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**Submission on Wellington City Proposed District Plan**

**Form 5 Submission on publically notified proposal for policy statement or plan, change or variation**

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To:** Wellington City Council - City Design & Place Planning

**Date received:** 12/09/2022

**Submission Reference Number #:**

This is a submission on the following proposed plan (the **proposal**): Wellington City Proposed District Plan

**Address for service:**

Newtown Residents' Association Inc  
N/A Newtown 6021  
New Zealand  
Email: newtownwellington@gmail.com

**I wish to be heard:** Yes

**I am willing to present a joint case:** Yes

Could you gain an advantage in trade competition in making this submission?

- **No**

Are you directly affected by an effect of the subject matter of the submission that

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition

- **N/A**

**Submission points**

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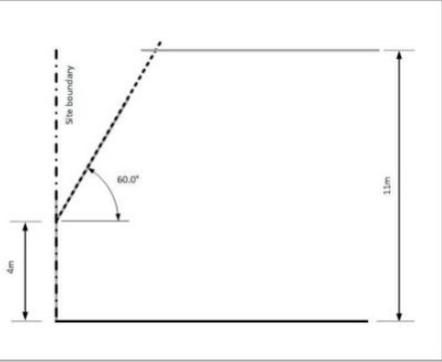
**Point .1**

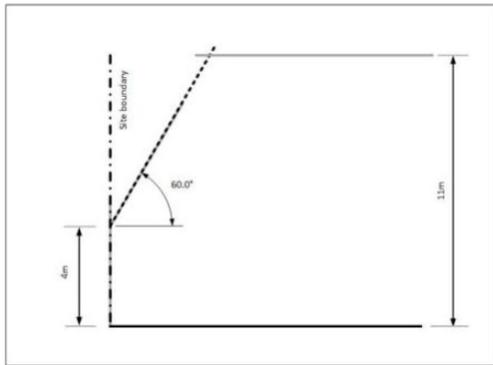
**Section:** High Density Residential Zone

**Sub-section:** Standards

**Provision:**

**HRZ-S3** Height in relation to boundary

1. For any site where HRZ-S1 applies: no part of any building or structure may project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown in Diagram 6 below 



2. For any site where HRZ-S2 applies: no part of any building or structure may project beyond a 60° recession plane measured from a point 8 metres vertically above ground level along all boundaries, except where (3) or (4) below is applicable;
3. For any site where HRZ-S2 applies: no part of any building or structure may project beyond a 60° recession plane measured from a point 5 metres vertically above ground level along any boundary that adjoins a site in:

Assessment criteria where the standard is infringed:

- i. The Medium Density Residential Zone; or
  - ii. The Wellington Town Belt Zone; or
  - iii. Any Heritage Area; or
  - iv. Any site containing a Heritage Building; or
  - v. Any site occupied by a school;
1. Streetscape and visual amenity effects;
  2. Dominance, privacy and shading effects on adjoining sites;
  3. Effects on the function and associated amenity values of any adjacent open space zone or school site; and
  4. For any site adjacent to a character precinct or heritage area, the effects on the identified character or heritage values.
4. For any site where HRZ-S2 applies that is located adjacent to a site in the Natural Open Space Zone, Open Space Zone, or Sport and Active Recreation Zone: all buildings and structures must be designed and located to maintain sunlight access to a minimum of 70% of the open space site area during 10am to 3pm at either of the equinoxes (i.e. 21 March or 23 September).
  5. In relation to 1, 2 and 3 above, where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of

way, entrance strip, access site, or pedestrian access way.

This standard does not apply to:

- a. A boundary with a road;
- b. Existing or proposed internal boundaries within a site;  
and
- c. Site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed;

**Sentiment:** Amend

**Submission:**

HRZ-S3.4 was introduced to the plan in response to a motion passed by WCC Councillors - *Apply 'Minimum sunlight access – public space' standards to open space zoned parks adjacent to sites zoned High Density Residential Zone instead of height in relation to boundary controls. Sunlight access must be maintained in a minimum of 70% of the area during 10am and 3pm at either of the equinoxes (i.e. 21 March or 23 September).* The Councillors concerned were responding to community concerns about the potential for open space zoned parks to be heavily shaded by new developments around them. They were advised that this provision would provide this protection, but we believe that the standard is too limited in the way it relates to the surroundings.

