

**BEFORE INDEPENDENT HEARING COMMISSIONERS
AT WELLINGTON**

**I TE MAHERE Ā-ROHE I TŪTOHUA MŌ TE
TĀONE O TE WHANGANUI-A-TARA**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the hearing of submissions on Te Mahere ā-Rohei
Tūtohua the Wellington City Proposed District Plan

HEARING TOPIC: Stream 2 - Residential

**STATEMENT OF PRIMARY EVIDENCE OF MATT HEALE
ON BEHALF OF KĀINGA ORA – HOMES AND COMMUNITIES**

(PLANNING)

16 MARCH 2023

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1. EXECUTIVE SUMMARY

- 1.1 My full name is Matthew Cecil Heale. I am a Principal Planner and Nelson Planning Team Lead at The Property Group, based in Nelson. I have been engaged by Kāinga Ora – Homes and Communities (**Kāinga Ora**) to provide evidence in support of its primary and further submissions on the Proposed Wellington District Plan (**PDP**) which also incorporates the Intensification Planning Instruments (**IPI**) as required by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**Amendment Act**), which amended the Resource Management Act 1991 (**RMA**).
- 1.2 My evidence is to be read together with the statement of evidence of Ms Woodbridge.
- 1.3 My evidence will address the following matters:
- (a) **National and regional consistency** – I recommend changes to residential zoning framework (High Density and Medium Density residential zoning) and the scale of intensification to achieve improved consistency across the region;
 - (b) **Extent of the High Density Residential Zone (HRZ)** – I recommend expanding the HRZ to follow larger walkable catchments;
 - (c) **Additional Intensification in the HRZ** – I recommend increasing height limits to between 6-12 storeys, expanding the Height in Relation to Boundary (**HIRB**) standard from 8.0m + 60° to 19m + 60° for the front 21.5m of sites, deleting maximum building depth and minimum building separation standards and agree to providing a reduction of three units rather than six where increased height and HIRB standards are approved; and
 - (d) **Additional Intensification in the Medium Density Residential Zone (MRZ)** – I recommend increasing heights to 18m, increasing the starting point for HIRB from five to six metres, and removing the requirement for yard setbacks on front and side yards.

- 1.4 These matters are further described below in terms of areas of agreement and areas for improvement.

Areas of Agreement

- 1.5 I generally agree with the reporting officer on the following matters:
- (a) Changes to the MRZ Introduction that acknowledge that the MRZ will change over time to “enable a variety of housing types and mix of densities”;
 - (b) Changes to the HRZ Introduction that acknowledge that the HRZ should provide for a range of housing types at a greater density than the MRZ by providing for well-functioning urban environments and enabling at least six storey development. However, I do consider the HRZ Introduction should be amended further to also allow up to 12 storey development in areas of high accessibility to key centres;
 - (c) Removal of reference to specific qualifying matters from both the HRZ and MRZ Introductions;
 - (d) Partial changes to HRZ-O1 confirming that the HDZ provides for neighbourhoods planned urban built character “of at least six storey buildings” rather than including three storey buildings. However, I do consider HR2-O1 should be amended further to also acknowledge it is appropriate to enable additional height in some locations;
 - (e) Changes to HRZ-P4 that acknowledge that a “higher permitted threshold to support high density development” should be enabled in the HRZ;
 - (f) Partial changes to MRZ-P6, HRZ-P6, MRZ-P7 and HRZ-P7 noting that higher density housing should be provided for where it is “able to be” adequately serviced. However, I do consider that other changes are needed to these policies to better reflect the difference between outcomes for the two zones;
 - (g) The relocation of permeable surface policies from HRZ/MRZ to the Three Waters chapter; and

- (h) The general requirement to permit three residential units in the HRZ where permitted heights and Height in Relation to boundary controls are increased to form an improved planned urban built form.
- (i) Not applying a transition zone between MRZ properties and character/heritage areas as I consider this would cause a reduction in development capacity;¹
- (j) Not rezoning the Inner City suburbs MRZ on the basis that these areas are proximate to the CCZ and public transport;² and
- (k) Rezoning Kilbirnie Bus Barns from MRZ to HRZ in accordance with the recommendations of Hearing Stream 1³ particularly given its proximity to the MCZ and public transport.

1.6 I also support a number of amendments proposed by the reporting officer, as outlined in **Appendix 1** of my evidence.

