

under: the Resource Management Act 1991

in the matter of: Submissions and further submissions in relation to the
Wellington City Proposed District Plan

and: Hearing Stream 4 (Centres)

and: **Retirement Villages Association of New Zealand
Incorporated**

and: **Ryman Healthcare Limited**

Statement of Evidence of **Nicola Marie Williams** on behalf of the
Retirement Villages Association of New Zealand Incorporated and
Ryman Healthcare Limited

Dated: 12 June 2023

Reference: Luke Hinchey (luke.hinchey@chapmantripp.com)
Hadleigh Pedler (hadleigh.pedler@chapmantripp.com)

**STATEMENT OF EVIDENCE OF NICOLA MARIE WILLIAMS ON
BEHALF OF THE RETIREMENT VILLAGES ASSOCIATION OF
NEW ZEALAND INCORPORATED AND RYMAN HEALTHCARE
LIMITED**

INTRODUCTION

- 1 My full name is Nicola Marie Williams and I am an Associate with Mitchell Daysh Limited. Mitchell Daysh Limited is a specialist environmental consulting practice with offices in Auckland, Hamilton, Napier, Nelson and Dunedin.
- 2 I hold a Bachelor of Regional Planning from Massey University (1988) and I am a member of the New Zealand Planning Institute and the Resource Management Law Association. I have worked as a consultant and in local government and I have had approximately 30 years of experience as a resource management adviser including 20 years' local government experience including plan preparation, policy planning work and resource consents.
- 3 Prior to joining Mitchell Daysh Limited I was the Manager for Research, Policy and Planning with Kāpiti Coast District Council and I had the primary responsibility for the Proposed District Plan and leading three variations to the Proposed District Plan, being:
 - 3.1 Variation 2: Waikanae Beach & Beach Character Setback;
 - 3.2 Variation 3: County Road, Otaki Low Density Precinct; and
 - 3.3 Variation 4 (A-H) Miscellaneous Changes and Corrections.
- 4 I was also previously the Principal Planner with Thames Coromandel District Council responsible for the resource consent team and involved as a member of planning project teams in a range of policy planning projects including:
 - 4.1 Peer review of the Thames Coromandel Draft District Plan;
 - 4.2 Plan Change 21 Whitianga Town Centre;
 - 4.3 Whitianga Waterways Structure Plan; and
 - 4.4 Variation 2 – Whitianga Airfield.
- 5 I am an accredited Hearing Commissioner (with a Chair's endorsement) under the Ministry for the Environment's 'Making Good Decisions' course and have acted as a Hearings Commissioner on a number of occasions, most recently as an Independent Hearings Commissioner for Auckland Council.

- 6 I have been involved in the preparation of a number of applications for new retirement villages in Wellington, Christchurch and Auckland and in various applications for variations to existing villages across New Zealand.
- 7 Dr Philip Hunter Mitchell appeared before the Independent Hearings Panel with respect to Hearing Stream 1 and 2 of the Wellington Proposed District Plan (*Proposed Plan*). I confirm I have read these pieces of evidence and adopt the conclusions and recommendations within.
- 8 I have prepared this statement of evidence at the request of the Retirement Villages Association of New Zealand Incorporated (*RVA*) and Ryman Healthcare Limited (*Ryman*).
- 9 In preparing this statement of evidence, I have reviewed:
- 9.1 National Policy Statement on Urban Development 2020 (*NPS-UD*);
 - 9.2 The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (*Enabling Housing Act*);
 - 9.3 Wellington Regional Policy Statement (*WRPS*);
 - 9.4 Proposed Wellington District Plan (*Proposed Plan*) and accompanying Section 32 Report;
 - 9.5 Submissions and further submissions on behalf of the RVA and Ryman;
 - 9.6 Section 42A reports and appendices relevant to Hearing Stream 4 – Part 3 Commercial and Mixed Use Zones, dated 26 May 2023 (*section 42A report*); and
 - 9.7 The statement of expert evidence of Dr Farzad Zamani, Dr Kirdan Ross Lees, Dr Michael Donn and Mr Nick Locke on behalf of Wellington City Council (*Council*).

EXPERT WITNESS CODE OF CONDUCT

- 10 I have read the Environment Court's Code of Conduct for Expert Witnesses contained within the Environment Court Practice Note 2023 and I agree to comply with it. My qualifications as an expert are set out above. I am satisfied that the matters which I address in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

SCOPE OF EVIDENCE

- 11 My evidence will:
- 11.1 Discuss key amendments I am recommending to the Centre, Commercial and Mixed Use Zone provisions and why I consider them to be necessary from a planning perspective;
 - 11.2 Comment on the specific planning matters raised in the submissions that are relevant to Hearing Stream 4 and provide my response to the recommendations in the section 42A report; and
 - 11.3 Set out my conclusions.
- 12 A detailed description of Ryman's and the RVA's activities and their interest in the Proposed Plan has been provided in submissions and evidence in previous hearings.

EXECUTIVE SUMMARY

- 13 This statement of evidence relates to the hearing on submissions with respect to Hearing Stream 4 – Part 3, Commercial and Mixed Use Zones including:
- Overview and General Matters;
 - Part 1 – City Centre Zone;
 - Part 2 – Metropolitan Centre Zone;
 - Part 3 – Local Centre Zone;
 - Part 4 – Neighbourhood Centre Zone;
 - Part 5 – Mixed Use Zone;
 - Part 6 – Commercial Zone; and
 - Wind.
- 14 In summary, as previously set out in the evidence presented at Hearing Stream 1 by Mr John Collyns, Mr Matthew Brown and Dr Phil Mitchell, the submissions by Ryman and the RVA seek to ensure that the Proposed Plan provides a regime that:
- 14.1 Recognises and responds to the needs of an ageing population within Wellington City (*City*); and

- 14.2 Adopts provisions that are fit for purpose for the functional and operational characteristics of retirement villages and their residents' housing care needs. Such a regime is considered important by the RVA and Ryman given the increasing demand for retirement living options in Wellington City - as previously explained in the evidence of Mr Collyns.
- 15 The RVA and Ryman are seeking a consistent regime for planning to house an elderly population, in appropriate Centre Zones, Commercial and Mixed Use Zones (similar to those proposed for in residential zones), across New Zealand (including all the 'Tier 1' councils), including the Wellington area. Consistency between councils will better enable common approaches to consent applications to be developed over time and increase efficiency.
- 16 I consider that the notified activity status for retirement villages in Centre Zones, Commercial and Mixed Use Zones is unclear due to the lack of a specific rule and policy framework addressing retirement villages.
- 17 In my opinion, the requirements of the NPS-UD and the Enabling Housing Act have fundamentally altered the expectations for development in and around the residential and commercial zones, particularly in Tier 1 local authorities and the wider Wellington region. As set out in the evidence by Ms Owens¹ and Professor Kerse², and elaborated on in the evidence presented for Hearing Topics 1 and 2 of the Proposed Plan, the Wellington District is one of the fastest growing districts in New Zealand. It is experiencing a rapid change in demographics, resulting in increasing pressure on suitable housing for the elderly. Further, there are a number of challenges in finding suitable sites for the development of new retirement villages. These include size and locational requirements, including proximity to amenities like medical facilities, clubs, shopping, cafes and restaurants, and transportation links for visitors and staff, many of which are typically found within the Centre Zones, Commercial and Mixed Use Zones in existing towns and communities. This combination of factors means that retirement village accommodation options need to be explicitly provided for in non-residential zoned areas of the Wellington District. This need is becoming increasingly important as the population ages.
- 18 I consider the retirement village provisions recommended by the RVA and Ryman and the subsequent further amendments I propose in the Centre Zones, Commercial and Mixed Use Zones of the Proposed Plan are necessary to achieve better alignment with

¹ Paragraphs 41-42, 47-50, Statement of evidence of Margaret Owens for Hearing Stream 2.

² Paragraph 17, Statement of evidence of Dr Ngaire Kerse for Hearing Stream 2.

national policy directions and to clearly enable retirement villages to be provided for in the range of zones across the City in a similar manner to residential multi-unit development. The amendments to the Proposed Plan provisions, which I expand on below, include the adoption of a permitted activity rule for the land use component of a retirement village, with the buildings being a restricted discretionary activity.

19 The specific amendments that I consider necessary are to:

19.1 Insert three new policies;

- (a) [Insert zone]-PX: Larger Sites - Recognise the intensification opportunities provided by larger sites within all residential zones by providing for more efficient use of those sites.
- (b) [Insert zone]-PX: Changing Communities - To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the residential zones will change over time to enable a variety of housing types with a mix of densities; and
- (c) [Insert zone]-PX: Role of Density Standards - Enable the density standards to be utilised as a baseline for the assessment of the effects of developments.

19.2 Amend the section 42A reporting officer's proposed retirement village policy to align with the policy provided through the Hearing Stream 2 post-hearing supplementary evidence 'homework' to the Panel;³

19.3 Amend the permitted activity rule for the use of land for a retirement village;

19.4 Insert a restricted discretionary activity rule for the construction of retirement villages in Centre, Commercial and Mixed Use Zones, with specific matters of discretion limited to managing the external effects of a village on the wider environment as follows:

(a) Matters of discretion:

The matters in xxZ-P6, xxZ-P7, xxZ-P8, xxZ-P9, xxZ-P10 [Centre zones as required] / xxZ-P5, xxZ-P6, xxZ-

³ Supplementary evidence of Dr Philip Mitchell, Hearing Stream 2 (Residential) and responses to Minute 17: Stream 2 Follow Up, dated 26 April 2023.

P7 [Commercial and Mixed Use Zones as required] / xxZ-P4, xxZ-P5, xxZ-P6, xxZ-P8, xxZ-P9, xxZ-P10, xxZ-P11, xxZ-P12 [City Centre Zone] and PX new policies;

The extent and effect of non-compliance xxx (Refer to **Appendix A** for specific drafting relating to each zone);

The extent and effect of any identifiable site constraints;

Construction impacts on the transport network; and

The availability and connection to existing or planned three waters infrastructure.

- 20 The RVA and Ryman also seek a number of amendments to the notification clauses, matters of discretion and built form standards as set out in their original submission and which are detailed within **Appendix A**.
- 21 As stated in the evidence for Hearing Topics 1 and 2, I consider that simply carrying over the provisions from the District Plan is contrary to the enabling intent of the higher order planning framework. In my opinion, the amendments to the Proposed Plan, as sought by the RVA and Ryman, will ensure a consistent and enabling regulatory framework for the establishment of retirement villages as residential activities within the Centre Zones, Commercial and Mixed Use Zones of the Wellington District. These changes will ensure that retirement villages are viewed as a legitimate activity that can be developed in an appropriate manner on suitable sites in those zones, consistent with the overall objectives for the zones.

OVERVIEW OF THE NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT 2020 IN THE CONTEXT OF CENTRE ZONES, COMMERCIAL AND MIXED USE ZONES

- 22 As has been discussed in the planning evidence for Hearing Topics 1 and 2 of the Proposed Plan, the NPS-UD directs local authorities to enable greater land supply for urban development. It seeks to ensure that planning is responsive to changes in demand. It also seeks to ensure that new development capacity enabled by local authorities is of a form and in locations that meet the diverse needs of communities. The NPS-UD encourages well-functioning, liveable urban environments. It also requires local authorities to remove overly restrictive rules that affect urban development outcomes in cities.

- 23 In the context of providing for residential intensification within Centre Zones, Commercial and Mixed Use Zones, I consider the following directives of the NPS-UD to be particularly relevant to the Proposed Plan:
- 23.1 District Plans enable more people to live in, and more businesses and community services to be located in, areas of the urban environment which are in, or near, a centre zone;⁴ and
- 23.2 Local authority decisions on urban development that affect urban environments are strategic over the medium term and long term, and responsive (particularly in relation to proposals that would supply significant development capacity).⁵
- 24 The clear intent of the NPS-UD is to enable both business and residential development in urban environments through the provision of opportunity, choice, variety and flexibility of land supply for housing and business. In the context of residential intensification (which would include retirement village living, as has been explained in the planning evidence on Hearing Topics 1 and 2), it is my view that the NPS-UD does not distinguish between urban environments as to where this residential intensification should occur. This is particularly relevant in the context of the Wellington District given this district is experiencing increasing demand for housing for the ageing demographic (as set out in the evidence by Ms Owens⁶ and Professor Kerse⁷). As such, the Proposed Plan needs to remain flexible to change over the next 5-10 years. In my opinion, the current form of the provisions regarding the Commercial and Mixed Use Zones are overly restrictive, and are inconsistent with the enabling aspects of the NPS-UD.
- 25 The specific amendments that I consider necessary to give effect to the NPS-UD are set out below.

⁴ Objective 3 of the NPS-UD.

⁵ Objective 6 of the NPS-UD.

⁶ Paragraphs 41-42, 47-50, Statement of evidence of Margaret Owens for Hearing Stream 2.

⁷ Paragraph 17, Statement of evidence of Dr Ngaire Kerse for Hearing Stream 2.

NEIGHBOURHOOD CENTRE ZONE, LOCAL CENTRE ZONE, METROPOLITAN CENTRE ZONE AND CITY CENTRE ZONE

Objectives and Policies

RVA and Ryman Submissions

- 26 The submissions by the RVA and Ryman sought the insertion of four new policies into each centre zone as follows:

[Insert Zone] – Provision of housing for an ageing population

1. To provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in [add] zone, such as retirement villages.
2. Recognise the functional and operational needs of retirement villages, including that they:
 - a. May require greater density than the planned urban built character to enable efficient provision of services.
 - b. Have unique layout and internal amenity needs to cater for the requirements of residents as they age.

[Insert Zone] – Changing communities

To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the [add] zone will change over time to enable a variety of housing types with a mix of densities.

[Insert Zone] – Larger Sites

Recognise the intensification opportunities provided by larger sites within all residential zones by providing for more efficient use of those sites.

[Insert Zone] – Role of density standards

Enable the density standards to be utilised as a baseline for the assessment of the effects for developments.

- 26 The submissions also sought that a number of the objectives and policies either be removed or amended.

Section 42 Report

- 27 The section 42A report acknowledges that retirement villages are a residential activity and that they should be appropriately provided for within the Centre zones. The report recommends the inclusion

of a new retirement village policy, drafted to reflect the same policy provided within the High Density Residential Zone (HRZ).⁸

xxZ-Px: Retirement village

Provide for retirement villages where it can be demonstrated that the development:

- 1. Meeting the requirements of the Residential Design Guide, as relevant;*
- 2. Includes outdoor space that is sufficient to cater for the needs of the residents of the village;*
- 3. Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development;*
- 4. Is able to be adequately serviced by three waters infrastructure or can address any constraints on the site; and*
- 5. Is of an intensity, scale and design that is consistent with the amenity values anticipated for the Zone.*

Response

- 28 Having considered the recommendation of the reporting officer, I consider that the proposed amendments do not go far enough in terms of providing flexibility to enable a range of housing types across the range of commercial zones to meet housing demand in line with the requirements of the NPS-UD. As such I agree with the RVA and Ryman submission requesting the insertion of the new policies including a retirement village specific policy. The policy is very similar to the reporting officer's recommendation to provide a clear policy framework enabling housing for the ageing population, but has some necessary nuances which in my view make it more fit for purpose.
- 29 In this regard, the new policies proposed by the RVA and Ryman are more aligned to the NPS-UD and Enabling Housing Act as they recognise the functional and operational needs of retirement villages (through more enabling language such as 'provide for' and 'may require'). They also provide for a variety of housing types for all people. Furthermore, the inclusion of this policy framework for retirement villages is particularly important given the growing need for specialist housing for the ageing population (as outlined in the

⁸ Paragraph 223 – Section 42A Report Hearing Stream 4 (Part 3 Commercial and Mixed Use Zones) – Part 1: Overview and General Matters.

evidence of Professor Kerse, and Ms Owens' and Mr Brown's evidence presented at Hearing Stream 2).

- 30 I also consider that the inclusion of the proposed policies in all centre zones, including the 'larger sites' policy, would provide a much clearer and stronger policy framework (with greater vertical integration between Plan provisions) for retirement villages (and other forms of development) in the Proposed Plan. This will better enable the efficient use of the larger sites that the likes of Ryman and the RVA's other members often need to utilise. It will also minimise complications during the consenting process.
- 31 With regard to the specific policy relating to the 'role of density' proposed by the RVA and Ryman, I consider the recommended amendments to the drafting of the "Managing adverse effects" policies proposed in the section 42A report are generally appropriate. I have suggested a minor amendment to the recommended drafting of NZC-P9⁹ to incorporate the clearer baseline for assessing effects included in the RVA and Ryman submissions, rather than the full deletion of those policies, as shown in Appendix A.
- 32 The objectives and policies proposed by the RVA and Ryman do not seek to exempt retirement villages from the remaining objectives and policy frameworks. They also do not represent a major shift from an effects management approach. Instead, they are designed to provide specific provision in addition to other notified policies, for the enablement of retirement villages, to guide the lower order provisions through the rules and standards to be clearly applied. The regime overall adopts an effects management approach, but is clearer, more proportionate and less restrictive than the council version.
- 33 I agree with the section 42A reporting officer and accept the inclusion of a specific retirement village policy similar to the HRZ. However I propose a modified version. This version has been developed following questions from the Panel in Hearing Stream 2 and was included in the supplementary evidence to the Panel.¹⁰ It is also attached as **Appendix A**, and set out below:

Policy xxZ-PX – Retirement Villages:

Enable retirement villages to:

⁹ And corresponding LCZ-P9 and MCZ-P9.

¹⁰ Supplementary evidence of Dr Philip Mitchell, Hearing Stream 2 (Residential) and responses to Minute 17: Stream 2 Follow Up, dated 26 April 2023.

- a. Provide for greater density than other forms of residential developments to enable shared spaces, services, amenities and / facilities, and affordability and the efficient provision of assisted living and care services;
- b. Be adequately serviced by three waters infrastructure or can address any constraints on the site;
- c. Provide good quality on site amenity, recognising the unique layout, internal amenity and other day-to-day needs of residents as they age and the types of retirement units they live in;
- d. Encourage the scale and design of the retirement village to:
 - i. be of a high-quality and compatible with the planned urban character;
 - ii. achieve attractive and safe streets and public open spaces, including by providing for passive surveillance; and
 - iii. achieve an appropriate level of residential amenity at neighbouring properties where relevant built form standards are exceeded.

**Activity Status, Notification and Matters of Discretion
RVA and Ryman Submissions**

34 The RVA and Ryman submissions sought a number of amendments to the rules, notification clauses and matters of discretion within the centre zones.

35 The key aspects of the submission points related to:

35.1 The establishment of a permitted activity for the use of land for a retirement village with no restrictions at ground level;

35.2 A restricted discretionary activity rule for the construction of retirement village buildings in centre zones, with specific matters of discretion limited to managing external effects of a village on the wider environment as follows:

Matters of discretion:

- i. The effects of the retirement village on the safety of adjacent streets or public open spaces;
- ii. The extent to which articulation, modulation and materiality addresses adverse visual dominance effects associated with building length;

- iii. The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;
- iv. When assessing the matters in 2(a)(2), and 2(a)(8)(i) – (iii), consider:
 - a. The need to provide for efficient use of larger sites; and
 - b. The functional and operational needs of the retirement village.
- v. The positive effects of the construction, development and use of the retirement village.

35.3 A presumption of non-notification for retirement villages that meet the relevant building controls.

Section 42 Report

- 36 The section 42A reporting officer recognises the importance of retirement villages and that these need to be provided for in a similar manner to residential activities.¹¹ Therefore, a new land use activity for retirement villages as a permitted activity in all Centre Zones has been recommended.
- 37 However, the section 42A reporting officer also states that retirement villages are considered to be residential activities and therefore no specific rule framework is required as the residential activities rule and associated building rules and standards apply.¹² Therefore, the submissions relating to a restricted discretionary rule framework (with specific matters of discretion) have been rejected.

Response

- 38 I acknowledge that the reporting officer has gone some way to provide for retirement villages within the Centre Zones.¹³ However, given the explanation that retirement villages are subject to the residential rules and standards within these zones, I consider that the proposed drafting of the standard is unclear as there is no direct link between these two rules. Furthermore, where compliance is not

¹¹ Paragraph 223 - Section 42A Report Hearing Stream 4 (Part 3 Commercial and Mixed Use Zones) – Part 4 (Overview and general matters for Commercial and Mixed Use Zones)

¹² Paragraph 375 – Section 42A Report Hearing Stream 4 (Part 3 Commercial and Mixed Use Zones) – Part 4: Neighbourhood Centre Zone.

¹³ Paragraph 217 - Section 42A Report Hearing Stream 4 (Part 3 Commercial and Mixed Use Zones) – Part 4 (Overview and general matters for Commercial and Mixed Use Zones)

met, the residential rule defaults to the more restrictive activity status of Discretionary.

- 39 I consider that the amendments proposed within the RVA and Ryman submissions to provide for a restricted discretionary rule framework, with tailored matters of discretion where the scale, design and layout of the retirement village development can be appropriately and proportionately managed, provides much clearer rule provisions. The approach I support will also ensure general consistency as to rule structure and content across the residential and commercial zones making it easier for plan users and council officers to follow.
- 40 Consent applications under the proposed rule framework will focus on the effects of the built form through the restricted discretionary activity status for the construction of those buildings in the same manner as the matters of discretion for the construction or alteration of a building in these zones. As such, the matters of discretion are specific for appropriately managing the potential effects on the wider environment.
- 41 In my view there is no effects-based reason to support the default application of a more restrictive activity classification for the land use activity of retirement villages. I consider that retirement villages are an appropriate and necessary activity within the various Centre Zones. A discretionary status will also be less enabling of development, given it will involve greater assessment requirements, with less certainty and potentially more notification decisions. These outcomes would, in my view, be inconsistent with the enabling direction of the NPS-UD.
- 42 Considering the above, and in light of the discussions had with the Panel with respect to Hearing Stream 2, I recommend alternative drafting to the matters of discretion to be included.
- 43 I recommend a re-draft of the reporting officer's recommended rule¹⁴ as follows to ensure that concerns regarding restrictions for retirement villages on ground floor are taken into consideration:

xxZ-RX – Retirement Villages

1. Activity status: **Permitted**

Where:

¹⁴ Xxz-RX as per Paragraph 217 - Section 42A Report Hearing Stream 4 (Part 3 Commercial and Mixed Use Zones) – Part 4 (Overview and general matters for Commercial and Mixed Use Zones).

- a. The activity is located:
 - i. Above ground floor;
 - ii. At ground floor level along any street edge not identified as an active frontage; or
- b. At ground floor level along any street edge not identified as a non-residential activity frontage; or
- c. At ground level along any street not identified as requiring verandah coverage.

2. Activity status: **Restricted Discretionary**

Where:

- a. Compliance with the requirements of xxZ-RX.1 cannot be achieved.
- b. Compliance with any other standards applicable to retirement villages cannot be achieved.

Matters of discretion:

1. The matters in xxZ-P6, xxZ-P7, xxZ-P8, xxZ-P9, xxZ-P10 [Centre zones as required] / xxZ-P5, xxZ-P6, xxZ-P7 [Commercial and Mixed Use Zones as required] / xxZ-P4, xxZ-P5, xxZ-P6, xxZ-P8, xxZ-P9, xxZ-P10, xxZ-P11, xxZ-P12 [City Centre Zone] and PX new policies;
2. The extent and effect of non-compliance with xxx; (Refer to **Appendix A** for specific drafting relating to each zone)
3. The extent and effect of any identifiable site constraints;
4. Construction impacts on the transport network (Refer to **Appendix A** for specific drafting relating to each zone); and
5. The availability and connection to existing or planned three waters infrastructure.

Notification status: An application for resource consent made in respect of rule xxZ-RX.2.a is precluded from being limited and publicly notified.

- 44 The approach applied above would be carried through for rules NCZ-R18, LCZ-R18, MCZ-R20 and CCZ-R19 as reflected within **Appendix A**.

- 45 I agree with the amendments that the reporting officer has included with regards to notification clauses¹⁵ to preclude both public and limited notification of residential activities. This has been included in the re-drafting of the standard above relating to retirement villages and aligns with the recommendations in relation to the provision of retirement villages in the residential zones.

Development Standards
RVA and Ryman Submissions

- 46 The RVA and Ryman sought for retirement villages to be excluded from a number of standards relating to outdoor living space, minimum building separation distances and maximum building depth¹⁶ on the basis that the standard either does not apply in the HRZ (and therefore should also not apply in the Centre zones), that the standard as notified would present challenges for retirement village developments preventing linked buildings, or that the matters of discretion appropriately manage these effects.

Section 42 Report

- 47 The section 42A reporting officer rejects the submission points relating to the exclusion of retirement villages from specific standards, on the basis that these standards (such as the building separation distance standard) will ensure high quality amenity for village occupants¹⁷ and are considered a more flexible and effective approach than site coverage to manage the scale and dominance of buildings and provide for appropriate on-site amenity for a building's occupants.¹⁸

Response

- 48 While the reporting officer does not support the requested exclusions or amendments, I note that the officer has recommended some changes to NCZ-S8¹⁹ to make it clear how the standard is applied. I am satisfied that this recommended amendment satisfies the RVA and Ryman submission point in relation to outdoor living space.
- 49 However, I do not agree with the reporting officer's concern that excluding retirement villages from building depth and building

¹⁵ Recommended changes in response to other submission points for rules MCZ-R12, CCZ-R12, LCZ-R10 and NCZ-R10.

¹⁶ NCZ-S8, NCZ-S10, NCZ-S11, LCZ-S8, LCZ-S10, LCZ-S11, MCZ-S8, MCZ-S10, MCZ-S11, CCZ-S11 and CCZ-S12.

¹⁷ Paragraph 326 – Section 42A Report Hearing Stream 4 (Part 3 Commercial and Mixed Use Zones) – Part 4: Neighbourhood Centre Zone.

¹⁸ Paragraph 355 – Section 42A Report Hearing Stream 4 (Part 3 Commercial and Mixed Use Zones) – Part 2: Metropolitan Centre Zone.

¹⁹ Similar recommendations made to LCZ-S8, COMZ-S6, MUZ-S9, MCZ-S8 and CCZ-S10.

separation standards²⁰ will cause on-site amenity issues. These standards have the potential to limit the layout and design of a retirement village. Villages often comprise of a range of buildings of various depth or length. The standards and would prevent linked buildings on a site which is common for retirement village developments to ensure connectivity. In addition, the proposed matters of discretion address these matters on a case by case basis.

- 50 As was noted by Ms Owens²¹, one of the unique characteristics of retirement villages is that residents have access to a wide range of communal spaces. In that sense their amenity is provided by the village as a whole rather than an individual space (meaning that many internal amenity standards, for example building length and separation standards, do not have the same level of relevance to retirement villages).
- 51 As such I consider that it is appropriate for retirement villages to be excluded from the standards relating to minimum building separation distances and building depth.

COMMERCIAL ZONE AND MIXED USE ZONE

Objectives and Policies

RVA and Ryman Submissions

- 52 Not dissimilar to the submissions to the other centre zones, the RVA and Ryman sought to include the four new policies ('retirement village specific', 'changing communities', 'large sites' and 'role of density standards') within the Commercial Zone and Mixed Use Zone (COMZ and MUZ) to recognise and provide for retirement villages.

Section 42 Report

- 53 The section 42A reporting officer rejects the submission points within these two zones on the basis that:

*"the rule approach between the Centre Zones should be different to that in COMZ and MUZ given the differing zone purposes, environments and anticipated activities across the zones"*²²

and that the notified objectives and policies seek to:

"discourage residential activities on the ground floor so as to ensure there are active interfaces between buildings and the public environment at ground level so

²⁰ NCZ-S10, NCZ-S11, LCZ-S10, LCZ-S11, MCZ-S10, MCZ-S11, CCZ-S11 and CCZ-S12.

²¹ Paragraphs 89-95, Statement of evidence of Margaret Owens for Hearing Stream 2.

²² Paragraph 223 – Section 42A Report Hearing Stream 4 (Part 3 Commercial and Mixed Use Zones) – Part 1: Overview and General Matters.

*as to add vitality to the CMUZ environment. A large scale residential activity (such as a retirement village) with residential activities at ground level would have the potential to substantially reduce the opportunity for commercial/publicly accessible activities at ground level and for the zone to achieve its mixed-use purpose. I am also concerned that residential activities at ground level will provide a low level of residential amenity for the occupants”.*²³

Response

- 54 I do not agree with the reporting officer. The comments outlined above relate to activities at ground floor rather than the broader consideration of the policy framework. I agree with the submissions of the RVA and Ryman that provision for retirement villages in the COMZ and MUZ should be treated in the same manner as residential development.
- 55 It is my understanding that councils are also required to ensure district plans provide for intensification within urban non-residential zones including zones such as the COMZ and MUZ. More particularly, Policy 3 of the NPS-UD seeks to enable residential intensification in centre zones and walkable catchments within all Tier 1 urban environments. The NPS-UD therefore changes the way that centre and commercial zones are to provide for residential activities, by enabling housing for all people (including the ageing population) in both residential and centre / commercial zones to a far greater extent than previously provided for in the Proposed Plan.
- 56 Given the directives of the NPS-UD, it can be reasonably expected that residential activity will occupy a larger proportion of commercial and mixed-use zones compared to that experienced historically. I consider that the inclusion of the proposed policies in the COMZ and MUZ, including the ‘retirement village specific’, ‘larger sites’ and ‘changing communities’ policies, would provide a much clearer and stronger policy framework (with greater vertical integration between plan provisions to enable intensification) for retirement villages in the Proposed Plan. This will better enable the efficient use of the larger sites that the likes of Ryman and the RVA often need to utilise as well as providing a useful and clear link to the NPS-UD requirements.

**Activity Status, Notification and Matters of Discretion
RVA and Ryman Submissions**

- 57 The RVA and Ryman sought a similar rule regime within the COMZ and MUZ as that of the Centre zones, including a permitted activity for retirement villages for the use of land, and a restricted

²³ Paragraph 108 - Section 42A Report Hearing Stream 4 (Part 3 Commercial and Mixed Use Zones) – Part 5: Mixed Use Zone.

discretionary regime (with tailored matters of discretion) for the construction of the buildings.

Section 42 Report

- 58 The section 42A reporting officer recommends rejecting the submission points within these two zones on the basis that:
- 58.1 *"The rule approach between the Centre Zones should be different to that in COMZ and MUZ given the differing zone purposes, environments and anticipated activities across the zones".²⁴*
- 58.2 *"A large scale residential activity (such as a retirement village) with residential activities at ground level would have the potential to substantially reduce the opportunity for commercial/publicly accessible activities at ground level and for the zone to achieve its mixed-use purpose. I am also concerned that residential activities at ground level will provide a low level of residential amenity for the occupants".²⁵*
- 59 The reporting officer recommends a discretionary activity status for retirement villages within these zones.

