why? The less rules and regulations the better.
DPC14/02 (2.6)	Sherry Phipps	Not stated	Not stated - Insulation, double-glazing and appropriate noise control measures should be mandatory.
DPC14/02 (2.7)	Sherry Phipps	Not stated	Not stated - The central library needs more carparks.
DP14/02 (2.8)	Sherry Phipps	Not stated	Not stated - The river is not seen from the CBD.
DPC14/02 (2.9)	Sherry Phipps	Support	Not stated - All energy efficient standards for buildings, street lights, etc, are supported. Wider pavements are preferred.
DPC14/02 (2.10)	Sherry Phipps	Not stated	Not stated - Crossing the road and driveways is more convenient when everything is on a level.
DPC14/02 (2.11)	Sherry Phipps	Not stated	Not stated - The more crossings the better.
DPC14/06 (6.1)	Stephen Shadwell	Support in part	For Council to proceed with Plan Change 14 but with specific matters to be reconsidered.
DPC14/07 (7.1)	Costas Nicolaou, Gary Edridge, Steve Shadwell, Bruce Sedcole	Support	For Council to proceed with Plan Change No. 14 for the Central Commercial Activity Area.
DPC14/07 (7.3)	Costas Nicolaou, Gary Edridge, Steve Shadwell, Bruce Sedcole	Support in part	Add some sort of 'official weight' in the District Plan to Vision CBD 2030 and Making Places documents.
DPC14/07 (7.4)	Costas Nicolaou, Gary Edridge, Steve Shadwell, Bruce Sedcole	Support in part	Ensure Resource Consents are managed and processed efficiently.
DPC14/08 (8.1)	Making Places Reference Group (MPRG)	Support	Not stated - MPRG believes DPC14 is a very positive response to public consultation undertaken throughout 2008 and 2009.
DPC14/09 (9.1)	New Zealand Transport Agency	Support	That PC14 be approved subject to the following amendments (or amendments to the same effect)
DPC14/10 (10.1)	Retail Holdings Ltd & Lower Hutt Properties Ltd	Oppose	That the relief set out in the reasons given in the text in the submission be allowed.
DPC14/12 (12.1)	Westfield NZ Ltd	Support in part	Not stated - Westfield supports the intent of the Plan Change, and, subject to ensuring appropriate flexibility and resolving specific matters as noted below, Westfield supports the Plan Change as most appropriate for achieving sustainable management.
DPC14/12	Westfield NZ Ltd	Oppose	Not stated - Restricting the number and location of

(12.2)			carparks attached to retail centres.
DPC14/12 (12.3)	Westfield NZ Ltd	Oppose	Not stated - Whether it is a “vehicle oriented activity” (undefined) and/or the considerations of traffic effects a mall has on the network
DPC14/12 (12.4)	Westfield NZ Ltd	Oppose	Not stated - Imposing restrictions for on-building and free-standing signage
DPC14/12 (12.5)	Westfield NZ Ltd	Oppose	Not stated - Reverse sensitivity issues for any additions or renovations it may make near the Residential Transition Precinct
DPC14/12 (12.6)	Westfield NZ Ltd	Oppose	Not stated - Requirements to integrate active frontage elements for ground floor retailing without reference to the type of retail involved
DPC14/12 (12.7)	Westfield NZ Ltd	Oppose	Not stated - Design Guidelines are not unduly restrictive nor assessed against subjective criteria.
DPC14/12 (12.8)	Westfield NZ Ltd	Support in part	Not stated - Westfield is generally supportive of the Council’s goal of good urban design
DPC14/14 (14.16)	Petone Planning Action Group	Oppose	The heritage part of the District Plan needs to be updated
DPC14/15 (15.1)	Greater Wellington Regional Council	Support in part	That Hutt City Council make changes to Proposed District Council Plan Change 14 in regard to natural hazards and transportation in accordance with the matters listed below to promote the sustainable management objectives of the RMA.
DPC14/16 (16.1)	Hutt Valley Chamber of Commerce	Support in part	Not stated - Generally support proposed changes, except those relating to car parking.
DPC14/18 (18.1)	Kiwi Property Holdings Ltd	Support in part	The Plan Change being amended to address the concerns outlined in the submission being further refinement of the retail provisions. For example no distinction between single shops and larger integrated retail developments which contain single shops. Similarly, a large format integrated retail development could establish as a permitted activity in the Commercial Precinct. In the event that the relief sought is not met, they oppose the Plan Change.

F/S Number	Submitter Name	Original Submission	Support/Oppose
DPC14/FS4 (FS4.1)	Westfield (NZ) Ltd	Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (all)	Support
DPC14/FS1	Sherry Phipps	Not stated	Not stated

R & E Marvelly DPC14/01 (1.1), Stephen Shadwell DPC14/06 (6.1), Costas Nicolaou, Gary Edridge, Steve Shadwell, Bruce Sedcole DPC14/07 (7.1) and Making Places Reference Group DPC14/08 (8.1) support Proposed Plan Change 14 overall.