Areas for improvement

1.7 The key focus areas for my evidence where I support the relief sought by Kāinga Ora are:

- (a) The need to expand the extent of the HRZ and associated objectives and policies to reflect larger walkable catchments including areas up to:
 - (i) 10 minutes from the Kapiti and Johnsonville Lines and the edge of the Tawa, Newtown, and Miramar Town Centres (as proposed by Kāinga Ora in Hearing Stream 1); and
 - (ii) 20 minutes from the edge of the City Centre Zone.
- (b) Providing for increased intensification in the HRZ by:
 - (i) Increasing the height limit in areas within walkable catchments of key centres and amending associated objectives and policies to reflect this;
 - (ii) Increasing HIRB to 19m + 600 over the front 21.5m of sites; and

¹ MRZ s42A report paragraph 189 and FS89.95 and map on page 99 of Hearing stream 1 s42A report

² MRZ s42A report paragraph 198 and FS89.76

³ MRZ s42A report paragraph 201 and submission 391.29

- (iii) Amending HRZ-P6 to better differentiate the density and scale outcomes between the HRZ and MRZ.
 - (c) Providing for increased intensification in the MRZ by:
 - (i) Increasing height limits within 400m of Local Centres;
 - (ii) Increasing the starting point for HIRB from five to six metres; and
 - (iii) Retaining exclusions for yard setbacks.
- 1.8 Ms Woodbridge will provide planning evidence on other issues raised in the Kāinga Ora submission including Qualifying Matters, Precincts, the role of Design Guides, amenity values vs planned urban built form, commercial activity in the HRZ, and amendments to Residential Zone provisions not covered in my evidence.
- 1.9 A copy of my proposed amendments and changes sought to the provisions under consideration in Hearing Stream 2 is included in **Appendix 1** of my evidence. Appendix 1 also includes all the changes requested by Ms Woodbridge. I can confirm that the version of relief in my evidence represents the full “updated” set of relief requested by Kāinga Ora in relation to this hearing topic.
- 1.10 I have prepared a section 32AA assessment as set out in **Appendix 2** of my evidence to assess the proposed amendments outlined in this statement of evidence at **Appendix 1**.
- 1.11 In my opinion, the proposed changes sought in the Kāinga Ora submissions and discussed within my evidence and Ms Woodbridge’s evidence, will provide a less complex, and more enabling and user-friendly plan framework with greater alignment with the PDP strategic direction, regional and national direction, and the RMA.

2. INTRODUCTION

- 2.1 My full name is Matthew Cecil Heale. I am Principal Planner and Nelson Planning Team Lead at the Property Group Limited, based in Nelson. I have 30 years resource management experience and have led the review of three

resource management plans across Aotearoa. My experience has been set out in the evidence filed on Hearing Stream 1 – Strategic Direction for this PDP.⁴

2.2 I am providing planning evidence on behalf of Kāinga Ora on the PDP. I was involved in the preparation of primary and further submissions by Kāinga Ora in relation to the PDP and other Intensification Planning Instruments (**IPI**) in the Wellington region as part of the Intensification Streamlined Planning Process (**ISPP**). I am familiar with the corporate intent of Kāinga Ora in respect of the provision of housing and urban development within the Wellington region. I am also familiar with the national, regional and district planning documents relevant to the PDP.

2.3 In preparing this evidence I have read the following documents:

- (a) The National Policy Statement on Urban Development 2020 (**NPS-UD**);
- (b) The PDP;
- (c) The Kāinga Ora submissions in relation to the PDP;
- (d) Section 32 reports and supporting evidence, including but not limited to:
 - (i) Section 32 Evaluation Report - Part 2: High Density and Medium Density Residential Zones;
 - (ii) Outer Residential Area Infill Development Suburbs Report February 2020;
 - (iii) Wellington City Commercially Feasible Residential Capacity Assessment – Property Economics 2022;
 - (iv) Wellington regional housing and business capacity assessment report – Housing update May 2022; and
- (e) Section 42A reports.⁵

Code of Conduct

2.4 Although this is a Council hearing, I have read the Environment Court's Code of Conduct for Expert Witnesses and I agree to comply with it. My qualifications as

⁴ Refer paragraphs 2.2 to 2.5 of my Stream 1 evidence dated 7 February 2023

⁵ Section 42A reports for Hearing Stream 1 and Overview and General Matters, HRZ, and MRZ for hearing stream 2

an expert are set out above. I confirm that the issues addressed in this statement 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

2.5 Hearing Stream 2 addresses Kāinga Ora submission points relating to the PDP on Residential Zones and Design Guides. Accordingly, my evidence will address the following matters provided in the Hearing Stream 2 Section 42A reports:

- (a) Statutory context and regional consistency;
- (b) Extent of the HRZ;
- (c) Intensification in the HRZ; and
- (d) Intensification in the MRZ.

2.6 My evidence should be read together with the following statements of evidence:

- (a) Brendon Liggett – Corporate;
- (b) Michael John Cullen – Urban Economics;
- (c) Nicholas Rae – Urban Design; and
- (d) Victoria Woodbridge – Planning.

3. THE KĀINGA ORA APPROACH TO THE PROPOSED DISTRICT PLAN

3.1 The submissions of Kāinga Ora focus primarily on intensification matters and generally seek expansion to the HRZ to follow larger walkable catchments and increases to bulk and location standards to provide a greater level of intensification in the HRZ and MRZ.

3.2 As outlined in the corporate evidence of Mr Liggett in Hearing Stream 1, Kāinga Ora has sought to ensure that the PDP provisions align with national planning directions to provide for well-functioning environments that meet the needs of current and future generations.