Response

- 60 As outlined above, in my opinion, the section 42A reporting officer's recommendations fail to acknowledge the directives of the NPS-UD and the Enabling Housing Act, which requires the need to provide flexibility across a range of zones to meet demand. As explained in the evidence of Ms Owens and Professor Kerse, there is a clear demand for housing that responds to the needs of an ageing population within Wellington City. In light of this, I consider that retirement villages need to be better provided for in both of these zones in a similar manner to other residential activities.
- 61 As also explained by Ms Owens and Mr Brown, a range of zones including the COMZ and MUZ may contain suitable sites for retirement village development, given they are often located in proximity to amenities like medical facilities, clubs, shopping, cafes and restaurants, and transportation links. Further, the NPS-UD clearly anticipates a diversity of land uses occurring across a range of residential and commercial areas. As one example, the NPS-UD directs regional policy statements and district plans to enable more

²⁴ Paragraph 223 – Section 42A Report Hearing Stream 4 (Part 3 Commercial and Mixed Use Zones) – Part 1: Overview and General Matters.

²⁵ Paragraph 108 - Section 42A Report Hearing Stream 4 (Part 3 Commercial and Mixed Use Zones) – Part 5: Mixed Use Zone.

people to live in, and more businesses and community services to be located in, urban environments in which:

- 61.1 The area is in or near a centre zone or other area with many employment opportunities; or
 - 61.2 The area is well-serviced by existing or planned public transport; or
 - 61.3 There is high demand for housing or for business land in the area, relative to other areas within the urban environment.
- 62 Overall, it is my opinion that the NPS-UD promotes an integrated approach to working and living environments, rather than their strict separation into different zones. In light of this, I consider the analysis of the reporting officer to be misaligned with the NPS-UD.
- 63 While the section 42A reporting officer acknowledges the potential use of COMZ and MUZ in the City for residential activities this does not extend to retirement villages. As outlined above in my opinion, retirement villages should be provided for as a bespoke residential activity in a similar way to the four or more residential units as a restricted discretionary activity where they are located above ground floor. This approach would ensure greater efficiency in the processing of resource consent applications for retirement villages, with the suggested matters of discretion providing decision makers with the ability to address all the relevant matters associated with the proposal.
- 64 In terms of the rule framework, RVA and Ryman sought that the use of retirement villages be a permitted activity²⁶. The construction of a retirement village would be considered a restricted discretionary activity where the permitted standards are not met in the COMZ and MUZ. As with the residential context, the submission anticipated that the matters of discretion would be assessed against the suite of policies of the COMZ and MUZ rather than a bespoke standalone retirement policy. I envisage that the same limitation included in the residential units rule limiting non-commercial activity at ground floor level, would also apply to retirement villages in the COMZ and MUZ. This outcome is provided for in the updated drafting attached.

Development Standards
RVA and Ryman Submissions

- 65 The submissions sought for retirement villages to be excluded from standards relating to outdoor living space on the basis that the

²⁶ RVA and Ryman Submission on Wellington Proposed District Plan

standard does not apply in the HRZ and should likewise not be applied in COMZ.

Section 42 Report

- 66 The section 42A reporting officer recommends rejecting the submission points relating to the exclusion of retirement villages from specific standards, on the basis that these standards will ensure high quality amenity for village occupants²⁷ and that if the standard is not met a resource consent can be applied for and obtained provided suitable on-site amenity is provided.²⁸

Response

- 67 I note that while the section 42A reporting officer has recommended the rejection of the submission points, a number of drafting changes are proposed to COM-S6 and MUZ-S9 similar to the recommended amendment in the other centre zones. These provide a clear explanation of the outdoor living space for residential units and how communal outdoor space is to be calculated. As such, I consider that the recommended re-drafting of COM-S6 and MUZ-S9 satisfies the concerns of the RVA and Ryman and I have no further comment.
- 68 Section 32AA analysis is included in **Appendix B.**

CITY OUTCOMES CONTRIBUTIONS IN ALL ZONES

RVA and Ryman Submissions

- 69 The RVA and Ryman sought the removal of policies NCZ-P10, LCZ-P10, MCZ-P10 and CCZ-P11 which relate to the City Outcomes Contributions.

Section 42 Report

- 70 The section 42A report recommends rejecting the submission points relating to the removal of the City Outcomes Contribution mechanism.²⁹ The report states that this control is a variation to an existing ODP control for 'design excellence' and that the district plan review process sought to retain the purpose and public benefit that design excellence provided. The reporting officer states "*In our view, it needs to be retained as it provides a method which aims to ensure density is done well.*"
- 71 The section 42A reporting officer does agree that "*some minor amendments can be made to improve the usability, clarity and*

²⁷ Paragraph 326 – Section 42A Report Hearing Stream 4 (Part 3 Commercial and Mixed Use Zones) – Part 4: Neighbourhood Centre Zone.

²⁸ Paragraph 278 - Section 42A Report Hearing Stream 4 (Part 3 Commercial and Mixed Use Zones) – Part 5: Mixed Use Zone.

²⁹ Paragraph 176 – Section 42A Report Hearing Stream 4 (Part 3 Commercial and Mixed Use Zones) – Overview and General Matters.

*intent of the mechanism*³⁰ by reducing the number of “hooks” where this mechanism would apply. The reporting officer has recommended re-drafting to clarify that this mechanism need only be applied when development is either above maximum height limits, or below minimum building height limits in the relevant centre zones.

- 72 The reporting officer has also recommended that the mechanism is removed from the Design Guides, and instead is located in a single Appendix (16).³¹

Response

- 73 Having reviewed the proposed amendments in the section 42A report, I am of the opinion that the City Outcomes Contribution mechanism where a development is either under or over the height thresholds is inappropriate for retirement villages. The assessment of either over or under height should directly relate to mitigation or potential or actual effects rather than contributions.
- 74 The evidence of Ms Owens³² and Mr Brown³³ clearly indicates why retirement villages are different to that of typical residential development, and therefore, do not necessarily fit in with the typical controls imposed on residential developments. Given this, the City outcomes within Appendix 16 are not appropriate for retirement village development. These guidelines have been prepared in relation to more typical residential/non-residential development. They do not recognise the unique functions and layouts of retirement villages, which typically have reduced public interfaces in order to retain the safety and security of its residents. In addition retirement villages provide a variety of homes as they are specifically designed for a range of living options and price options ranging from independent living such as apartments or townhouses through to higher levels of assisted living such as dementia or hospital care in line with the policy directive of the NPS-UD.
- 75 I therefore recommend that retirement villages are exempt from applying these “outcomes” when the requirement is triggered.

³⁰ Paragraph 196 – Section 42A Report Hearing Stream 4 (Part 3 Commercial and Mixed Use Zones) – Overview and General Matters.

³¹ Paragraph 198 – Section 42A Report Hearing Stream 4 (Part 3 Commercial and Mixed Use Zones) – Overview and General Matters.

³² Paragraphs 89-95, Statement of evidence of Margaret Owens for Hearing Stream 2.

³³ Paragraphs 24-39, 59, Statement of evidence of Matthew Brown for Hearing Stream 2.

WIND

RVA and Ryman Submissions

- 76 The submissions of the RVA and Ryman were largely supportive of the objectives and policies within the Wind chapter. The submission sought minor amendments to the policies to ensure that they are focused on the safety of public spaces. The submissions requested that words such as “amenity” or “comfort of public space” be deleted.

Section 42 Report

- 77 The reporting officer acknowledges the concerns raised by the RVA and Ryman. The report confirms that public spaces to which these provisions are to be applied relate to “*specific listed public spaces where comfort levels are sought to be protected which are recognised as having significant amenity, recreational and public value which are well frequented spaces by workers, residents and tourists*”,³⁴. The report recommends that clarification of this matter is required.
- 78 The reporting officer, however, does not agree with the submissions relating to the removal of the terms “amenity” or “comfort” and recommends they be rejected³⁵, citing the evidence of Dr Donn.³⁶ Dr Donn’s evidence addresses these submission points and explains that Wellington City has followed international practice to incorporate some limited consideration of comfort into its wind rules relating to public parks. The s42A report confirms that the comfort standard relates only to considering wind effects on public parks.

Response

- 79 The changes recommended by the reporting officer³⁷ to WIND-O1 and WIND-P3 goes some way to align with the submissions of the RVA and Ryman ensuring greater clarity in terms of the applicability in relation to listed public spaces, however the drafting recommended for both the objective and policies needs to be clearer in terms of the applicability to the specified public spaces in Appendix 9.
- 80 In addition, while the recommended amendments to WIND-P2 go some way to meeting the submission point, through the insertion of

³⁴ Paragraph 49 – Section 42A Report Hearing Stream 4 (Part 3 Commercial and Mixed Use Zones) – Wind.

³⁵ Paragraphs 51-54 – Section 42A Report Hearing Stream 4 (Part 3 Commercial and Mixed Use Zones) – Wind.

³⁶ Paragraph 17 of the statement of evidence of Dr Michael Donn on behalf of Wellington City Council, dated 26 May 2023

³⁷ Paragraph 59 Section 42A Report Hearing Stream 4 (Part 3 Commercial and Mixed Use Zones) – Wind.

the term 'practicable' in place of 'practical', I consider that the retention of 'amenity' in 3(a) may lead to a broad assessment in terms of the extent of 'amenity' and prefer the suggested wording of the RVA and Ryman which limits consideration to 'the safety of the pedestrians as being a more appropriate test...'

CONCLUSION

- 81 Wellington's ageing population is increasing the demand for residential housing options. This is particularly evident in the demand being experienced by Ryman for its retirement village developments (as well as other members of the RVA).
- 82 As noted within this evidence, the submissions by the RVA and Ryman are seeking to ensure that the Proposed Plan provides a consistent and enabling regulatory framework for the establishment of retirement villages within Wellington City.
- 83 In my opinion, the centre, commercial and mixed-use zones require amendments to acknowledge that retirement villages are a legitimate residential use that need to locate in such areas in order to ensure that the elderly population stay connected to their existing communities and social infrastructure. The rule framework proposed by the RVA and Ryman, and as I have set out in **Appendix A**, acknowledges that retirement villages are an appropriate and legitimate use of land, by including retirement villages (that is of the same or similar scale as other forms of residential development) as permitted activities with the construction of the villages being managed through a restricted discretionary activity. This framework would provide a consistent approach throughout the country to ensure efficient, clear and appropriately focused assessments of effects and consenting of retirement villages.
- 84 Overall, I agree with the submissions by Ryman and the RVA that further amendments within the various centre and commercial zones are warranted in order to provide a planning framework that appropriately gives effect to the NPS-UD, responds to the retirement housing and care shortage, and enables a consistent approach across the country.

Nicola Williams

12 June 2023

APPENDIX A

REPLACEMENT PROVISIONS

Neighbourhood Centre Zone;

Local Centre Zone;

Commercial Zone;

Mixed Use Zone;

Metropolitan Centre Zone; and

City Centre Zone

The following sets out the provisions sought by the RVA and Ryman within the Residential Zones of the Wellington City Proposed District Plan.

Text highlighted with blue underlining represents the Section 42A report writers proposed insertions. Text highlighted with ~~strikethrough~~ represents the subsequent deletions.

Text highlighted with red underlining represents the RVA and Rymans proposed insertions. Text highlighted with ~~strikethrough~~ represents the subsequent deletions.

Normal black text represents provisions as notified.



PART 3 – AREA SPECIFIC MATTERS – COMMERCIAL AND MIXED USE ZONES REPLACEMENT PLAN PROVISIONS SOUGHT BY THE RVA AND RYMAN

NEIGHBOURHOOD CENTRE ZONE

Introduction

The purpose of the Neighbourhood Centre Zone is to provide for predominantly for small-scale commercial activities and community activities that service the needs of the immediate residential neighbourhood and support the role and function of other Centre Zones in the hierarchy of centres.

The Neighbourhood Centre Zone includes a range of small commercial centres across Wellington that provide a neighbourhood function in the City's hierarchy of centres. The Neighbourhood Centre Zone is the lowest in the hierarchy due to its make-up of small spot zones for very small commercial clusters. Neighbourhood centres service the surrounding residential neighbourhood and offer small-scale convenience-based retail for day-to-day needs. These Centres tend to have easy pedestrian access for locals and have some community services and small-scale offices.

High quality building design is a focus for the Neighbourhood Centres Zone. The transition to more intensive use in some neighbourhood centres will result in changes to existing amenity values in the centres and their surrounds. Consequently, redevelopment will be supported by a range of measures to promote good design and environmental outcomes, and address amenity issues. Accordingly, most building activities will require a resource consent and an assessment against the Centres and Mixed Use Design Guide. To enable intensification around existing neighbourhood centres, some of these will have increased building heights.

There is an identified need for residential intensification within and around neighbourhood centres. Accordingly, residential activity is permitted above ground floor within these centres. To support a mix of activities within the zone, activities that have off-site effects, such as industrial activities and different retail formats, will need to be managed. There is however a desire for larger scale retail to locate in centres, where these are of an appropriate form and scale, rather than at out-of-centre locations, to support the vitality [and viability](#) of centres.

Development of larger sites in the Ngaio neighbourhood centre is required to be integrated and coordinated to act as a catalyst for positive change and demonstrate density done well.

Other Relevant District Plan Provisions

There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

Objectives	
NCZ-O1	<p>Purpose</p> <p>The Neighbourhood Centre Zone meets the needs of communities, businesses and residents in the immediate residential neighbourhood in a manner that supports the City’s compact urban growth objectives and its role and function in the City’s hierarchy of centres.</p>
NCZ-O2	<p>Accommodating Growth</p> <p>The Neighbourhood Centre Zone has sufficient serviced, resilient development capacity and additional infrastructure to meet residential and commercial growth needs.</p>
NCZ-O3	<p>Amenity and Design</p> <p>Medium to high density, mixed-use development is achieved that positively contributes to creating a good quality, well-functioning urban environment that reflects the changing urban form and amenity values of the Neighbourhood Centres and their surrounding residential areas.</p>
NCZ-O4	<p>Activities</p> <p>Activities will be of an appropriate scale and type to enhance the vibrancy and viability of Neighbourhood Centres support walkable neighbourhoods and support their neighbourhood purpose.</p>

Policies	
NCZ-P1	<p>Accommodating Growth</p> <p>Provide for the use and development of the Neighbourhood Centre Zone to meet the City’s needs for housing, business activities and community facilities, including:</p> <ol style="list-style-type: none"> 1. A variety of building types, sizes, tenures, affordability and distribution of a scale and intensity that does not undermine the ongoing viability and vibrancy of the Local Centre Zone and Metropolitan Centre Zone and primacy of the City Centre Zone; 2. A mix of medium to high density housing; 3. Convenient access to active, public transport and rapid transit options; 4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces.
NCZ-P2	<p>Enabled activities</p>

	<p>Enable a range of activities that contribute positively to the purpose of the Zone and meet the convenience needs of the immediate neighbourhood and passers-by including:</p> <ol style="list-style-type: none"> 1. Commercial activities; 2. Residential activities (including retirement villages); 3. Community facilities; 4. Educational facilities; 5. Arts, culture and entertainment activities; 6. Emergency service facilities; 7. Community corrections activities; 8. Visitor accommodation; 9. Recreational facilities; 10. Public transport activities; and 11. Industrial activities.
NCZ-P3	<p>Managed Activities</p> <p>Manage the location and scale of commercial activities which could result in cumulative adverse effects on the viability and vibrancy of centres, the retention and establishment of a mix of activities within the Neighbourhood Centre Zone, and the function of the transport network.</p>
NCZ-P4	<p>Potentially incompatible activities</p> <p>Only allow activities that are potentially incompatible with the role and function of the Neighbourhood Centre Zone, where they will not have an adverse effect on the vibrancy and amenity of the centre:</p> <ol style="list-style-type: none"> 1. Carparking visible at street edge along an active frontage or non-residential activity frontage; 2. Demolition of buildings that results in the creation of vacant land; 3. Ground floor residential activities on street edges identified as having an active frontage or non-residential activity frontage; and 4. Yard-based retail activities.
NCZ-P5	<p>Heavy Industrial Activities</p> <p>Avoid heavy industrial activities from locating in the Neighbourhood Centre Zone.</p>
NCZ-P6	<p>Housing Choice</p> <p>Enable medium to high density residential development that:</p> <ol style="list-style-type: none"> 1. Contributes towards accommodating anticipated growth in the City; and 2. Offers Contributes to a range of housing price, type, size and tenure that is accessible to people of all ages, lifestyles, cultures, impairments and abilities; and

	3. <u>Addresses the needs of an ageing population.</u>
NCZ-P7	<p>Quality design —neighbourhood and townscape outcomes</p> <p>Require new development, and alterations and additions to existing development at a site scale, to positively contribute to the sense of place, quality and amenity of the Neighbourhood Centre Zone by:</p> <ol style="list-style-type: none"> 1. <u>Meeting the requirements of the Centres and Mixed Use Design Guide as relevant;</u> 2. 1. Recognising the benefits of well—designed, comprehensive development, including the extent to which the development: <ol style="list-style-type: none"> a. Acts as a positive catalyst for future change by reflecting <u>Reflects</u> the nature and scale of the development proposed <u>enabled</u> within the zone and in the vicinity, and responds to the evolving, more intensive identity of the neighbourhood; b. Optimises the development capacity of land, particularly sites that are: <ol style="list-style-type: none"> i. Large; <u>or</u> ii. Narrow; <u>or</u> iii. Vacant; <u>or</u> iv. Ground level parking areas; c. Provides for the increased levels of residential accommodation enabled in this zone; and d. Provides for a range of supporting business, open space and community facilities; e. <u>Is accessible for emergency service vehicles.</u> 3. 2. Ensuring that the development, where relevant: <ol style="list-style-type: none"> a. Responds to the site context, particularly where it is located adjacent to: <ol style="list-style-type: none"> i. A scheduled site of significance to tangata whenua or other Māori; or ii. Heritage buildings, heritage structures and heritage areas; or iii. An identified character precinct; or iv. Residential zoned areas; or v. Open space and recreation zoned areas; b. Provides a safe and comfortable pedestrian environment; c. Enhances the quality of the streetscape and public / private interface; d. Integrates with existing and planned active and public transport movement networks, including planned rapid transit stops; and e. Allows sufficient flexibility for ground floor space to be converted for a range of activities, including residential.

<p>NCZ-P8</p>	<p>On-site residential amenity</p> <p>Achieve a good standard of amenity for residential activities in the Neighbourhood Centre Zone by:</p> <ol style="list-style-type: none"> 1. Providing residents with access to adequate outlook; and 2. Ensuring <u>convenient</u> access to convenient outdoor space; <u>including</u> private <u>and/or shared</u> communal areas <u>of outdoor space</u>. 3. <u>Meeting the requirements of the Residential Design Guide as relevant; and</u> 4. <u>Providing residents with adequate internal living space.</u>
<p>NCZ-P9</p>	<p>Managing adverse effects</p> <p>Recognise the evolving, higher density development context enabled in the Neighbourhood Centres Zone, while managing any associated adverse effects <u>which arise from breaches of the built form standards</u> including:</p> <ol style="list-style-type: none"> 1. Shading, privacy, bulk and dominance effects on adjacent sites; and 2. The impact of construction on the transport network <u>and pedestrian linkages.</u>
<p>NCZ-P10</p>	<p>City outcomes contribution</p> <p>Require over height, large-scale residential, non-residential and comprehensive development <u>(excluding retirement villages)</u> in the Neighbourhood Centre Zone to deliver City Outcomes Contributions as detailed and scored in <u>Appendix 16 the Centres and Mixed-Use Design Guide guideline G107</u>, including through either:</p> <ol style="list-style-type: none"> 1. Positively contributing to public space provision and the amenity of the site and surrounding area; and/or 2. <u>Enabling ease of access for people of all ages and mobility; and/or</u> 3. 2. Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change resilience; and/or 4. 3. Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or 5. 4. Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure that it remains assisted housing for at least 25 years.; <u>and/or</u>

	6.— Enabling ease of access for people of all ages and mobility.
NCZ-PX	<p>Retirement village</p> <p>Provide for retirement villages where it can be demonstrated that the development:</p> <ol style="list-style-type: none"> 1.— Meeting the requirements of the Residential Design Guide, as relevant; 2.— Includes outdoor space that is sufficient to cater for the needs of the residents of the village; 3.— Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development; 4.— Is able to be adequately serviced by three waters infrastructure or can address any constraints on the site; and 5.— Is of an intensity, scale and design that is consistent with the amenity values anticipated for the Zone. <p>Enable retirement villages to:</p> <ol style="list-style-type: none"> a. Provide for greater density than other forms of residential developments to enable shared spaces, services, amenities and / facilities, and affordability and the efficient provision of assisted living and care services; b. Be adequately serviced by three waters infrastructure or can address any constraints on the site; c. Provide good quality on site amenity, recognising the unique layout, internal amenity and other day-to-day needs of residents as they age and the types of retirement units they live in; d. Encourage the scale and design of the retirement village to: <ol style="list-style-type: none"> i. be of a high-quality and compatible with the planned urban character; ii. achieve attractive and safe streets and public open spaces, including by providing for passive surveillance; and iii. achieve an appropriate level of residential amenity at neighbouring properties where relevant built form standards are exceeded.
NCZ-PX	<p>Changing Communities</p> <p>To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the Neighbourhood Centre zone will change over time to enable a variety of housing types with a mix of densities.</p>
NCZ-PX	Larger Sites

	Recognise the intensification opportunities provided by larger sites within the Neighbourhood Centre zone by providing for more efficient use of those sites.
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Rules: Land use activities	
NCZ-R1	Commercial activities
1. Activity status: Permitted	
Where:	
a. The activity is not an Integrated Retail Activity (refer to Rule NCZ-R11).	
NCZ-R2	Community facilities
1. Activity status: Permitted	
NCZ-R2	Community facilities
1. Activity status: Permitted	
NCZ-R3	Educational facilities
1. Activity status: Permitted	
NCZ-R4	Arts, culture and entertainment activities
1. Activity status: Permitted	
NCZ-R5	Emergency service facilities
1. Activity status: Permitted	
NCZ-R6	Community corrections activities
1. Activity status: Permitted	
NCZ-R7	Visitor accommodation
1. Activity status: Permitted	
NCZ-R8	Recreational activities
1. Activity status: Permitted	
NCZ-R9	Public transport activities
1. Activity status: Permitted	
NCZ-RX	Retirement Villages

<p>1. <u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>The activity is located:</u></p> <p>i. <u>Above ground floor;</u></p> <p>ii. <u>At ground floor level along any street edge not identified as an active frontage; or</u></p> <p>b. <u>At ground floor level along any street edge not identified as a non-residential activity frontage; or</u></p> <p>c. <u>At ground level along any street not identified as requiring verandah coverage.</u></p>	
<p>1. <u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p>2. <u>Compliance with the requirements of NCZ-RX.1 cannot be achieved.</u></p> <p>3. <u>Compliance with any other standards applicable to retirement villages cannot be achieved;</u></p> <p><u>Matters of discretion:</u></p> <p>4. <u>The matters in NCZ-P6, NCZ-P7, NCZ-P8, NCZ-P9, NCZ-P10 and PX new policies;</u></p> <p>5. <u>The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard;</u></p> <p>6. <u>The extent and effect of any identifiable site constraints;</u></p> <p>7. <u>Construction impacts on the transport network; and</u></p> <p>8. <u>The availability and connection to existing or planned three waters infrastructure.</u></p> <p><u>Notification:</u></p> <p><u>An application for resource consent made in respect of this rule is precluded from being limited and publicly notified.</u></p>	
NCZ-R10	Residential activities
<p>1. Activity status: Permitted</p> <p><u>Where:</u></p> <p>a. The activity is located:</p> <p>i. Above ground floor level;</p> <p>ii. At ground floor level along any street edge not identified as an active frontage; or</p> <p>iii. At ground floor level along any street edge not identified as a non-residential activity frontage; or</p> <p>or</p> <p>iv. At ground level along any street not identified as requiring verandah coverage; or</p> <p>v. At ground level on any site contained within a Natural Hazard Overlay.</p>	
<p>2. Activity status: Discretionary</p> <p><u>Where:</u></p> <p>a. Compliance with the requirements of NCZ-R10.1 cannot be achieved.</p>	

Notification status: An application for resource consent made in respect of rule NCZ-R10.2.a is precluded from being limited and publicly notified.	
NCZ-R11	Integrated retail activity
<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The total gross floor area does not exceed 210,000m².</p>	
<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of NCZ-R11.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in NCZ-P1, NCZ-P2, NCZ-P3, and NCZ-P4; 2. The cumulative effect of the development on: <ol style="list-style-type: none"> a. The ongoing viability and vitality of the City Centre Zone and Golden Mile; b. The safety and efficiency of the transport network, including providing for a range of transport modes; c. The hierarchy of roads, travel demand or vehicle use; and 3. The compatibility with other activities provided for in the zone. <p>Council will not apply a permitted baseline assessment when considering the effects of integrated retail activities that cannot comply with NCZ-R11.1.a.</p>	
NCZ-R12	Industrial activities
<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The activity is not a heavy industrial activity.</p>	
<p>2. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance with the requirements of NCZ-R12.1 cannot be achieved</p> <p>Notification status: An application for resource consent made in respect of rule NCZ-R12.2.a must be publicly notified.</p>	
NCZ-R13	Carparking activities
<p>1. Activity status: Permitted</p> <p>Where:</p>	

<p>a. The activity involves:</p> <ul style="list-style-type: none"> i. Provision of carparks not visible at street edge along an active frontage or non-residential activity frontage; or ii. Provision of carparks above ground floor level; or iii. Provision of carparks below ground floor level; or iv. Provision of parking spaces for people with disabilities; or v. Provision of ground floor level carparks that form part of a building specifically constructed and used for carparking purposes. 	
<p>2. Activity status: Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance with the requirements of NCZ-R13.1.a is not achieved. 	
NCZ-R14	Yard-based retailing activities
<p>1. Activity status: Discretionary</p> <p>Notification status: An application for resource consent made in respect of rule LCZ-R14 must be publicly notified, <u>except</u>.</p> <ul style="list-style-type: none"> a. The activity relates to the maintenance, operation and upgrading of an existing activity. 	
NCZ-R15	All other activities
<p>1. Activity status: Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. The activity is not otherwise provided for as a permitted activity, restricted discretionary activity, or a non-complying activity. 	

Rules: Building and structures activities	
NCZ-R16	Maintenance and repair of buildings and structures
<p>1. Activity status: Permitted</p>	
NCZ-R17	Demolition or removal of buildings and structures
<p>1. Activity status: Permitted</p> <p>Where</p> <ul style="list-style-type: none"> a. The demolition or removal of a building: <ul style="list-style-type: none"> i. Is required to avoid an imminent threat to life and/or property; or ii. Enables the creation of public space or private outdoor living space associated with the use of a building; or 	

	<ul style="list-style-type: none"> iii. Is required for the purposes of constructing a new building or structure, or adding to or altering an existing building or structure, that is a permitted activity under NCZ-R18, or that has an approved resource consent, or resource consent is being sought concurrently under NCZ-R18.2; or b. The building or structure for demolition or removal is not on a site that has an active frontage or non-residential activity frontage; or c. The demolition or removal involves a structure, excluding any building.
	<p>2. Activity status: Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance with any of the requirements of NCZ-R17.1 cannot be achieved. <p>The assessment of the activity must have regard to:</p> <ul style="list-style-type: none"> 1. How the land will be utilised whilst it is vacant; and 2. Creating a positive visual relationship between the site and streetscape whilst the site is vacant. <p>Notification status: An application for resource consent made in respect of rule NCZ-R17.2.a is precluded from being either publicly or limited notified.</p>
NCZ-R18	Construction of, or additions and alterations to, buildings and structures
	<p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. Alterations or additions to a building or structure: <ul style="list-style-type: none"> i. Do not alter the external appearance of the building or structure; or ii. Relate to a building frontage below verandah level, including entranceways and glazing and compliance with NCZ-S5 is achieved; or iii. Do not result in the creation of new residential units; and iv. Are not visible from public spaces; and v. Comply with effects standards NCZ-S1, NCZ-S2, NCZ-S3, NCZ-S4, NCZ-S5 and NCZ-S6; and b. The construction of any building or structure: <ul style="list-style-type: none"> i. Is not located on a site with an active frontage or non-residential activity frontage; or ii. Is not visible from a public space; and iii. Will have a gross floor area of less than 100m²; and iv. Will result in a total coverage (together with other buildings) of no more than 20 percent of the site; and v. Comply with effects standards NCZ-S1, NCZ-S2, NCZ-S3, NCZ-S4, NCZ-S5 and NCZ-S6; and vi. Does not involve the construction of a new building for residential activities.
	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance with any of the requirements of NCZ-R18.1 cannot be achieved.

Matters of discretion are:

1. The matters in NCZ-P6, NCZ-P7, NCZ-P8, NCZ-P9 and NCZ-P10, and PX new policies;
2. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard;
3. [The Centres and Mixed-Use Design Guide, including guideline G107](#)– City Outcomes Contribution as required in [Appendix 16](#) for any building that exceeds the maximum height limit requirement at Ngaio, Berhampore and Aro Valley centres [and either comprises 25 or more residential units or is a non-residential building](#);
4. ~~The Residential Design Guide~~;
5. The extent and effect of any identifiable site constraints;
6. Construction impacts on the transport network; and
7. The availability and connection to existing or planned three waters infrastructure.

Notification status:

[An application for resource consent made in respect of rule NCZ-R18.2.a that complies with all standards is precluded from being either publicly or limited notified.](#)

An application for resource consent made in respect of rule NCZ-R18.2.a that complies with both NCZ-S3, NCZ-S7, NCZ-S8, NCZ-S9, NCZ-S10 and NCZ-S11 is precluded from being either publicly or limited notified.

An application for resource consent made in respect of rule NCZ-R18.2.a that results from non-compliance with NCZ-S1, NCZ-S2, NCZ-S4, NCZ-S5 and NCZ-S6 is precluded from being publicly notified.

NCZ-R19	Conversion of buildings, or parts of buildings, for residential activities
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1. Activity status: **Restricted Discretionary**

Matters of discretion are:

1. The matters in NCZ-P1, NCZ-P3, NCZ-P6 and NCZ-P8;
2. The extent of compliance with standards NCZ-S7, NCZ-S8 and NCZ-S9 and satisfaction of associated assessment criteria; [and](#)
3. ~~The Residential Design Guide~~; [and](#)
4. [3.](#) The availability and connection to existing or planned three waters infrastructure.

Notification status: An application for resource consent made in respect of rule NCZ-R19.1 is precluded from being either publicly or limited notified.

NCZ-R20	Outdoor storage areas
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1. Activity status: **Permitted**

Where:

1. The storage area is screened by either a fence or landscaping of 1.8m in height from any adjoining road or site.; [and](#)
2. [Screening does not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.](#)

3. Activity status: **Restricted Discretionary**

Where:

- a. Compliance with the requirements of NCZ-R20.1 cannot be achieved.

Matters of discretion are:

- 1. The matters in NCZ-P7;
- 2. The extent to which any lesser screening is necessary to provide for functional or operational requirements of the activities on the site, or for people’s health and safety; and
- 3. The extent to which outdoor storage is visible to surrounding areas, including any associated effects on amenity values where visible from Residential Zones or Open Space and Recreation Zones.