1. It only applies to buildings in the HDRZ directly adjacent to a park. However tall buildings across the street or otherwise separated from the park boundary can still cast a shadow across an open space.
2. The days and hours this standard applies are too restrictive. Between 10am to 3pm at either of the equinoxes (i.e. 21 March or 23 September) the standard will often be reached with only minor changes to the maximum permitted height. However it is during the winter that the need for sunlight is most acute, and a building that meets the standard at the solstice will be shading a much bigger area by mid winter. Carrara Park in Newtown is an example of a space that will be affected by this provision. It is surrounded by narrow streets with tightly packed houses and is opposite the Wellington City Council Regent Park Apartments. There are a number of other social housing complexes in the vicinity, as well as other apartment blocks. It is already the main outdoor space for many households with very little if any outdoor space of their own, and this need will of course increase as density increases. It is very well used by local children and families and a popular place for birthday parties. It is also home to the Newtown Community Garden – which consists of four raised garden beds with a variety of flowers and vegetables for community use and enjoyment. If it turns into a cold shady spot during winter these uses will all be compromised, with significant negative effects on well being.
3. In addition to concerns about the days there is concern about the hours the standard applies, particularly on weekdays. The peak usage for primary and secondary school aged children is after school, so 3pm is too early for them; the time should extend to at least 4pm and preferably 4.30pm.
4. HRZ-S3.4 is only for 'sites where HRZ-S2 applies'. Sites where HRZ-S1 applies (ie sites where no more than three residential units occupy the site, with a maximum permitted height of 11m) have a required set back from the boundary, but if someone chooses to build to the allowed 11m height then the remaining bulk of the building still casts a significant shadow.
5. There are the same concerns for sites within the MDRZ. Carrara Park has two boundaries where adjacent properties are in the medium density zone – ie permitted height of 14m: part of the Harper St boundary and all of the Owen St boundary. There is a height in relation to boundary standard (5m x 60° recession plane) that applies to development on these properties but again this isn't necessarily sufficient to protect the Park from significant shading. We will repeat this point with another entry specific for MDRZ sites.

**Relief sought**

For any site where HRZ-S2 or HRZ-S1 applies that is located adjacent to within 60m of a site in the Natural Open Space Zone, Open Space Zone, or Sport and Active Recreation Zone: all buildings and structures must be designed and located to maintain sunlight access to a minimum of 70% of the open space site area during 10am to ~~3pm~~ 4.30pm at either of the equinoxes (i.e. 21

**Point .2**

**Section:** Medium Density Residential Zone

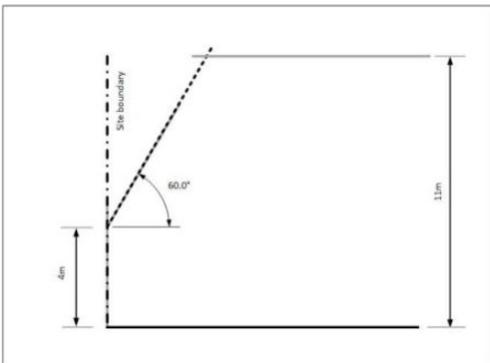
**Sub-section:** Standards

**Provision:**

**MRZ-S3** Height in relation to boundary

1. For any site where MRZ-S1 or MRZ-S2.1.a applies: no part of any building or structure may project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown in Diagram 2 below ↗;

NB- All the text from here down to where it says - 'Sentiment - Amend' was entered automatically by the WCC submission portal.



**Assessment Criteria where the standard is infringed:**

2. For any site where MRZ-S2.1.b applies: no part of any building or structure may project beyond a 60° recession plane measured from a point 5 metres vertically above ground level along all boundaries; and
  3. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.
1. Streetscape and visual amenity effects;
  2. Dominance, privacy and shading effects on adjoining sites; and
  3. Effects on the function and associated amenity values of any adjacent open space and recreation zone.

This standard does not apply to:

- a. A boundary with a road;
- b. Existing or proposed internal boundaries within a site; and
- c. Site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

**Sentiment:** Amend

## Submission:

As described in point 1 of this submission Wellington City Councillors responded to community concerns about the potential for open space zoned parks to be heavily shaded by new developments around them by proposing an amendment designed to provide this protection, and this was passed. However the way the amendment was worded - *Apply 'Minimum sunlight access – public space' standards to open space zoned parks adjacent to sites zoned High Density Residential Zone instead of height in relation to boundary controls. Sunlight access must be maintained in a minimum of 70% of the area during 10am and 3pm at either of the equinoxes (i.e. 21 March or 23 September)* - resulted in a standard which will not reliably give this protection.