Sherry Phipps DPC14/02 (2.1 – 2.11) raises a number of matters regarding the central area. No specific relief sought is stated in the submission.

Costas Nicolaou, Gary Edridge, Steve Shadwell, Bruce Sedcole DPC14/07 (7.2) request that the District Plan give official weight to the Vision CBD 2030 and Making Places documents. In addition, Costas Nicolaou, Gary Edridge, Steve Shadwell, Bruce Sedcole DPC14/07 (7.3) request that resource consent application are managed and processed efficiently, with the suggestion of the formation of a Design Panel.

New Zealand Transport Agency DPC14/09 (9.1) supports the general intent of Proposed Plan Change 14, subject to the specific amendments in their submission.

Retail Holdings Ltd & Lower Hutt Properties Ltd DPC14/10 (10.1) opposes Proposed Plan Change 14 and requests specific amendments. Westfield NZ DPC14/FS4 (4.1) support the whole Retail Holdings Ltd & Lower Hutt Properties Ltd submission.

Westfield NZ Ltd DPC14/12 (12.1 – 12.8) supports and opposes various aspects of Proposed Plan Change 14. However, not specific relief sought was stated in the submission.

Petone Planning Action Group DPC14/14 (14.16) requests the heritage part of the District Plan needs to be updated.

Greater Wellington Regional Council DPC14/15 (15.1) supports the general intent of Proposed Plan Change 14, but requests specific amendments relating to natural hazards and transportation.

Hutt Valley Chamber of Commerce DPC14/16 (16.1) supports the general intent of Proposed Plan Change 14, but requests changes regarding carparking.

Kiwi Property Holdings Ltd DPC14/18 (18.1) requests the Plan Change be amended to address the concerns regarding refinement of the retail provisions (e.g. no distinction between single shops and larger integrated retail developments which contain single shops).

A further submission was received from Sherry Phipps DPC14/FS1.

Discussion and Evaluation

The overall support for Proposed Plan Change 14 from R & E Marvelly, Stephen Shadwell, Costas Nicolaou, Gary Edridge, Steve Shadwell, Bruce Sedcole and Making Places Reference Group DPC14/08 is noted.

The submission from Sherry Phipps raises a number of matters regarding the central area. However, no specific relief sought is stated in the submission and some matters do not fall within the scope of the District Plan and/or Proposed Plan Change 14. For this reasons, it is recommended this submission be rejected.

The Vision CBD 2030 and Making Places documents set out the strategic direction and specific tasks and actions for the central area as a whole. These two documents have informed the setting of objectives and policies in Proposed Plan Change 14. One key theme in the CBD Vision and Making Places is enhancing the quality of buildings and the general environment in the central area. It is recommended that reference to these two documents be added to the Explanation and Reasons in Section 5A 1.2.1 Quality of Buildings and Open Spaces to recognise how they are informed this issue.

The efficient processing of resource consents will be an important aspect of achieving many of the objectives in Proposed Plan Change 14. Given the importance placed on improving design outcomes through the District Plan, the proposition that a Design Panel or other forum be established to assist with assessing proposed buildings has been raised. It is recommended that the Committee refer this matter to Council for consideration.

Westfield NZ Ltd supports and opposes different aspects of Proposed Plan Change 14. A pre-hearing meeting was held with Westfield NZ in August to better understand the issues of concern and identify any specific relief sought. At the pre-hearing meeting, Westfield confirmed they support the centres-based approach that underpins Proposed Plan Change 14, in that it reinforces the importance and functioning of established commercial centres. A concern raised by Westfield at the pre-hearing meeting regards clarifying the interpretation of the proposed rules relating to non-compliance with the performance standards. In addition, Westfield commented that the policy framework should recognise the presence of existing large retail activities. At the pre-hearing it was agreed Westfield NZ would provide additional material setting out any specific relief sought and wording changes. Attached to the pre-hearing meeting notes in Appendix Four is the specific relief sought requested by Westfield NZ.

Notwithstanding the above, it is noted Westfield NZ made a number of further submissions. Furthermore, other parties have raised similar issues to Westfield NZ. Therefore, many of the issues raised by Westfield NZ have been addressed in the individual plan change amendment discussions and evaluations above. Therefore, it is recommended that the original Westfield NZ

submission is accepted in part to recognise the amendments to various proposed plan provisions recommended above.

Petone Planning Action Group comments that the heritage section of the District Plan needs updating. Council is currently in the process of reviewing the current schedule and associated plan provisions. It is anticipated this work will result in a future heritage plan change which applies across the city.