Notification status: An application for resource consent made in respect of rule NCZ-R20.2.a is precluded from being either publicly or limited notified.

Standards									
NCZ-S1	Maximum Height								
<p>1. The following maximum height limits above ground level must be complied with:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Location</th> <th style="text-align: left;">Height</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;"> <p>Height control area 1</p> <p>All Neighbourhood centres, including Aro Valley Centre Height Control Area A, except as stated below in Height Control Area 2</p> </td> <td style="vertical-align: top;"> <p>12 metres</p> </td> </tr> <tr> <td style="vertical-align: top;"> <p>Height control area 2</p> <p>Mersey Street, Island Bay</p> </td> <td style="vertical-align: top;"> <p>14 metres</p> </td> </tr> <tr> <td style="vertical-align: top;"> <p>Height control area 2 3</p> <p>Aro Valley Centre Height Control Area B</p> <p>Berhampore Centre</p> <p>Ngaio Centre</p> <p>Oxford Street Tawa Centre</p> </td> <td style="vertical-align: top;"> <p>22 metres</p> </td> </tr> </tbody> </table>	Location	Height	<p>Height control area 1</p> <p>All Neighbourhood centres, including Aro Valley Centre Height Control Area A, except as stated below in Height Control Area 2</p>	<p>12 metres</p>	<p>Height control area 2</p> <p>Mersey Street, Island Bay</p>	<p>14 metres</p>	<p>Height control area 2 3</p> <p>Aro Valley Centre Height Control Area B</p> <p>Berhampore Centre</p> <p>Ngaio Centre</p> <p>Oxford Street Tawa Centre</p>	<p>22 metres</p>	<p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 3. Streetscape and visual amenity effects; 4. Dominance, privacy and shading effects on adjoining sites; and 5. The extent to which taller buildings would contribute to a substantial increase in residential accommodation.
Location	Height								
<p>Height control area 1</p> <p>All Neighbourhood centres, including Aro Valley Centre Height Control Area A, except as stated below in Height Control Area 2</p>	<p>12 metres</p>								
<p>Height control area 2</p> <p>Mersey Street, Island Bay</p>	<p>14 metres</p>								
<p>Height control area 2 3</p> <p>Aro Valley Centre Height Control Area B</p> <p>Berhampore Centre</p> <p>Ngaio Centre</p> <p>Oxford Street Tawa Centre</p>	<p>22 metres</p>								

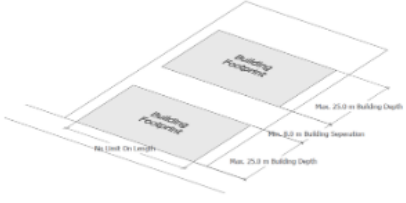

<p>2. Fences and standalone walls must not exceed a maximum height of 1.8 metres (measured above ground level).</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. Accessory buildings; b. Fences or standalone walls; c. Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; d. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m; and e. Lift overruns provided these do not exceed the height by more than 4m. 	
NCZ-S2	Minimum building height
<p>1. A minimum height of 7m is required for:</p> <ul style="list-style-type: none"> a. New buildings or structures; and b. Additions to the frontages of existing buildings and structures. <p><u>This standard does not apply to:</u></p> <ul style="list-style-type: none"> 1. <u>Accessory buildings, ancillary to the primary activity on the site.</u> 2. <u>Any building or structure that is unable to be occupied by people.</u> 	<p>Assessment criteria where the standard is infringed;</p> <ul style="list-style-type: none"> 3. The extent to which a reduced height: <ul style="list-style-type: none"> a. Is necessary to provide for the functional needs or operational needs of a proposed activity; 4. Whether topographical or other site constraints make compliance with the standard impracticable or unnecessary; and 5. Whether, for any additions or alterations, the existing ground floor height meets the standard.
NCZ-S3	Minimum ground floor height
<p>1. The minimum ground floor height to underside of structural slab or equivalent shall be 4m.</p>	<p>Assessment Criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. The extent to which a reduced height: <ul style="list-style-type: none"> a. Will compromise or preclude future use or adaptation of the

	<p>ground floor for non-residential activities;</p> <p>b. Is necessary to provide for the functional needs or operational needs of a proposed activity; and</p> <p>2. Whether topographical or other site constraints make compliance with the standard impracticable or unnecessary.</p>										
NCZ-S4	Height in relation to boundary										
<p>1. No part of any building or structure may project beyond the relevant recession plane shown below:</p> <table border="1" data-bbox="240 792 876 1565"> <thead> <tr> <th data-bbox="240 792 560 855">Location</th> <th data-bbox="560 792 876 855">Recession Plane</th> </tr> </thead> <tbody> <tr> <td data-bbox="240 855 560 1070">Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps</td> <td data-bbox="560 855 876 1070">60° measured from a height of 4m vertically above ground level</td> </tr> <tr> <td data-bbox="240 1070 560 1285">Boundary adjoining any site within the MRZ with a height limit of 14m identified on the District Plan Maps</td> <td data-bbox="560 1070 876 1285">60° measured from a height of 5m vertically above ground level</td> </tr> <tr> <td data-bbox="240 1285 560 1424">Boundary adjoining any site within the HRZ</td> <td data-bbox="560 1285 876 1424">60° measured from a height of 8m vertically above ground level</td> </tr> <tr> <td data-bbox="240 1424 560 1565">Boundary adjoining any site within an Open Space and Recreation Zone</td> <td data-bbox="560 1424 876 1565">60° measured from a height of 5m vertically above ground level</td> </tr> </tbody> </table> <p>These standards do not apply to:</p> <ol style="list-style-type: none"> a. A boundary with a road; b. Internal boundaries; c. Solar power and heating components attached to a building provided these do not exceed the height in relation to boundary by more than 500mm; and 	Location	Recession Plane	Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps	60° measured from a height of 4m vertically above ground level	Boundary adjoining any site within the MRZ with a height limit of 14m identified on the District Plan Maps	60° measured from a height of 5m vertically above ground level	Boundary adjoining any site within the HRZ	60° measured from a height of 8m vertically above ground level	Boundary adjoining any site within an Open Space and Recreation Zone	60° measured from a height of 5m vertically above ground level	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. Dominance, privacy and shading effects on adjoining sites; 2. Whether an increase in height in relation to boundary results from a response to natural hazard mitigation; 3. Effects on public spaces; and 4. The extent to which an increase in height in relation to boundary would contribute to a substantial increase in residential accommodation.
Location	Recession Plane										
Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps	60° measured from a height of 4m vertically above ground level										
Boundary adjoining any site within the MRZ with a height limit of 14m identified on the District Plan Maps	60° measured from a height of 5m vertically above ground level										
Boundary adjoining any site within the HRZ	60° measured from a height of 8m vertically above ground level										
Boundary adjoining any site within an Open Space and Recreation Zone	60° measured from a height of 5m vertically above ground level										

<p>d. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height in relation to boundary by more than 3m measured vertically.</p>	
<p>NCZ-S5</p>	<p>Verandah control</p>
<p>1. Verandahs must be provided on building elevations on identified street frontages;</p> <p>2. Any verandah must:</p> <ol style="list-style-type: none"> a. Extend the full width of the building elevation; b. Connect with any existing adjoining verandah; c. Have a minimum clearance of 2.5m directly above the footpath or formed ground surface; d. Not exceed a maximum height of 4m measured between the base of the verandah fascia and the footpath or formed ground surface directly below; e. Be setback a minimum of 450mm from any point along the kerbing extending back to the site boundary; and f. Not exceed a maximum width of 3m from the front of the building. <p>This standard does not apply to:</p> <ol style="list-style-type: none"> a. Any scheduled building identified in SCHED1- Heritage buildings. However, if for any reason these buildings received Council approval (resource consent or other approval) to be demolished, then a verandah would be required for any replacement buildings on these sites; and b. Any building where compliance with the standard results in an encroachment into the dripline of an existing street tree.; and c. Service stations. 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which any non-compliance: <ol style="list-style-type: none"> a. Will adversely affect the comfort and convenience of pedestrians; b. Will result in further street trees being added to public space as part the development; and 2. The continuity of verandah coverage along the identified street, informal access route or public space.
<p>NCZ-S6</p>	<p>Active frontage and non-residential activity frontage controls</p>
<p>1. Any new building or addition to an existing building on an identified street with an active frontage must:</p> <ol style="list-style-type: none"> a. Be built up to the street edge on all street boundaries with an identified active frontage 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which:

<p>control and along the full width of the site bordering any street boundary, excluding vehicle and pedestrian access;</p> <p>b. Provide a minimum of 60% of continuous display windows or transparent glazing along the width of the ground floor building frontage; and</p> <p>c. Locate the principal public entrance on the front boundary;</p> <p>Except that this standard does not apply to service stations.</p> <p>2. Any ground level addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that:</p> <p>a. Is more than 3 metres wide; and</p> <p>b. Extends from a height of 1m above ground level to a maximum height of 2.5m;</p> <p>3. Any roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent; and</p> <p>4. Any new building or addition to an existing building on a site with a non-residential activity frontage control must:</p> <p>a. Be built up to the street edge on all street boundaries and along the full width of the site bordering any street boundary; and</p> <p>b. Locate the principal public entrance on the front boundary.</p>	<p>a. Any non-compliance is required for on-site functional or operational needs;</p> <p>b. The building frontage is designed and located to create a strong visual alignment with adjoining buildings or otherwise enhances the streetscape; and</p> <p>c. An acceptable level of passive surveillance is maintained between the interior of the building and the street.</p>								
NCZ-S7	Minimum residential unit size								
<p>1. Residential units, including dual key units, must meet the following minimum sizes:</p> <table border="1" data-bbox="240 1447 876 1700"> <thead> <tr> <th data-bbox="240 1447 560 1509">Residential unit type</th> <th data-bbox="560 1447 876 1509">Minimum net floor area</th> </tr> </thead> <tbody> <tr> <td data-bbox="240 1509 560 1572">a. Studio unit</td> <td data-bbox="560 1509 876 1572">35m²</td> </tr> <tr> <td data-bbox="240 1572 560 1635">b. 1 bedroom unit</td> <td data-bbox="560 1572 876 1635">40m²</td> </tr> <tr> <td data-bbox="240 1635 560 1700">c. 2+ bedroom unit</td> <td data-bbox="560 1635 876 1700">55m²</td> </tr> </tbody> </table>	Residential unit type	Minimum net floor area	a. Studio unit	35m ²	b. 1 bedroom unit	40m ²	c. 2+ bedroom unit	55m ²	<p>Assessment criteria where the standard is infringed:</p> <p>1. The extent to which:</p> <p>a. The design of the proposed unit provides a good standard of amenity; and</p> <p>b. Other on-site factors compensate for a reduction in unit sizes.</p>
Residential unit type	Minimum net floor area								
a. Studio unit	35m ²								
b. 1 bedroom unit	40m ²								
c. 2+ bedroom unit	55m ²								
NCZ-S8	Residential – outdoor living space								
<p>1. Each residential unit, including any dual key unit, must be provided with either an private outdoor living space or access to a communal outdoor living space;</p>	<p>Assessment criteria where the standard is infringed:</p> <p>The extent to which:</p>								

<p>2. Where private outdoor living space is provided it must be: that is:</p> <ol style="list-style-type: none"> For the exclusive use of residents; Directly accessible from a habitable room; A single contiguous space; and Of the minimum area and dimension specified in the table below; <p>3. Where communal outdoor living space is provided it does not need to be in a single continuous space but it must be:</p> <ol style="list-style-type: none"> Accessible from the residential units it serves; Of the minimum area and dimension specified in the table below; and Free of buildings, parking spaces, and servicing and manoeuvring areas. 	<ol style="list-style-type: none"> Any proposed outdoor living space provides a good standard of amenity relative to the number of occupants the space is designed for; Other on-site factors compensate for a reduction in the size or dimension of the outdoor living space; and The availability of public space in proximity to the site. 																								
<table border="1"> <thead> <tr> <th data-bbox="242 817 491 918">Living space type</th> <th data-bbox="491 817 665 918">Minimum area</th> <th data-bbox="665 817 874 918">Minimum dimension</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="242 918 874 981">a. Private</td> </tr> <tr> <td data-bbox="242 981 491 1081">i. Studio unit and 1-bedroom unit</td> <td data-bbox="491 981 665 1081">5m²</td> <td data-bbox="665 981 874 1081">1.8m</td> </tr> <tr> <td data-bbox="242 1081 491 1182">ii. 2+ bedroom unit</td> <td data-bbox="491 1081 665 1182">8m²</td> <td data-bbox="665 1081 874 1182">1.8m</td> </tr> <tr> <td colspan="3" data-bbox="242 1182 874 1245">b. Communal</td> </tr> <tr> <td data-bbox="242 1245 491 1346">i. For every 5 4-15 units</td> <td data-bbox="491 1245 665 1346">1064m²</td> <td data-bbox="665 1245 874 1346">8m</td> </tr> <tr> <td data-bbox="242 1346 491 1487">ii. For each additional unit above 15 units</td> <td data-bbox="491 1346 665 1487">2m²</td> <td data-bbox="665 1346 874 1487">=</td> </tr> <tr> <td colspan="3" data-bbox="242 1487 874 1668">Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space.</td> </tr> </tbody> </table>	Living space type	Minimum area	Minimum dimension	a. Private			i. Studio unit and 1-bedroom unit	5m ²	1.8m	ii. 2+ bedroom unit	8m ²	1.8m	b. Communal			i. For every 5 4-15 units	1064 m ²	8m	ii. For each additional unit above 15 units	2m²	=	Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space.			
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Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space.																									
NCZ-S9	Minimum outlook space for multi-unit housing																								
<ol style="list-style-type: none"> Every residential unit must be designed to achieve a minimum of 1m by 1m outlook space for all habitable rooms. 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> The extent to which: 																								

	<ul style="list-style-type: none"> a. The design of the proposed unit provides a good standard of amenity; and b. Other on-site factors compensate for a reduction in outlook space.
NCZ-S10	Minimum building separation distance
<p>1. Any new building or addition to an existing building used for residential activities must provide an 8m separation distance between buildings located on the same site, as shown in Diagram 11 below.</p>  <p>This standard does not apply to Neighbourhood centres other than Aro Valley, Berhampore and Ngaio Centres <u>or retirement villages.</u></p>	<p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. The extent to which a reduced setback will increase dominance and shadowing related effects on residential units within the development site; and 2. Dominance, privacy and shading effects on adjoining sites.
NCZ-S11	Maximum building depth
<p>1. Any new building or additions to existing buildings <u>used for residential activities</u> must not result in the continuous depth of any external side wall being greater than 25m, as shown in Diagram 12 below.</p>  <p>This standard does not apply to Neighbourhood centres other than Aro Valley, Berhampore and Ngaio Centres <u>or retirement villages.</u></p>	<p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. The extent to which the design mitigates the effect of a long featureless building elevation; and 2. Dominance, privacy and shading effects on adjoining sites.

Methods	
MCZ-M1	Urban Design Panel
Council will seek to establish and facilitate an independent Urban Design Panel to inform the urban design assessments in relevant policies and matters of discretion that apply to significant resource consent applications as required.	

LOCAL CENTRE ZONE

Introduction

The purpose of the Local Centre Zone is to provide for a range commercial, community, recreational and residential activities. These centres service the needs of the surrounding residential catchment and neighbouring suburbs. Local centres support the role and function of other Centre Zones in the hierarchy of centres.

The Local Centre Zone is distributed across the city and will play a crucial role in accommodating and servicing the needs of the existing and forecast population growth. The [Medium Density and High Density Residential Zone](#) surrounds most local centres. These zones enable intensification due to the capacity of the area to absorb more housing with enablers of growth such as walkability, access to public transport, community facilities and services.

High quality building design is a focus for the Local Centres Zone. The transition to more intensive use in some local centres will result in changes to existing amenity values in the centres and their surrounds. Consequently, redevelopment will be supported by a range of measures to promote good design and environmental outcomes, and address amenity issues. Accordingly, most building activities will require a resource consent and an assessment against the Centres and Mixed Use Design Guide. To enable intensification around existing neighbourhood centres, some of these will have substantial building heights.

There is an identified need for residential intensification within and around local centres. These centres are subject to the intensification policies 3 (c) and (d) of the National Policy Statement on Urban Development 2020 (NPS-UD). Accordingly, residential activity is permitted above ground floor within these centres. To support a mix of activities within the zone, activities that have off-site effects, such as industrial activities and different retail formats, will need to be managed. There is however a desire for larger scale retail to locate in centres, where these are of an appropriate form and scale, rather than at out-of-centre locations, to support the vitality [and viability](#) of centres.

Other Relevant District Plan Provisions

There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

Objectives	
LCZ-O1	Purpose The Local Centre Zone meets the needs of communities, businesses and residents in the surrounding residential catchment and neighbouring suburbs in a manner that supports the City's compact

	urban growth objectives and its role and function in the City's hierarchy of centres.
LCZ-O2	<p>Accommodating growth</p> <p>The Local Centre Zone has an important role in accommodating growth and has sufficient serviced, resilient development capacity and additional infrastructure to meet residential and commercial growth needs.</p>
LCZ-O3	<p>Amenity and design</p> <p>Medium to high density mixed-use development is achieved that positively contributes to creating a high quality, well-functioning urban environment that reflects the changing urban form and amenity values of the Local Centres and their surrounding residential areas.</p>
LCZ-O4	<p>Activities</p> <p>Activities will be of an appropriate scale and type to enhance the vibrancy and viability of Local Centres, support walkable neighbourhoods and support their local purpose.</p>

Policies	
LCZ-P1	<p>Accommodating growth</p> <p>Provide for the use and development of the Local Centre Zone to meet the City's needs for housing, business activities and community facilities, including:</p> <ol style="list-style-type: none"> 1. A variety of building types, sizes, tenures, affordability and distribution of a scale and intensity that does not undermine the viability and vibrancy of the Metropolitan Centre Zone and the primacy of the City Centre Zone; 2. Forms of medium to high density housing; 3. Convenient access to active, public transport and rapid transit options; 4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces.
LCZ-P2	<p>Enabled activities</p> <p>Enable a range of activities that contribute positively to the role and function of the Zone and meet the needs of the residential catchment and surrounding suburbs including:</p>

	<ol style="list-style-type: none"> 1. Commercial activities; 2. Residential activities <u>(including retirement villages)</u>; 3. Community facilities; 4. Educational facilities; 5. Arts, culture, and entertainment activities; 6. Emergency service facilities; 7. Community corrections activities; 8. Visitor accommodation; 9. Recreational facilities; 10. Public transport activities; and 11. Industrial activities.
LCZ-P3	<p>Managed activities</p> <p>Manage the location and scale of commercial activities which could result in cumulative adverse effects on the <u>viability and</u> vibrancy of centres, the retention and establishment of a mix of activities within the Local Centre Zone, and the function of the transport network.</p>
LCZ-P4	<p>Potentially incompatible activities</p> <p>Only allow activities that are potentially incompatible with the role and function of the Local Centre Zone, where they will not have an adverse effect on the vibrancy and amenity of the centre:</p> <ol style="list-style-type: none"> 1. Carparking visible at street edge along an active frontage or non-residential activity frontage; 2. Demolition of buildings that results in the creation of unutilised vacant land; 3. Ground floor residential activities on street edges identified as having an active frontage or non-residential activity frontage; and 4. Yard-based retail activities.
LCZ-P5	<p>Heavy industrial activities</p> <p>Avoid heavy industrial activities from locating in the Local Centre Zone.</p>
LCZ-P6	<p>Housing choice</p> <p>Enable medium density residential development that:</p> <ol style="list-style-type: none"> 1. Contributes towards accommodating anticipated growth in the City; <u>and</u> 2. <u>Offers Contributes to</u> a range of housing price, type, size and tenure that is accessible to people of all ages, lifestyles, cultures, <u>impairments</u> and abilities; <u>and</u> 3. <u>Addresses the needs of an ageing population.</u>

<p>LCZ-P7</p>	<p>Quality design —neighbourhood and townscape outcomes</p> <p>Require new development, and alterations and additions to existing development at a site scale, to positively contribute to the sense of place, quality and amenity of the Local Centre Zone by:</p> <ol style="list-style-type: none"> 1. Meeting the requirements of the Centres and Mixed Use Design Guide as relevant; 2. 1. Recognising the benefits of well-designed, comprehensive development, including the extent to which the development: <ol style="list-style-type: none"> a. Acts as a positive catalyst for future change by reflectingReflects the nature and scale of the development proposed enabled within the zone and in the vicinity and responds to the evolving, more intensive identity of the neighbourhood; b. Optimises the development capacity of land, particularly sites that are: <ol style="list-style-type: none"> i. Large; or ii. Narrow; or iii. Vacant; or iv. Ground level parking areas; c. Provides for the increased levels of residential accommodation enabled in this zone; and d. Provides for a range of supporting business, open space and community facilities; and e. Is accessible for emergency service vehicles. 3. 2. Ensuring that the development, where relevant: <ol style="list-style-type: none"> a. Responds to the site context, particularly where it is located adjacent to: <ol style="list-style-type: none"> i. A scheduled site of significance to tangata whenua or other Māori; ii. Heritage buildings, heritage structures and heritage areas; iii. An identified character precinct; iv. Residential zoned areas; v. Open space zoned areas; b. Provides a safe and comfortable pedestrian environment; c. Enhances the quality of the streetscape and public / private interface; d. Integrates with existing and planned active and public transport movement networks, including planned rapid transit stops; and e. Allows sufficient flexibility for ground floor space to be converted for a range of activities, including residential.
<p>LCZ-P8</p>	<p>On-site residential amenity</p>

	<p>Achieve a good standard of amenity for residential activities in the Local Centre Zone by:</p> <ol style="list-style-type: none"> 1. Providing residents with access to adequate outlook; and 2. Ensuring convenient access to convenient outdoor space, including private and/or shared communal areas of outdoor space; 3. Meeting the requirements of the Residential Design Guide as relevant; and 4. Providing residents with adequate internal living space.
LCZ-P9	<p>Managing adverse effects</p> <p>Recognise the evolving, higher density development context enabled in the Local Centre Zone, while managing any associated adverse effects which arise from breaches of the built form standards including:</p> <ol style="list-style-type: none"> 1. Shading, privacy, bulk and dominance effects on adjacent sites; and 2. The impact of construction on the transport network and pedestrian linkages.
LCZ-P10	<p>City outcomes contribution</p> <p>Require over height, large-scale residential, non-residential and comprehensive development (excluding retirement villages) in the Local Centre Zone to deliver City Outcomes Contributions as detailed and scored in Appendix 16 the Centres and Mixed Use Design Guide guideline G107; including through either:</p> <ol style="list-style-type: none"> 1. Positively contributing to public space provision and the amenity of the site and surrounding area; and/or 2. Enabling ease of access for people of all ages and mobility; and/or 3. Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change resilience; and/or 4. Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or 5. Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure that it remains assisted housing for at least 25 years; and/or 6. Enabling ease of access for people of all ages and mobility.
LCZ-PX	Retirement village

	<p><u>Provide for retirement villages where it can be demonstrated that the development:</u></p> <ol style="list-style-type: none"> 1.—<u>Meeting the requirements of the Residential Design Guide, as relevant;</u> 2.—<u>Includes outdoor space that is sufficient to cater for the needs of the residents of the village;</u> 3.—<u>Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development;</u> 4.—<u>Is able to be adequately serviced by three waters infrastructure or can address any constraints on the site; and</u> 5.—<u>Is of an intensity, scale and design that is consistent with the amenity values anticipated for the Zone.</u> <p><u>Enable retirement villages to:</u></p> <ol style="list-style-type: none"> a. <u>Provide for greater density than other forms of residential developments to enable shared spaces, services, amenities and / facilities, and affordability and the efficient provision of assisted living and care services;</u> b. <u>Be adequately serviced by three waters infrastructure or can address any constraints on the site;</u> c. <u>Provide good quality on site amenity, recognising the unique layout, internal amenity and other day-to-day needs of residents as they age and the types of retirement units they live in;</u> d. <u>Encourage the scale and design of the retirement village to:</u> <ol style="list-style-type: none"> i. <u>be of a high-quality and compatible with the planned urban character;</u> ii. <u>achieve attractive and safe streets and public open spaces, including by providing for passive surveillance; and</u> iii. <u>achieve an appropriate level of residential amenity at neighbouring properties where relevant built form standards are exceeded.</u>
<p><u>LCZ-PX</u></p>	<p><u>Changing Communities</u></p> <p><u>To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the Local Centre zone will change over time to enable a variety of housing types with a mix of densities.</u></p>
<p><u>LCZ-PX</u></p>	<p><u>Larger Sites</u></p>

	Recognise the intensification opportunities provided by larger sites within the Local Centre zone by providing for more efficient use of those sites.
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Rules: Land use activities	
LCZ-R1	Commercial activities
1. Activity status: Permitted	
Where:	
a. The activity is not an Integrated Retail Activity (refer to Rule LCZ-R11).	
LCZ-R2	Community facilities
1. Activity status: Permitted	
LCZ-R2	Community facilities
1. Activity status: Permitted	
LCZ-R3	Educational facilities
1. Activity status: Permitted	
LCZ-R4	Arts, culture and entertainment activities
1. Activity status: Permitted	
LCZ-R5	Emergency service facilities
1. Activity status: Permitted	
LCZ-R6	Community corrections activities
1. Activity status: Permitted	
LCZ-R7	Visitor accommodation
1. Activity status: Permitted	
LCZ-R8	Recreational activities
1. Activity status: Permitted	
LCZ-R9	Public transport activities
1. Activity status: Permitted	
LCZ-RX	Retirement Villages

<p>1. <u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>The activity is located:</u></p> <p>iii. <u>Above ground floor;</u></p> <p>iv. <u>At ground floor level along any street edge not identified as an active frontage; or</u></p> <p>b. <u>At ground floor level along any street edge not identified as a non-residential activity frontage; or</u></p> <p>c. <u>At ground level along any street not identified as requiring verandah coverage.</u></p>	
<p>1. <u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p>2. <u>Compliance with the requirements of LCZ-RX.1 cannot be achieved.</u></p> <p>3. <u>Compliance with any other standards applicable to retirement villages cannot be achieved;</u></p> <p><u>Matters of discretion:</u></p> <p>4. <u>The matters in LCZ-P6, LCZ-P7, LCZ-P8, LCZ-P9, LCZ-P10 and PX new policies;</u></p> <p>5. <u>The extent and effect of non-compliance with LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4, LCZ-S5, LCZ-S6, LCZ-S7, LCZ-S8, LCZ-S9, LCZ-S10 and LCZ-S11 and LCZ-SX (Boundary setback from a rail corridor);</u></p> <p>6. <u>The extent and effect of any identifiable site constraints;</u></p> <p>7. <u>Construction impacts on the transport network; and</u></p> <p>8. <u>The availability and connection to existing or planned three waters infrastructure.</u></p> <p><u>Notification:</u></p> <p><u>An application for resource consent made in respect of rule LCZ-RX.2.a is precluded from being limited and publicly notified.</u></p>	
LCZ-R10	Residential activities
<p>1. Activity status: Permitted</p> <p><u>Where:</u></p> <p>a. The activity is located:</p> <p>i. Above ground floor level;</p> <p>ii. At ground floor level along any street edge not identified as an active frontage; or</p> <p>iii. At ground floor level along any street edge not identified as a non-residential activity frontage; or</p> <p>or</p> <p>iv. At ground level along any street not identified as requiring verandah coverage; or</p> <p>v. At ground level on any site contained within a Natural Hazard Overlay.</p>	
<p>2. Activity status: Discretionary</p> <p><u>Where:</u></p> <p>a. Compliance with the requirements of LCZ-R10.1 cannot be achieved.</p>	

Notification status: An application for resource consent made in respect of rule LCZ-R10.2.a is precluded from being limited and publicly notified.	
LCZ-R11	Integrated retail activity
<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The total gross floor area does not exceed 20,000m².</p>	
<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of LCZ-R11.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in LCZ-P1, LCZ-P2, LCZ-P3, and LCZ-P4; 2. The cumulative effect of the development on: <ol style="list-style-type: none"> a. The viability and vibrancy of the City Centre Zone and Golden Mile; b. The safety and efficiency of the transport network, including providing for a range of transport modes; c. The hierarchy of roads, travel demand or vehicle use; and 3. The compatibility with other activities provided for in the zone. <p>Council will not apply a permitted baseline assessment when considering the effects of integrated retail activities that cannot comply with LCZ-R11.1.a.</p>	
LCZ-R12	Industrial activities
<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The activity is not a heavy industrial activity.</p>	
<p>2. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance with the requirements of LCZ-R12.1 cannot be achieved</p> <p>Notification status: An application for resource consent made in respect of rule LCZ-R12.2.a must be publicly notified.</p>	
LCZ-R13	Carparking activities
<p>1. Activity status: Permitted</p> <p>Where:</p>	

<p>a. The activity involves:</p> <ol style="list-style-type: none"> i. Provision of carparks not visible at street edge along an active frontage or non-residential activity frontage; or <ol style="list-style-type: none"> ii. Provision of carparks above ground floor level; or iii. Provision of carparks below ground floor level; or iv. Provision of parking spaces for people with disabilities; or v. Provision of ground floor level carparks that form part of a building specifically constructed and used for carparking purposes. 	
<p>2. Activity status: Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance with the requirements of LCZ-R13.1.a is not achieved. 	
LCZ-R14	Yard-based retailing activities
<p>1. Activity status: Discretionary</p> <p>Notification status: An application for resource consent made in respect of rule LCZ-R14 must be publicly notified except:</p> <ol style="list-style-type: none"> a. The activity relates to the maintenance, operation and upgrading of an existing activity. 	
LCZ-R15	All other activities
<p>1. Activity status: Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. The activity is not otherwise provided for as a permitted activity, restricted discretionary activity, or a non-complying activity. 	