3.3 Kāinga Ora seeks amendments to the PDP to ensure that development opportunities are maximised in locations that are located close to public transport, employment opportunities and public amenities such as schools, retail, and community services. In this way, well-functioning environments are formed to provide for the whole communities social, economic, and cultural well-being. The submissions also focus on trying to achieve national and regional consistency in plans across the wider Wellington region.

4. **STATUTORY CONTEXT AND KĀINGA ORA ZONING PRINCIPLES TO ACHIEVE REGIONAL CONSISTENCY**

4.1 This section explains the overarching context and philosophy behind the submissions by Kāinga Ora on the PDP and highlights the planning principles and context behind the submission points and the relief sought.

Statutory Context

4.2 Under the overarching objective of the NPS-UD (Objective 1), which is to ensure 'well-functioning urban environments', Policy 3 of the NPS-UD is highly relevant to the approach taken by Kāinga Ora in its submissions on the proposed spatial zoning undertaken within the PDP.

4.3 The NPS-UD also seeks to ensure that planning decisions improve housing affordability by supporting competitive land and development markets (Objective 2). The focus is on the identification and promotion of the future planned urban built form of urban environments and their evolution over time (Objective 4 and Policy 6), rather than protection and preservation of existing amenity. The NPS-UD also promotes and enables compact/efficient urban form and management of effects through good urban design (Objectives 1 and 4).

4.4 Providing additional development capacity is only part of the requirements of the NPS-UD - it is also critical that people also have opportunities to live in the right locations close to centres, in high demand areas and areas well served by public transport (Objective 3 and Policy 3).

4.5 The Amendment Act requires medium density residential standards (**MDRS**) to be incorporated into residential zones in specified urban environments. Ultimately the Amendment Act seeks to address the shortage of affordable housing in New

Zealand's main cities and to enable more people to live in areas of high accessibility to centres and public transport.

- 4.6 In my opinion, the outcomes of the NPS-UD facilitate a paradigm shift in housing delivery across larger urban centres, which is recognised to be transformative in nature and will require a step change in how people perceive intensification and infill development (Objective 4). In doing so, it provides for development opportunities for current people and communities while maintaining a focus on planning outcomes for the long term to benefit future communities.
- 4.7 Appropriate regulatory incentivisation, in the form of enabling planning provisions for substantive infill and intensification, are critical in achieving compact urban form outcomes anticipated in the NPS-UD. Locations that favour existing urban areas with established public transport, service amenities, employment and education opportunities have significant advantages over other areas. Certainty of outcome through clear signals on where brownfield development and intensification should occur (supported through enabling planning provisions) also reduces the perception of 'risk' within the development community.
- 4.8 Generally, the Kāinga Ora submissions agree that, at a high level, the changes proposed through the PDP broadly incorporate the matters required by the Amendment Act and Policy 3 of the NPS-UD. However, the Kāinga Ora submissions seek broader application of the enabling framework, including an expanded spatial approach to zoning and introduction of further enabling provisions, such as more enabling bulk and location standards, to more efficiently realise greater levels of intensification. In my opinion, the amendments sought in the Kāinga Ora submissions, that are supported and discussed further in my evidence, maximise the opportunities for intensification within existing urban areas and 'tip the balance' in favour of intensification in a manner that is more aligned with the intent of the NPS-UD.
- 4.9 Overall, acceptance of the Kāinga Ora submissions will provide a well-functioning urban environment (Objective 1 and Policy 1), that improves housing affordability (Objective 2) by providing "at least" enough development capacity (Policy 2), in the right locations close to centres and public transport (Objective 3 and Policy 3).

4.10 I also note that Policy 10 of the NPS-UD requires the Tier 1 local authorities that share jurisdiction over urban environments to work together when implementing the NPS-UD. The Tier 1 local authorities in the Wellington urban environment include:

- (a) Wellington Regional Council;
- (b) Wellington City Council;
- (c) Porirua City Council;
- (d) Hutt City Council;
- (e) Upper Hutt City Council; and
- (f) Kāpiti Coast District Council.

4.11 As noted earlier, implementing the NPS-UD includes:

- (a) Providing for well functioning urban environments;
- (b) improving housing affordability;
- (c) enabling intensification near centres and public transport;
- (d) providing for at least sufficient development capacity to meet expected demand for housing and business land; and
- (e) enabling building heights and densities within City Centre Zones (**CCZ**), of at least 6 stories in Metropolitan Centre Zones (**MCZ**) and within walkable catchments of Rapid Transit Stops (**RTS**), CCZ's and MCZ's along with a level of building heights and densities commensurate with the level of commercial activity and community services within and adjacent to (within a walkable catchment of) other centre zones.

4.12 Given the level of inconsistency in provisions across the region, it is unclear how the Wellington local authorities have worked together to implement the NPS-UD. The submissions of Kāinga Ora seek improved regional alignment in accordance with Policy 10 of the NPS-UD.