1. Open spaces can be bordered by Medium Density Residential Zones as well as High Density Zones
2. Buildings not directly adjacent to a park, i.e. across the street or otherwise separated from the park boundary, can still cast a shadow across an open space.
3. As intimated in the motion, height in relation to boundary controls do not prevent the remaining bulk of the building from casting significant shade.
4. The days and hours this standard applies are too restrictive. The standard of 'no more than 30% shading' will often be reached with only minor changes to the maximum permitted height between 10am to 3pm at either of the equinoxes (i.e. 21 March or 23 September). However it is during the winter that the need for sunlight is most acute, and a building that meets the standard at the solstice will be shading a much bigger area by mid winter. The peak usage of open spaces for primary and secondary school aged children is after school, so 3pm is too early for them; the time should extend to at least 4pm and preferably 4.30pm. Public open spaces can be the only significant outdoor space available to people living in increasingly dense urban environments, and if an open space park turns into a cold shady place during winter its benefits for recreational use will be severely compromised, with significant negative effects on well being.

## Relief sought

We would like an additional clause, **MRZ-S3.4** to be added, reading as follows:

For any site where [MRZ-S1](#), [MRZ-S2.1.a](#) or [MRZ-S2.1.b](#) applies that is located within 60m of a site in the Natural Open Space Zone, Open Space Zone, or Sport and Active Recreation Zone: all buildings and structures must be designed and located to maintain sunlight access to a minimum of 70% of the open space site area during 10am to 4.30pm at either of the equinoxes (i.e. 21 March or 23 September) and at midwinter i.e. 23 June.

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## Point .3

**Section:** Urban Form and Development

**Sub-section:** P1 Sch1 Introduction

**Sentiment:** Amend

## Submission:

We submit that the NPS-UD 2020 and RMA Schedule 3B requirements for maximising development are incompatible with some of the strategic objectives of the PDP as expressed in the section on Urban Form and Development. These objectives are also in the RMA Schedule 3A Clause 6.

As a consequence of our concerns about this we are asking the District Plan Hearings Commissioners to consider the possibility that by specifying wide areas where developments of 6 stories must be enabled, without prior investigation of the development capacity that would actually be unlocked or the pattern of demand in different Tier 1 cities, the NPS-UD 2020 (and RMA Schedule 3B) has unwittingly opened the way for a series of negative unintended consequences.

The evidence about capacity leading to this statement comes from the PDP Strategic Objective for Urban Development Form UDF-04 and the recent study, 'Wellington City commercially feasible residential capacity assessment' [<https://wellington.govt.nz/-/media/your-council/plans-policies-and-by-laws/district-plan/proposed-district-plan/reports/supplementary-documents/wellington-city-commercially-feasible-residential-capacity-assessment.pdf?>] which was undertaken by Property Economics and published in June 2022. Additional information comes from the Wellington chapter of the 2022 Wellington Regional Housing and Business Capacity Assessment Update (HBA) – see [https://wrlc.org.nz/wp-content/uploads/2022/05/HBA-Chapt-2-WCC-with-Appendices\\_web.pdf](https://wrlc.org.nz/wp-content/uploads/2022/05/HBA-Chapt-2-WCC-with-Appendices_web.pdf)

The PDP UDF-04 prescribes housing bottom lines of 15,089 for the short and medium term - up to 2031- and 21,532 for 2031-2051, a total of 36,621 over 30 years.

The Property Economics report (p7) states that "The DDP and MDRS allow for the theoretical development of approximately 243,000 units. Of these, Property Economics has assessed (Scenario 1) that 140,700 are Feasible and around 127,300 are Realisable." They then tested a scenario 2, where a 10% drop in Sales Price and a 10% increase in Construction Costs resulted in a drop in realisable capacity of more than 40%. This still produced an estimated realisable capacity of 73,401 dwellings. These figures are based on present capacity if the PDP becomes operational. The report also estimates that this capacity will be across a mix of housing types - standalone houses 21,785, terraced dwellings 19,271 and apartments 32,375. This of course is Wellington wide, and this might not reflect the actual demand for housing types.