Rules: Building and structures activities	
LCZ-R16	Maintenance and repair of buildings and structures
<p>1. Activity status: Permitted</p>	
LCZ-R17	Demolition or removal of buildings and structures
<p>1. Activity status: Permitted</p> <p>Where</p> <ol style="list-style-type: none"> a. The demolition or removal of a building: <ol style="list-style-type: none"> i. Is required to avoid an imminent threat to life and/or property; or ii. Enables the creation of public space or private outdoor living space associated with the use of a building; or 	

	<ul style="list-style-type: none"> iii. Is required for the purposes of constructing a new building or structure, or adding to or altering an existing building or structure, that is a permitted activity under LCZ-R18, or that has an approved resource consent, or resource consent is being sought concurrently under LCZ-R18.2; or b. The building or structure for demolition or removal is not on a site that has an active frontage or non-residential activity frontage; or c. The demolition or removal involves a structure, excluding any building.
	<p>2. Activity status: Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance with any of the requirements of LCZ-R17.1 cannot be achieved. <p>The assessment of the activity must have regard to:</p> <ul style="list-style-type: none"> 1. How the land will be utilised whilst it is vacant; and 2. Creating a positive visual relationship between the site and streetscape whilst the site is vacant. <p>Notification status: An application for resource consent made in respect of rule LCZ-R17.2.a is precluded from being either publicly or limited notified.</p>
LCZ-R18	Construction of, or additions and alterations to, buildings and structures
	<p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. Alterations or additions to a building or structure: <ul style="list-style-type: none"> i. Do not alter the external appearance of the building or structure; or ii. Relate to a building frontage below verandah level, including entranceways and glazing and compliance with LCZ-S5 is achieved; or iii. Do not result in the creation of new residential units; and iv. Are not visible from public spaces; and v. Comply with effects standards LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4, LCZ-S5 and LCZ-S6, and LCZ-SX (Boundary setback from a rail corridor); and b. The construction of any building or structure: <ul style="list-style-type: none"> i. Is not located on a site with an active frontage or non-residential activity frontage; or ii. Is not visible from a public space; and iii. Will have a gross floor area of less than 100m²; and iv. Will result in a total coverage (together with other buildings) of no more than 20 percent of the site; and v. Comply with effects standards LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4, LCZ-S5 and LCZ-S6 and LCZ-SX (Boundary setback from a rail corridor); and vi. Does not involve the construction of a new building for residential activities.
	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p>

<p>a. Compliance with any of the requirements of LCZ-R18.1 cannot be achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in LCZ-P6, LCZ-P7, LCZ-P8, LCZ-P9 and LCZ-P10, and PX new policies; 2. The extent and effect of non-compliance with LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4, LCZ-S5, LCZ-S6, LCZ-S7, LCZ-S8, LCZ-S9, LCZ-S10 and LCZ-S11 and LCZ-SX (Boundary setback from a rail corridor); 3. The Centres and Mixed-Use Design Guide, including guideline G107—City Outcomes Contribution as required in Appendix 16 for any building that exceeds the maximum height requirement and either comprises 25 or more residential units or is a non-residential building; 4. The Residential Design Guide; 5. The extent and effect of any identifiable site constraints; 6. Construction impacts on the transport network; and 7. The availability and connection to existing or planned three waters infrastructure. <p>Notification status:</p> <p>An application for resource consent made in respect of rule LCZ-R18.2.a that complies with all standards is precluded from being either publicly or limited notified.</p> <p>An application for resource consent made in respect of rule LCZ-R18.2.a that complies with LCZ-S3, LCZ-S7, LCZ-S8, LCZ-S9, LCZ-S10 and LCZ-S11 is precluded from being either publicly or limited notified.</p> <p>An application for resource consent made in respect of rule LCZ-R18.2.a that results from non-compliance with LCZ-S1, LCZ-S2, LCZ-S4, LCZ-S5 and LCZ-S6 is precluded from being publicly notified.</p>	
LCZ-R19	Conversion of buildings, or parts of buildings, for residential activities
<p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in LCZ-P1, LCZ-P3, LCZ-P6 and LCZ-P8; 2. The extent of compliance with standards LCZ-S7, LCZ-P8 and LCZ-S9 and satisfaction of associated assessment criteria; and 3. The Residential Design Guide; and 4. 3. The availability and connection to existing or planned three waters infrastructure. <p>Notification status: An application for resource consent made in respect of rule LCZ-R19.1 is precluded from being either publicly or limited notified.</p>	
LCZ-R20	Outdoor storage areas
<p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. The storage area is screened by either a fence or landscaping of 1.8m in height from any adjoining road or site. 	

<p>b. Screening does not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.</p>
<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of LCZ-R20.1 cannot be achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in LCZ-P7; 2. The extent to which any lesser screening is necessary to provide for functional or operational requirements of the activities on the site, or for people’s health and safety; and 3. The extent to which outdoor storage is visible to surrounding areas, including any associated effects on amenity values where visible from Residential or Open Space Zones. <p>Notification status: An application for resource consent made in respect of rule LCZ-R20.2.a is precluded from being either publicly or limited notified.</p>

Standards							
LCZ-S1	Maximum Height						
<p>1. The following maximum height limits above ground level must be complied with:</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Limit</th> </tr> </thead> <tbody> <tr> <td> Height Control Area 1 Newtown Local Centre Heritage Area Island Bay Local Centre Heritage Area Hataitai Local Centre Heritage Area </td> <td>12 metres</td> </tr> <tr> <td> Height Control Area 2 Karori Kelburn Khandallah Newtown Local Centre Heritage Area </td> <td>18 metres</td> </tr> </tbody> </table>	Location	Limit	Height Control Area 1 Newtown Local Centre Heritage Area Island Bay Local Centre Heritage Area Hataitai Local Centre Heritage Area	12 metres	Height Control Area 2 Karori Kelburn Khandallah Newtown Local Centre Heritage Area	18 metres	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. Streetscape and visual amenity effects; 2. Dominance, privacy and shading effects on adjoining sites; and 3. The extent to which taller buildings would contribute to a substantial increase in residential accommodation.
Location	Limit						
Height Control Area 1 Newtown Local Centre Heritage Area Island Bay Local Centre Heritage Area Hataitai Local Centre Heritage Area	12 metres						
Height Control Area 2 Karori Kelburn Khandallah Newtown Local Centre Heritage Area	18 metres						


<p>Height Control Area 3</p> <p>Brooklyn</p> <p>Churton Park</p> <p>Crofton Downs</p> <p>Island Bay</p> <p>Kelburn</p> <p>Khandallah</p> <p>Linden</p> <p>Miramar</p> <p>Newlands</p> <p>Hataitai</p> <p>Newtown</p> <p>Tawa</p>	<p>22 metres</p>	
<p>Height Control Area 4</p> <p>Newtown</p> <p>Tawa</p>	<p>27 metres</p>	
<p>2. Fences and standalone walls must not exceed a maximum height of 1.8 metres (measured above ground level).</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. Accessory buildings; b. Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; c. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m; and d. Lift overruns provided these do not exceed the height by more than 4m. 		

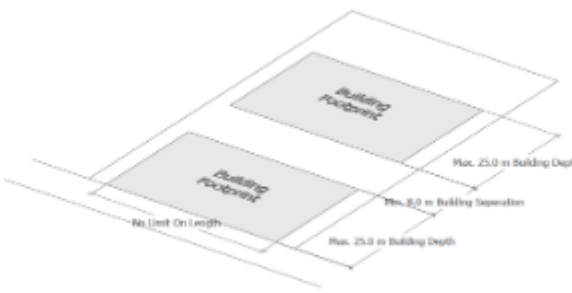
LCZ-S2	Minimum building height		
<p>1. A minimum height of 7m is required for:</p> <ul style="list-style-type: none"> a. New buildings or structures; and b. Additions to the frontages of existing buildings and structures. <p><u>This standard does not apply to:</u></p> <ul style="list-style-type: none"> 1. <u>Accessory buildings, ancillary to the primary activity on the site.</u> 2. <u>Any building or structure that is unable to be occupied by people.</u> 	<p>Assessment criteria where the standard is infringed;</p> <ul style="list-style-type: none"> 3. The extent to which a reduced height: <ul style="list-style-type: none"> a. Is necessary to provide for the functional needs or operational needs of a proposed activity; 4. Whether topographical or other site constraints make compliance with the standard impracticable or unnecessary; and 5. Whether, for any additions or alterations, the existing ground floor height meets the standard. 		
LCZ-S3	Minimum ground floor height		
<p>1. The minimum ground floor height to underside of structural slab or equivalent shall be 4m.</p>	<p>Assessment Criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. The extent to which a reduced height: <ul style="list-style-type: none"> a. Will compromise or preclude future use or adaptation of the ground floor for non-residential activities; b. Is necessary to provide for the functional needs or operational needs of a proposed activity; and 2. Whether topographical or other site constraints make compliance with the standard impracticable or unnecessary. 		
LCZ-S4	Height in relation to boundary		
<p>1. No part of any building or structure may project beyond the relevant recession plane shown below:</p> <table border="1" data-bbox="242 1787 874 1854" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">Location</td> <td style="width: 50%; padding: 5px;">Recession Plane</td> </tr> </table>	Location	Recession Plane	<p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. Dominance, privacy and shading effects on adjoining sites; 2. Whether an increase in height in relation to boundary results from a
Location	Recession Plane		

Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps	60° measured from a height of 4m vertically above ground level	<p>response to natural hazard mitigation;</p> <p>3. Effects on public spaces; and</p> <p>4. The extent to which an increase in height in relation to boundary would contribute to a substantial increase in residential accommodation.</p>
Boundary adjoining any site within the MRZ with a height limit of 14m identified on the District Plan Maps	60° measured from a height of 5m vertically above ground level	
Boundary adjoining any site within the HRZ	60° measured from a height of 8m vertically above ground level	
Boundary adjoining any site within an Open Space Zone	60° measured from a height of 5m vertically above ground level	
<p>These standards do not apply to:</p> <ul style="list-style-type: none"> a. A boundary with a road; b. Internal boundaries; c. Solar power and heating components attached to a building provided these do not exceed the height in relation to boundary by more than 500mm; and d. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height in relation to boundary by more than 3m measured vertically. 		
LCZ-S5		Verandah control
<ol style="list-style-type: none"> 1. Verandahs must be provided on building elevations on identified street frontages; 2. Any verandah must: <ul style="list-style-type: none"> a. Extend the full width of the building elevation; b. Connect with any existing adjoining verandah; c. Have a minimum clearance of 2.5m directly above the footpath or formed ground surface; d. Not exceed a maximum height of 4m measured between the base of the verandah fascia and the footpath or formed ground surface directly below; 		<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which any non-compliance: <ul style="list-style-type: none"> a. Will adversely affect the comfort and convenience of pedestrians; b. Will result in further street trees being added to public

<p>e. Be setback a minimum of 450mm from any point along the kerbing extending back to the site boundary; and</p> <p>f. Not exceed a maximum width of 3m from the front of the building.</p> <p>This standard does not apply to:</p> <p>a. Any scheduled building identified in SCHED1- Heritage buildings. However, if for any reason these buildings received Council approval (resource consent or other approval) to be demolished, then a verandah would be required for any replacement buildings on these sites; and</p> <p>b. Any building where compliance with the standard results in an encroachment into the dripline of an existing street tree; and</p> <p>c. Service stations</p>	<p>space as part the development; and</p> <p>2. The continuity of verandah coverage along the identified street, informal access route or public space.</p>
<p>LCZ-S6</p>	<p>Active frontage and non-residential activity frontage controls</p>
<p>1. Any new building or addition to an existing building on an identified street with an active frontage must:</p> <p>a. Be built up to the street edge on all street boundaries with an identified active frontage control and along the full width of the site bordering any street boundary, excluding vehicle and pedestrian access;</p> <p>b. Provide a minimum of 60% of continuous display windows or transparent glazing along the width of the ground floor building frontage; and</p> <p>c. Locate the principal public entrance on the front boundary;</p> <p>Except that this does not apply to service stations.</p> <p>2. Any ground level addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that:</p> <p>a. Is more than 3 metres wide; and</p> <p>b. Extends from a height of 1m above ground level to a maximum height of 2.5m;</p> <p>3. Any roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent; and</p>	<p>Assessment criteria where the standard is infringed:</p> <p>1. The extent to which:</p> <p>a. Any non-compliance is required for on-site functional or operational needs;</p> <p>b. The building frontage is designed and located to create a strong visual alignment with adjoining buildings or otherwise enhances the streetscape; and</p> <p>c. An acceptable level of passive surveillance is maintained between the interior of the building and the street.</p>

<p>4. Any new building or addition to an existing building on a site with a non-residential activity frontage control must:</p> <ol style="list-style-type: none"> a. Be built up to the street edge on all street boundaries and along the full width of the site bordering any street boundary; and b. Locate the principal public entrance on the front boundary. 									
LCZ-S7	Minimum residential unit size								
<p>1. Residential units, including dual key units, must meet the following minimum sizes:</p> <table border="1" data-bbox="244 719 877 972"> <thead> <tr> <th style="text-align: center;">Residential unit type</th> <th style="text-align: center;">Minimum net floor area</th> </tr> </thead> <tbody> <tr> <td>a. Studio unit</td> <td>35m²</td> </tr> <tr> <td>b. 1 bedroom unit</td> <td>40m²</td> </tr> <tr> <td>c. 2+ bedroom unit</td> <td>55m²</td> </tr> </tbody> </table>	Residential unit type	Minimum net floor area	a. Studio unit	35m ²	b. 1 bedroom unit	40m ²	c. 2+ bedroom unit	55m ²	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which: <ol style="list-style-type: none"> a. The design of the proposed unit provides a good standard of amenity; and b. Other on-site factors compensate for a reduction in unit sizes.
Residential unit type	Minimum net floor area								
a. Studio unit	35m ²								
b. 1 bedroom unit	40m ²								
c. 2+ bedroom unit	55m ²								
LCZ-S8	Residential – outdoor living space								
<ol style="list-style-type: none"> 1. Each residential unit, including any dual key unit, must be provided with either an private outdoor living space or access to a communal outdoor living space; 2. Where private outdoor living space is provided it must be: <ol style="list-style-type: none"> a. For the exclusive use of residents; b. Directly accessible from a habitable room; c. A single contiguous space; and d. Of the minimum area and dimension specified in the table below; and 3. Where communal outdoor living space is provided it does not need to be in a single continuous space but it must be: <ol style="list-style-type: none"> a. Accessible from the residential units it serves; b. Of the minimum area and dimension specified in the table below; and c. Free of buildings, parking spaces, and servicing and manoeuvring areas. <table border="1" data-bbox="244 1778 877 1928"> <thead> <tr> <th style="text-align: center;">Living space type</th> <th style="text-align: center;">Minimum area</th> <th style="text-align: center;">Minimum dimension</th> </tr> </thead> <tbody> <tr> <td>a. Private</td> <td></td> <td></td> </tr> </tbody> </table>	Living space type	Minimum area	Minimum dimension	a. Private			<p>Assessment criteria where the standard is infringed:</p> <p>The extent to which:</p> <ol style="list-style-type: none"> 1. The extent to which: <ol style="list-style-type: none"> a. The size of the proposed outdoor living space provides a good standard of amenity relative to the number of occupants the space is designed for; and b. Other on-site factors compensate for a reduction in the size of the outdoor living space (e.g. communal living space); 2. Whether any alternative publicly available open space adjoins or is in close proximity to the site; and 3. Whether topographical or other site constraints make compliance with the standard impracticable. 		
Living space type	Minimum area	Minimum dimension							
a. Private									

i. Studio unit and 1-bedroom unit	5m ²	1.8m	
ii. 2+ bedroom unit	8m ²	1.8m	
b. Communal			
i. For every 5 <u>4</u> 15 units	4064 4m ²	8m	
ii. <u>For each additional unit above 15 units</u>	<u>2m²</u>	<u>=</u>	
<u>Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space.</u>			
LCZ-S9			Minimum outlook space for multi-unit housing
1. Every residential unit must be designed to achieve a minimum of 1m by 1m outlook space for all habitable rooms.	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which: <ol style="list-style-type: none"> a. The design of the proposed unit provides a good standard of amenity; and b. Other on-site factors compensate for a reduction in outlook space. 		
LCZ-S10			Minimum building separation distance
<p>1. Any new building or addition to an existing building used for residential activities must provide an 8m separation distance between buildings located on the same site, as shown in Diagram 13 below.</p> 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which a reduced setback will increase dominance and shadowing related effects on residential units within the development site; and 2. Dominance, privacy and shading effects on adjoining sites. 		

<p><u>This standard does not apply to:</u></p> <p>a. <u>Retirement villages</u></p>	
<p>LCZ-S11</p>	<p>Maximum building depth</p>
<p>1. Any new building or additions to existing buildings <u>used for residential activities</u> must not result in the continuous depth of any external side wall being greater than 25m, as shown in Diagram 14 below.</p>  <p><u>This standard does not apply to:</u></p> <p>a. <u>Retirement villages</u></p>	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which the design mitigates the effect of a long featureless building elevation; and 2. Dominance, privacy and shading effects on adjoining sites.
<p>LCZ-SX</p>	<p>Boundary setback from a rail corridor</p>
<p>1. <u>Boundary or structures must not be located within 1.5m setback from a rail corridor boundary.</u></p>	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. <u>The extent to which the location and design of the building relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.</u>

<p>Methods</p>	
<p>LCZ-M1</p>	<p>Urban Design Panel</p>
<p><u>Council will seek to establish and facilitate an independent Urban Design Panel to inform the urban design assessments in relevant policies and matters of discretion that apply to significant resource consent applications as required.</u></p>	

COMMERCIAL ZONE

Introduction

The purpose of the Commercial Zone is to provide for a mixture of commercial and residential activities.

The Commercial Zone applies to an area of land on Curtis Street in Karori and supports the City's hierarchy of centres.

Development in the Commercial Zone needs to be of a nature and scale that supports the social, cultural and economic importance of the City Centre and other Centres. It is vital that the City Centre remains the economic and employment hub for the region and that the Metropolitan, Local and Neighbourhood Centres are vibrant and well-functioning. Accordingly, the Commercial Zone does not anticipate large supermarkets or integrated retail activity, which is more appropriately located in the Metropolitan Centre Zone, Local Centre Zone, Neighbourhood Centre Zone or City Centre Zone.

Development is supported by a range of measures to ensure good design, environmental outcomes and address amenity effects.

Other Relevant District Plan Provisions

There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

Objectives	
COMZ-01	Purpose The Commercial Zone contributes to meeting the City's needs for business land and supports the hierarchy of centres.
COMZ-02	Activities Activities and development will be of an appropriate scale and type that do not undermine the vibrancy and viability of the Neighbourhood Centre Zone, Local Centre Zone, and Metropolitan Centre Zone and the primacy of the City Centre Zone.
COMZ-03	Amenity and design Development in the Commercial Zone is achieved that positively contributes to creating a good quality, well-functioning urban environment and is compatible with the surrounding residential context.

Policies	
COMZ-P1	<p>Enabled activities</p> <p>Enable a range of activities in the Commercial Zone that contribute positively to the purpose of the zone including:</p> <ol style="list-style-type: none"> 1. Commercial activities; 2. Retail activities, except for large-scale integrated retail activities; 3. Carparking activities; and 4. Residential activities (including retirement villages); except for large-scale integrated retail activities and 5. Community corrections activities.
COMZ-P2	<p>Managed activities</p> <p>Manage the location and scale of commercial activities which could result in cumulative adverse effects on the viability and vibrancy of centres, the retention and establishment of a mix of commercial activities within the Commercial Zone, and the function of the transport network.</p>
COMZ-P3	<p>Potentially incompatible activities</p> <p>Only allow all other activities where they will not have an adverse effect on the use of the zone for commercial activities. Potentially incompatible activities include:</p> <ol style="list-style-type: none"> 1. Community facilities; 2. Large-scale integrated retail activity; 3. Emergency service facilities; 4. Visitor accommodation; 5. Public transport activities; and 6. Residential activities at ground floor level.
COMZ-P4	<p>Avoiding industrial activities</p> <p>Avoid locating industrial activities and heavy industrial activities in the Commercial Zone.</p>
COMZ-P5	<p>Quality design – neighbourhood and townscape outcomes</p> <p>Require new development, and alterations and additions to existing development at a site scale, to positively contribute to the sense of place, quality and amenity of the Commercial Zone by ensuring that it, where relevant:</p> <ol style="list-style-type: none"> 1. Meets the requirements of the Centres and Mixed Use Design Guide where relevant;

	<ol style="list-style-type: none"> 2. Responds to the site context, particularly where it is located adjacent to: <ol style="list-style-type: none"> a. Residential zoned areas; and/or b. Open space zoned areas; 3. Provides a safe and comfortable pedestrian environment; 4. Enhances the quality of the streetscape and public / private interface; 5. Integrates with existing and planned active and public transport movement networks; and 6. Allows sufficient flexibility for ground floor space to be converted for a range of activities.
<p style="text-align: center;">COMZ-P6</p>	<p>On-site residential amenity</p> <p>Achieve a good standard of amenity for residential activities in the Commercial Zone by:</p> <ol style="list-style-type: none"> 1. Providing residents with adequate outlook; and 2. Providing access to convenient outdoor space, including private or shared communal areas.; and 3. Meeting the requirements of the Residential Design Guide as relevant; and 4. Providing residents with adequate internal living space.
<p style="text-align: center;">COMZ-P7</p>	<p>Zone interfaces</p> <p>Require use and development of the Commercial Zone to maintain reasonable amenity for the adjoining Medium Density Residential Zone, Open Space Zones and other sensitive uses.</p>
<p style="text-align: center;"><u>COMZ-PX</u></p>	<p><u>Retirement Villages</u></p> <p><u>Enable retirement villages to:</u></p> <ol style="list-style-type: none"> a. <u>Provide for greater density than other forms of residential developments to enable shared spaces, services, amenities and / facilities, and affordability and the efficient provision of assisted living and care services;</u> b. <u>Be adequately serviced by three waters infrastructure or can address any constraints on the site;</u> c. <u>Provide good quality on site amenity, recognising the unique layout, internal amenity and other day-to-day needs of residents as they age and the types of retirement units they live in;</u> d. <u>Encourage the scale and design of the retirement village to:</u> <ol style="list-style-type: none"> i. <u>be of a high-quality and compatible with the planned urban character;</u>

	<ul style="list-style-type: none"> ii. achieve attractive and safe streets and public open spaces, including by providing for passive surveillance; and iii. achieve an appropriate level of residential amenity at neighbouring properties where relevant built form standards are exceeded.
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Rules: Land use activities	
COMZ-R1	Commercial activities
<p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> 1. The commercial activity is a retail activity and does not exceed 500m² total GFA; 2. The commercial activity is a supermarket and does not exceed 1500m² total GFA; or 3. Any other commercial activity, including integrated retail activity that does not exceed 2500m² total GFA. 	
<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance with the requirements of COMZ-R1.1 cannot be achieved. <p>Matters of discretion are:</p> <ul style="list-style-type: none"> 1. The matters in COMZ-P1, COMZ-P2 and COMZ-P3. 	
COMZ-R2	Residential activities
<p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The activity is located above ground floor level. 	
<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance with the requirements of COMZ-R2.1 cannot be achieved. <p>Matters of discretion are:</p> <ul style="list-style-type: none"> 1. The matters in COMZ-P1, COMZ-P3 and COMZ-P6; 2. The extent to which the activity is the most appropriate to meet Wellington’s future growth needs; 3. The compatibility with existing activities nearby and other activities provided for in the Commercial Zone; 	

<p>4. The effect on the visual quality of the streetscape and the extent to which the development contributes to or detracts from the pedestrian environment; and</p> <p>5. The extent to which the activity enables or limits adaptability for future non-residential activity at ground floor level.</p>	
COMZ-R3	Carparking activities
1. Activity Status: Permitted	
COMZ-RX	Community corrections activities
Activity status: Permitted	
COMZ-RX	Retirement Villages
Activity status: Discretionary Permitted	
<p>Where:</p> <p>a. <u>The activity is located:</u></p> <p>i. <u>Above ground floor;</u></p> <p>ii. <u>At ground floor level along any street edge not identified as an active frontage; or</u></p> <p>b. <u>At ground floor level along any street edge not identified as a non-residential activity frontage; or</u> <u>At ground level along any street not identified as requiring verandah coverage.</u></p>	
Activity status: Restricted Discretionary	
<p>Where:</p> <p>1. <u>Compliance with the requirements of COMZ-RX.1 cannot be achieved.</u></p> <p>2. <u>Compliance with any other standards applicable to retirement villages cannot be achieved;</u></p> <p>Matters of discretion:</p> <p>3. <u>The matters in COMZ-P1, COMZ-P3, COMZ-P6 and COMZ-PX (new policies);</u></p> <p>4. <u>The extent to which the activity is the most appropriate to meet Wellington’s future growth needs;</u></p> <p>5. <u>The compatibility with existing activities nearby and other activities provided for in the Commercial Zone;</u></p> <p>6. <u>The effect on the visual quality of the streetscape and the extent to which the development contributes to or detracts from the pedestrian environment; and</u></p> <p>7. <u>The extent to which the activity enables or limits adaptability for future non-residential activity at ground floor level.</u></p> <p>Notification:</p> <p><u>An application for resource consent made in respect of rule COMZ-RX.2.a is precluded from being limited and publicly notified.</u></p>	
COMZ-R4	All other land use activities
1. Activity status: Discretionary	

Where:	
a. The activity is not otherwise provided for as a permitted activity, restricted discretionary activity, or a non-complying activity.	
COMZ-R5	Industrial activities
1. Activity Status: Non-complying	
COMZ-R6	Heavy Industrial activities
1. Activity Status: Non-complying	

Rules: Building and structures activities	
COMZ-R7	Maintenance and repair of buildings and structures
1. Activity status: Permitted	
COMZ-R8	Demolition or removal of buildings and structures
1. Activity status: Permitted	
COMZ-R9	Construction of, or additions and alterations to, buildings and structures
1. Activity status: Restricted Discretionary	
Matters of discretion are:	
<ol style="list-style-type: none"> 1. The matters in COMZ-P5, COMZ-P6 and COMZ-P7, and PX new policies; 2. The extent of compliance with standards COMZ-S1, COMZ-S2, COMZ-S3, COMZ-S4, COMZ-S5, COMZ-S6, COMZ-S7 and COMZ-S8; 3.—The Centres and Mixed-Use Design Guide; and 4. The Residential Design Guide for any part of a building used for residential activities. 	
COMZ-R10	Conversion of buildings, or parts of buildings, for residential activities or visitor accommodation
1. Activity status: Restricted Discretionary	
Matters of discretion are:	
<ol style="list-style-type: none"> 1. The matters in COMZ-P1, COMZ-P3 and COMZ-P6, and PX new policies; 2. The extent of compliance with standards COMZ-S5, COMZ-S6 and COMZ-S7; and 3.—The Residential Design Guide; and 4. In relation to the conversion of the ground floor to residential activities, the extent to which the conversion enables the ground floor level to be returned to use for non-residential activities. 	

Standards							
COMZ-S1	Maximum height						
<p>1. A maximum height limit of 8m above ground level must be complied with.</p> <p>These standards do not apply to:</p> <ol style="list-style-type: none"> a. Accessory buildings. b. Fences or standalone walls no greater than 1.8 metres in height where these are not for the purpose of screening an outdoor storage area. c. Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; d. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m; and e. Lift overruns provided these do not exceed the height by more than 1m. 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. Streetscape and visual amenity effects; 2. Dominance, privacy and shading effects on adjoining sites; and 3. The extent to which taller buildings would contribute to a substantial increase in residential accommodation. 						
COMZ-S2	Height in relation to boundary						
<p>1. No part of any building or structure may project beyond the relevant recession plane shown below:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Location</th> <th style="text-align: left;">Recession Plane</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps</td> <td style="padding: 5px;">60° measured from a height of 4m vertically above ground level</td> </tr> <tr> <td style="padding: 5px;">Boundary adjoining any site within an Open Space Zone</td> <td style="padding: 5px;">60° measured from a height of 5m vertically above ground level</td> </tr> </tbody> </table> <p>These standards do not apply to:</p> <ol style="list-style-type: none"> a. A boundary with a road. 	Location	Recession Plane	Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps	60° measured from a height of 4m vertically above ground level	Boundary adjoining any site within an Open Space Zone	60° measured from a height of 5m vertically above ground level	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. Dominance, privacy, and shading effects on adjoining sites; 2. Whether an increase in height in relation to boundary results from a response to natural hazard mitigation; 3. Effects on public spaces; and 4. The extent to which an increase in height in relation to boundary would contribute to a substantial increase in residential accommodation.
Location	Recession Plane						
Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps	60° measured from a height of 4m vertically above ground level						
Boundary adjoining any site within an Open Space Zone	60° measured from a height of 5m vertically above ground level						

<ul style="list-style-type: none"> b. Internal boundaries; c. Fences or standalone walls no greater than 1.8 metres in height where these are not for the purpose of screening an outdoor storage area. d. Solar power and heating components attached to a building provided these do not exceed the height in relation to boundary by more than 500mm; and e. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height in relation to boundary by more than 3m measured vertically. 	
COMZ-S3	Minimum ground floor height
<ol style="list-style-type: none"> 1. The minimum ground floor height to underside of structural slab or equivalent shall be 4m. 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which a reduced height: <ul style="list-style-type: none"> a. Will compromise or preclude future use or adaptation of the ground floor for non-residential activities; b. Is necessary to provide for the functional or operational needs of a proposed activity; and 2. Whether topographical or other site constraints make compliance with the standard impracticable or unnecessary.
COMZ-S4	Verandah control
<ol style="list-style-type: none"> 1. Any verandah constructed on any building frontage facing a public space, including roads, must: <ul style="list-style-type: none"> a. Have a minimum clearance of 2.5m directly above the footpath or formed ground surface; b. Not exceed a maximum height of 4m measured between the base of the verandah fascia and the footpath or formed ground surface directly below; c. Be setback a minimum of 450mm from any point along the kerbing extending back to the site boundary; and 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which any non-compliance is necessary to provide for functional or operational requirements of the activities on the site, or for people's health and safety; 2. Whether sufficient clearance is provided for pedestrians and the delivery of goods where any verandah is proposed lower than 2.5m above the footpath or ground surface level; and 3. The extent to which any verandahs wider than 3m or within 450mm of any kerbing

<p>d. Not exceed a maximum width of 3m from the front of the building.</p> <p>This standard does not apply to service stations.</p>	<p>allow clearance for unencumbered vehicle movement, parking and loading.</p>									
<p align="center">COMZ-S5</p>	<p align="center">Minimum residential unit size</p>									
<p>1. Residential units, including dual key units, must meet the following minimum sizes:</p> <table border="1" data-bbox="244 555 783 837"> <thead> <tr> <th>Residential unit type</th> <th>Minimum net floor area</th> </tr> </thead> <tbody> <tr> <td>a. Studio unit</td> <td>35m²</td> </tr> <tr> <td>b. 1 bedroom unit</td> <td>40m²</td> </tr> <tr> <td>c. 2+ bedroom unit</td> <td>55m²</td> </tr> </tbody> </table>	Residential unit type	Minimum net floor area	a. Studio unit	35m ²	b. 1 bedroom unit	40m ²	c. 2+ bedroom unit	55m ²	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which: <ol style="list-style-type: none"> a. The design of the proposed unit provides a good standard of amenity for the occupants; and b. Other on-site factors compensate for a reduction in unit sizes. 	
Residential unit type	Minimum net floor area									
a. Studio unit	35m ²									
b. 1 bedroom unit	40m ²									
c. 2+ bedroom unit	55m ²									
<p align="center">COMZ-S6</p>	<p align="center">Outdoor living space for residential units</p>									
<p>1. Each residential unit, including any dual key unit, must be provided with either a private outdoor living space or access to a communal outdoor living space;</p> <p>2. Where private outdoor living space is provided it must be:</p> <ol style="list-style-type: none"> a. For the exclusive use of residents; b. Directly accessible from a habitable room; c. A single contiguous space; and d. Of the minimum area and dimension specified in the table below; and <p>3. Where communal outdoor living space is provided it does not need to be in a single continuous space but it must be:</p> <ol style="list-style-type: none"> a. Accessible from the residential units it serves; b. Of the minimum area and dimension specified in the table below; and c. Free of buildings, parking spaces, and servicing and manoeuvring areas. <table border="1" data-bbox="244 1693 783 1919"> <thead> <tr> <th>Living space type</th> <th>Minimum area</th> <th>Minimum dimension</th> </tr> </thead> <tbody> <tr> <td colspan="3">a. Private</td> </tr> <tr> <td>i. Studio unit and 1-</td> <td>5m²</td> <td>1.8m</td> </tr> </tbody> </table>	Living space type	Minimum area	Minimum dimension	a. Private			i. Studio unit and 1-	5m ²	1.8m	<p>Assessment criteria where the standard is infringed:</p> <p>The extent to which:</p> <ol style="list-style-type: none"> 1. Any proposed outdoor living space provides a good standard of amenity relative to the number of occupants the space is designed for; 2. Other on-site factors compensate for a reduction in the size or dimension of the outdoor living space; and 3. The availability of public space in proximity to the site.
Living space type	Minimum area	Minimum dimension								
a. Private										
i. Studio unit and 1-	5m ²	1.8m								

bedroom unit			
ii. 2+ bedroom unit	8m ²	1.8m	
b. Communal			
i. For every 5 <u>4-15</u> units	<u>1064</u> m ²	8m	
ii. <u>For each additional unit above 15 units</u>	<u>2</u> m ²	=	
<u>Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space.</u>			
COMZ-S7			Minimum outlook space for residential units
1. Every residential unit must be designed to achieve a minimum of 1m by 1m outlook space for all habitable rooms.			<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which: <ol style="list-style-type: none"> a. The design of the proposed unit provides a good standard of amenity; and b. Other on-site factors compensate for a reduction in outlook space.
COMZ-S8			Building setback controls
1. Buildings must be located outside of the building setback (Western Escarpment) and building setback (Whitehead Road).			<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which: <ol style="list-style-type: none"> a. Landscaping mitigates the placement of buildings within the setback; and b. There is a functional need or operational need for the buildings or structures to be located within the building setback (Western Escarpment) and building setback (Whitehead Road).