5. RESPONSE TO SECTION 42A REPORT RECOMMENDATIONS

A. National and Regional Consistency

- 5.1 Through submissions on the various IPI processes across the country and the Wellington region, one of the Kāinga Ora strategic goals is to ensure the implementation of the NPS-UD and the requirements of the Amendment Act achieve their stated outcomes.
- 5.2 Kāinga Ora considers there is a missed opportunity to provide integrated resource management planning across the Wellington region and to ensure that implementation of the NPS-UD and the Amendment Act is done in a similar manner across the various district plans, whilst recognising the local context.⁶ The reporting officer considers a general review of these provisions would go beyond what can be undertaken through the current hearing process.⁷ I disagree. This district plan review process is required to achieve national and regional consistency for the following reasons:
- (a) A district plan must accord with the NPS-UD and other national direction,⁸ and shall have regard to the PRPS⁹ and proposed plans of adjacent territorial authorities;¹⁰
 - (b) District plans must give effect to any national and regional policy statement;¹¹
 - (c) District plans must address cross boundary issues such as those identified in the PDP to ensure consistency and integration of the plans of adjoining territorial authorities so that resources are managed in a co-ordinated manner including plan reviews and changes;¹²
 - (d) Policy 10 of the NPS-UD requires regional collaboration to implement the NPS-UD. The region needs to be considered as a whole as housing and business land demand and supply do not recognise city boundaries; and

⁶ 391.308

⁷ Overview s42A report para 68

⁸ RMA s74(1)(ea)

⁹ RMA s74(2)(a)(i)

¹⁰ RMA s74(2)(c)

¹¹ RMA s75(3) (a) and (c)

¹² PDP Part 1- Introduction and General Provisions/How the Plan Works/Cross Boundary Matters

(e) Regional Journey to Work data outlined in **Appendix 3** shows that there is a clear inter-regional travel pattern between where people choose to live and work within the Wellington Region so I consider that planning where people live and work, including the intensification of these activities, should be co-ordinated at a regional level.

5.3 Evidence provided by Kāinga Ora in Hearing Stream 1 highlighted that there is clearly a need for regional consistency in the Wellington region, particularly in relation to:

- (a) the centres hierarchy (including the need for Town Centres in the hierarchy);¹³
- (b) the approach to walkable catchments;¹⁴
- (c) the classification of the Rapid Transit Stops;¹⁵ and
- (d) the need to provide for “at least sufficient and feasible land development capacity”.¹⁶

5.4 Kāinga Ora sought regional and national consistency in the comprehensive submissions it made on the Wellington region district plans and the RPS. On this basis, I consider there is scope to provide improved alignment of the PDP with adjacent territorial authorities’ district plans in the Wellington region, and in particular, the height and the spatial extent of residential zones across the district with the greater Wellington region. Wellington City is key to the vitality and functionality of the region. Therefore, it is important to recognise, provide and enable residential growth and intensification in Wellington City that will help to achieve the anticipated growth and intensification outcomes identified for the region.

5.5 The changes sought from Kāinga Ora submission and in my evidence, will enable this to happen, and achieve the stated outcomes of the NPS-UD and Amendment Act. All of which has been mentioned previously in my evidence for Kāinga Ora lodged at Hearing Topic Stream 1.

¹³ Statement of Evidence of Matt Heale – Hearing stream 1 paragraphs 4.40 to 4.66

¹⁴ Statement of Evidence of Matt Heale – Hearing stream 1 paragraphs 4.14 to 4.34

¹⁵ Statement of Evidence of Matt Heale – Hearing stream 1 paragraphs 4.8 to 4.13

¹⁶ Statement of Evidence of Matt Heale – Hearing stream 1 paragraphs 4.75 to 4.83

5.6 The planning matters in relation to the extent of the residential zones and scale of intensification are discussed in detail below. The evidence of Mr Cullen and Mr Rae supports these findings.

B. Extent of the High Density Residential Zone (HRZ)

5.7 Kāinga Ora sought an increase to the extent of the HRZ as outlined in the **Table 1** below:

Table 1: Application of High Density Residential Zone sought in walkable catchments from centres and rapid transit

Zone	Centre Height	Walkable Catchment and Height
City Centre	Unlimited (PDP – 27-95m)	0-400m - 43m (12 storeys) 400-800m – 36m (10 storeys) 800-1500m – HRZ 22m (6 storeys) (PDP HRZ 11-21m) ¹⁷
Metropolitan Centre	55m (PDP – 15-35m)	0-400m – 36m (10 storeys) 400-800 HRZ 22m (6 storeys) (PDP HRZ 11-21m) ¹⁸
Town Centre	36m (PDP – 22m)	0-400m – <ul style="list-style-type: none"> • In Newtown: 36m (10 storeys) • In Miramar: 29m (8 storeys) • In Tawa: 29m (8 storeys) 400-800 HRZ 22m (6 storeys) (PDP HRZ 11-21m) ¹⁹

¹⁷ Note the s42A report recommends an increase from 11m to 14 m for no more than 3 units and the PDP height of 21m for multi-unit housing.)

