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Report to Environment Committee
from Richard Peterson, Policy Advisor, Statutory

Transport Policy in Wellington's CBD

1. Purpose

To inform the Committee of the outcome of recent discussions with Wellington City Council staff on the Lambton Towers proposal and on their District Plan transport provisions more generally.

2. Background

At the last Environment Committee meeting, the Committee asked for a report on the outcome of a meeting that was to take place later that day on the Lambton Towers proposal.

Lambton Towers is a proposal to construct a 25-floor office block between Panama and Grey Streets on Lambton Quay. The site of the proposal contained four buildings (construction has already begun), two of which are registered with the Historic Places Trust. The developer, Lambton Quay Developments Ltd, is taking steps to protect the heritage values associated with these buildings. The proposal will include 188 car parks.

The Regional Council was notified of this proposal on 21 August 2000. Consent was required for the proposal as several aspects of it failed to comply with the permitted activity standards in the District Plan. Included amongst the areas of non-compliance was that the building would include more than 70 car parks. However, the main reason that the proposal was notified was that it exceeded the maximum permitted height for the site, which is 80 metres.

This application followed an application for a 23-floor office block which would have contained the same number of car parks. The shorter proposal was granted consent on a non-notified basis on 20 May 1999.

3. **The Regional Council's Submission**

The Regional Council made a submission opposing the 25-floor office block on the grounds that the applicant had failed to consider and provide for the full range of transport modes. The application, as notified, provided car parking and included an assessment of the vehicle movement likely to be associated with the proposed building. However it did not assess the other means by which the future occupants of the building may travel.

The Regional Council's submission specifically noted that the 2 x 3 metre area provided as cycle parking was unlikely to be sufficient for the 700 hundred people using the building.

The applicant responded to the submission by discussing access needs with their future tenants and outlining these discussions in a letter to the Regional Council. The applicant attached revised development plans to the letter that provided larger areas for cycle and motorcycle parking.

On the basis of the letter, and a subsequent agreement with the applicant, the Regional Council did not attend the hearing. A copy of the correspondence between the Regional Council and the applicant was sent the City Council. Unfortunately, despite the agreement the City Council did not include the extra area cycle and motorcycle parking area as a condition of the consent. More significant, it failed to recognise the wider transport concerns expressed in the Regional Council's submission.

The City Council choose not to include conditions about the cycle and motor-cycle parks because it:

does not believe that the notified resource consent process is the appropriate avenue for determining the number of motorcycle and bicycle parking spaces, particularly given that it is not a matter addressed under the District Plan.

4. **Why did the Regional Council get involved in this application?**

Both the Regional Policy Statement and the Regional Land Transport Strategy (RLTS) promote more efficient and environmentally sustainable use of our transport network. The RLTS recognises that this objective will only be achieved by a broad range of measures and changes in behaviour, some large, some small. One of the areas which needs improvement is how individual developments, such the Lambton Towers proposal, provides for alternative forms of transport. In this regard Policy 1.3.2 of the RLTS specifically aims to:

Promote land development that ensures that public transport, walking and cycling are convenient and safe alternatives to the private car.

In support of the provisions within the RLTS, the Regional Council has produced a series of Land Use and Urban Design Guidelines. These guidelines provide illustrated examples of how landuse activities can be integrated with the full range of transport options.

However, despite the RPS, RLTS and the Guidelines, the Regional Council is regularly notified of consent applications for large-scale land uses that have not provided for the full range of transport modes. Generally, these applications focus almost solely on the effects on vehicle movement in the immediate vicinity of the proposal.

Other examples of where the Regional Council has made similar submissions or comments on this issue are the Porirua Mega-Centre, the Westfield/Queensgate upgrade in Lower Hutt, ProMall in Upper Hutt, the Stadium and Wellington Rail Yards proposals, the new Seatoun School and the Lambton Harbour waterfront proposals. The Regional Council also has an outstanding reference on the Lower Hutt District Plan on this issue.

5. **What steps were taken on the Lambton Towers Proposal following WCC's decision**

As a result of the Lambton Towers decision the Regional Council took two steps. Firstly, contact was made with the applicants who confirmed that they intended to fulfil the agreement they had made with the Regional Council. The applicant confirmed this commitment in writing.

Secondly, WRC wrote to the WCC expressing its concerns. This was followed by a meeting was held with Wellington City Council district plan and resource consent staff. At the meeting the City Council staff noted that the type of consent required for the Lambton Towers proposal was for a discretionary (restricted) activity. In their interpretation, the matters to which the Council has restricted its discretion do not include cycle or motorcycle parking, or transport matters beyond the movement of vehicles in the vicinity of the proposal. This was not the Regional Council's understanding when the provisions were developed.

The City Council staff recognised that the District Plan Central City provisions generally were not ideal with regard to transport provision and parking. They intend to initiate a plan change to address this issue, however they have not set a timeframe for when this change will occur. Currently, the City Council is considering the need for several plan changes to the district plan.

The City Council staff noted that they will have to consider whether regulation through the District Plan is the most appropriate way of encouraging alternative forms of transport. It may be more appropriate and successful for them to encourage the use of alternative modes through incentives and the provision of public facilities.

Unfortunately, while the Regional Council can continue to encourage provision for alternative modes of transport until the District Plan is amended it will be difficult to pursue the issue more forcefully from a statutory planning point of view.

6. **Communications**

The matters referred to in this report are part of on-going statutory process, and these processes are the appropriate way of communicating the information.

7. **Recommendation**

That the report be received and the information noted.

Report prepared by:

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