MIXED USE ZONE

Introduction

The purpose of the Mixed Use Zone is to provide for a compatible mixture of residential, commercial, light industrial, recreational and/or community activities. It continues the long-standing approach of enabling a wide range of compatible activities in Wellington's suburban employment areas. The Zone covers areas where people can live, work, play, and conduct business but with fewer day-to-day conveniences than may be available in the City Centre Zone and other Centres.

The Mixed Use Zone is distributed across the city. A broad range of activities are enabled to occur alongside one another in the Mixed Use Zone. It needs to be noted that due to the wide range of non-residential activities provided for, and the potential for industrial activities to establish in this Zone, there may be moderate to high levels of noise, vehicle trip generation or other environmental effects. While such effects may be tolerable within the Mixed Use Zone, they could undermine the amenity of zones nearby if not appropriately managed. Effects from new activities and development within the Mixed Use Zone need to be compatible with the local context. Activities that generate adverse effects of a nature or scale that is potentially incompatible with the existing context will typically not be enabled in the Mixed Use Zone unless such activities can demonstrate they are able to co-exist with existing sensitive activities in the vicinity.

Because the Mixed Use Zone provides for a range of activities, a different level of external amenity should be expected for residential uses that locate within the Zone than would be expected in the Centres or Residential Zones. To ensure the supply of business land is sufficient to meet the City's short, medium and long term needs, the Mixed Use Zone discourages ground floor residential development. New residential uses and conversions of existing non-residential activities for residential use above ground floor can be established in the Mixed Use Zone where appropriate. Such uses will need to provide quality on-site amenity and be designed and constructed in a manner that does not undermine the ongoing functional operation and development of the Mixed Use Zone for a wide range of non-residential activities.

Development in the Mixed Use Zone needs to be of a nature and scale that supports the social, cultural and economic importance of the City Centre and other Centres. It is vital that the City Centre remains the economic and employment hub for the Region and that the Metropolitan, Local and Neighbourhood Centres are vibrant and well-functioning. The zone does not anticipate large supermarkets or integrated retail activity, which is more appropriately located in the Metropolitan Centres Zone, Local Centre Zone, Neighbourhood Centre Zone or City Centre Zone.

Other Relevant District Plan Provisions

There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

Objectives	
MUZ-O1	<p>Purpose</p> <p>The Mixed Use Zone is developed and used for a wide range of compatible activities.</p>
MUZ-O2	<p>Accommodating growth</p> <p>The Mixed Use Zone has an important role in accommodating growth and has sufficient serviced, resilient development capacity and additional infrastructure to meet business, and to a lesser extent residential growth needs.</p>
MUZ-O3	<p>Compatibility with other employment areas and the hierarchy of centres</p> <p>Activities and development will be of an appropriate scale and type that do not undermine the vitality, role and function of the City Centre and other Centres as set out in the hierarchy of centres.</p>
MUZ-O4	<p>Amenity and design</p> <p>Development in the Mixed Use Zone positively contributes to creating a well-functioning urban environment and a diverse local context.</p>
MUZ-O5	<p>Managing adverse effects</p> <p>Adverse effects from use and development of the Mixed Use Zone are managed effectively, particularly on more sensitive environments in neighbouring zones.</p>

Policies	
MUZ-P1	<p>Accommodating growth</p> <p>Provide for the use and development of the Mixed Use Zone to meet the City's needs for business activities and to a lesser extent housing, including:</p> <p>A choice variety of building type, size, affordability and distribution, including forms of medium density housing;</p> <p>Efficient, well integrated and strategic use of available development sites; and</p> <p>Convenient access to state highways and key transport routes.</p>
MUZ-P2	<p>Enabled activities</p>

	<p>Enable a wide range of compatible activities in the Mixed Use Zone where they are of an appropriate nature, scale and intensity for the zone and the hierarchy of centres, including:</p> <ol style="list-style-type: none"> 1. Commercial activities; 2. Community facilities; 3. Educational facilities; 4. Recreation activities; 5. Arts, culture and entertainment activities; 6. Emergency service facilities; 7. Community corrections facilities activities; 8. Visitor accommodation; 9. Recreational facilities; 10. Residential activities above ground floor level (including retirement villages); 11. Public transport activities; and 12. Industrial activities.
MUZ-P3	<p>Managing larger-scale retail activities</p> <p>Only allow the establishment of integrated retail activities and large supermarkets in the Mixed Use Zone if it can be demonstrated that they will:</p> <ol style="list-style-type: none"> 1. Not result in significant adverse impacts on the viability, vitality, role and function of the City Centre or any Metropolitan, Local or Neighbourhood Centres; 2. Not result in significant adverse impacts on the sustainability, safety or efficiency of the transport network and the hierarchy of roads from trip patterns, travel demand or vehicle use; and 3. Be compatible with adjoining land uses.
MUZ-P4	<p>Avoiding heavy industrial activities</p> <p>Avoid heavy industrial activities from locating in the Mixed Use Zone.</p>
MUZ-P5	<p>Residential activities</p> <p>Ensure the ongoing functional use of the Mixed Use Zone for a range of business uses by:</p> <ol style="list-style-type: none"> 1. Restricting residential activities being established at the ground floor level of buildings where appropriate; and 2. Ensuring residential activities are designed and constructed to provide good on-site amenity and to avoid reverse sensitivity effects on non-residential activities within the zone.; and 3. Meeting the requirements of the Residential Design Guide as relevant.

<p>MUZ-P6</p>	<p>Design of new development</p> <p>Encourage a high standard of built form and amenity, while:</p> <ul style="list-style-type: none"> a. Enabling innovation and choice in the design of new built development to reflect the diverse neighbourhood context of the Mixed Use Zone; and b. Meeting the intentions of the Centres and Mixed Use Design Guide as relevant.
<p>MUZ-P7</p>	<p>Zone interfaces</p> <p>Require use and development of the Mixed Use Zone to maintain a reasonable amenity for adjoining Residential or Open Space Zones or other sensitive uses.</p>
<p>MUZ-PX</p>	<p>Retirement Villages</p> <p>Enable retirement villages to:</p> <ul style="list-style-type: none"> a. Provide for greater density than other forms of residential developments to enable shared spaces, services, amenities and / facilities, and affordability and the efficient provision of assisted living and care services; b. Be adequately serviced by three waters infrastructure or can address any constraints on the site; c. Provide good quality on site amenity, recognising the unique layout, internal amenity and other day-to-day needs of residents as they age and the types of retirement units they live in; d. Encourage the scale and design of the retirement village to: <ul style="list-style-type: none"> i. be of a high-quality and compatible with the planned urban character; ii. achieve attractive and safe streets and public open spaces, including by providing for passive surveillance; and iii. achieve an appropriate level of residential amenity at neighbouring properties where relevant built form standards are exceeded.
<p>MUZ-PX</p>	<p>Changing Communities</p> <p>To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the Neighbourhood Centre zone will change over time to enable a variety of housing types with a mix of densities.</p>
<p>MUZ-PX</p>	<p>Larger Sites</p>

	Recognise the intensification opportunities provided by larger sites within the Neighbourhood Centre zone by providing for more efficient use of those sites.
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Rules: Land use activities	
MUZ-R1	Commercial activities
1. Activity status: Permitted	
Where:	
<ul style="list-style-type: none"> a. The activity is not an Integrated Retail Activity (refer to Rule MUZ-R11); and b. The activity is not a supermarket (refer to MUZ-R12). 	
MUZ-R2	Community facilities
1. Activity Status: Permitted	
MUZ-R3	Educational facilities
1. Activity Status: Permitted	
MUZ-R4	Arts, culture and entertainment activities
1. Activity Status: Permitted	
MUZ-R5	Emergency services facilities
1. Activity Status: Permitted	
MUZ-R6	Community corrections facilities activities
1. Activity Status: Permitted	
MUZ-R7	Visitor accommodation
1. Activity Status: Permitted	
MUZ-R8	Recreational activities
1. Activity Status: Permitted	
MUZ-R9	Public transport activities
1. Activity Status: Permitted	
MUZ-R10	Residential activities
1. Activity Status: Permitted	

<p>Where:</p> <p>a. The activity is located above ground floor level.</p>	
<p>2. Activity Status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of MUZ-R10.1 cannot be achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in MUZ-P1, MUZ-P2 and MUZ-P5; 2. The extent to which the activity is the most appropriate to meet Wellington’s future growth needs; 3. The compatibility with existing activities nearby and other activities provided for in the Mixed Use Zone; 4. The effect on the visual quality of the streetscape and the extent to which the development contributes to or detracts from the pedestrian environment; and 5. The extent to which the activity enables or limits adaptability for future non-residential activity at ground floor level. <p>Notification status: An application for resource consent made in respect of rule MUZ-R10.2.a is precluded from being publicly notified.</p>	
MUZ-R11	Integrated retail activity
<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The integrated retail activity comprises large format retail and does not exceed 10,000m² total GFA; or</p> <p>b. The integrated retail activity does not comprise large format retail and does not exceed 2,500m² total GFA.</p>	
<p>2. Activity Status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance any of the requirements of MUZ-R11.1 cannot be achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in MUZ-P3. <p>The Council will not apply a permitted baseline assessment when considering the effects of integrated retail activities that cannot comply with MUZ-R11.1.</p>	
MUZ-R12	Supermarkets
<p>1. Activity status: Permitted</p>	

<p>Where:</p> <ol style="list-style-type: none"> a. The total gross floor area does not exceed 1,500m². 	
<p>2. Activity Status: Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance with the requirements of MUZ-R12.1 cannot be achieved. <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in MUZ-P3. <p>The Council will not apply a permitted baseline assessment when considering the effects of supermarkets that cannot comply with MUZ-R12.1.</p>	
MUZ-RX	Retirement Villages
<p><u>Activity status: Discretionary Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>The activity is located:</u> <ol style="list-style-type: none"> iii. <u>Above ground floor;</u> iv. <u>At ground floor level along any street edge not identified as an active frontage; or</u> b. <u>At ground floor level along any street edge not identified as a non-residential activity frontage; or</u> <u>At ground level along any street not identified as requiring verandah coverage.</u> 	
<p><u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>Compliance with the requirements of MUZZ-RX.1 cannot be achieved.</u> 2. <u>Compliance with any other standards applicable to retirement villages cannot be achieved;</u> <p><u>Matters of discretion:</u></p> <ol style="list-style-type: none"> 3. <u>The matters in MUZ-P1, MUZ-P2 and MUZ-P5;</u> 4. <u>The extent to which the activity is the most appropriate to meet Wellington’s future growth needs;</u> 5. <u>The compatibility with existing activities nearby and other activities provided for in the Mixed Use Zone;</u> 6. <u>The effect on the visual quality of the streetscape and the extent to which the development contributes to or detracts from the pedestrian environment; and</u> 7. <u>The extent to which the activity enables or limits adaptability for future non-residential activity at ground floor level.</u> <p><u>Notification:</u></p> <p><u>An application for resource consent made in respect of rule MUZ-RX.2.a is precluded from being limited and publicly notified.</u></p>	

MUZ-R13	All other activities
<p>1. Activity status: Discretionary</p> <p>Where:</p> <p>a. The activity is not otherwise provided for as a permitted activity, restricted discretionary activity, or non-complying activity.</p>	

Rules: Building and structures activities	
MUZ-R14	Maintenance and repair of buildings and structures
<p>1. Activity Status: Permitted</p>	
MUZ-R15	Demolition or removal of buildings and structures
<p>1. Activity Status: Permitted</p>	
MUZ-R16	Construction of, or additions and alterations to, buildings and structures
<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance with the following standards is achieved:</p> <ul style="list-style-type: none"> i. MUZ-S1; ii. MUZ-S3; iii. MUZ-S4; iv. MUZ-S5; v. MUZ-S6; vi. MUZ-S7; vii. MUZ-S11; and <p>b. The activity is not the construction of a new building for residential activities.</p>	
<p>2. Activity Status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of MUZ-R16.1 cannot be achieved.</p> <p>Matters of discretion are:</p> <ul style="list-style-type: none"> 1. The matters in MUZ-P2, MUZ-P5, MUZ-P6 and MUZ-P7, and PX new policies; 2. The extent and effect of non-compliance with MUZ-S1, MUZ-S3, MUZ-S4, MUZ-S5, MUZ-S6, MUZ-S7 and MUZ-S11 as specified in the associated assessment criteria for the infringed standards; 3. The extent of compliance with MUZ-S2; and 4. The extent of compliance with MUZ-S8, MUZ-S9 and MUZ-S10 for any part of the building used for residential activities; 5. The Centres and Mixed-Use Design Guide; and 	

~~6.—The Residential Design Guides for any part of a building used for residential activities.~~

Notification status:

An application for resource consent made in respect of rule MUZ-R16.2.a that results from non-compliance with MUZ-S4 or MUZ-S6 is precluded from being publicly or limited notified.

An application for resource consent made in respect of rule MUZ-R16.2.a that results from non-compliance with MUZ-S1 but that complies with both MUZ-S2 and MUZ-S3 is precluded from being publicly or limited notified.

MUZ-R17

Conversion of buildings or parts of buildings for residential activities

1. Activity status: **Restricted Discretionary**

Matters of discretion are:

1. The matters in MUZ-P2 and MUZ-P5;
2. The extent of compliance with standards MUZ-S8, MUZ-S9 and MUZ-S10;
- ~~3.—The Residential Design Guide; and~~
4. The extent to which the conversion enables the ground floor level to be used or adapted for future non-residential activities.; and
5. [The availability and connection to existing or planned three waters infrastructure.](#)

Notification status: An application for resource consent made in respect of rule MUZ-R17.1 is precluded from being either publicly or limited notified.

MUZ-R18

Outdoor storage areas

1. Activity Status: **Permitted**

Where:

- a. The storage area is screened by either a fence or landscaping of 1.8m in height from any adjoining road or site.
- b. [Screening does not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.](#)

2. Activity status: **Restricted discretionary**

Where:

- a. Compliance with the requirements of MUZ-R18.1 cannot be achieved.

Matters of discretion are:

1. The matters in MUZ-P6 and MUZ-P7;
2. The extent to which any lesser screening is necessary to provide for functional needs or operational needs of the activities on the site, or for people's health and safety; and
3. Visual amenity effects.

Notification status: An application for resource consent made in respect of rule MUZ-R18.2.a is precluded from being publicly notified.

MUZ-RX

Industrial Activities

1. Activity status: Permitted

Where:

a. The activity is not a heavy industrial activity.

2. Activity status: Non-complying

Where:

a. Compliance with the requirements of MUZ-RX.1 cannot be achieved.

Standards

MUZ-S1

Maximum height for the purposes of MUZ-R16.1

3. The following maximum height limits above ground level must be complied with:

Assessment criteria where the standard is infringed:

Location	Limit
Height control area 1	12 metres
Newtown South	
Greta Point	
Tawa South	
Takapu Island	
Tauhinu Road	
Rongotai South Mixed Use Zone Height Control A	
Rongotai South Mixed Use Zone Height Control B	
Shelly Bay	
Tawa: Tawa Street	
Height control area 2	15 metres

- 5. Streetscape and visual amenity effects;
- 6. Dominance, privacy and shading effects on adjoining sites; and
- 7. The extent to which taller buildings would contribute to a substantial increase in residential accommodation.

Tawa Junction Kaiwharawhara Kilbirnie North Miramar - Park Road and Weka Street		
Height control area 3 Rongotai South Mixed Use Zone Height Control B Rongotai South Mixed Use Zone Height Control C	16 metres	
Height control area 4 Miramar - Ropa Lane, Maupuia Road Ngauranga Tawa Junction Takapu Island	18 metres	
<p>4. Fences and standalone walls must not exceed a maximum height of 1.8 metres (measured above ground level).</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> 1. Accessory buildings; 2. Solar panel and heating components attached to a building provided these do not exceed the height by more than 500m; 3. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m; and 		

4. Lift overruns provided these do not exceed the height by more than 4m.											
MUZ-S2	Maximum height for the purposes of MUZ-R16.2										
<p>1. The following maximum height limits above ground level must be complied with:</p> <table border="1" data-bbox="244 495 783 1962"> <thead> <tr> <th data-bbox="244 495 512 555">Location</th> <th data-bbox="513 495 783 555">Limit</th> </tr> </thead> <tbody> <tr> <td data-bbox="244 557 512 757">Height control area 1 Rongotai South Mixed Use Zone Height Control B</td> <td data-bbox="513 557 783 757">16 metres</td> </tr> <tr> <td data-bbox="244 759 512 1476">Height control area 2 Newtown South Greta Point Tawa: Tawa South Takapu Island Miramar: - Ropa Lane, Maupuia Road and Tauhinu Road Rongotai South Mixed Use Zone Height Control A Rongotai South Mixed Use Zone Height Control C</td> <td data-bbox="513 759 783 1476">18 metres</td> </tr> <tr> <td data-bbox="244 1478 512 1677">Height control area 3 Rongotai South Mixed Use Zone Height Control D</td> <td data-bbox="513 1478 783 1677">19 metres</td> </tr> <tr> <td data-bbox="244 1680 512 1962">Height control area 4 Tawa: Tawa Junction Tawa: Redwood Avenue Tawa: Tawa Street</td> <td data-bbox="513 1680 783 1962">22 metres</td> </tr> </tbody> </table>	Location	Limit	Height control area 1 Rongotai South Mixed Use Zone Height Control B	16 metres	Height control area 2 Newtown South Greta Point Tawa: Tawa South Takapu Island Miramar: - Ropa Lane, Maupuia Road and Tauhinu Road Rongotai South Mixed Use Zone Height Control A Rongotai South Mixed Use Zone Height Control C	18 metres	Height control area 3 Rongotai South Mixed Use Zone Height Control D	19 metres	Height control area 4 Tawa: Tawa Junction Tawa: Redwood Avenue Tawa: Tawa Street	22 metres	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. Streetscape and visual amenity effects; 2. Dominance, privacy and shading effects on adjoining sites; and 3. The extent to which taller buildings would contribute to a substantial increase in residential accommodation.
Location	Limit										
Height control area 1 Rongotai South Mixed Use Zone Height Control B	16 metres										
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Height control area 3 Rongotai South Mixed Use Zone Height Control D	19 metres										
Height control area 4 Tawa: Tawa Junction Tawa: Redwood Avenue Tawa: Tawa Street	22 metres										

Height control area 5	22.5 metres					
Glenside						
Kaiwharawhara						
Sar Street						
Kilbirnie North						
Miramar: Park Road and Weka Street						
Height control area 6	24 metres					
Ngauranga: Malvern						
Height control area 7	27 metres					
Shelly Bay						
<p>2. Fences and standalone walls must not exceed a maximum height of 1.8 metres (measured above ground level).</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> 1. Accessory buildings; 2. Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; 3. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m; and 4. Lift overruns provided these do not exceed the height by more than 4m. 						
MUZ-S3		Height in relation to boundary				
<p>1. No part of any building or structure may project beyond the relevant recession plane shown below:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%; text-align: left;">Location</th> <th style="width: 50%; text-align: left;">Recession Plane</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"> </td> <td> </td> </tr> </tbody> </table>		Location	Recession Plane			<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which any infringement is necessary to provide for functional needs or operational needs of the activities on the site;
Location	Recession Plane					

Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps	60° measured from a height of 4m vertically above ground level	<ol style="list-style-type: none"> 2. Dominance, privacy and shading effects on adjoining sites; 3. Whether topographical or other site constraints make compliance with the standard impracticable; 4. Whether an increase in height in relation to boundary results from a response to natural hazard mitigation; 5. The extent to which an increase in height in relation to boundary would contribute to a substantial increase in residential accommodation; and 6. The effect on the function and associated amenity values of any adjacent open space zone.
Boundary adjoining any site within the MRZ with a height limit of 14m identified on the District Plan Maps	60° measured from a height of 5m vertically above ground level	
Boundary adjoining any site within the HRZ	60° measured from a height of 8m vertically above ground level	
Boundary adjoining any site within an Open Space Zone	60° measured from a height of 5m vertically above ground level	
Boundary adjoining any site containing a scheduled heritage building.	60° measured from a height of 5m vertically above ground level.	
<p>These standards do not apply to:</p> <ol style="list-style-type: none"> a. A boundary with a road; b. Internal boundaries; c. Solar power or heating components provided these do not exceed the height in relation to boundary by more than 500mm measured vertically; d. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height in relation to boundary by more than 3m measured vertically; and e. Lift overruns, provided these do not exceed the height in relation to boundary by more than 1m measured vertically. 		
MUZ-S4		Minimum ground floor height

<p>1. The minimum ground floor height to the underside of structural slab or equivalent for any new building, or addition or alterations to an existing building shall be 4m.</p>	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which a reduced height: <ol style="list-style-type: none"> a. Will compromise or preclude future alternative ground floor uses; b. Is necessary to provide for functional needs or operational needs of a proposed activity; 2. Whether topographical or other site constraints make compliance with the standard impracticable or unnecessary; 3. The extent to which the ground floor level will be able to be used or adapted for future non-residential activities; and 4. Whether, for any additions or alterations, the existing ground floor height infringes the standard.
<p>MUZ-S5</p>	<p>Windows adjacent to Residential Zones</p>
<p>1. Except for windows in a residential unit, Opaque privacy glazing must be installed in windows where:</p> <ol style="list-style-type: none"> a. The associated building wall faces a site in any Residential Zone; and b. The wall is located within 5m of the boundary of a site in any Residential Zone. 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. Privacy effects on adjoining sites; and 2. Positive safety implications of over-looking public space.
<p>MUZ-S6</p>	<p>Maximum gross floor area of buildings</p>
<p>1. Any building must not exceed a maximum gross floor area of 500m².</p>	<p>Assessment Criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which the additional floor area is necessary to provide for functional needs or operational needs of the activities on the site; 2. Dominance, privacy and shading effects on adjoining sites; and 3. The extent to which the design, appearance and location of the building on the site mitigates the visual impact or dominance effects of the additional building area on the surrounding area.

MUZ-S7	Verandah control								
<p>1. Any verandah constructed on any building frontage facing a public space, including roads, must:</p> <ol style="list-style-type: none"> Have a minimum clearance of 2.5m directly above the footpath or formed ground surface; Not exceed a maximum height of 4m measured between the base of the verandah fascia and the footpath or formed ground surface directly below; Be setback a minimum of 450mm from any point along the kerbing extending back to the site boundary; and Not exceed a maximum width of 3m from the front of the building. <p>This standard does not apply to:</p> <ol style="list-style-type: none"> Service stations 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> The extent to which any non-compliance is necessary to provide for functional or operational requirements of the activities on the site, or for people’s health and safety; Whether sufficient clearance is provided for pedestrians and the delivery of goods where any verandah is proposed lower than 2.5m above the footpath or ground surface level; and The extent to which any verandahs wider than 3m or within 450mm of any kerbing allow clearance for unencumbered vehicle movement, parking and loading. 								
MUZ-S8	Minimum residential unit size								
<p>1. Residential units, including dual key units, must meet the following minimum sizes:</p> <table border="1" data-bbox="240 1167 782 1458"> <thead> <tr> <th data-bbox="240 1167 512 1272">Residential unit type</th> <th data-bbox="513 1167 782 1272">Minimum net floor area</th> </tr> </thead> <tbody> <tr> <td data-bbox="240 1274 512 1335">a. Studio unit</td> <td data-bbox="513 1274 782 1335">35m²</td> </tr> <tr> <td data-bbox="240 1337 512 1397">b. 1 bedroom unit</td> <td data-bbox="513 1337 782 1397">40m²</td> </tr> <tr> <td data-bbox="240 1400 512 1458">c. 2+ bedroom unit</td> <td data-bbox="513 1400 782 1458">55m²</td> </tr> </tbody> </table>	Residential unit type	Minimum net floor area	a. Studio unit	35m ²	b. 1 bedroom unit	40m ²	c. 2+ bedroom unit	55m ²	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> The extent to which: <ol style="list-style-type: none"> The design of the proposed unit provides a good standard of amenity; and Other on-site factors compensate for a reduction in unit sizes.
Residential unit type	Minimum net floor area								
a. Studio unit	35m ²								
b. 1 bedroom unit	40m ²								
c. 2+ bedroom unit	55m ²								
MUZ-S9	Outdoor living space for residential units								
<ol style="list-style-type: none"> Each residential unit, including any dual key unit, must be provided with either a private outdoor living space or access to a communal outdoor living space; Where private outdoor living space is provided it must be: <ol style="list-style-type: none"> For the exclusive use of residents; Directly accessible from a habitable room; A single contiguous space; and Of the minimum area and dimension specified in the table below; and 	<p>Assessment criteria where the standard is infringed:</p> <p>The extent to which:</p> <ol style="list-style-type: none"> Any proposed outdoor living space provides a good standard of amenity relative to the number of occupants the space is designed for; Other on-site factors compensate for a reduction in the size or dimensions of the outdoor living space; and 								

<p>3. Where communal outdoor living space is provided it does not need be in a single continuous space but it must be:</p> <ol style="list-style-type: none"> Accessible from the residential units it serves; Of the minimum area and dimension specified in the table below; and Free of buildings, parking spaces, and servicing and manoeuvring areas. 	<p>3. The availability of public space in proximity to the site.</p>																								
<table border="1"> <thead> <tr> <th data-bbox="240 593 459 689">Living space type</th> <th data-bbox="459 593 611 689">Minimum area</th> <th data-bbox="611 593 780 689">Minimum dimension</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="240 689 780 752">a. Private</td> </tr> <tr> <td data-bbox="240 752 459 931">i. Studio unit and 1-bedroom unit</td> <td data-bbox="459 752 611 931">5m²</td> <td data-bbox="611 752 780 931">1.8m</td> </tr> <tr> <td data-bbox="240 931 459 1032">ii. 2+ bedroom unit</td> <td data-bbox="459 931 611 1032">8m²</td> <td data-bbox="611 931 780 1032">1.8m</td> </tr> <tr> <td colspan="3" data-bbox="240 1032 780 1095">b. Communal</td> </tr> <tr> <td data-bbox="240 1095 459 1234">i. For every 5 <u>4-15</u> units</td> <td data-bbox="459 1095 611 1234">1064m²</td> <td data-bbox="611 1095 780 1234">8m</td> </tr> <tr> <td data-bbox="240 1234 459 1413">ii. <u>For each additional unit above 15 units</u></td> <td data-bbox="459 1234 611 1413"><u>2m²</u></td> <td data-bbox="611 1234 780 1413">=</td> </tr> <tr> <td colspan="3" data-bbox="240 1413 780 1624"> <u>Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space.</u> </td> </tr> </tbody> </table>	Living space type	Minimum area	Minimum dimension	a. Private			i. Studio unit and 1-bedroom unit	5m ²	1.8m	ii. 2+ bedroom unit	8m ²	1.8m	b. Communal			i. For every 5 <u>4-15</u> units	10 64m ²	8m	ii. <u>For each additional unit above 15 units</u>	<u>2m²</u>	=	<u>Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space.</u>			
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MUZ-S10	Minimum Outlook space for multi-unit housing																								
<p>1. Every residential unit must be designed to achieve a minimum of 1m by 1m outlook space for all habitable rooms.</p>	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> The extent to which: <ol style="list-style-type: none"> The design of the proposed unit provides a good standard of amenity; and 																								

	b. Other on-site factors compensate for a reduction in outlook space.
MUZ-S11	Lyall Bay Parade frontage control
<ol style="list-style-type: none"> 1. New buildings built on a site adjoining the Open Space Zone and Recreation Zoned land fronting Lyall Parade must be built in alignment with the existing Lyall Parade street frontage; and 2. Any addition to, alteration or modification of a building or structure on a site adjoining the Open Space Zone and Recreation Zoned land fronting Lyall Bay Parade, where the works are confined to the area below verandah level must not create a featureless façade. 	<p>Assessment criteria where the standard is infringed</p> <ol style="list-style-type: none"> 1. The extent to which the effectiveness of any landscaping, screening or other site mitigation proposed creates visual interest of the streetscape and façade relief.
MUZ-SX	Boundary setback from a rail corridor
<ol style="list-style-type: none"> 1. Boundary or structures must not be located within 1.5m setback from a rail corridor boundary. 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which the location and design of the building relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.

METROPOLITAN CENTRE ZONE

Introduction

The purpose of the Metropolitan Centre Zone is to provide predominantly for a broad range of commercial, community, recreational and residential activities. The Metropolitan Centre Zone applies to the Johnsonville and Kilbirnie metropolitan centres.

The Metropolitan Centre Zone is a focal point for sub-regional urban catchments and provides significant support to the City Centre Zone by offering key services to the outer suburbs of Wellington City and the wider region. This is identified in the Wellington Regional Policy Statement. These centres contain a wide range of commercial, civic and government services, office, community, recreational, entertainment and residential activities and have well established access to public transport.

The Johnsonville and Kilbirnie metropolitan centres will play a critical role in accommodating forecast population growth and have significant development/redevelopment potential. To support and encourage intensification, the Metropolitan Centre Zone provides [an opportunity for substantial building heights to be realised substantial height limits](#). Given the significant development potential in the Metropolitan Centre Zones, comprehensive development and the integrated and coordinated development of larger sites is required to act as a catalyst for positive change and demonstrate density done well.