The requested changes from Greater Wellington Regional Council have been evaluated under the individual amendment sections above. Similarly, the Hutt Valley Chamber of Commerce submission points relating to carparking have been assessed in the transportation amendments discussed above.

Kiwi Property Holdings Ltd supports the general intent of Proposed Plan Change, but highlights concern about retail activities. No specific relief sought was stated in the submission from Kiwi Property Holdings Ltd, therefore, it was uncertain which specific plan provisions are being referred to in the submission, and what wording changes could address their concern. A pre-hearing meeting was held with Kiwi Property to clarify the above. At the pre-hearing meeting with Kiwi Property Holdings Ltd, it was clarified that the specific relief sought was the addition of a new rule making integrated retail developments over 20,000m² in gross floor area a restricted discretionary activity. The matters of discretion for this new rule would relate to effects on the Wellington Central Business District ('the Golden Mile') and other regionally significant centres (as defined within Policy 29 of the Wellington Regional Policy Statement). Kiwi Property contends this new rule would be consistent with the policy direction in the Proposed Wellington Regional Policy Statement.

It is considered the existing rules managing the gross floor area of retail activities (Rules 5A 2.2(a) and (b) and 5A 2.3(b)) are effective at managing the effects associated with retail activities. These rules are focused on the particular retail environment in Lower Hutt City and fit with the hierarchical approach to commercial centres outlined in Section 1.10.4 of the District Plan. Therefore, it is recommended that the Kiwi Property Holdings submission is rejected.

The further submission from Sherry Phipps does not state which original submission or submission point she supports or opposes. Given this lack of detail, it is recommended this further submission is rejected.

Reporting Officers Recommendation

Accept submission DPC14/01 (1.1).

Reject submission DPC14/02 (2.1 – 2.11).

Accept submission DPC14/06 (6.1)

Accept submission DPC14/07 (7.1)

Accept in part submission DPC14/07 (7.3) in so far as adding reference to Vision CBD 2030 and Making Places in the Explanation and Reasons in Section 5A 1.2.1.

Accept in part submission DPC14/07 (7.4) in so far as further investigating the establishment of an urban design panel or similar.

Accept submission DPC14/08 (8.1).

Accept in part submission DPC14/09 (9.1) in so far as retaining the original intent of Proposed Plan Change 14.

Reject in part submission DPC14/10 (10.1) in so far as retaining the original intent of Proposed Plan Change 14.

Reject in part further submission DPC14/FS4 (FS4.1) in so far as retaining the original intent of Proposed Plan Change 14.

Accept in part submission DPC14/12 (12.1 – 12.8) in so far as retaining the original intent of Proposed Plan Change 14 and amending provisions relating to the policies on existing retail activities and vehicle oriented activities and interpretation matters.

Accept in part submission DPC14/14 (14.16) in so far as work is currently underway on heritage matters.

Accept in part submission DPC14/15 (15.1) in so far as amending the plan change provisions on natural hazards and transportation as detailed in the individual amendments.

Accept in part submission DPC14/16 (16.1) in so far as amending the plan change provisions on carparking as detailed in the individual amendments.

Reject submission DPC14/18 (18.1).

Reject further submission DPC14/FS1.

Reporting Officers Recommended Amendments

Submitter number	Provision Ref	Recommended Amendment
DPC14/07 (7.3)	5A 1.2.1	Amend the first paragraph of the Explanation and Reasons in Section 5A 1.2.1 to read: “The function and attractiveness of the central area is contributed to by the design of buildings and developments. <u>The Vision CBD 2030 and Making Places documents recognise the quality that buildings and open spaces contribute to a vibrant and attractive central area. A number of initiatives are proposed to enhance the quality in the central area on public and privately owned land, with the District Plan one method of achieving this quality.</u> ”

5 Main Recommended Changes from Proposed Plan Change 14 (as notified)

The overall purpose of Proposed Plan Change 14 is retained throughout the recommendations of this report. The main recommended changes from the proposed plan change (as notified) are as follows:

- Amendments 18 and 27: Amend Sections 5A 1.1.5 and 5A 1.24 to recognise the management responsibilities for the Hutt River corridor.
- Amendment 19: Amend Section 5A 1.1.6 to recognise existing vehicle oriented activities and the use of travel demand management techniques.
- Amendments 41 and 42: Amend Rule 5A 2.1.1(d) and (e) to clarify where the requirements for building frontage, display window and verandah apply.
- Amendment 44: Amend Rule 5A 2.1.1(g) to separate the requirements for sites abutting Residential and Recreation Activity Areas.
- Amendment 62: Add new Rule 5A 2.3(e) to make non-compliance with permitted activity standards a restricted discretionary activity.
- Amendment 65: Amend Rule 5A 2.3(e) to permit repair and servicing of motor vehicles in the Commercial Precinct.
- Amendment 74: Amend Appendix 1 – Precincts by replacing the ‘Riverfront Precinct’ with the “Riverfront (Core) Precinct” and “Riverfront (Commercial) Precinct”.
- Amendment 76: Amend Appendix 3 – Verandahs, Building Frontage and Display Window Map by removing Bloomfield Terrace
- Amendment 81: Amend the Design Guide by adding section on large format retail activities and vehicle oriented activities.
- Amendment 92: Amend Rule 14B 2.1.5(c) by deleting the total sign area rules and amending the maximum face area rule for signs attached to a building.