This is a relevant quote from the HBA: "Based on current market economics and operative District Plan, the shortfall of 10,222 dwellings would be entirely in terraced housing. The demand for apartments would appear to be met by the capacity for apartments within the City across the 30 years of the HBA. Likewise, the capacity for stand-alone housing just meets the projected demand in the 30 year timeframe." This HBA assessment of the demand for housing typologies reveals that more capacity is needed for terraced housing while the demand for apartments could be satisfied within the current ODP settings. This leads us to query why so much emphasis has been put on enabling 6 storey developments, when the need would be better met within medium density residential zones.

It is repeatedly said that it is anticipated that the form, appearance and amenity of neighbourhoods within both the High Density Residential Zones and Medium Density Residential Zones will change over time to a more intensive urban built form. We interpret this as meaning that the expected result is that Newtown and Berhampore (and other inner city suburbs) will eventually consist almost entirely of apartment blocks and townhouses.

This is unlikely to be achieved for many years, and probably never achieved, because the area open to development in Wellington is so much greater than needed that supply will soon outstrip demand.

The Boffa Miskell Report on "Planning for Residential Amenity" prepared for Wellington City Council in July 2021 [<https://wellington.govt.nz/-/media/your-council/plans-policies-and-bylaws/plans-and-policies/a-to-z/spatial-plan/planning-for-residential-amenity-report-july-2021.pdf>] recognised the reality of this -

## 5.6 PROVIDING FOR BUILT FORM CHANGE OVER TIME

"... However, the broad extent of the areas where increased density is signalled in the draft Spatial Plan means that it is unlikely that large scale, demonstrable change in the built form of these areas will be evident for some time.

"The implications of this are that redevelopment of these areas will occur on a more sporadic, incremental basis, with the built form of existing neighbourhoods punctuated over time by taller/larger buildings (the mass of which may be dependent on the site size and the District Plan provisions employed).

"Although this may affect the amenity previously enjoyed by neighbouring residents, the provisions set out in the Table 2 above are intended to ensure that a reasonable level of amenity is maintained. Inevitably it will be up to neighbouring residents to either choose to increase the utilisation of their own sites or on-sell to someone who will, thus continuing the cycle of change. "

Taking the last sentence, it's very disappointing to realise that reducing amenity so much that people would rather sell up might be seen as a good thing - 'a feature not a bug!' In practice we think that by the time it gets to that the immediate demand for development properties will have been satisfied, selling won't be so easy, and the value of the property will be significantly diminished. We note that when the report says 'a reasonable level of amenity is maintained' that is a faint hope - the proposed amenity in terms of privacy and access to sunlight and daylight is minimal and essentially non-existent when new development is in the high residential zone. The standards are crafted for new buildings without direct reference to the affect on neighbouring properties. A 4m wall on the north boundary, with a 60 degree recession plane, would allow a complete blocking of sun for existing homes on Newtown's small sections, where there is likely to only be a small side yard.

We repeat what we have been saying for years now - that sporadic development of 6 storey buildings in a low rise residential area would have very damaging effects on existing housing.

We also note from the HBA that the preference is for terraced housing rather than apartments. We submit that combining terraced homes, typically of 3 storeys, with 6 storey apartment blocks doesn't give good results unless the sites are carefully planned. The effects on the amenity of those townhouses is similarly negative when the neighbouring development is a 6 storey apartment block. However we agree that apartment blocks make an important contribution to providing a good range of housing types in our community, and the next segment outlines our preferred approach to this.

**A plan for increasing housing to more than meet the required capacity in Newtown, without undue negative effects on the neighbourhood, is possible.**

Newtown Residents' Association has a longstanding record of advocating for increasing urban density along what used to be called the 'growth spine' of Adelaide Rd and Riddiford St. When the Planning for Growth consultation first started Association members Martin

Hanley and Anna Kemble Welch, who together are Red Design Architects, drew up a concept plan for apartment blocks situated within the suburban centre and the Mansfield St escarpment area. They demonstrated that new buildings on only 45% of this part of Newtown could provide at least 2000 sunny, accessible, comfortable new apartments, while retaining the historic character of the Riddiford St shops. Over the past three years they have refined and developed this concept, with the input of other designers and urban planners. We refer you to the Red Design submission in this consultation for the full details of what they are proposing.