High quality building design is a focus for these centres. The transition to more intensive use in metropolitan centres will result in significant changes to existing amenity values and design in the centres and their surrounds. Redevelopment will be supported by a range of measures to promote good design and environmental outcomes and address amenity issues. Accordingly, most building activities will require a resource consent and an assessment against the Centres and Mixed Use Design Guide.

There is an identified need for significant residential intensification within and around the Metropolitan Centres. ~~These centres are subject to the intensification policies 3 (b) and (c) of the National Policy Statement on Urban Development 2020 (NPS-UD).~~ Accordingly, residential activity is permitted above ground floor within the centres and the High Density Residential Zone has been applied within a walkable catchment of the edge of these centres. The [cumulative risk from natural hazards in Kilbirnie is that the intensification of this area has been tempered as a qualifying matter under Subpart 6, clause 3.32 of the NPS-UD has been addressed by applying the natural hazards overlay.](#)

To support a mix of activities within the Zone, activities that have off-site effects, such as industrial activities and different retail formats, will need to be managed. There is however a desire for larger scale retail to locate in centres, where these are of an appropriate form and scale, rather than at out-of-centre locations, to support the vitality [and viability](#) of centres.

Other Relevant District Plan Provisions

There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

Objectives	
MCZ-O1	<p>Purpose</p> <p>The Metropolitan Centre Zone meets the sub-regional needs of communities, businesses and residents in a manner that supports the City's strategic direction for compact urban growth and its sub-regional role and function in the City's hierarchy of centres.</p>
MCZ-O2	<p>Accommodating growth</p> <p>The Metropolitan Centre Zone plays a significant role in accommodating growth and has sufficient serviced, resilient development capacity and additional infrastructure to meet commercial and residential growth needs.</p>
MCZ-O3	<p>Amenity and design</p> <p>Medium and high density mixed-use development is achieved that positively contributes to a good quality, well-functioning urban environment that reflects the changing urban form and amenity values of the Metropolitan Centres Zone.</p>
MCZ-O4	<p>Activities</p> <p>Activities will be of an appropriate scale and type to enhance the vibrancy and viability of Metropolitan Centres, support walkable neighbourhoods and reflect their sub-regional purpose.</p>

Policies	
MCZ-P1	<p>Accommodating growth</p> <p>Provide for the use and development of the Metropolitan Centre Zone to meet the City's needs for housing, business activities and community facilities, including:</p> <ol style="list-style-type: none"> 1. A variety of building types, sizes, tenures, affordability and distribution of a scale and intensity that does not undermine the ongoing viability, vibrancy and primacy of the City Centre Zone supports the purpose of the zone; 2. A mix of medium and high-density housing;

	<ol style="list-style-type: none"> 3. Convenient access to active transport and public transport options; 4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces.
MCZ-P2	<p>Enabled activities</p> <p>Enable a range of activities that contribute positively to the purpose of the zone and meet sub-regional needs including:</p> <ol style="list-style-type: none"> 1. Commercial activities; 2. Residential activities (including retirement villages); 3. Community facilities; 4. Educational facilities; 5. Arts, culture, and entertainment activities; 6. Marae activities; 7. Emergency service facilities; 8. Community corrections activities; 9. Visitor accommodation; 10. Recreational activities; 11. Repair and maintenance service activities; 12. Industrial activities; and 13. Public transport activities.
MCZ-P3	<p>Managed activities</p> <p>Manage the location and scale of commercial activities that could result in cumulative adverse effects on the viability and vibrancy of centres, the retention and establishment of a mix of activities within the Metropolitan Centre Zone, and the function of the transport network.</p>
MCZ-P4	<p>Potentially incompatible activities</p> <p>Only allow activities that are potentially incompatible with the purpose of the Metropolitan Centre Zone, where they will not have an adverse effect on the vibrancy and amenity values of the centre.</p> <p>Potentially incompatible activities include:</p> <ol style="list-style-type: none"> 1. Carparking visible at street edge along an active frontage or non-residential activity frontage; 2. Demolition of buildings that results in the creation of vacant land; 3. Ground floor residential activities on street edges identified as having an active frontage or non-residential activity frontage; and 4. Yard-based retail activities.

<p>MCZ-P5</p>	<p>Heavy industrial activities</p> <p>Avoid heavy industrial activities from locating in the Metropolitan Centre Zone.</p>
<p>MCZ-P6</p>	<p>Housing choice</p> <p>Enable medium and high-density residential development that:</p> <ol style="list-style-type: none"> 1. Contributes towards accommodating anticipated growth in the City; and 2. Offers <u>Contributes to</u> a range of housing price, type, size and tenure that is accessible to people of all ages, lifestyles, cultures, <u>impairments</u> and abilities; and 3. <u>Addresses the needs of an ageing population.</u>
<p>MCZ-P7</p>	<p>Quality design outcomes –neighbourhood and townscape outcomes</p> <p>Require new development, and alterations and additions to existing development at a site scale, to positively contribute to the sense of place, quality and amenity of the Metropolitan Centre Zone by:</p> <ol style="list-style-type: none"> 1. <u>Meeting the requirements of the Centres and Mixed Use Design Guide as relevant;</u> 2. Recognising the benefits of well-designed, comprehensive, development, including the extent to which the development: <ol style="list-style-type: none"> a. Acts as a positive catalyst for future change by reflecting <u>Reflects</u> the nature and scale of the development proposed enabled within the zone and in the vicinity, and responds to the evolving, more intensive identity of the centre; b. Optimises the development capacity of land, <u>particularly including</u> sites that are <u>large, narrow, vacant or ground level parking areas.:</u> <ol style="list-style-type: none"> i.—Large; or ii.—Narrow; or iii.—Vacant; or iv.—Ground level parking areas; c. Provides for the increased levels of residential accommodation enabled in this zone; and d. Provides for a range of supporting business, open space and community facilities; e. <u>Is accessible for emergency service vehicles.</u> 3. Ensuring that the development, where relevant: <ol style="list-style-type: none"> a. Responds to the site context, particularly where it is located adjacent to: <ol style="list-style-type: none"> i. A scheduled site of significance to tangata whenua or other Māori;

	<ul style="list-style-type: none"> ii. A heritage building, heritage structure or heritage area; iii. Residential zoned areas; iv. Open space zoned areas; b. Provides a safe and comfortable pedestrian environment; c. Enhances the quality of the streetscape and public / private interface; 4. Integrates with existing and planned active and public transport movement networks; and 5. Allows sufficient flexibility for ground floor space to be converted for a range of activities, including residential.
MCZ-P8	<p>On-site residential amenity</p> <p>Achieve a good standard of amenity for residential activities in the Metropolitan Centre Zone by:</p> <ul style="list-style-type: none"> 1. Providing residents with access to adequate outlook; and 2. Ensuring convenient access to convenient outdoor space, including private and/or shared communal areas of outdoor space; 3. Meeting the requirements of the Residential Design Guide, as relevant; and 4. Providing residents with adequate internal living space.
MCZ-P9	<p>Managing adverse effects</p> <p>Recognise the evolving, higher density development context enabled in the Metropolitan Centre Zone, while managing any associated adverse effects which arise from breaches of the built form standards including:</p> <ul style="list-style-type: none"> 1. Shading, privacy, bulk and dominance effects on adjacent sites; and 2. The impact of construction on the transport network and pedestrian linkages.
MCZ-P10	<p>City outcomes contribution</p> <p>Require over height, large-scale residential, non-residential and comprehensive development (excluding retirement villages) in the Metropolitan Centre Zone to deliver City Outcomes Contributions as detailed and scored in Appendix 16 the Centres and Mixed Use Design Guide guideline G107; including through either:</p> <ul style="list-style-type: none"> 1. Positively contributing to public space provision and the amenity of the site and surrounding area; and/or 2. Enabling ease of access for people of all ages and mobility; and/or

	<ol style="list-style-type: none"> 3. Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change resilience; and/or 4. Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or 5. Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure that it remains assisted housing for at least 25 years; and/or 6.—Enabling ease of access for people of all ages and mobility.
<p style="text-align: center;"><u>MCZ-PX</u></p>	<p><u>Retirement village</u></p> <p>Provide for retirement villages where it can be demonstrated that the development:</p> <ol style="list-style-type: none"> 1.—Meeting the requirements of the Residential Design Guide, as relevant; 2.—Includes outdoor space that is sufficient to cater for the needs of the residents of the village; 3.—Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development; 4.—Is able to be adequately serviced by three waters infrastructure or can address any constraints on the site; and 5.—Is of an intensity, scale and design that is consistent with the amenity values anticipated for the Zone. <p>Enable retirement villages to:</p> <ol style="list-style-type: none"> a. Provide for greater density than other forms of residential developments to enable shared spaces, services, amenities and / facilities, and affordability and the efficient provision of assisted living and care services; b. Be adequately serviced by three waters infrastructure or can address any constraints on the site; c. Provide good quality on site amenity, recognising the unique layout, internal amenity and other day-to-day needs of residents as they age and the types of retirement units they live in; d. Encourage the scale and design of the retirement village to: <ol style="list-style-type: none"> i. be of a high-quality and compatible with the planned urban character; ii. achieve attractive and safe streets and public open spaces, including by providing for passive surveillance; and

	<p>iii. <u>achieve an appropriate level of residential amenity at neighbouring properties where relevant built form standards are exceeded.</u></p>
MCZ-PX	<p>Changing Communities</p> <p><u>To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the Metropolitan Centre zone will change over time to enable a variety of housing types with a mix of densities.</u></p>
MCZ-PX	<p>Larger Sites</p> <p><u>Recognise the intensification opportunities provided by larger sites within the Metropolitan Centre zone by providing for more efficient use of those sites.</u></p>

Rules: Land use activities	
MCZ-R1	Commercial activities
<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The activity is not an Integrated Retail Activity (refer to Rule MCZ-R13).</p>	
MCZ-R2	Community facilities
<p>1. Activity status: Permitted</p>	
MCZ-R3	Educational facilities
<p>1. Activity status: Permitted</p>	
MCZ-R4	Arts, culture, and entertainment activities
<p>1. Activity status: Permitted</p>	
MCZ-R5	Marae activities
<p>1. Activity status: Permitted</p>	
MCZ-R6	Emergency service facilities
<p>1. Activity status: Permitted</p>	
MCZ-R7	Community corrections activities
<p>1. Activity status: Permitted</p>	

MCZ-R8	Visitor accommodation activities
1. Activity status: Permitted	
MCZ-R9	Recreation activities
1. Activity status: Permitted	
MCZ-R10	Repair and maintenance activities
1. Activity status: Permitted	
MCZ-R11	Public transport activities
1. Activity status: Permitted	
MCZ-RX	Retirement Villages
1. <u>Activity status: Permitted</u>	
<p><u>Where:</u></p> <p>a. <u>The activity is located:</u></p> <p>i. <u>Above ground floor;</u></p> <p>ii. <u>At ground floor level along any street edge not identified as an active frontage; or</u></p> <p>b. <u>At ground floor level along any street edge not identified as a non-residential activity frontage; or</u></p> <p>c. <u>At ground level along any street not identified as requiring verandah coverage.</u></p>	
1. <u>Activity status: Restricted Discretionary</u>	
<p><u>Where:</u></p> <p>2. <u>Compliance with the requirements of MCZ-RX.1 cannot be achieved.</u></p> <p>3. <u>Compliance with any other standards applicable to retirement villages cannot be achieved;</u></p> <p><u>Matters of discretion:</u></p> <p>4. <u>The matters in MCZ-P6, MCZ-P7, MCZ-P8, MCZ-P9, and PX new policies;</u></p> <p>5. <u>The extent and effect of non-compliance with MCZ-S1, MCZ-S2, MCZ-S3, MCZ-S4, MCZ-S5, MCZ-S6, MCZ-S7, MCZ-S8, MCZ-S9, MCZ-S10, MCZ-S11 and MCZ-SX (Boundary setback from rail corridor).</u></p> <p>6. <u>City Outcomes Contribution as required in Appendix 16 for any building that exceeds the maximum height requirement.</u></p> <p>7. <u>The extent and effect of any identifiable site constraints;</u></p> <p>8. <u>Construction impacts on the transport network; and</u></p> <p>9. <u>The availability and connection to existing or planned three waters infrastructure.</u></p> <p><u>Notification:</u></p> <p>10. <u>An application for resource consent made in respect of rule MCZ-RX.2.a is precluded from being limited and publicly notified.</u></p>	

MCZ-R12	Residential activities
<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The activity is located:</p> <ol style="list-style-type: none"> i. Above ground floor level; ii. At ground floor level along any street edge not identified as an active frontage; iii. At ground floor level along any street edge not identified as a non-residential activity frontage; iv. At ground level along any street not identified as requiring verandah coverage; or v. At ground level on any site contained within a Natural Hazard Overlay. 	
<p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of MCZ-R12.1 cannot be achieved.</p> <p>Notification status: An application for resource consent made in respect of rule MCZ-R12.2.a is precluded from being limited and publicly notified.</p>	
MCZ-R13	Integrated retail activity
<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The total gross floor area does not exceed 20,000m².</p>	
<p>2.—Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a.—Compliance with the requirements of MCZ-R13.1 cannot be achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1.—The matters in MCZ-P1, MCZ-P2, MCZ-P3, and MCZ-P4; 2.—The cumulative effect of the development on: <ol style="list-style-type: none"> a.—The ongoing viability and vibrancy of the City Centre Zone and Golden Mile; b.—The safety and efficiency of the transport network, including providing for a range of transport modes; c.—The hierarchy of roads, travel demand or vehicle use; and 3.—The compatibility with other activities provided for in the Zone. <p>Council will not apply a permitted baseline assessment when considering the effects of integrated retail activities that cannot comply with MCZ-R13.1.a.</p>	
MCZ-R14	Industrial activities

<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The activity is not a heavy industrial activity.</p>	
<p>2. Activity Status: Non-complying</p> <p>Where:</p> <p>a. Compliance with the requirements of MCZ-R14.1 cannot be achieved.</p> <p>Notification status: An application for resource consent made in respect of rule MCZ-R14.2.a must be publicly notified.</p>	
MCZ-R15	Carparking activities
<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The activity involves:</p> <ul style="list-style-type: none"> i. Provision of carparks not visible at street edge along an active frontage or non-residential activity frontage; or ii. Provision of carparks above ground floor level; or iii. Provision of carparks below ground floor level; or iv. Provision of parking spaces for people with disabilities; or v. Provision of ground floor level carparks that form part of a building specifically constructed and used for carparking purposes. 	
<p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of MCZ-R15.1.a is not achieved.</p>	
MCZ-R16	Yard-based retailing activities
<p>1. Activity status: Discretionary</p> <p>Notification status: An application for resource consent made in respect of rule MCZ-R16.1 must be publicly notified except when:</p> <p>a. The activity relates to the maintenance, operation and upgrading of an existing activity.</p>	
MCZ-R17	All other land use activities
<p>1. Activity status: Discretionary</p> <p>Where:</p>	

- a. The activity is not otherwise provided for as a permitted activity, restricted discretionary activity, or a non-complying activity.

Rules: Land use activities

MRZ-R18	Maintenance and repair of buildings and structures
1. Activity Status: Permitted	
MRZ-R19	Demolition or removal of buildings and structures
1. Activity Status: Permitted	
Where:	
<p>a. The demolition or removal of a building:</p> <ul style="list-style-type: none"> i. Is required to avoid an imminent threat to life and/or property; or ii. Enables the creation of public space or private outdoor living space associated with the use of a building; or iii. Is required for the purposes of constructing a new building or structure, or adding to or altering an existing building or structure, that is a permitted activity under MCZ-R20 or DEV-R1, or that has an approved resource consent, or resource consent is being sought concurrently under MCZ-R20.2, or for the Kilbirnie Bus Barns Development Area, DEV-R1.2; or <p>b. The building or structure for demolition or removal is not on a site that has an active frontage or non-residential activity frontage; or</p> <p>c. The demolition or removal involves a structure, excluding any building.</p>	
2. Activity status: Discretionary	
Where:	
<p>a. Compliance with any of the requirements of MCZ-R19.1 cannot be achieved</p>	
The assessment of the activity must have regard to:	
<ul style="list-style-type: none"> 1. How the land will be utilised whilst it is vacant; and 2. Creating a positive visual relationship between the site and streetscape whilst the site is vacant. 	
Notification status: An application for resource consent made in respect of rule MCZ-R19.2.a is precluded from being either publicly or limited notified.	
MRZ-R20	Construction of, or additions and alterations to, buildings and structures
1. Activity Status: Permitted	
Where:	
<p>a. Any alterations or additions to a building or structure that:</p> <ul style="list-style-type: none"> i. Do not alter the external appearance of the building or structure; or 	

<ul style="list-style-type: none"> ii. Relate to a building frontage below verandah level, including entranceways and glazing and compliance with MRZ-S5 is achieved; or iii. Do not result in the creation of new residential units; and iv. Are not visible from public spaces; and v. Comply with standards MCZ-S1, MCZ-S2, MCZ-S3, MCZ-S4, MCZ-S5 and MCZ-S6 and MCZ-SX (Boundary setback from rail corridor); and <p>b. The construction of any building or structure:</p> <ul style="list-style-type: none"> i. Is not located on a site with an active frontage or non-residential activity frontage; or ii. Is not visible from a public space; and iii. Will have a gross floor area of less than 100m²; and iv. Will result in a total coverage (together with other buildings) of no more than 20 percent of the site; and v. Will cComply with standards MCZ-S1, MCZ-S2, MCZ-S3, MCZ-S4, MCZ-S5 and MCZ-S6 and MCZ-SX (Boundary setback from rail corridor); and vi. Does not involve the construction of a new building for residential activities.
<p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> 2. Compliance with any of the requirements of MCZ-R19.1 MCZ-R20.1 cannot be achieved <p>Matters of discretion are:</p> <ul style="list-style-type: none"> 1. The matters in MCZ-P6, MCZ-P7, MCZ-P8 and MCZ-P9, and PX new policies; 2. The extent and effect of non-compliance with MCZ-S1, MCZ-S2, MCZ-S3, MCZ-S4, MCZ-S5, MCZ-S6, MCZ-S7, MCZ-S8, MCZ-S9, MCZ-S10 and MCZ-S11 and MCZ-SX (Boundary setback from rail corridor); 3. The Centres and Mixed-Use Design Guide, including guideline G107— City Outcomes Contribution as required in Appendix 16 for any building that exceeds the maximum height requirement and either comprises 25 or more residential units or is a non-residential building; 4. The Residential Design Guide; 5. The extent and effect of any identifiable site constraints; 6. Construction impacts on the transport network; and 7. The availability and connection to existing or planned three waters infrastructure. <p>Notification status:</p> <p>An application for resource consent made in respect of rule MCZ-R20.2.a that complies with all standards is precluded from being either publicly or limited notified.</p> <p>Notification status: An application for resource consent made in respect of rule MCZ-R20.2 which complies with MCZ-S3, MCZ-S7, MCZ-S8, MCZ-S9, MCZ-S10 and MCZ-S11 is precluded from being either publicly or limited notified.</p> <p>Notification status: An application for resource consent made in respect of rule MCZ-R20.2 which results in non-compliance with MCZ-S1, MCZ-S2, MCZ-S4, MCZ-S5 and MCZ-S6 is precluded from being publicly notified.</p>

MRZ-R21	Conversion of buildings, or parts of buildings, to residential activities
<p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in MCZ-P1, MCZ-P3, MCZ-S6 and MCZ-P8; 2. The extent of compliance with standards MCZ-S7, MCZ-S8 and MCZ-S9 and satisfaction of associated assessment criteria; and 3. The Residential Design Guide; and 4. The availability and connection to existing or planned three waters infrastructure. <p>Notification status: An application for resource consent made in respect of rule MCZ-R21.1 is precluded from being either publicly or limited notified.</p>	
MTZ-R22	Outdoor storage areas
<p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. The storage area is screened by either a fence or landscaping of 1.8m in height from any adjoining road or site. b. Screening does not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities. 	
<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance with the requirements of MCZ-R21.1 cannot be achieved. <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in MCZ-P7; 2. The extent to which any lesser screening is necessary to provide for the functional needs or operational needs of the activities on the site, or for people's health and safety; and 3. The extent to which outdoor storage is visible to surrounding areas, including any associated effects on amenity values where visible from Residential or Open Space Zones. <p>Notification status: An application for resource consent made in respect of rule MCZ-R22.2.a is precluded from being either publicly or limited notified.</p>	

Standards	
MCZ-S1	Maximum height
<p>1. The following maximum height limits above ground level must be complied with:</p>	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 3. Streetscape and visual amenity effects;

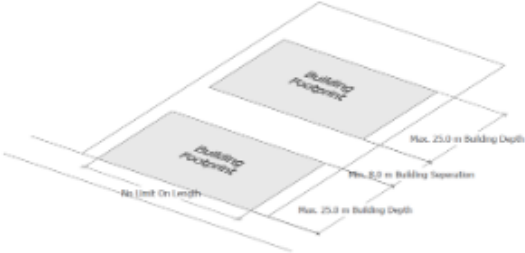
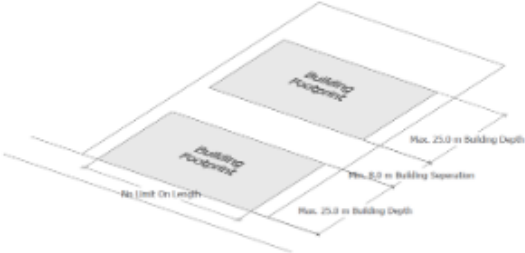
Location	Limit	
Height control area 1 Johnsonville	35m	
Height control 2 Kilbirnie (except as below)	27m	4. Dominance, privacy and shading effects on adjoining sites; and 5. The extent to which taller buildings would contribute to a substantial increase in residential accommodation.
Height control area 3 Kilbirnie, north of Rongotai Road	15m	
<p>2. Fences and standalone walls must not exceed a maximum height of 1.8 metres (measured above ground level).</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> Lot 2 DP 32689 (27 Johnsonville Road), where an 11m maximum height limit applies; Accessory buildings; Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m; and Lift overruns provided these do not exceed the height by more than 4m. 		
MCZ-S2		Minimum building height
<p>1. A minimum height of 7m is required for:</p> <ol style="list-style-type: none"> New buildings or structures; and Additions to the frontages of existing buildings and structures. <p>This standard does not apply to:</p> <ol style="list-style-type: none"> Accessory buildings, ancillary to the primary activity on the site. 		<p>Assessment criteria where the standard is infringed;</p> <ol style="list-style-type: none"> The extent to which a reduced height: <ol style="list-style-type: none"> Is necessary to provide for functional needs or operational needs of a proposed activity; Whether topographical or other site constraints make compliance with the standard impracticable or unnecessary; and

<p>2. Any building or structure that is unable to be occupied by people.</p>	<p>3. Whether, for any additions or alterations, the existing ground floor height meets the standard.</p>										
<p>MCZ-S3</p>	<p>Minimum ground floor height</p>										
<p>1. The minimum ground floor height to underside of structural slab or equivalent shall be 4m.</p>	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which a reduced height: <ol style="list-style-type: none"> a. Will compromise or preclude future use or adaptation of the ground floor for non-residential activities; b. Is necessary to provide for functional needs or operational needs of a proposed activity; and 2. Whether topographical or other site constraints make compliance with the standard impracticable or unnecessary. 										
<p>MCZ-S4</p>	<p>Height in relation to boundary</p>										
<p>1. No part of any building or structure may project beyond the relevant recession plane shown below:</p> <table border="1" data-bbox="240 1093 807 1865"> <thead> <tr> <th style="text-align: center;">Location</th> <th style="text-align: center;">Recession Plane</th> </tr> </thead> <tbody> <tr> <td>Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps</td> <td>60° measured from a height of 4m vertically above ground level</td> </tr> <tr> <td>Boundary adjoining any site within the MRZ with a height limit of 14m identified on the District Plan Maps</td> <td>60° measured from a height of 5m vertically above ground level</td> </tr> <tr> <td>Boundary adjoining any site within the HRZ</td> <td>60° measured from a height of 8m vertically above ground level</td> </tr> <tr> <td>Boundary adjoining any site within an Open Space Zone</td> <td>60° measured from a height of 5m vertically above ground level</td> </tr> </tbody> </table>	Location	Recession Plane	Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps	60° measured from a height of 4m vertically above ground level	Boundary adjoining any site within the MRZ with a height limit of 14m identified on the District Plan Maps	60° measured from a height of 5m vertically above ground level	Boundary adjoining any site within the HRZ	60° measured from a height of 8m vertically above ground level	Boundary adjoining any site within an Open Space Zone	60° measured from a height of 5m vertically above ground level	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. Dominance, privacy, and shading effects on adjoining sites; 2. Whether an increase in height in relation to boundary results from a response to natural hazard mitigation; 3. Effects on public spaces; and 4. The extent to which an increase in height in relation to boundary would contribute to a substantial increase in residential accommodation.
Location	Recession Plane										
Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps	60° measured from a height of 4m vertically above ground level										
Boundary adjoining any site within the MRZ with a height limit of 14m identified on the District Plan Maps	60° measured from a height of 5m vertically above ground level										
Boundary adjoining any site within the HRZ	60° measured from a height of 8m vertically above ground level										
Boundary adjoining any site within an Open Space Zone	60° measured from a height of 5m vertically above ground level										

MCZ-S5	Verandah control
<p>1. Verandahs must be provided on building elevations on identified street frontages.</p> <p>2. Any verandah must:</p> <ol style="list-style-type: none"> a. Extend the full width of the building elevation; b. Connect with any existing adjoining verandah; c. Have a minimum clearance of 2.5m directly above the footpath or formed ground surface; d. Not exceed a maximum height of 4m measured between the base of the verandah fascia and the footpath or formed ground surface directly below; e. Be setback a minimum of 450mm from any point along the kerbing extending back to the site boundary; and f. Not exceed a maximum width of 3m from the front of the building. <p>This standard does not apply to:</p> <ol style="list-style-type: none"> a. Any scheduled building identified in SCHED1-Heritage buildings. However, if for any reason these buildings received Council approval (resource consent or other approval) to be demolished, then a verandah would be required for any replacement buildings on these sites; and b. Any building where compliance with the standard results in an encroachment into the dripline of an existing street tree. c. Service stations 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which any non-compliance: <ol style="list-style-type: none"> a. Will adversely affect the comfort and convenience of pedestrians; b. Will result in further street trees being added to public space as part the development; and 2. The continuity of verandah coverage along the identified street, informal access route or public space.
MCZ-S6	Active frontage and non-residential activity frontage controls
<p>1. Any new building or addition to an existing building adjoining an identified street with an active frontage must:</p> <ol style="list-style-type: none"> a. Be built up to the street edge on all street boundaries with an identified active frontage and along the full width of the site 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which: <ol style="list-style-type: none"> a. Any non-compliance is required for on-site functional needs or operational needs;

<p>bordering any street boundary excluding vehicle and pedestrian access;</p> <p>b. Provide a minimum of 60% of continuous display windows or transparent glazing along the width of the ground floor building frontage; and</p> <p>c. Locate the principal public entrance on the front boundary;</p> <p>Except that this does not apply to service stations.</p> <p>2. Any ground level addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that:</p> <p>a. Is more than 3 metres wide; and</p> <p>b. Extends from a height of 1m above ground level to a maximum height of 2.5m;</p> <p>3. Any roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent; and</p> <p>4. Any new building or addition to an existing building on a site with a non-residential activity frontage control must:</p> <p>a. Be built up to the street edge on all street boundaries and along the full width of the site bordering any street boundary; and</p> <p>b. Locate the principal public entrance on the front boundary.</p>	<p>b. The building frontage is designed and located to create a strong visual alignment with adjoining buildings or otherwise enhances the streetscape;</p> <p>and</p> <p>c. An acceptable level of passive surveillance is maintained between the interior of the building and the street.</p>								
MCZ-S7	Minimum residential unit size								
<p>1. Residential units, including dual-key units must meet the following minimum sizes:</p> <table border="1" data-bbox="244 1485 809 1776"> <thead> <tr> <th data-bbox="244 1485 525 1585">Residential unit type</th> <th data-bbox="525 1485 809 1585">Minimum net floor area</th> </tr> </thead> <tbody> <tr> <td data-bbox="244 1585 525 1648">a. Studio unit</td> <td data-bbox="525 1585 809 1648">35m²</td> </tr> <tr> <td data-bbox="244 1648 525 1711">b. 1 bedroom unit</td> <td data-bbox="525 1648 809 1711">40m²</td> </tr> <tr> <td data-bbox="244 1711 525 1776">c. 2+ bedroom unit</td> <td data-bbox="525 1711 809 1776">55m²</td> </tr> </tbody> </table>	Residential unit type	Minimum net floor area	a. Studio unit	35m ²	b. 1 bedroom unit	40m ²	c. 2+ bedroom unit	55m ²	<p>Assessment criteria where the standard is infringed:</p> <p>1. The extent to which:</p> <p>a. The design of the proposed unit provides a good standard of amenity; and</p> <p>b. Other on-site factors compensate for a reduction in unit sizes.</p>
Residential unit type	Minimum net floor area								
a. Studio unit	35m ²								
b. 1 bedroom unit	40m ²								
c. 2+ bedroom unit	55m ²								
MCZ-S8	Residential – outdoor living space								
<p>1. Each residential unit, including any dual key unit, must be provided with either a private outdoor</p>	<p>Assessment criteria where the standard is infringed:</p> <p>1. The extent to which:</p>								

<p>living space or access to a communal outdoor living space</p> <p>2. Where private outdoor living space is provided it must be:</p> <ol style="list-style-type: none"> For the exclusive use of residents; Directly accessible from a habitable room; A single contiguous space; and Of the minimum area and dimension specified in the table below; and <p>3. Where communal outdoor living space is provided it does not need to be in a single continuous space but it must be:</p> <ol style="list-style-type: none"> Accessible from the residential units it serves; Of the minimum area and dimension specified in the table below; and Free of buildings, parking spaces, and servicing and manoeuvring areas. 	<ol style="list-style-type: none"> Any proposed outdoor living space provides a good standard of amenity relative to the number of occupants the space is designed for; Other on-site factors compensate for a reduction in the size or dimension of the outdoor living space; <p>2. Whether any alternative publicly available open space adjoins or is in close proximity to the site; and</p> <p>3. The availability of public space in proximity to the site.</p>																								
<table border="1"> <thead> <tr> <th>Living space type</th> <th>Minimum area</th> <th>Minimum dimension</th> </tr> </thead> <tbody> <tr> <td colspan="3">c. Private</td> </tr> <tr> <td>iii. Studio unit and 1-bedroom unit</td> <td>5m²</td> <td>1.8m</td> </tr> <tr> <td>iv. 2+ bedroom unit</td> <td>8m²</td> <td>1.8m</td> </tr> <tr> <td colspan="3">d. Communal</td> </tr> <tr> <td>iii. For every 5 4-15 units</td> <td>4064m²</td> <td>8m</td> </tr> <tr> <td>v. For each additional unit above 15 units</td> <td>2m²</td> <td>=</td> </tr> <tr> <td colspan="3"> Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space. </td> </tr> </tbody> </table>		Living space type	Minimum area	Minimum dimension	c. Private			iii. Studio unit and 1-bedroom unit	5m ²	1.8m	iv. 2+ bedroom unit	8m ²	1.8m	d. Communal			iii. For every 5 4-15 units	4064m ²	8m	v. For each additional unit above 15 units	2m ²	=	Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space.		
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<p style="text-align: center;">MCZ-S9</p>	<p style="text-align: center;">Minimum outlook space for multi-unit housing</p>
<p>1. Every residential unit must be designed to achieve a minimum of 1m by 1m outlook space for all habitable rooms.</p>	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which; <ol style="list-style-type: none"> a. The design of the proposed unit provides a good standard of amenity; and b. Other on-site factors compensate for a reduction in outlook space.
<p style="text-align: center;">MCZ-S10</p>	<p style="text-align: center;">Minimum building separation distance</p>
<p>1. Any new building or addition to an existing building used for residential activities must provide an 8m separation distance between buildings located on the same site, as shown in Diagram 15 below.</p> <div style="text-align: center;">  </div> <p><u>This standard does not apply to:</u></p> <ol style="list-style-type: none"> a. <u>Retirement Villages</u> 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which a reduced setback will increase dominance and shadowing related effects on residential units within the development site; and 2. Dominance, privacy and shading effects on adjoining sites.
<p style="text-align: center;">MCZ-S11</p>	<p style="text-align: center;">Maximum building depth</p>
<p>1. Any new building or additions to existing building used for residential activities must not result in the continuous depth of any external side wall being greater than 25m, as shown in Diagram 16 below.</p> <div style="text-align: center;">  </div>	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which design mitigates the effect of a long featureless building elevation; and 2. Dominance, privacy and shading effects on adjoining sites.

