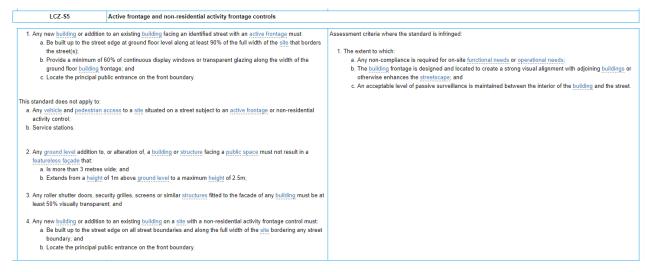
## Points of Clarification following the Hearing held 1-2 May 2024

## (WCC Ref: SR 517439):

1. Following the Hearing there are two points which require addressing. One relates to the non-residential active frontages and the other was with regard to MRZ-P13.

## Non-residential activity frontages:

2. In terms of **non-residential activity frontages**, I note there is no definition within the 2024 District Plan. The following image is from the 2024 District Plan highlighting the subsequent standard Local Centres Zone - LCZ-S5 for the overlay mentioned when discussing the potential zone change from High Density Residential/ Medium Density Residential. This is being provided for clarification as this was discussed within Council's right of reply.



## <u>MRZ-P13:</u>

- 3. Following your question regarding how to apply MRZ-P13 and whether every criterion listed needed to be met, I have sought guidance from the District Plan Team and they have advised that MRZ-P13, when it is a Discretionary Activity, does not require each criterion to be met.
- 4. The policy gives guidance as to how effects could be mitigated for example if the design of a development is enhanced to meet MRZ-P13 point 3 then it might be considered acceptable, even if other points in the policy are not met.
- 5. With respect to this proposal, MRZ-P13 is not a determinative policy and needs to be assessed in the context of all relevant MRZ objectives and policies. Additionally, this is a Discretionary Activity and the District Plan Team advise that the objectives in the Strategic Direction section of the 2024 District Plan should be taken into account.
- 6. From my analysis of the Strategic Direction section of the 2024 District Plan, I have turned my mind to Capital City, Sustainability, Resilience and Climate Change, Urban Form and Development as my reading of the strategic direction I believe these are relevant and I am of the mind the proposal is not consistent.
- 7. In terms of weighting, the District Plan Team have advised that the MRZ-P13 is following the Part 1 Schedule 1 plan-making process and the appeal period has not yet closed so the approach is to 'have regard' only.

Use of conjunctives in the 2024 District Plan

- 8. The s42A to the ISPP Wrap-up Hearing addresses the *use of conjunctives* in the policy and rule framework from paragraph 333. The Independent Hearings Panel elected not to make any changes in this respect.
- 9. I trust this provides you guidance on how to approach this policy.