### **Can the objectives of the PDP be achieved?**

A central objective of the NPS-UD 2020, and by extension the RMA schedule 3A and the WCC Proposed District Plan, is that "Development supports the creation of a liveable, well-functioning urban environment that enables all people and communities to provide for their social, economic, environmental, and cultural wellbeing, and for their health and safety now and into the future."

A well functioning urban environment is further defined as meaning an urban environment that, as a minimum:

- a. has or enables a variety of homes that meet the needs, in terms of type, price, and location, of different households; and
- b. has or enables a variety of homes that enable Māori to express their cultural traditions and norms; and
- c. has or enables a variety of sites that are suitable for different business sectors in terms of location and site size; and
- d. has good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and
- e. supports, and limits as much as possible adverse impacts on, the competitive operation of land and development markets; and
- f. supports reduction in greenhouse gas emissions; and
- g. are resilient to the likely current and future effects of climate change.

The first obvious contradiction between the sporadic high rise development described above and the objective of a well functioning urban environment lies in the words "enables all people and communities to provide for their social, economic, environmental, and cultural wellbeing, and for their health and safety now and into the future." We submit that existing residents as well as future residents should be assured that care is taken with their well being and their health and safety. As outlined, the situation where there is so much development capacity that only a small proportion of the area open to up-zoning is actually developed in practice leads to very negative effects on the well being of the community as a whole. Our submission Point 5 further describes the damaging environmental effects of high rise developments in a largely low rise neighbourhood. Many of these result from the loss of sunlight to homes and gardens, and this also has consequences for people's health, both emotional and physical, as previously warm dry homes become cold and damp due to excessive shading.

We have assessments of the points in the expanded definition.

*a. -has or enables a variety of homes that meet the needs, in terms of type, price, and location, of different households;* - the push for a more intensive urban built form, particularly with 21m upzoning, diminishes the choice of housing type. Sunny family homes and gardens, whether stand alone or attached, would no longer be possible outside character precincts because even where they still remain they would be affected by shading, and increased wind turbulence. Families wanting this way of living will need to retreat away from the city centre. It's often said that it's nonsense to suggest that all our existing homes will be demolished, and people who want to keep their villas and bungalows don't have to sell them. This is true, but doesn't take into account the damage done by unplanned development. We also note that the up-zoning approach of the PDP will not meet the needs of low income households in terms of the price of the resulting housing, without intervention from either the Government or the Council. Development is expensive and developers will be motivated to get a good return on their investment.

*b. -has or enables a variety of homes that enable Māori to express their cultural traditions and norms;* may also be doubtful, but we will leave it to Mana Whenua to comment on this.

*c. – has or enables a variety of sites that are suitable for different business sectors in terms of location and site size; and*

*d. – has good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport;* - these two points are probably achievable. We note in respect of point d that in Newtown we already have this accessibility. However the public and active transport and open spaces are already barely adequate, and rather than the PDP improving access to open spaces we are having to propose remedies for the possibility that these spaces will be heavily shaded in future. We are also concerned that there is no direct provision in the PDP for increasing public open space in step with the growing population.

*e – supports and limits as much as possible adverse impacts on, the competitive operation of land and development markets;* This implies that market competition is a factor in producing a well functioning urban environment, which we certainly doubt.

*f- supports reduction in greenhouse gas emissions; and*

*g - are resilient to the likely current and future effects of climate change* are covered and contradicted in our submission Point 5 environmental effects of development.

**Our conclusion is that the approach to increasing housing intensity by maximising developmental capacity as much as possible does not contribute to establishing or maintaining a “well functioning urban environment.”**

### **Relief sought**

We ask for approval for a liberal use of the Qualifying Matter of Character Precincts, as described in our Option 1 in Point 4 of this submission. We are confident that the NPS-UD 2020 requirements under clause 3.33 can be met. In addition we are making a proposal in Point 5 of this submission for environmental and ecological effects to be the basis for an additional Qualifying Matter, or a specific overlay.

We ask for the walking catchments to be further reduced. In particular the zoning of several blocks around the Newtown suburban centre for heights of up to 21m seems unnecessary and counter productive to maintaining a well functioning urban environment. We ask for Newtown’s residential streets outside the suburban centre to be zoned medium density.