<p><u>This standard does not apply to:</u></p> <p>a. <u>Retirement Villages</u></p>	
<p>MCZ-SX</p>	<p>Boundary setback from rail corridor</p>
<p>1. <u>Boundary or structures must not be located within 1.5m setback from a rail corridor boundary.</u></p>	<p>Assessment criteria where the standard is infringed:</p> <p>2. <u>The extent to which the location and design of the building relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.</u></p>

<p>Methods</p>	
<p>MCZ-M1</p>	<p>Urban Design Panel</p>
<p><u>Council will seek to establish and facilitate an independent Urban Design Panel to inform the urban design assessments in relevant policies and matters of discretion that apply to significant resource consent applications as required.</u></p>	

CITY CENTRE ZONE

Introduction

The purpose of the City Centre Zone is to enable and reinforce the continued primacy of the Wellington central city area as the principal commercial and employment centre servicing the city and metropolitan region. The City Centre Zone is the commercial heart of Wellington and the wider region and New Zealand's Capital City. It is also a major employment hub for the region and contains a vibrant and diverse mix of inner city living, entertainment, educational, government, [parliamentary, civic](#) and commercial activity. Relative to other areas of the city it exhibits a heightened intensity and scale of development.

As well as a diversity of activity, the City Centre Zone contains a variety of environments ranging from high-rise office towers and residential apartments through to distinct heritage areas and buildings, and an array of public and open space, including the waterfront. These combine to give the City Centre Zone a distinctive identity and character.

This distinctiveness is further reinforced by the long established traditional, historical, cultural, and spiritual associations and more recent development interests that the mana whenua of Te Whanganui ā Tara (Wellington), Taranaki Whānui and Ngāti Toa Rangatira, have with many places and sites across the City Centre Zone. Some of the more significant of these include Pipitea Marae and Pā, Kumutoto Kāinga and stream, Te Aro Kainga, Waitangi and Whairepo Lagoons and statutory acknowledgement areas such as the Old Government Buildings and Turnbull House Historic Reserves.

Also centrally located within the City Centre Zone is Te Ngākau Civic Square – a distinct civic precinct that abuts Victoria Street, Wakefield Street, Harris Street and Jervois Quay and acts as a key connector to the city's waterfront. The precinct is entering a phase of transition, with some of its associated civic buildings and assets requiring either earthquake strengthening or redevelopment. In addition to seismic resilience challenges it also faces significant climate and water management related issues including flooding and inundation.

A long-term vision for the Te Ngākau Civic Square Precinct has been developed and approved by the Council, the focus of which is ensuring the precinct becomes a vibrant, safe and inclusive area that enables creative, cultural, civic and arts activities to flourish. [The Council and its Tākai Here partners will plan the precinct development to realise this vision.](#) The City Centre Zone aligns with this vision by enabling a level of redevelopment to occur that accommodates the range of activities anticipated.

To maximise development capacity to accommodate projected growth, an increase in the scale and intensity of development is enabled across the zone. This includes building height, density and urban form tailored to align with the outcomes sought by the National Policy Statement – Urban Development (NPS-UD) and to reflect the higher, denser nature of development within the City

Centre Zone. To complement this the Zone also contains measures to ensure that buildings and spaces are designed to:

- be of accessible and of a good quality;
- positively contribute to public space and built form of the City Centre;
- offer a suitable level of amenity for users such as access to sunlight and open space;
- provide opportunities for active and passive recreational pursuits; and
- mitigate relevant adverse effects.

To ensure the continued vibrancy [and viability](#) of the City Centre Zone a wide range of activities are permitted and encouraged throughout most parts of the Zone. This is supported by measures to manage activities and development that have the potential to adversely affect public and private amenity or to create reverse sensitivity effects, including along the boundary with adjoining residentially zoned areas or identified public space.

In locations where rapid transit investment has been signalled measures have been included to enable opportunities for more intensive, comprehensive development to occur, particularly in areas within a walkable [distance catchment](#) of planned rapid transit stops.

CCZ-PREC01 Te Ngākau Civic Square Precinct

The purpose of the Te Ngākau Civic Square Precinct is to provide for civic activities, functions, [public use and](#) areas of open space and redevelopment of the precinct while ensuring that any future development respects the special qualities of the area, including the concentration of listed heritage buildings.

The Precinct is Wellington's unique civic place. It is located in the heart of the City Centre and is a destination in itself. It is also an anchor point and gateway that connects the city centre's entertainment area, the waterfront and the Central Business District. Wellington's major civic and entertainment venues are located within the precinct, including the Wellington Town Hall, City Gallery Wellington (Te Whare Toi), Wellington City Library (Te Matapihi), Michael Fowler Centre, [Civic Administration Building, Municipal Office Building](#), and Capital E.

The long-term vision for the precinct is that Te Ngākau is the beating heart of our capital city: a thriving neighbourhood where creativity, culture, democracy, discovery and arts experiences collide on the edge of Te Whānganui-a-Tara.

In particular, the aims of the Te Ngākau Civic Square Precinct are to:

1. Ensure that it is a vibrant and welcoming space which supports a range of uses to locate alongside its core civic function;
2. Provide a distinctive, safe, inclusive, comfortable and green environment for all users;
3. Create a civic space that reflects Wellington's unique culture, architecture, design, heritage and identity, including reflecting mana whenua values;

4. Ensure that future buildings and public environments are designed to a high quality; are resilient and sustainable; and complement and connect existing buildings and public spaces within the precinct as well as to the wider urban fabric of the City Centre;
5. Enable greater connectivity to surrounding streets and access between the city and waterfront, and to integrate with the wider transport network; and
6. Ensure that it is equipped to respond to significant seismic and climate change resilience challenges.

Te Ngākau Civic Square Precinct has long established historical and cultural associations for the mana whenua of Whanganui a Tara (Wellington), Taranaki Whānui and Ngāti Toa Rangatira. Consequently, it is important that activities within the precinct recognise mana whenua as kaitiaki, alongside their relationship with the land. Active engagement with mana whenua will assist in ensuring the mouri/mauri of this area of significance to mana whenua is not diminished through any potential adverse effects created by activities and development within the precinct.

The Land Use Activities Rules for the City Centre Zone apply to the Te Ngākau Civic Square Precinct, with the Building and Structure Activity Rules and Standards for the City Centre Zone also applicable in addition to any precinct specific rules and standards identified in the plan.

Where there is any conflict between City Centre Zone and precinct specific provisions, the precinct provisions prevail.

Other Relevant District Plan Provisions

There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

Objectives	
City Centre Zone	
CCZ-01	<p>Purpose</p> <p>The City Centre Zone continues to be the primary commercial and employment centre servicing Wellington and the wider region, supported by residential and a diverse mix of other compatible activities that reflect its role and function in the hierarchy of centres.</p>
CCZ-02	<p>Accommodating growth</p> <p>The City Centre Zone plays a significant role in accommodating residential, business and supporting community service growth, and has sufficient serviced development capacity and additional infrastructure to</p>

	<p>meet its short, medium and long term residential and business growth needs, including:</p> <ol style="list-style-type: none"> 1. A choice variety of building type, size, affordability and distribution, including forms of medium and high-density housing; 2. Convenient access to active and public transport activity options; 3. Efficient, well integrated and strategic use of available development sites; and 4. Convenient access to a range of open space, including green space, and supporting commercial activity and community facility options.
CCZ-03	<p>Urban form and scale</p> <p>The scale and form of development in the City Centre Zone reflects its purpose as Wellington’s primary commercial and employment centre, with the highest and most intensive form of development concentrated in the zone relative to other parts of the city.</p>
CCZ-04	<p>Ahi Kā</p> <p>Taranaki Whānui and Ngāti Toa Rangatira are acknowledged as the mana whenua of Te Whanganui ā Tara (Wellington) and their cultural associations, and landowner and development interests are recognised in planning and developing the City Centre Zone.</p>
CCZ-05	<p>Amenity and design</p> <p>Development in the City Centre Zone positively contributes to creating a high quality, well-functioning urban environment, including:</p> <ol style="list-style-type: none"> 1. Reinforcing the City Centre Zone’s distinctive sense of place; 2. Providing a quality and level of public and private amenity in the City Centre Zone that evolves and positively responds to anticipated growth and the diverse and changing needs of residents, businesses and visitors; 3. Maintaining and enhancing the amenity and safety of public space; 4. Contributing to the general amenity of neighbouring residential areas while achieving the anticipated urban form of the City Centre Zone; 5. Producing a resilient urban environment that effectively adapts and responds to natural hazard risks and the effects of climate change; 6. Protecting current areas of open space, including green space, and providing greater choice of space for residents, workers and visitors to enjoy, recreate and shelter from the weather; and

	7. Acknowledging and sensitively responding to adjoining heritage buildings, heritage areas and areas and sites of significance to Māori.
CCZ-06	<p>Development near rapid transit</p> <p>Activities and development near existing and planned rapid transit stops:</p> <ol style="list-style-type: none"> 1. Are located to enable convenient access by local residents, workers and visitors, particularly around transport hubs; 2. Are of sufficient residential scale and intensity to support a frequent and rapid transit network and associated mixed use development; and 3. Provide vibrant, attractive and easily accessible public space.
CCZ-07	<p>Managing adverse effects</p> <p>Adverse effects of activities and development in the City Centre Zone are managed effectively both:</p> <ol style="list-style-type: none"> 1. Within the City Centre Zone; and 2. At interfaces with: <ol style="list-style-type: none"> a. Heritage buildings, heritage structures and heritage areas; b. Scheduled sites and areas of significance to Māori; c. Identified public spaces; d. Identified pedestrian streets; e. Residential Zoned areas; f. Open Space and Recreation Zoned areas; and g. The Waterfront Zone.
Te Ngākau Civic Square Precinct	
CCZ-PREC01-01	<p>Purpose</p> <p>Te Ngākau Civic Square Precinct is a vibrant, safe, resilient, connected and inclusive environment supported by a range of activities that complement its primary civic function.</p>
CCZ-PREC01-02	<p>Built form</p> <p>The scale, form and positioning of development within the Te Ngākau Civic Square Precinct:</p> <ol style="list-style-type: none"> 1. Respects and reinforces the distinctive form and scale of existing associated historic heritage buildings, architecture and public space; 2. Integrates mana whenua values into the design; 3. Frames the square; 4. Ensures a high degree of sunlight access is achieved within the precinct public spaces in the precinct;

	<p>5. Provides multiple connections which enable people to conveniently move between the city centre and the waterfront; and</p> <p>6. Is sustainable and resilient.; and</p> <p>7. Provides for green spaces, where possible.</p>
CCZ-PREC01-O3	<p>Integration with the City Centre, Waterfront and wider transport network</p> <p>Safe and accessible pedestrian linkages through the Te Ngākau Civic Square Precinct, and to and from other parts of the city centre and waterfront, are maintained and enhanced.</p>

Policies	
City Centre Zone	
CCZ-P1	<p>Enabled activities</p> <p>Enable a range and diversity of activities that support the purpose and ongoing viability of the City Centre Zone and enhances its vibrancy and amenity, including:</p> <ol style="list-style-type: none"> 1. Commercial activities; 2. Residential activities (including retirement villages); except located; <li style="margin-left: 20px;">a. Above ground level; or <li style="margin-left: 20px;">b. At ground level Along any street not subject to active frontage and/or verandah coverage requirements; <li style="margin-left: 20px;">c. On any site subject to an identified natural hazard risk; 3. Community facilities; 4. Educational facilities; 5. Arts, culture and entertainment activities; 6. Emergency service facilities; 7. Marae activities; 8. Community corrections activities; 9. Public transport activities; 10. Visitor accommodation; 11. Repair and maintenance service activities; and 12. Recreation activities.; 13. Parliamentary activities; 14. Government activities; and 15. Civic activities.
CCZ-P2	<p>Potentially incompatible activities</p> <p>Only allow activities that are potentially incompatible with the purpose of the City Centre Zone, where they will not have an adverse effect on its</p>

	<p>vitality, vibrancy and amenity, resilience and accessibility. Potentially incompatible activities include:</p> <ol style="list-style-type: none"> 1. Industrial activities; 2. Yard-based retail activities; 3. Carparking at ground level; 4. Demolition of buildings that results in the creation of vacant land; and 5. Ground floor residential activities on streets identified as requiring either an active frontage or verandah coverage and sites subject to an identified hazard risk.
CCZ-P3	<p>Heavy industrial activities</p> <p>Avoid heavy industrial activities from locating in the City Centre Zone.</p>
CCZ-P4	<p>Housing choice</p> <p>Enable high density, good quality residential development that:</p> <ol style="list-style-type: none"> 1. Contributes towards accommodating anticipated growth in the city; and 2. Offers-Contributes to a range of housing price, type, size and tenure that is accessible to people of all ages, lifestyles, cultures, impairments and abilities; and 3. Addresses the needs of an ageing population.
CCZ-P5	<p>Urban form and scale</p> <p>Recognise the benefits of intensification by:</p> <ol style="list-style-type: none"> 1. Enabling greater overall height and scale of development to occur in the City Centre Zone relative to other centres; and 2. Requiring the available development capacity of land within the zone to be efficiently optimised.
CCZ-P6	<p>Adaptive use</p> <p>Encourage new development and redevelopment in the City Centre Zone that is sustainable, resilient and adaptable to change in use over time, including enabling:</p> <ol style="list-style-type: none"> 1. Sufficient flexibility for ground floor space to be used and converted for a range of activities; and 2. Residential activities at ground floor level along streets that are not subject to active frontage and/or verandah coverage requirements and sites free of any identified natural hazard risk.
CCZ-P7	Ahi Kā

	<p>Recognise and enable Taranaki Whānui and Ngāti Toa Rangatira cultural associations and landowner and development interests in the City Centre Zone by:</p> <ol style="list-style-type: none"> 1. Providing for the development of papakāinga, kaumātua housing and affordable Māori housing on their landholdings; 2. Managing new development adjoining scheduled sites of significance to Māori; and 3. Collaborating on the design and incorporation of traditional cultural elements into public space within the zone.
<p>CCZ-P8</p>	<p>Sense of place</p> <p>Provide for good quality new development and supporting public space that reinforces the City Centre's identity and unique sense of place at a city scale, including its:</p> <ol style="list-style-type: none"> 1. Surrounding topography and harbour setting; 2. Rich Māori and tauīwi/non-Māori history; 3. Compact, walkable city structure; 4. Diversified and vibrant mix of activities; 5. Visually prominent buildings and variety of architectural styles; and 6. Diversity of accessible, well designed civic and public space.
<p>CCZ-P9</p>	<p>Quality design outcomes</p> <p>Require new development, and alterations and additions to existing development, at a site scale to positively contribute to the sense of place and distinctive form, quality and amenity of the City Centre Zone by:</p> <ol style="list-style-type: none"> 1. Meeting the requirements of the Centres and Mixed Use Design Guide; 2. Recognising the benefits of well-designed, comprehensive development, including the extent to which the development: <ol style="list-style-type: none"> a. Acts as a catalyst for future change by reflecting Reflects the nature and scale of the development proposed enabled within the zone and in the vicinity and responds to the evolving, more intensive identity of the neighbourhood; b. Optimises the development capacity of the land, particularly including sites that are large, narrow, vacant or ground level parking areas: <ol style="list-style-type: none"> i.—Large; or ii.—Narrow; or iii.—Vacant; or iv.—Ground level parking areas;

	<ul style="list-style-type: none"> c. Provides for the increased levels of residential accommodation anticipated; and d. Provides for a range of supporting business, open space and community facilities; and e. Is accessible for emergency service vehicle; and <p>3. Ensuring that development, where relevant:</p> <ul style="list-style-type: none"> a. Responds to the site context, particularly where it is located adjacent to: <ul style="list-style-type: none"> i. A scheduled site of significance to Māori; ii. A heritage building, heritage structure or heritage area; iii. An identified character precinct; iv. A listed public space; v. Identified pedestrian streets; vi. Residential zones; vii. Open space zones; and viii. The Waterfront Zone; b. Responds to the pedestrian scale of narrower streets; c. Responds to any identified significant natural hazard risks and climate change effects, including the strengthening and adaptive reuse of existing buildings; d. Provides a safe and comfortable pedestrian environment; e. Enhances the quality of the streetscape and the private/public interface; f. Integrates with existing and planned active and public transport activity movement networks, including planned rapid transit stops; and g. Allows sufficient flexibility for ground floor space to be converted to a range of activities, including residential along streets that are not subject to active frontage and/or verandah coverage requirements and sites free of any identified natural hazard risk.
<p style="text-align: center;">CCZ-P10</p>	<p>On-site residential amenity</p> <p>Achieve a high standard of amenity for residential activities that reflects and responds to the evolving, higher density scale of development anticipated in the City Centre Zone, including:</p> <ul style="list-style-type: none"> 1. Providing residents with access to an adequate outlook; and 2. Ensuring convenient access to convenient outdoor space, including private and/or shared communal areas of outdoor space; 3. Meeting the requirements of the Residential Design Guide, as relevant; and 4. Providing residents with adequate internal living space.

<p>CCZ-P11</p>	<p>City outcomes contribution</p> <p>Require over and under height, large-scale residential, non-residential and comprehensive developments (excluding retirement villages) over the CCZ-S1 height thresholds and under CCZ-S4 minimum building heights in the City Centre Zone to deliver City Outcomes Contributions as detailed and scored in Appendix 16 the Centres and Mixed-Use Design-Guide guideline G107, including through either:</p> <ol style="list-style-type: none"> 1. Positively contributing to public space provision and the amenity of the site and surrounding area; and/or 2. Enabling ease of access for people of all ages and mobility/disability; and/or 3. Incorporating a level of building performance that leads to reduced carbon emissions and increased climate-change earthquake resilience; and/or 4. Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or 5. Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure that it remains assisted housing for at least 25 years; and/or 6. Enabling ease of access for people of all ages and mobility.
<p>CCZ-P12</p>	<p>Managing adverse effects</p> <p>Recognise the evolving, higher density development context anticipated in the City Centre Zone, while managing any associated adverse effects including:</p> <ol style="list-style-type: none"> 1. The impacts of building dominance and the height and scale relationship; 2. Building mass effects, including the amount of light and outlook around buildings; and 3. The impacts on sunlight access to identified public space; and 4. The impacts of related construction activity on the transport network and pedestrian linkages.
<p>CCZ-PX</p>	<p>Retirement village</p> <p>Provide for retirement villages where it can be demonstrated that the development:</p> <ol style="list-style-type: none"> 1. Meeting the requirements of the Residential Design-Guide, as relevant; 2. Includes outdoor space that is sufficient to cater for the needs of the residents of the village;

	<p>3.—Provides an adequate and appropriately located area on site for the management, storage and collection of all waste; recycling and organic waste potentially generated by the development;</p> <p>4.—Is able to be adequately serviced by three waters infrastructure or can address any constraints on the site; and</p> <p>5.—Is of an intensity, scale and design that is consistent with the amenity values anticipated for the Zone;</p> <p><u>Enable retirement villages to:</u></p> <ol style="list-style-type: none"> a. <u>Provide for greater density than other forms of residential developments to enable shared spaces, services, amenities and / facilities, and affordability and the efficient provision of assisted living and care services;</u> b. <u>Be adequately serviced by three waters infrastructure or can address any constraints on the site;</u> c. <u>Provide good quality on site amenity, recognising the unique layout, internal amenity and other day-to-day needs of residents as they age and the types of retirement units they live in;</u> d. <u>Encourage the scale and design of the retirement village to:</u> <ol style="list-style-type: none"> i. <u>be of a high-quality and compatible with the planned urban character;</u> ii. <u>achieve attractive and safe streets and public open spaces, including by providing for passive surveillance; and</u> iii. <u>achieve an appropriate level of residential amenity at neighbouring properties where relevant built form standards are exceeded.</u>
Te Ngākau Civic Square Precinct	
CCZ-PREC01-P1	<p>Activities</p> <p>Enable a range of activities and temporary events that support the civic purpose and ongoing vibrancy and amenity of Te Ngākau Civic Square Precinct, including:</p> <ol style="list-style-type: none"> 1. Civic functions; 2. Arts, culture and entertainment activities; 3. Recreation activities; 4. Community facilities; 5. Commercial activities; and 6. Residential activities above ground level to encourage activation of the precinct both day and night.

<p>CCZ-PREC01-P2</p>	<p>Use and development of the Te Ngākau Civic Square Precinct</p> <p>Provide for the staged redevelopment of the Te Ngākau Civic Square Precinct, and its connections with the transport network, wider City Centre Zone and Waterfront Zone, including:</p> <ol style="list-style-type: none"> 1. Enhancing the public function, pedestrian network and public spaces within the precinct; 2. Maintaining its special character by managing the form, scale and intensity of development; 3. Ensuring land use activities and development are planned and designed in a co-ordinated, site-responsive, comprehensive and integrated manner; and 4. Enabling new development and a range of activities that are integrated and compatible with existing buildings and land uses in the precinct.
<p>CCZ-PREC01-P3</p>	<p>Access, connections and open space</p> <p>Require that the use and development of the Te Ngākau Civic Square Precinct:</p> <ol style="list-style-type: none"> 1. Provides attractive, safe, efficient, and convenient connections to existing and planned transport networks; 2. Promotes existing and planned pedestrian access and connections between the precinct, the waterfront and the city centre; and 3. Provides well-designed, safe and accessible public and green open space, within the precinct.
<p>CCZ-PREC01-P4</p>	<p>Amenity and design</p> <p>Require development within the Te Ngākau Civic Square Precinct to contribute positively to its visual quality, amenity, interest and public safety by:</p> <ol style="list-style-type: none"> 1. Requiring buildings and public spaces to incorporate high-quality visual and architectural design based on factors such as the bulk, form, scale, portion, location and detailing of the building/structure or building additions/alterations; 2. Ensuring building design respects the form, scale and style of heritage buildings and wider architectural elements within the precinct, including interface treatment with the Town Hall; 3. Responding to any identified significant natural hazard risks and climate change effects, including the strengthening and adaptive reuse of existing buildings and requiring new buildings to be resiliently designed;

	<ol style="list-style-type: none"> 4. Recognising mana whenua cultural values in the design of public spaces; 5. Ensuring new development will result in overall improvements to the function, access and safety of the precinct, including enabling universal access and opportunities for formal and informal surveillance; 6. Providing an active edge along a portion of each building that addresses both the internal precinct area and externally towards adjoining streets; 7. Providing a comfortable micro-climate for precinct users; 8. Positioning new development and managing building height and form to ensure a high degree of sunlight access is achieved within the square; 9. Retaining and enhancing strong visual and physical connections between the square, the waterfront, the city centre and streets surrounding the precinct; and 10. Incorporating public amenities, public artwork and means to assist wayfinding, including provision of interpretation and references to the area's cultural and historic heritage associations.
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Rules: Land use activities in the City Centre Zone	
CCZ-R1	Commercial activities
1. Activity status: Permitted	
CCZ-R2	Community facilities
1. Activity status: Permitted	
CCZ-R3	Educational facilities
1. Activity status: Permitted	
CCZ-R4	Recreation activities
1. Activity status: Permitted	
CCZ-R5	Arts, culture, and entertainment activities
1. Activity status: Permitted	
CCZ-R6	Emergency service facilities
1. Activity status: Permitted	
CCZ-R7	Marae activities

1. Activity status: Permitted	
CCZ-R8	Community corrections activities
1. Activity status: Permitted	
CCZ-R9	Public transport activities
1. Activity status: Permitted	
CCZ-R10	Visitor accommodation activities
1. Activity status: Permitted	
CCZ-R11	Repair and maintenance service activities
1. Activity status: Permitted	
CCZ-RX	Parliamentary activities
1. <u>Activity status: Permitted</u>	
CCZ-RX	Government activities
1. <u>Activity status: Permitted</u>	
CCZ-RX	Civic activities
1. <u>Activity status: Permitted</u>	
CCZ-RX	Retirement villages
1. <u>Activity status: Permitted</u>	
<p><u>Where:</u></p> <p>a. <u>The activity is located:</u></p> <p>i. <u>Above ground floor;</u></p> <p>ii. <u>At ground floor level along any street edge not identified as an active frontage; or</u></p> <p>b. <u>At ground floor level along any street edge not identified as a non-residential activity frontage; or</u></p> <p><u>At ground level along any street not identified as requiring verandah coverage.</u></p>	
1. <u>Activity status: Restricted Discretionary</u>	
<p><u>Where:</u></p> <p>2. <u>Compliance with the requirements of CCZ-RX.1 cannot be achieved.</u></p> <p>3. <u>Compliance with any other standards applicable to retirement villages cannot be achieved;</u></p> <p><u>Matters of discretion:</u></p> <p>4. <u>The matters in CCZ-P4, CCZ-P5, CCZ-P6, CCZ-P7, CCZ-P8, CCZ-P9, CCZ-P10, CCZ-P11, CCZ-P12, and PX new policies;</u></p>	

5. The extent and effect of non-compliance with CCZ-S2, CCZ-S3, CCZ-S5, CCZ-S6, CCZ-S7, CCZ-S8, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12, CCZ-S13, CCZ-SX (Fences and standalone walls), CCZ-SX (Boundary setback from a rail corridor) and CCZ-SX (Sites adjoining residential zones);
6. The extent and effect of any identifiable site constraints;
7. The impacts of related construction activities on the transport network; and
8. The availability and connection to existing or planned three waters infrastructure.

Notification:

An application for resource consent made in respect of rule CCZ-RX.2.a is precluded from being limited and publicly notified.

CCZ-R12	Residential activities
<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The activity is located:</p> <ol style="list-style-type: none"> i. Above ground floor level; or ii. At ground floor level along any street edge not identified as an active frontage; or iii. At ground level along any street not identified as requiring verandah coverage; or iv. At ground level on any site contained within a Natural Hazard Overlay. 	
<p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of CCZ-R12.1.a cannot be achieved.</p> <p>Notification status: An application for resource consent made in respect of rule CCZ-R12.2.a is precluded from being <u>either</u> publicly <u>or limited</u> notified.</p>	
CCZ-R13	Industrial activities, excluding repair and maintenance service activities
<p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. The activity is not a Heavy Industrial Activity.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The compatibility with, and nature and form of, neighbouring activities; 2. The effect on the visual quality of the streetscape and the extent to which the activity contributes to or detracts from the surrounding public space; and 3. Effects on the amenity of the area, particularly in relation to noise, traffic generation, dust, odour and light spill. 	

Notification status: An application for resource consent made in respect of rule CCZ-R13.1.a is precluded from being publicly notified.	
<p>2. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance with the requirements of CCZ-R13.1.a cannot be achieved</p> <p>Notification status: An application for resource consent made in respect of rule CCZ-R13.2 must be publicly notified.</p>	
CCZ-R14	Carparking activities
<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The activity involves:</p> <ol style="list-style-type: none"> i. Provision of carpark above ground level; or ii. Provision of carpark below ground floor level; or iii. Provision of parking spaces for people with disabilities; or iv. Provision of ground level carpark that form part of a building specifically constructed and used for carparking purposes. 	
<p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of CCZ-R14.1.a cannot be achieved.</p> <p>Notification status: An application for resource consent made in respect of rule CCZ-R14.2.a must be publicly notified.</p>	
CCZ-R15	Yard-based retailing activities
<p>1. Activity status: Discretionary</p> <p>Notification Status: An application for resource consent made in respect of rule CCZ-R15 must be publicly notified except when:</p> <p>a. The activity relates to the maintenance, operation and upgrading of an existing activity.</p>	
CCZ-R16	All other land use activities
<p>1. Activity status: Discretionary</p> <p>Where:</p> <p>a. The activity is not otherwise provided for as a permitted activity, restricted discretionary activity, or a non-complying activity.</p>	

Rules: Land use activities in the Te Ngākau Civic Square Precinct	
CCZ-PREC01-R1	Civic activities
1. Activity status: Permitted	
CCZ-PREC01-R2	Arts, culture, and entertainment activities
1. Activity status: Permitted	
CCZ-PREC01-R3	Community activities
1. Activity status: Permitted	
CCZ-PREC01-R4	Commercial facilities
1. Activity status: Permitted	
CCZ-PREC01-R5	Recreation activities
1. Activity status: Permitted	
CCZ-PREC01-R6	Residential activities
1. Activity status: Permitted	
Where:	
a. The activity is located above ground floor level	
<u>CCZ-PREC01-RX</u>	<u>Educational facilities</u>
1. <u>Activity status: Permitted</u>	
<u>CCZ-PREC01-RX</u>	<u>Government activities</u>
1. <u>Activity status: Permitted</u>	
CCZ-PREC01-R7	All other land use activities
1. Activity status: Discretionary	
Where:	
a. The activity is not otherwise provided for as a permitted activity, restricted discretionary activity, or a non-complying activity.	