¹⁸ Note the s42A report recommends an increase from 11m to 14 m for no more than 3 units and the PDP height of 21m for multi-unit housing.)

¹⁹ Note the s42A report recommends an increase from 11m to 14 m for no more than 3 units and the PDP height of 21m for multi-unit housing.)

Zone	Centre Height	Walkable Catchment and Height
Local Centre	22m	0-400m – 18m (5 storeys) (PDP – MRZ 11m for no more than 3 units or 11-14m for multi-unit housing.)
Rapid Transit Stops		0-800m – 22m (6 storeys) (PDP HRZ 11-21m ²⁰ but 21m only within 400m of some stations on the Johnsonville Line)

5.8 The reporting officer has indicated that a significant body of work including housing capacity and walkable catchment modelling was presented in Hearing Stream 1 and that this work supports the recommendations in relation to the changes to the HRZ in Hearing Stream 2.²¹ The reporting officer also notes that there is sufficient capacity to meet demand in the PDP, with data indicating that WCC requires 35,928 people and the PDP would provide for 50,000 people.²²

5.9 Mr Cullen disputed this position in his evidence for Hearing Stream 1 while also noting that “more is better” when it comes to achieving the housing affordability objectives of the NPS-UD and that capacity goals should be treated not as targets but minimums. This is certainly the case in other regions such as Auckland where 2,826,000 households are provided for as plan enabled capacity and 338,000 households are demanded by 2051.²³ Mr Cullen will clarify this matter further in his evidence.

5.10 As outlined in my evidence in Hearing Stream 1,²⁴ I consider the HRZ should be expanded to include wider walkable catchment areas outlined in Table 1 above and summarised below:

- (a) 10 minutes’ walk from the rapid transit stops of the Kapiti and Johnsonville Lines, the Ngauranga Rail Station, the edge of the Tawa, Newtown, and

²⁰ Note the s42A report recommends an increase from 11m to 14 m for no more than 3 units and the PDP height of 21m for multi-unit housing.)

²¹ S42A report Part 2 HRZ paragraphs 25 and 26.

²² S42A report Part 2 HRZ paragraphs 18 to 20.

²³ Section 6 Evidence of Douglas Fairgray on Behalf of Auckland Council for PC78 - 20 Feb 2023

²⁴ Stream 1 Evidence 7 February para 4.14 to 4,34

Miramar Town Centre Zones, and the Johnsonville Metropolitan Centre Zone and Kilbirnie Metropolitan Centre Zone; and

- (b) 20 minutes' walk from the edge of the Wellington City Centre Zone.

5.11 I consider a HRZ that mirrors an expanded scope of walkable catchments around Town Centres, the City Centre Zone, and all rapid transit stops is the most appropriate way to achieve the objectives of the PDP and the purpose of the RMA because:

- (a) Supporting the consolidation of residential growth and development within urban areas is consistent with the general direction of the NPS-UD;
- (b) Providing for HRZ within a walkable catchment to a RTS and a centre zone is more sustainable and feasible than in other areas and is more likely to achieve the housing affordability objectives of the NPS-UD;
- (c) The amendments would provide better alignment with the National Planning Standards;
- (d) This will provide benefits to the social and environmental wellbeing of the community by enabling greater opportunities for people to live, work and play within their local areas and in redeveloped housing stock, thereby improving accessibility to active travel modes, improved walking and cycling provision, climate change resilience, and allowing existing social connections within these neighbourhoods to be maintained and enhanced;
- (e) The amendments align with the information on walkability and Journey to Work data presented in Hearing Stream 1²⁵ as outlined in **Appendix 3**;
- (f) This will provide clear signals to the development market through provisions that define what is appropriate in particular zones, and what is not, and providing rule frameworks that minimise consenting risks for appropriate development and which allow for innovative design within an appropriate consenting framework.
- (g) The amendments align with technical advice provided by Mr Rae and Mr Cullen including mapping changes to reflect slope constraints and high-risk hazard areas; and

²⁵ Statement of Evidence of Matt Heale – Hearing stream 1 paragraphs 4.26 to 4.29 and 4.64

- (h) The amendments are not inconsistent with existing plan objectives and strategic direction objectives.

5.12 I therefore support the expansion of zoning extents sought in the submissions by Kāinga Ora, and as revised by Mr Rae in the maps attached to his evidence.

C. Additional Intensification in the HRZ

5.13 The Kāinga Ora submissions sought changes to the height standards in the HRZ²⁶ including:

- (a) a general permitted height of 22 metres;
- (b) 43 metres within 400m of the CCZ;
- (c) 36 metres between 400-800m of the CCZ and 400m of the MCZ and Newtown Town Centre Zone;²⁷ and
- (d) 29m within 400m of the Miramar Town Centre Zone,²⁸ within 50m of Tawa MUZ extension and within 400m of the Tawa Town Centre Zone.²⁹

5.14 Kāinga Ora also sought changes to relevant Introduction text,³⁰ Objectives,³¹ Policies,³² and Rules³³ to provide for expanded intensification opportunities.