We ask for support for the Red Design proposals for planned intensification along the main streets.

We also note that in Berhampore the Neighbourhood Centre is up-zoned for 22m permitted heights, and several adjacent blocks for 21m heights. We can see no justification for this and note that in the PDP Neighbourhood Centre Zone section in the PDP NZC-03 prescribes medium density mixed-use development. We ask for this area to be zoned medium density.

We further ask for the permitted heights for the medium density zones in Newtown and Berhampore to be 11m, not 14m.

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## **Point 4**

**Section:** Medium Density Residential Zone

**Sub-section:** Character Precincts

**Sentiment:** Amend

**Submission:**

The Introduction to the Proposed District Plan section on Urban Form and Development includes this statement -

"The Plan also protects areas of special character in the City’s inner suburbs. These suburbs are some of the City’s original settlements, with pockets of relatively intact streetscape character derived from a range of factors such as building age, architectural style, and site boundary treatment. These are known as ‘Character Precincts’. Rules in these Precincts control demolition and significant alterations and additions to buildings built before 1930."

This submission focusses on the effect of the Character Precincts in Newtown and Berhampore.

We fully support the Council’s commitment to creating these precincts. Our primary concern is that they are unnecessarily limited in their extent. In Newtown and Berhampore the protection afforded by the current character areas has meant that we still have a particularly high proportion of pre-1930s buildings. When the Boffa Miskell Ltd Pre 1930s Character Area Review was published in 2019 it reported that the Newtown Character Area comprises a total of 1612 properties, with 1344 (83%) predating 1930. The majority of these were regarded as ‘primary’ or ‘contributory’, and most of those regarded as ‘neutral’ were only categorised in this way because they were on rear lots with little visibility from the street. Only 6 pre-1930s properties were regarded as ‘detractive’.

Since 2019 a number of town houses have been built on brownfield or infill sites, so the proportions of pre-1930s to recent developments have been diluted somewhat, but there are still large areas of coherent and consistent character – much more than the ‘pockets’ cited in the quote above. As defined in the PDP, ‘Character Precinct’ means “a concentration of common, consistent natural and physical features and characteristics that collectively combine to establish the local distinctiveness and identity of an area, and that contribute to a unique ‘sense of place’ when viewed by the public at large from the street or other public spaces.” Newtown and Berhampore do indeed have a strong and unique sense of place, and we are concerned that much of that could be lost if the character precincts are reduced to mere ‘pockets’.

The Boffa Miskell report described several sub areas as having particularly noticeable coherence of character, although as discussed below we think they were too restrictive. We were dismayed when the draft WCC Spatial Plan ignored most of the Boffa-Miskell recommendations and dramatically reduced the proposed character precincts.

Our submission on the WCC DSP in October 2020 said:

"In the DSP Council have removed character protections from large areas of Newtown that the Boffa Miskell report 'Pre-1930 Character Area Review' (commissioned by WCC ) said have coherent character. The Draft Plan says WCC are "removing pre-1930 demolition controls over those parts of the Character Areas that no longer exhibit a cohesive streetscape character or where character has been compromised.", but they have gone much further than that and removed protections from 6 out of 10 areas noted by the report as having coherent or consistent character.

"The planners have chosen to protect areas of Newtown that are not representative of Newtown's history and character. Areas in the 'sub character zones' are mostly where wealthy merchants built their homes 100+ years ago, not the far more prevalent workers cottages.

"Our strong preference is to maintain all the current protections for pre-1930s dwellings. This doesn't mean banning demolition altogether but it does mean that demolition continues to require resource consent. The new District Plan rules could then be negotiated with agreed standards for the conditions that would reasonably lead to demolition and rebuilding. They could also allow easier permissions for remodelling so that an existing house can become a multi-unit dwelling, or for constructing an additional 'tiny house' on the same section."