Rules: Building and structure activities in the City Centre Zone	
CCZ-R17	Maintenance and repair of buildings and structures
2. Activity status: Permitted	

CCZ-R18	Demolition or removal of buildings and structures
<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The demolition or removal of a building:</p> <ol style="list-style-type: none"> i. Is required to avoid an imminent threat to life and/or property; or ii. Enables the creation of public space or private outdoor living space associated with the use of a building; or iii. Is required for the purposes of constructing a new building or adding to or altering an existing building that is a permitted activity under CCZ-R19 or CCZ-R20, or that has an approved resource consent or resource consent is being sought concurrently under CCZ-R19.2, CCZ-R20.2 or CCZ-R20.3; or <p>b. The demolition or removal involves a structure, excluding any building.</p>	
<p>2. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance with any of the requirements of CCZ-R18.1 cannot be achieved.</p> <p>Notification status: An application for resource consent made in respect of rule CCZ-R18.2.a is precluded from being either publicly or limited notified.</p>	
CCZ-R19	Alterations and additions to buildings and structures
<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Any alterations or additions to a building or structure that:</p> <ol style="list-style-type: none"> i. Do not alter the external appearance of the building or structure; or ii. Relate to a building frontage below verandah level, including entranceways and glazing and compliance with CCZ-S8 is achieved; or iii. Do not result in the creation of new residential units; and iv. Are not visible from public spaces; and v. Comply with standards CCZ-S1, CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S5, CCZ-S6, CCZ-S7 and CCZ-S8 and CCZ-SX (Fences and standalone walls). 	
<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of CCZ-R19.1 cannot be achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in CCZ-P4, CCZ-P5, CCZ-P6, CCZ-P7, CCZ-P8 CCZ-P9, CCZ-P10, CCZ-P11 and CCZ-P12, and PX new policies; 	

2. The extent and effect of non-compliance with ~~CCZ-S1~~, CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S5, CCZ-S6, CCZ-S7, CCZ-S8, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12 ~~and~~ CCZ-S13, [CCZ-SX \(Fences and standalone walls\)](#), [CCZ-SX \(Boundary setback from a rail corridor\)](#) and [CCZ-SX \(Sites adjoining residential zones\)](#);
3. Construction impacts on the transport network; [and](#)
4. ~~The Centres and Mixed-Use Design Guide, including guideline G107~~– City Outcomes Contribution [as required in Appendix 16](#) for any building that exceeds the ~~maximum CCZ-S1 height threshold or is under the minimum height limit requirement and either comprises 50 or more residential units or is a non-residential building;~~ [and](#)
5. ~~The Residential Design Guide.~~

Notification status:

[An application for resource consent made in respect of rule CCZ-R19.2.a that complies with all standards is precluded from being either publicly or limited notified.](#)

An application for resource consent made in respect of rule CCZ-R19.2.a which results in non-compliance with CCZ-S5, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12 and CCZ-S13 is precluded from being either publicly or limited notified.

An application for resource consent made in respect of rule CCZ-R19.2.a which results in non-compliance with CCZ-S1, CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S6, CCZ-S7 and CCZ-S8 is precluded from being publicly notified.

CCZ-R20	Construction of buildings and structures
<p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. It involves the construction of any new building or structure that: <ol style="list-style-type: none"> i. Will have a gross floor area of 100m² or less; and ii. Will result in a building coverage of no more than 20 percent; and b. Compliance with CCZ-S1, CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S5, CCZ-S6, CCZ-S7, CCZ-S8, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12, and CCZ-S13, CCZ-SX (Fences and standalone walls), CCZ-SX (Boundary setback from a rail corridor) and CCZ-SX (Sites adjoining residential zones) is achieved. 	
<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance with any of the requirements of CCZ-R20.1, excluding CCZ-S4, cannot be achieved. <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in CCZ-P4, CCZ-P5, CCZ-P6, CCZ-P7, CCZ-P8, CCZ-P9, CCZ-P10, CCZ-P11 and CCZ-P12, and PX new policies; 2. The extent and effect of non-compliance with CCZ-S1, CCZ-S2, CCZ-S3, CCZ-S5, CCZ-S6, CCZ-S7, CCZ-S8, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12 and CCZ-S13, CCZ-SX (Fences and standalone walls), CCZ-SX (Boundary setback from a rail corridor) and CCZ-SX (Sites adjoining residential zones); 	

<p>3. The Centres and Mixed-Use Design Guide, including guideline G107—City Outcomes Contribution <u>as required in Appendix 16</u> for any building that exceeds the <u>maximum CCZ-S1 height threshold requirement or is under the minimum height limit in CCZ-S4</u>. and either comprises 50 or more residential units or is a non-residential building;</p> <p>4.—The Residential Design Guide;</p> <p>5. The extent and effect of any identifiable site constraints;</p> <p>6. The impacts of related construction activities on the transport network; and</p> <p>7. The availability and connection to existing or planned three waters infrastructure.</p> <p>Notification status:</p> <p><u>An application for resource consent made in respect of rule CCZ-R20.2.a which complies with all standards is precluded from being either publicly or limited notified.</u></p> <p>An application for resource consent made in respect of rule R20.2.a which results in non-compliance with CCZ-S5, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12 and CCZ-S13 is precluded from being either publicly or limited notified.</p> <p>An application for resource consent made in respect of rule R20.2.a which results from non-compliance with CCZ-S1, CCZ-S2, CCZ-S3, CCZ-S6, CCZ-S7 and CCZ-S8 is precluded from being publicly notified.</p>	
<p>3. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of CCZ-S4 cannot be achieved.</p> <p>Notification status: An application for resource consent made in respect of rule CCZ- R20.3 which results in non-compliance with CCZ-S4 is precluded from being either publicly or limited notified.</p>	
CCZ-R21	Conversion of buildings, or parts of buildings, for residential activities
<p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are:</p> <p>1. The matters in CCZ-P1, CCZ-P4 and CCZ-P10;</p> <p>2. The extent of compliance with standards CCZ-S9, CCZ-S10 and CCZ-S13 and satisfaction of associated assessment criteria;</p> <p>3.—The relevant guidance contained within the Residential Design Guide; and</p> <p>4. The availability and connection to existing or planned three waters infrastructure.</p> <p>Notification status: An application for resource consent made in respect of rule CCZ-R21.1 is precluded from being either publicly or limited notified.</p>	
CCZ-R22	Outdoor storage areas
<p>1. Activity status: Permitted</p> <p>Where:</p>	

<p>a. The storage area is screened by either a fence or landscaping of 1.8m in height from any adjoining road or site.</p> <p>b. Screening does not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.</p>
<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of CCZ-R22.1 cannot be achieved</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in CCZ-P7 and CCZ-P10; 2. The extent to which any lesser screening is necessary to provide for functional or operational requirements of the activities on the site, or for people's health and safety; and 3. The extent to which outdoor storage is visible to surrounding areas, including any associated effects on amenity values where visible from residential or open space areas. <p>Notification status: An application for resource consent made in respect of rule CCZ-R22 is precluded from being publicly and limited notified.</p>

Rules: Building and structure activities in the Te Ngākau Civic Square Precinct (CCZ-PREC01)	
CCZ-PREC01-R78	Construction of buildings and structures, additions and alterations to buildings and structures
<p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in CCZ-PREC01-P2, CCZ-PREC01-P3 and CCZ-PREC01-P4; 2. The extent and effect of non-compliance with CCZ-S1, CCZ-S3, CCZ-S5, CCZ-S6, CCZ-S7, CCZ-S8, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12 and CCZ-S13; 3. The Centres and Mixed Use Design Guide; 4. The Residential Design Guide; 5. The outcomes of any consultation undertaken with mana whenua; 6. The extent and effect of any identifiable site constraints; 7. The extent to which the proposed building or addition/alteration respects the form, scale and style of historic heritage buildings located within the precinct; 8. The extent to which the new building or addition/alteration to a building has an adverse impact on the micro-climate of surrounding public space, including any impacts on sunlight access and wind protection; and 9. The design, scale and configuration of the proposed building/structure or building additions/alterations, including: 10. The scale of development anticipated within the precinct and in the vicinity of the site; 11. Their visual and architectural quality based on such factors as form, scale, design, portion and detailing of the building/structure or building additions/alterations; and 	

12. The safe movement of people to, from and within the site, precinct and surrounding transport and street network.

Notification status: An application for resource consent made in respect of rule CCZ-PREC01-R78.1 [for a new building or structure, but excluding any additions and alterations to a building or structure](#), must be publicly notified.





Standards															
City Centre Zone															
CCZ-S1	Maximum height City Outcomes Contribution Height Threshold														
<p>1. There are no maximum heights for buildings and structures in the City Centre Zone.</p> <p>2. Above the following maximum height limits thresholds the City Outcomes Contribution must be complied with (measured above ground level unless otherwise specified):</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Limit Height Threshold</th> </tr> </thead> <tbody> <tr> <td>a. Height Control Area 1 – Thorndon Quay</td> <td>35.4m</td> </tr> <tr> <td>b. Height Control Area 2 – Waterloo Quay section</td> <td>50m</td> </tr> <tr> <td>c. Height Control Area 3 – Bulk of Thorndon</td> <td>27m</td> </tr> <tr> <td>d. Height Control Area 4 – Mid and Upper Molesworth Street</td> <td>43.8m</td> </tr> <tr> <td>e. Height Control Area 5 - CBD East</td> <td>48.5-93m</td> </tr> <tr> <td>f. Height Control Area 6 - CBD West</td> <td>75m-95m (MSL) Mean Sea Level as defined by the New Zealand Vertical Datum 2016 (NZVD2016)</td> </tr> </tbody> </table>	Location	Limit Height Threshold	a. Height Control Area 1 – Thorndon Quay	35.4m	b. Height Control Area 2 – Waterloo Quay section	50m	c. Height Control Area 3 – Bulk of Thorndon	27m	d. Height Control Area 4 – Mid and Upper Molesworth Street	43.8m	e. Height Control Area 5 - CBD East	48.5-93m	f. Height Control Area 6 - CBD West	75m-95m (MSL) Mean Sea Level as defined by the New Zealand Vertical Datum 2016 (NZVD2016)	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> Streetscape and visual amenity effects; Dominance and privacy effects on adjoining sites; and The extent to which taller buildings would substantially contribute to increasing residential accommodation in the city.
Location	Limit Height Threshold														
a. Height Control Area 1 – Thorndon Quay	35.4m														
b. Height Control Area 2 – Waterloo Quay section	50m														
c. Height Control Area 3 – Bulk of Thorndon	27m														
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f. Height Control Area 6 - CBD West	75m-95m (MSL) Mean Sea Level as defined by the New Zealand Vertical Datum 2016 (NZVD2016)														

g. Height Control Area 7– Eastern edge of CBD	43.8m	
h. Height Control Area 8 –Te Aro	42.5m	
i. Height Control Area 9 - South-East, South-West Zone Edge	28.5m	
j. Height Control Area 10 - Adelaide Road	42.5m	
<p>2.—Fences and standalone walls must not exceed a maximum height of 1.8 metres (measured above ground level)</p> <p>This standard does not apply to:</p> <p>a.—Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm;</p> <p>b.—Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m; and</p> <p>c. Lift overruns provided these do not exceed the height by more than 4m.; and</p> <p>d. <u>Fences and standalone walls.</u></p>		
CCZ-S2		Old St Paul’s Church – Adjoining site specific building height
<p>1. Buildings and structures on sites bounded by Mulgrave Street, Pipitea Street, Moore Street and Thorndon Quay (refer to Diagram 17 – CCZ: Old St Paul’s Church – Adjoining Site Specific Building Height below):</p> <p>a. Maximum height:</p> <p>i. Southern, western and eastern site boundaries: 10m above and parallel to each of the Old St Paul's site boundaries, rising at an angle to the horizontal of 1.5 vertical to 1 horizontal outwards in a direction perpendicular to the boundary.</p>	<p>Assessment criteria where the standard is infringed:</p> <p>1. Dominance and shading effects on Old St Paul’s Church and associated setting.</p>	

- ii. Northern site boundary: 10m above and parallel to the Old St Paul's site boundary, rising at an angle to the horizontal of 1.5 vertical to 1 horizontal extending outwards in a north (i.e. perpendicular to the boundary) and north east direction (i.e. 45 degrees off perpendicular).
- iii. Building line restriction area: No building or part thereof is permitted to be erected above the existing ground level between the building line restriction and Mulgrave Street as shown in Diagram 17 below.



KEY

-  Old St Paul's Church Site
-  Building Line
-  Recession Plane Section Cut
-  Building Line Restriction

Note: This standard prevails over the general height requirements specified in CCZ-S1.

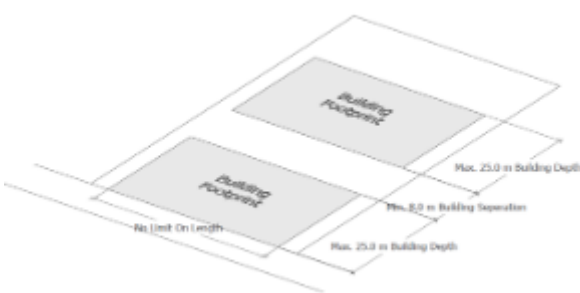
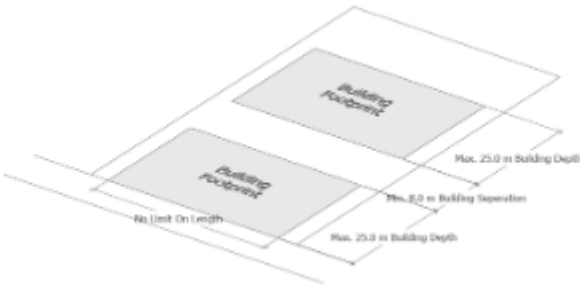
CCZ-S3	Character precincts and Residentially Zoned heritage areas – Adjoining site specific building and structure height
<p>1. Identified character precincts and Residentially Zoned heritage areas:</p> <p style="padding-left: 20px;">a. For any site adjoining a site identified within a Character Precinct or a Residentially Zoned Heritage Area: no part of any building, accessory building or structure may project beyond a line of 60° measured from a height of 8m above ground level from all side and rear boundaries that adjoin that precinct.</p> <p>This standard does not apply to:</p> <p style="padding-left: 20px;">a. Fences or standalone walls no greater than 1.8m in height;</p> <p style="padding-left: 20px;">b. Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm;</p> <p style="padding-left: 20px;">c. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m; and</p> <p style="padding-left: 20px;">d. Lift overruns provided these do not exceed the height by more than 4m.</p> <p>Note: this standard prevails over the general height requirements specified in CCZ-S1.</p>	<p>Assessment criteria where the standard is infringed:</p> <p style="padding-left: 20px;">1. Dominance and shading effects on adjoining sites.</p>
CCZ-S4	Minimum building height
<p>1. A minimum height of 22m is required for new buildings or structures.</p> <p>This standard does not apply to:</p> <p style="padding-left: 20px;">1. Any site adjoining a site located within a character precinct or Residentially Zoned Heritage Area and thus subject to CCZ-S3; and</p> <p style="padding-left: 20px;">2. Any site within the Te Ngākau Civic Square Precinct.</p>	<p>Assessment criteria where the standard is infringed:</p> <p style="padding-left: 20px;">1. The extent to which a reduced height is necessary to provide for the functional needs or operational needs of a proposed activity; and</p> <p style="padding-left: 20px;">2. Whether topographical or other site constraints make compliance with the standard impracticable or unnecessary.</p>
CCZ-S5	Minimum ground floor height

<p>1. The minimum ground floor height to the underside of a structural slab or equivalent shall be 4m.</p>	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which a reduced height: <ol style="list-style-type: none"> a. Will compromise or preclude future use or adaptation of the ground floor for non-residential activities; b. Is necessary to provide for functional needs or operational needs of a proposed activity; and 2. Whether topographical or other site constraints make compliance with the standard impracticable or unnecessary.
<p>CCZ-S6</p>	<p>Minimum sunlight access – public space</p>
<ol style="list-style-type: none"> 1. All buildings or structures within the City Centre Zone must be designed and located to maintain sunlight access to any area mapped with the "Minimum Sunlight Access - Public Space Requirements", during the time periods specified in Table 1 of Appendix 9; 2. For areas in Appendix 9 with a specified time period: <ol style="list-style-type: none"> a. 11:30am-1:30pm; b. 12:00pm-2pm; or c. 1:30pm-3:00pm; and <p>Sunlight access must be maintained in the entire area during this period.</p> 3. For areas in Appendix 9 with a specified time period: <ol style="list-style-type: none"> a. 10:00am-3:00pm; or b. 10:00am-4:00pm; and <p>Sunlight access must be maintained in a minimum of 70% of the area during this period.</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> a. Any temporary structure erected and dismantled in less than 30 days; and 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent of increased shadowing and any associated adverse amenity effects on the open space.

<ul style="list-style-type: none"> b. Any public amenity facility erected within an identified public space. 	
CCZ-S7	Verandahs
<ul style="list-style-type: none"> 1. Verandahs must be provided on building elevations on identified street frontages; 2. Any verandah must: <ul style="list-style-type: none"> a. Extend the full width of the building elevation; b. Connect with any existing adjoining verandah; c. Have a minimum clearance of 2.5m directly above the footpath or formed ground surface; d. Not exceed a maximum height of 4m measured between the base of the verandah fascia and the footpath or formed ground surface directly below; e. Be setback a minimum of 450mm from any point along the kerbing extending back to the site boundary; and f. Not exceed a maximum width of 3m from the front of the building. <p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. Any scheduled building identified in SCHED1 - Heritage Buildings. However, if for any reason these buildings received resource consent approval to be demolished, then a verandah would be required for any replacement buildings on these sites; and b. Any building where compliance with the standard results in an encroachment into the dripline of an existing street tree.; and c. Service stations. 	<p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. The extent to which any non-compliance: <ul style="list-style-type: none"> a. Will adversely affect the comfort and convenience of pedestrians; b. Will result in further street trees being added to public space as part the development; and 2. The continuity of verandah coverage along the identified street, informal access route or public space.
CCZ-S8	Active frontage control
<ul style="list-style-type: none"> 1. Any new building or addition to an existing building adjoining an identified street with an active frontage control must: <ul style="list-style-type: none"> a. Be built up to the street edge on all street boundaries with an identified active frontage control and along the full width of the site bordering any street boundary, excluding vehicle and pedestrian access; 	<p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. The extent to which: <ul style="list-style-type: none"> a. Any non-compliance is required for on-site functional needs or operational needs;

<ul style="list-style-type: none"> b. Provide a minimum of 60% of continuous display windows or transparent glazing along the width of the ground floor building frontage; and c. Locate the principal public entrance on the front boundary. <p>Except that:</p> <ul style="list-style-type: none"> 1. This does not apply to any heritage building identified in SCHED1-heritage buildings or service stations; and 2. Any ground level addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that: <ul style="list-style-type: none"> a. Is more than 4 metres wide; b. Extends from a height of 1m above ground level to a maximum height of 2.5m; and c. Any roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent. 	<ul style="list-style-type: none"> b. The building frontage is designed and located to create a strong visual alignment with adjoining buildings or otherwise enhances the streetscape; and c. An acceptable level of passive surveillance is maintained between the interior of the building and the street. 								
CCZ-S9	Minimum residential – unit size								
<p>1. Residential units, including any dual key unit, must meet the following minimum sizes:</p> <table border="1" data-bbox="244 1146 853 1400"> <thead> <tr> <th style="text-align: left;">Residential unit type</th> <th style="text-align: left;">Minimum net floor area</th> </tr> </thead> <tbody> <tr> <td>a. Studio unit</td> <td>35m²</td> </tr> <tr> <td>b. 1 bedroom unit</td> <td>40m²</td> </tr> <tr> <td>c. 2+ bedroom unit</td> <td>55m²</td> </tr> </tbody> </table>	Residential unit type	Minimum net floor area	a. Studio unit	35m ²	b. 1 bedroom unit	40m ²	c. 2+ bedroom unit	55m ²	<p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. The extent to which: <ul style="list-style-type: none"> a. The design of the proposed unit provides a good standard of amenity; and b. Other on-site factors compensate for a reduction in unit size.
Residential unit type	Minimum net floor area								
a. Studio unit	35m ²								
b. 1 bedroom unit	40m ²								
c. 2+ bedroom unit	55m ²								
CCZ-S10	Residential – outdoor living space								
<ul style="list-style-type: none"> 1. Each residential unit, including any dual key unit, must be provided with either a private outdoor living space or access to a communal outdoor living space; 2. Where private outdoor living space is provided it must be: <ul style="list-style-type: none"> a. For the exclusive use of residents; b. Directly accessible from a habitable room; c. A single contiguous space; and d. Of the minimum area and dimension specified in the table below; 	<p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. The extent to which: <ul style="list-style-type: none"> a. Any proposed outdoor living space provides a good standard of amenity relative to the number of occupants the space is designed for; b. Other on-site factors compensate for a reduction in the size or 								

<p>3. Where communal outdoor living space is provided it does not need to be a single continuous space but it must be:</p> <ol style="list-style-type: none"> Accessible from the residential units it serves; Of the minimum area and dimension specified in the table below; and Free of buildings, parking spaces, and servicing and manoeuvring areas. 	<p>dimension of the outdoor living space; and</p> <ol style="list-style-type: none"> The availability of public open space in proximity to the site. 																								
<table border="1"> <thead> <tr> <th data-bbox="240 555 486 651">Living space type</th> <th data-bbox="486 555 655 651">Minimum area</th> <th data-bbox="655 555 858 651">Minimum dimension</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="240 651 858 719">e. Private</td> </tr> <tr> <td data-bbox="240 719 486 857">v. Studio unit and 1-bedroom unit</td> <td data-bbox="486 719 655 857">5m²</td> <td data-bbox="655 719 858 857">1.8m</td> </tr> <tr> <td data-bbox="240 857 486 958">vi. 2+ bedroom unit</td> <td data-bbox="486 857 655 958">8m²</td> <td data-bbox="655 857 858 958">1.8m</td> </tr> <tr> <td colspan="3" data-bbox="240 958 858 1025">f. Communal</td> </tr> <tr> <td data-bbox="240 1025 486 1126">v. For every 5 <u>4</u> units</td> <td data-bbox="486 1025 655 1126">1064m²</td> <td data-bbox="655 1025 858 1126">8m</td> </tr> <tr> <td data-bbox="240 1126 486 1261">vi. <u>For each additional unit above 15 units</u></td> <td data-bbox="486 1126 655 1261"><u>2m²</u></td> <td data-bbox="655 1126 858 1261">=</td> </tr> <tr> <td colspan="3" data-bbox="240 1261 858 1435"><u>Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space.</u></td> </tr> </tbody> </table>	Living space type	Minimum area	Minimum dimension	e. Private			v. Studio unit and 1-bedroom unit	5m ²	1.8m	vi. 2+ bedroom unit	8m ²	1.8m	f. Communal			v. For every 5 <u>4</u> units	1064 m ²	8m	vi. <u>For each additional unit above 15 units</u>	<u>2m²</u>	=	<u>Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space.</u>			
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CCZ-S11	Minimum building separation distance																								
<p>1. Any new building or addition to an existing building used for residential activities must provide a 8m separation distance between buildings located on the same site, as shown in Diagram 18 below.</p>	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> The extent to which a reduced setback will increase dominance and shadowing related effects on residential units within the development site; and Dominance and privacy effects on adjoining sites. 																								

 <p><u>This standard does not apply to:</u></p> <p>a. <u>Retirement Villages</u></p>	
<p align="center">CCZ-S12</p>	<p align="center">Maximum building depth</p>
<p>1. Any new building or additions to existing building must not result in the continuous depth of any external side wall being greater than 25m, as shown in Diagram 19 below.</p>  <p><u>This standard does not apply to:</u></p> <p>a. <u>Retirement Villages</u></p>	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which the design mitigates the effect of a long featureless building façade; and 2. Dominance and privacy effects on adjoining sites.
<p align="center">CCZ-S13</p>	<p align="center">Outlook space</p>
<ol style="list-style-type: none"> 1. An outlook space must be provided for each residential unit as specified in this standard; 2. All habitable rooms must have an outlook space of a minimum dimension of 1m in depth and 1m in width; 3. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies; 4. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space; 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which: <ol style="list-style-type: none"> a. Acceptable levels of natural light are provided to habitable rooms; b. The design of the proposed unit provides a healthy living environment; and

<p>5. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building;</p> <p>6. Outlook spaces may be under or over a balcony;</p> <p>7. Outlook spaces required from different rooms within the same building may overlap; and</p> <p>8. Outlook spaces must:</p> <ol style="list-style-type: none"> be clear and unobstructed by buildings; and not extend over an outlook space or outdoor living space required by another dwelling. 	<p>c. The extent of dominance and privacy related effects on adjoining sites.</p>
<p><u>CCZ-SX</u></p>	<p><u>Fences and standalone walls</u></p>
<p>1. <u>Fences and standalone walls must not exceed a maximum height of 1.8 metres (measured above ground level).</u></p>	<p><u>Assessment criteria where the standard is infringed:</u></p> <ol style="list-style-type: none"> <u>Streetscape and visual amenity effects; and</u> <u>Dominance and privacy effects on adjoining sites.</u>
<p><u>CCZ-SX</u></p>	<p><u>Boundary setback from a rail corridor</u></p>
<p>1. <u>Boundary or structures must not be located within 1.5m setback from a rail corridor boundary.</u></p>	<p><u>Assessment criteria where the standard is infringed:</u></p> <ol style="list-style-type: none"> <u>The extent to which the location and design of the building relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.</u>
<p><u>CCZ-SX</u></p>	<p><u>Sites adjoining residential zones</u></p>
<p>1. <u>For any site adjoining a Residentially Zoned site:</u></p> <ol style="list-style-type: none"> <u>no part of any building, accessory building or structure may project beyond a line of 60° measured from a height of 19m above ground level from all side and rear boundaries that adjoin the Residentially Zoned site.</u> <p><u>This standard does not apply to:</u></p> <ol style="list-style-type: none"> <u>Fences or standalone walls no greater than 1.8m in height;</u> <u>Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm;</u> 	<p><u>Assessment criteria where the standard is infringed:</u></p> <ol style="list-style-type: none"> <u>Dominance and shading effects on adjoining sites.</u>

<p>d. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m; and</p> <p>e. Lift overruns provided these do not exceed the height by more than 4m.</p> <p>Note: this standard prevails over the general height requirements specified in CCZS1.</p>					
Te Ngākau Civic Square Precinct					
CCZ-PREC01-S1	Maximum height				
<p>1. The following maximum height limit above ground level must be complied with:</p> <table border="1" data-bbox="240 842 783 1010"> <thead> <tr> <th data-bbox="240 842 512 904">Location</th> <th data-bbox="512 842 783 904">Maximum height</th> </tr> </thead> <tbody> <tr> <td data-bbox="240 904 512 1010">a. Entire Precinct</td> <td data-bbox="512 904 783 1010">40m</td> </tr> </tbody> </table> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; b. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m; and c. Lift overruns provided these do not exceed the height by more than 4m. 	Location	Maximum height	a. Entire Precinct	40m	<p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. Dominance and shading effects within the Precinct and on adjoining sites; and 2. Streetscape and visual amenity effects.
Location	Maximum height				
a. Entire Precinct	40m				

Methods	
CCZ-M1	Urban Design Panel
<p>Council will seek to establish and facilitate an independent Urban Design Panel to inform the urban design assessments in relevant policies and matters of discretion that apply to significant resource consent applications as required.</p>	

APPENDIX B: SECTION 32AA EVALUATION

Section 32AA Evaluation

The s32AA evaluation is to be undertaken at a scale and degree that is commensurate with the anticipated effects of the amendments.

<p>Having regard to Section 32AA, the following is noted: The specific provisions recommended to be amended are:</p> <ul style="list-style-type: none"> • Insert four new policies into the Neighbourhood Centre Zone and Local Centre Zone (NCZ-PX/LCZ-PX – Retirement villages, NCZ-PX/LCZ-PX Larger Sites, NCZ-PX/LCZ-PX Changing Communities and NCZ-PX/LCZ-PX Role of density standards); • Insert one new policy into the Commercial Zone and City Centre Zone (CZ-PX / CCZ/PX – Retirement Villages); • Insert three new policies into the Mixed Use Zone (MUZ-PX – Retirement Villages, MUZ-PX – Larger Sites and MUZ-PX – Changing Communities); and • Insert two new policies into the Metropolitan Centre Zone (MCZ-PX – Retirement Villages and MCZ-PX – Role of Density Standards). <p><u>[Insert Zone] – PX: Retirement Villages</u></p> <ol style="list-style-type: none"> 1. <u>Provide for retirement villages where it can be demonstrated that the development:</u> <ol style="list-style-type: none"> a) <u>Enables greater density than other forms of residential developments to enable shared spaces, services, amenities and / facilities, and affordability and the efficient provision of assisted living and care services; and</u> b) <u>Provides good quality on site amenity, recognising the unique layout, internal</u> 	<p>Effectiveness and Efficiency</p> <p>The recommended policies within the Neighbourhood Centre Zone, Local Centre Zone, Commercial Zone, City Centre Zone, Mixed Use Zone and the Metropolitan Centre Zone fill a critical gap in the policy regime of the Proposed Plan associated with actively providing support for the ageing population, and the provision for retirement villages.</p> <p>Including the new policies is considered to suitably recognise the acute needs for the ageing population and will more appropriately achieve the efficient use of land and patterns of development which are compatible with the role, function and predominant planned character of each particular zone.</p> <p>Costs/Benefits</p> <p>The recommended amendments enable retirement village development to occur within the above-mentioned zones in line with the direction of the NPS-UD and Enabling Housing Act. This will have benefit in encouraging residential redevelopment and intensification to support the outcomes expressed in both the Proposed Plan and the NPS-UD. In addition, the recommended amendments will encourage quality design outcomes for retirement villages, provide additional population within urban zones and provide employment opportunities, thereby providing significant economic contributions to Wellington City.</p> <p>It is acknowledged the new retirement village specific policy, as drafted in the RVA and Ryman evidence, could result in the unintended consequence of being interpreted as too enabling. The wording of the newly drafted policy better reflects both the enabling of retirement villages, but also the</p>
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<p><u>amenity and other day-to-day needs of residents as they age;</u></p> <p>c) <u>Encourages the scale and design of the retirement village to;</u></p> <p>i. <u>be of a high-quality and compatible with the planned urban character; and</u></p> <p>ii. <u>achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.</u></p> <p><u>[Insert Zone] – PX: Larger sites</u> <u>Recognise the intensification opportunities provided by larger sites within all residential zones by providing for more efficient use of those sites.</u></p> <p><u>[Insert Zone] – PX: Changing communities.</u> <u>To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the residential zones will change over time to enable a variety of housing types with a mix of densities.</u></p> <p><u>[Insert Zone] – PX: Role of density standards</u> <u>Enable the density standards to be utilised as a baseline for the assessment of the effects of developments.</u></p>	<p>need to align with the planned urban character of the above-mentioned zones of Wellington City.</p> <p>Risk of acting or not acting</p> <p>I consider that the appropriateness of adopting the relief sought must be considered in the context of the direction set out in the higher order policy documents, and in particular the NPS-UD and the Housing Enabling Act, which provide a significant step change in meeting the needs of communities, including providing a variety of homes for a range of households.</p> <p>The NPS-UD seeks to enable growth by requiring local authorities to provide development capacity to meet the demands of communities, address overly restrictive rules, and encourage quality, liveable urban environments. It also aims to provide growth that is strategically planned and results in vibrant urban areas. In my opinion, the relief sought by the RVA and Ryman will more greatly align with the outcomes expressed in the NPS-UD.</p> <p>The risk of not acting and council not giving effect to the changes sought by the RVA and Ryman, is that intensification or redevelopment options are not taken up or are unnecessarily prevented from occurring.</p>
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