5.15 The reporting officer agrees to some changes relating to removing specific reference to Johnsonville and Keneperu and Tawa stations, the insertion of a reference to providing for well-functioning urban environments, and replacement of “up to” with “at least” six storey development in relevant introduction text³⁴ and objectives³⁵ as this reflects the consent threshold of RDA for over height development. The reporting officer does not agree with including reference to enabling 12 storey development as he considers this goes beyond the scale of development anticipated within the HRZ and could generate adverse effects.

²⁶ 391.474

²⁷ As sought by Kinga Ora. The PDP has Newtown zoned as a Local Centre.

²⁸ As sought by Kainga Ora. The PDP has Miramar zoned as a Local Centre.

²⁹ As sought by Kainga Ora. The PDP has Tawa zoned as a Local Centre.

³⁰ 391.433/391.434

³¹ 391.436 and 391.438

³² 391.441/391.442 HRZ-P2 to enable 6 rather than 3 storey apartments and residential buildings of 12 rather than 6 storeys and 391.447/391.448 to provide for higher density residential development rather than multi unit housing and more than six residential units rather than three

³³ 391.460/391.461 and 391.466/391.467 relating to increasing the permitted number of dwellings from 3 to 6 for residential activities and buildings respectively

³⁴ s42A Report paragraph 118-119

³⁵ s42A Report paragraph 134

Height Limits and Density in the HRZ

- 5.16 While I agree that the changes recommended by the reporting officer in relation to the Introduction, Objectives, and Policies will directly mirror the wording in the NPS-UD, I consider the proposed change will not provide any local direction, and does not reflect the most appropriate height and density outcome.
- 5.17 I consider the additional amendments to Introduction, Objectives, Policies, Rules and Standards seeking between 6 and 12 storey development are appropriate given the need to *maximise* the level of high density development around centres and RTS in order to achieve housing affordability objectives of the NPS-UD rather than meeting the minimum level of intensification required. I note this position is supported by the evidence of Mr Cullen. I also consider that 6-12 storey development can be appropriately managed given the evidence of Mr Rae. Enabling 6-12 storey development within walkable catchments would also:
- (a) Signal a strong response of the significance of centres for employment and wider community services;
 - (b) Have positive flow on effects in terms of reduced private vehicle use, reducing emissions and improving climate resilience;
 - (c) Encourage more vibrancy in centres as having more people at street level will improve public safety, surveillance, social connection, and the potential for social capital; and
 - (d) Create greater opportunities for feasible development.
- 5.18 Policy 3 of the NPS-UD states that building heights of **at least** 6 storeys within **at least** a walkable catchment of the edge of existing and planned RTS the CCZ and MCZ should be “enabled”. Building heights and **densities** commensurate with the level of commercial activity and community services should also be “enabled” in other centre zones.
- 5.19 “Plan enabled” includes permitted, controlled, and restricted discretionary activities.³⁶
- 5.20 The HRZ, as notified, permits:

³⁶ NPSUD Clause 3.4(2)

- (a) three residential units and enables more than three residential units as a restricted discretionary activity;³⁷and
 - (b) construction of buildings where this is no more than three residential units per site³⁸ and enables a restricted four or more units proposed on a site as a restricted discretionary activity.³⁹
- 5.21 Compliance with a range of standards, including height, is also required as a permitted activity.⁴⁰ HRZ-S1 sets a permitted height of 11 metres where no more than 3 residential units occupy a site and 21 metres for more than 3 residential units. No substantial changes are recommended by the reporting officer to these rules and standards apart from increasing the height in HRZ-S2 from 11 to 14 metres.
- 5.22 Regardless of whether 6-12 storey development is permitted, 6-12 storey development is “enabled” as a restricted discretionary activity. Consequently, it would be appropriate to amend relevant objectives and policies (such as HRZ-O1, HRZ-O2 and HRZ-P2) to reflect this.
- 5.23 I consider the changes outlined above relating to height will also help clarify that a higher scale and density of development is anticipated in the HRZ when compared to the MRZ. This is also the driver for changes sought to HRZ-P6 to provide for more than six residential units per site rather than multi- unit housing (three or more units).
- 5.24 As outlined below Kāinga Ora has withdrawn the relief seeking six residential units as a permitted activity but there is still a need to amend HRZ-P6 to reflect the difference between the density outcomes sought in the HRZ and MRZ. In particular, I consider there is a need for the policy to reflect the “planned urban built form of the neighbourhood” as amended by increasing the height and HIRB controls and the fact that higher density development should be enabled rather than multi-unit development. If HRZ-P6 is not amended then HRZ-P6 and MRZ-P6 effectively mimic each other and will not reflect the different density outcomes intended between the two zones.