The final paragraph is still our preferred position. Although the Boffa-Miskell report did outline 5 specific sub areas on the eastern side of Newtown and another 3 on the west side as having particularly noticeable coherence of character, a look at the Boffa-Miskell 'Story Map' [<https://wcc.maps.arcgis.com/apps/MapSeries/index.html?appid=bef08d8f53ef448eb93854022a5b63ec>] makes it clear that in fact a much wider area has been assessed, house by house, as having almost entirely primary or contributory character. This is also reinforced by on the ground observation of the properties concerned. Some areas that we are very surprised didn't get this recognition are on the east side of Newtown. Daniel St from Normanby St to 171 Daniell, particularly on the east side of the street, would meet the criteria, with a brief interruption for a group of council flats. And so would Green St and Emmett St, which were the subject of a recent Scoop article [<https://wellington.scoop.co.nz/?p=147099>]. Wilson St, from the boundary with the suburban centre zone, also merits inclusion – in the PDP it is only included in the character precinct when it meets Owen St.

After reviewing public submissions the WCC Planners increased the extent of the proposed character precincts. In Newtown this meant extending the precincts to cover most of the sub areas identified in the Boffa-Miskell report. We were pleased to see a greater area included but still thought it didn't go far enough. We were also disappointed that while the original DSP had a buffer zone of 3-4 storeys between the character precinct and the area enabled for 6 storeys this had been removed. At a Council meeting in June 2021 a 6-9 majority voted to revert to the Draft Spatial Plan areas of character protection and remove the character (design) overlay from areas outside those sub areas, and the gains that had been proposed by the WCC officers were removed again.

### **Character Precincts and the effect on development capacity.**

Point 3 of our submission on Urban Built Form concludes that the NPS-UD 2020 , taken to its full extent, will result in opening up far more land for development than is actually needed. We argue that, contrary to some of the beliefs that fuel the policy, this is not a good result for our city.

The amount of land that would be taken up by character precincts, even if all the current protections were retained, would still leave more than enough capacity to cater for the expected population increase. We want to make it clear that we do support the provision of more and more-intensive housing in Wellington and in Newtown and Berhampore, but we believe that allowing high rise developments among low rise character housing in our narrow streets would be the very antithesis of 'density done well'.

### **Relief sought**

We support the Council using Character as a Qualifying Matter to modify the permitted building heights and other matters that would be required under the NPS-UD 2020 or the MDRS.

We submit that the Character precincts should be expanded further through the application of this qualifying matter.

**Option 1 – our primary preference.** Our preference is for the Character Precincts to include all the areas in the Boffa-Miskell 'Story Map' which are marked as primary or contributing.

**Option 2 is similar but a little more restrictive.** We ask for the Character Precincts to include all areas of Newtown and Berhampore described in the Boffa Miskell report as having a noticeable degree of cohesion, with the addition of Green St, Emmett St, Wilson St, 74 Daniell St to 171 Daniell St, and Regent St.

**Option 3 reverts to the proposals in the pre-approved Spatial Plan.** Extend the Character precincts to the areas recommended by the Council Officers in the pre-approved Spatial Plan, June 2021. Map <https://experience.arcgis.com/experience/26d22f28f04146709528714a4c4a2689>

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## Point .5

**Section:** Sustainability, Resilience and Climate Change

**Sub-section:** Strategic Objectives

**Provision:** [P1 Sch1](#)

The City's built environment supports:

- SRCC-O1**
1. A net reduction in the City's carbon emissions by 2050;
  2. More energy efficient buildings;
  3. An increase in the use of renewable energy sources; and
  4. Healthy functioning of native ecosystems and natural processes.

**Sentiment:** Amend

**Submission:**

We actually support these objectives, but we have said 'amend' because the way they are reflected in the PDP needs attention.

### **Environmental Effects -a potential addition to Qualifying Matters under the NPS-UD 2020.**

This part of our submission considers the effect of up-zoning scattered across a wide area from the perspective of environmental sustainability. The NPS-UD 2020 Policy 3c and 3d requirements have resulted in Wellington City Council zoning wide areas of inner city suburbs to permit 6 storey (i.e. 21m) developments for High Density Residential Zones within the 'walkable catchments'. Outside these catchments the zoning is for Medium Density Residential Zones. However as described in Point 3 of this submission, the cumulative effect of the up-zoning prescribed by the NPS-UD 2020 and the MDRS permissions for 3 houses of 3 storeys to be allowed on any section so long as certain standards are met, has led to the development capacity far out stripping demand. The policy regards this as beneficial for intensification, but we believe that it has many negative effects.

The issues discussed here affect many communities in Wellington, but in this submission we concentrate on the specific effects on Newtown, as this is the area we know and understand best.