6 Conclusion

It is recommended that:

- the Committee approve proposed District Plan Change No.14 with amendments resulting from submissions, as detailed in this report and the annotated version of the Plan Change document in Appendix Two.
- all submissions and further submissions be accepted or rejected to the extent that they accord with the above recommendations, as outlined in this report.

Appendix One – Submissions

Submissions Received

Please see agenda for submissions and further submissions

Appendix Two – Recommended Amendments

Proposed Plan Change within the District Plan as per Officers recommendations (excluding Design Guidelines – see Appendix Five).

(Appendix 2 ~~to A~~ separately circulated)

A

Appendix Three – Regional Policy Statement Provisions

Below is the list of relevant policies from the Operative and Proposed Wellington Regional Policy Statements.

Operative Wellington Regional Policy Statement

Policy 2

To use natural and physical resources efficiently in the development of urban areas and in use of the built environment by:

- (1) Encouraging forms of urban development that reflect efficient use of resources; and*
- (2) Avoiding, where practicable, the use of new resources, particular non-renewable resources.*

Policy 3

To promote the development of transportation systems in the Regional that:

- (1) Meet community needs for accessibility;*
- (2) Use modes of transport that are powered by renewable energy fuels;*
- (3) Help moderate demand for energy and use energy efficiently;*
- (4) Discourage dispersed development; and*
- (5) Avoid or reduce adverse effects on human health, public amenity and water, soil, air and ecosystems.*

Policy 9

To promote a high level of environmental quality in urban areas by:

- (1) Encouraging good urban design;*
- (2) Enhancing and protecting amenity values; and*
- (3) Maintaining and enhancing natural areas and protecting those places, features or buildings which significant heritage, ecological, cultural or landscape values.*

Proposed Wellington Regional Policy Statement (as amended by decisions in May 2010)

Policy 9: Promoting travel demand management – district plans and the Regional Land Transport Strategy

District plans and the Wellington Regional Land Transport Strategy shall include policies to promote travel demand management mechanisms that reduce:

- (a) the use and consumption of non-renewable transport fuels; and*
- (b) carbon dioxide emissions from transportation.*

Policy 10: Promoting energy efficient design and small scale renewable energy generation

District plans shall include policies and/or rules and other methods that:

- (a) promote energy efficient design and the use of domestic scale (up to 20 kW) and small scale distributed renewable energy generation (up to 100 kW); and*
- (b) provide for energy efficient alterations to existing buildings.*

Policy 29: Maintaining and enhancing the viability and vibrancy of regionally significant centres – district plans

District plans shall include policies, rules and/or methods that encourage a range of land use activities that maintain and enhance the viability and vibrancy of the regional central business district in Wellington city and the:

- (a) Sub-regional centres of*
 - (ii) Lower Hutt city centre;*

Policy 30: Identifying and promoting higher density and mixed use development – district plans

District plans shall:

- (a) identify key centres suitable for higher density and/or mixed use development;*
- (b) identify locations, with good access to the strategic public transport network, suitable for higher density and/or mixed use development; and*
- (c) include policies, rules and/or methods that encourage higher density and/or mixed use development in and around these centres and locations, so as to maintain and enhance a compact, well designed and sustainable regional form.*

Policy 53: Achieving the region’s urban design principles - consideration

When considering an application for a notice of requirement, or a change, variation or review of a district or regional plan, for development, particular regard shall be given to achieving the region’s urban design principles in Appendix 2.

Policy 56: Integrating land use and transportation - consideration

When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district plan, for subdivision, use or development, particular regard shall be given to the following matters, in making progress towards achieving the key outcomes of the Wellington Regional Land Transport Strategy:

- (a) whether traffic generated by the proposed development can be accommodated within the existing transport network and the impacts on the efficiency, reliability or safety of the network;*
- (b) connectivity with, or provision of access to, public services or activities, key centres of employment activity or retail activity, open spaces or recreational areas;*
- (c) whether there is good access to the strategic public transport network;*
- (d) provision of safe and attractive environments for walking and cycling; and*
- (e) whether new, or upgrades to existing, transport network infrastructure have been appropriately recognised and provided for.*

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Appendix Four – Pre-Hearing Meeting Notes

Appendix Five – Recommended Amendments to Design Guide

Central Commercial Activity Area Design Guide showing Officers recommendations.

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