³⁷ HRZ-R2

³⁸ HRZ-R13

³⁹ HRZ-R14

⁴⁰ HRZ-R13

5.25 On this basis, I consider HRZ-P6 should be amended as follows:

Multi-unit housing High density residential development

Provide for multi-unit housing high density residential development where it can be demonstrated that the development:

1. Fulfils the intent of the Residential Design Guide Achieves the following urban design outcomes:
 - a. Provides an effective public private interface;
 - b. The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood;
 - c. Provides high quality buildings;
 - d. Responds to the natural environment;
2. Provides a minimum area of private or shared outdoor living space that is sufficient to cater for the needs of future occupants;
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; and
4. Is able to be adequately serviced by three waters infrastructure or can address any water constraints on the site.
- 5⁴¹. Is located within:
 - a. 10 minutes' walk from the rapid transit stops of the Kapiti and Johnsonville Lines, the Ngauranga Rail Station, the edge of the Tawa, Newtown, and Miramar Town Centre Zones, and the Johnsonville Metropolitan Centre Zone and Kilbirnie Metropolitan Centre Zone; and
 - b. 20 minutes' walk from the edge of the Wellington City Centre Zone

5.26 Similar policy changes are sought to MRZ-P6 to acknowledge the different outcomes in the HRZ and MRZ and to reflect the evidence of Hearing Stream 1 relating to the changing nature of walkable catchments,⁴² noting that changes may occur through development such as intensification or rail improvements that may justify additional high density development in the MRZ.

5.27 The change to reflect “high density development” in HRZ-P6 is also consistent with the officer’s recommendation to alter HRZ-P4 to note that “high density development” should be enabled in the HRZ.

⁴¹ Relief sought in hearing Stream 1

⁴² Statement of Evidence of Matt Heale – Hearing stream 1 paragraph 4.18

- 5.28 Overall, I support the Kāinga Ora submissions seeking changes to the relevant objectives, policies, rules and standards as outlined in **Appendix 1**.
- 5.29 I have prepared a section 32AA assessment of my proposed amendments, as set out in **Appendix 2** of my evidence.

Amendments to HRZ-S3 Height in Relation to Boundary Controls

- 5.30 The Kāinga Ora submission sought changes to the HRZ-S3 – Height in Relation to Boundary (**HIRB**)⁴³ to provide for a more enabling control (19m + 60°), that would apply to the first 21.5m of the site from the road frontage. The 8.0m + 60° proposed by the Council would otherwise apply on all boundaries setback further than 20m from the street.
- 5.31 The reporting officer did not support the Kāinga Ora position on the basis that the suite of HRZ standards work together to ensure a high quality, high density residential environment is achieved whilst providing flexibility for each site's context. I disagree with the reporting officer's position.
- 5.32 The amendment sought by Kāinga Ora would provide a more enabling HIRB standard of 19m + 60° within the first 21.5m of the site to incentivise and provide for intensification in the HRZ. This would encourage building form to be located at the front of the site, leaving more space and "openness" at the rear of the site.
- 5.33 In my opinion, the HIRB standard is used to achieve the planned urban built form of the different zones while providing reasonable amenity for existing residents. In doing so, the HIRB standards have the effect of limiting the height of those parts of a building which are adjacent to a site boundary. This has a restrictive effect in terms of the overall density and height achievable on a site.
- 5.34 In regard to achieving the planned urban built form of the zone, the testing of the 8m + 60° HIRB by Mr Rae demonstrates conflict between the Council's proposed HIRB standard and enabling an efficient and quality 6 storey development. Mr Rae's testing of the 19m + 60° within the first 21.5m shows that this alternative standard would better enable the delivery of development of at least six storeys and encourage building bulk and outlook to the front of the site / street frontage, which assists in achieving a high-density urban built character. Taller buildings that front the street also assist in framing (enclosing)

⁴³ 391.476/391.477

the street, which I understand from Mr Rae is also an appropriate response from an urban design and planned built form standpoint. Therefore, in my opinion, the alternative approach sought in the submissions by Kāinga Ora would encourage an urban streetscape in keeping with the more intensive character anticipated in the HRZ.

- 5.35 The Council's analysis of the appropriate HIRB control appears to be based primarily on providing for the health and wellbeing of the community, and to a reduced degree, enabling the planned urban built environment of the zone. In this regard, I consider that HIRB controls traditionally manage a range of residential amenity considerations, including the level of solar access received by neighbouring properties in respect to a development. The HIRB can also increase the separation distance between buildings and neighbouring properties, helping to reduce privacy impacts from adjacent overlooking properties. The space provided by the HIRB can also contribute to a sense of openness. In my opinion, this is in itself an important component required for a medium density environment, for example to avoid an oppressive sense of enclosure to outdoor living space. However, I consider that this sense of "openness" is less important and should have less weight in locations where a greater level of intensification is anticipated, such as in the HRZ.
- 5.36 Despite the benefits that HIRB controls provide to the amenity of neighbouring sites, buildings that respond to recession planes can appear visually awkward, particularly larger scale buildings, if floors are stepped back progressively in response to the angled plane (as shown in the testing by Mr Rae). Recession planes can also result in unexpected changes in heights which disrupt the coherence of the street scene, and unbalanced buildings with unusual shapes as designers endeavour to keep the building within the angle of the plane.
- 5.37 This is especially the case for taller buildings, where HIRB can become a significant constraint as designers often attempt to fit the building within the permitted envelope. My understanding from discussions with Mr Rae is that they can have the impact of creating buildings with odd pyramidal shapes. These can:
- (a) Appear incongruous in the street scene;
 - (b) May add cost to the build;

- (c) Result in fewer residential units provided; and
- (d) Encourage “sausage blocks” built perpendicular to the street (which can focus adverse impacts on neighbours rather than the street).