A central objective of the NPS-UD 2020, and by extension the RMA schedule 3A and the WCC Proposed District Plan, is that "Development supports the creation of a liveable, well-functioning urban environment that enables all people and communities to provide for their social, economic, environmental, and cultural wellbeing, and for their health and safety now and into the future."

An extended definition of 'a well functioning urban environment' contains these points

- f- supports reduction in greenhouse gas emissions; and*
- g - are resilient to the likely current and future effects of climate change*

We wholeheartedly agree with this, but the practical application of these principles when it comes to the built environment seems to be limited to specifying intensification in places with good public transport.

When this development results in the sporadic development of high rise buildings in narrow streets already packed with one or two story

homes the existing homes inevitably become heavily shaded. The development capacity, by design, is far greater than is actually needed. So this will become a permanent feature of our suburbs if the PDP goes ahead unchecked.

The major environmental effects come with the loss of sunlight. Sunlight is important for a carbon-zero lifestyle – it fuels solar panels, helps gardens grow, dries the washing, and heats people's homes. If tall buildings are able to overshadow low-rise homes the latter risk becoming cold and damp, leading to illness, and in some cases the homes will become unfit for purpose. Sunlight is vital for everyday life. With new developments the standards require a certain amount of sunlight access but there is no guarantee of this being protected for existing neighbouring properties. In fact when the development is in the high residential zone the standards allow for 4m wall on the north boundary, with a 60 degree recession plane, which would result in a complete blocking of sun for existing homes on Newtown's small sections, where there is likely to only be a small side yard.

There are also environmental effects associated with demolition and rebuilding. New building, particularly high rise, is very carbon intensive. On the other hand the existing old houses built of native timbers represent a great deal of embodied energy and sequestered carbon. Many have been adapted and upgraded over time, which is more environmentally sustainable than replacing them. Also these buildings are resilient and have survived 100+ years of earthquakes while many new buildings in Wellington have been badly damaged in earthquakes.

We also submit that allowing extensive redevelopment which removes the existing trees and other plants in Newtown's backyards does permanent damage to the natural bio-diversity of the area.

[A recent article in NZ Gardener https://www.stuff.co.nz/life-style/homed/garden/129578839/measuring-biodiversity--how-would-your-backyard-score](https://www.stuff.co.nz/life-style/homed/garden/129578839/measuring-biodiversity--how-would-your-backyard-score) stated that private gardens comprise the greatest proportion of green space in urban environments, so their potential to contribute to biodiversity is significant.

The researcher who was the subject of the article, Van Heezik, says the research is important and topical due to the current emphasis on developing higher density housing. "On the whole, New Zealand could be doing better at protecting urban green spaces, particularly those on private land, but also incorporating more green with better native biodiversity into all the new housing developments."

It is ironic for the PDP to be proposing changes which will largely destroy Newtown's urban green spaces at the same time as the movement to protect and enhance them is growing.

### **Relief sought**

We submit that the damaging environmental effects of high rise developments in established low rise communities should be considered a 'qualifying matter' for modifying building heights and encouraging retention and adaptation of existing housing stock, under NPS-UD clause 3.32 (1) (h), or should be considered as a specific overlay.

We ask for approval for a liberal use of the Qualifying Matter of Character Precincts, as described in our Option 1 in Point 4 of this submission. We are confident that the NPS-UD 2020 requirements under clause 3.33 can be met. In addition we are making a proposal in Point 5 of this submission for environmental and ecological effects to be the basis for an additional Qualifying Matter, or a specific overlay.

We ask for the walking catchments to be further reduced. In particular the zoning of several blocks around the Newtown suburban centre for heights of up to 21m seems unnecessary and counter productive to maintaining a well functioning urban environment. We ask for Newtown's residential streets outside the suburban centre to be zoned medium density.

We ask for support for the Red Design proposals for planned intensification along the main streets.

We also note that in Berhampore the Neighbourhood Centre is up-zoned for 22m permitted heights, and several adjacent blocks for 21m heights. We can see no justification for this and note that in the PDP Neighbourhood Centre Zone section in the PDP NZC-03 prescribes medium density mixed-use development. We ask for this area to be zoned medium density.

We further ask for the permitted heights for the medium density zones in Newtown and Berhampore to be 11m, not 14m.