5.38 It is also my understanding that relying on recession planes for taller buildings is not necessarily an effective way to manage shading, because the angle of the sun is below the height of the building for much of the year. For taller buildings on narrow sites, most sun access will be received via the gaps in the built form rather than over the top of buildings. I understand that an effective way to manage sun access in a high density context is to ensure that there are gaps in the buildings through which the sunlight can penetrate which can be required as part of a consent process (refer HRZ-R14). In this regard, I understand that the perimeter block layout is a very efficient way to manage this because it creates a large open area at the rear of the site. The approach sought by Kāinga Ora would facilitate the building of density at the front of the site next to the street, and to promote greater open space at the rear, to ensure some certainty around shared amenity and sunlight access within the block.

5.39 Therefore, based on the above, and informed by the evidence of Mr Rae, I am supportive of the 19m + 60° HIRB, as proposed by Kāinga Ora. In my opinion, the proposed revisions to the standards are considered to be the most effective and efficient option for achieving the overarching issue, namely, how to give effect to Policy 3(c) of the NPS-UD while achieving quality built environment outcomes, including addressing issues relating to:

- (a) Achieving planned urban built environment;
- (b) Providing for the amenity, health and safety of residents on-site, and for people on adjoining sites and on the street; and
- (c) Ensuring development recognises and provides for values associated with cultural and historic heritage.

5.40 I have recommended wording changes to Standard HRZ-S3 as set out in **Appendix 1** of my evidence.

5.41 I have prepared a section 32AA assessment of my proposed changes as set out in **Appendix 2** of my evidence.

Maximum Building depth and minimum building separation for multi-unit housing

5.42 Kāinga Ora submissions sought that HRZ-S16 (Maximum building depth for multi-unit housing) and HRZ-S17 (Minimum building separation distance for multi-unit housing) be deleted as multi-unit development is required to obtain consent under rule HRZ-R14 as a restricted discretionary activity. Consents that do not comply with HRZ-S16 and HRZ-S17 are also precluded from being publicly and limited notified. Matters of discretion for HRZ-R14 cover a broad range of matters including HRZ-P6 that refers to the residential design guide⁴⁴ and HRZ-P8 that refers to responding to site context. Consequently, I consider that any matters covered by HRZ-S16 and HRZ-S17 can already be addressed by the existing matters of discretion in rule HRZ-R14 and are therefore redundant and should be deleted.

Six vs Three Residential Units

5.43 Kāinga Ora submissions sought that six residential units per site (rather than three) be a permitted activity in the HRZ. Subject to acceptance of the amendments sought above relating to increased height and HIRB controls along with improved notification preclusions and enhanced referencing to “planned urban built form” addressed in Ms Woodbridge’s evidence, Kāinga Ora supports the retention of the standard and rule as notified of up to three units being permitted in the HRZ.⁴⁵

5.44 I agree with this approach as six residential units is “enabled” as a restricted discretionary activity and increases to height and HIRB controls will establish an appropriate “planned urban built form” or permitted baseline within which to consider resource consents pursuant to HRZ-R2 (residential activities) and HRZ-R13/HRZ-14 (construction of buildings). As the Kāinga Ora submissions also sought amendments to other standards to reflect the six unit permitted standard, the following related submission points will no longer be pursued:

- (a) HRZ-S4 (Boundary setbacks);
- (b) HRZ-S5 (Building Coverage);
- (c) HRZ-S8 (Windows to Street);

⁴⁴ and with the benefit of Kainga Ora submissions, urban design outcomes including public and private interface
⁴⁵ 391.460/391.461 HRZ-R2, 391.466/391.467 HRZ- R13, 391.479 HRZ-S4, 391.481 HRZ-S5, 391.487 HRZ-S8, 391.488 HRZ-S9, 391.489 HRZ-S10, and 391.498 HRZ-S15

- (d) HRZ- S9 (Landscape Area);
- (e) HRZ- S10 (permeable surface area- recommended to be deleted in s42A report); and
- (f) HRZ – S15⁴⁶ (Minimum privacy separation to boundary).

D. Additional Intensification in the Medium Density Residential Zone

Building Height

- 5.45 Kāinga Ora sought a height limit of 11m to be applied regardless of the location or the number of residential units in a development in the MRZ apart from areas that are proximate to RTS and Local Centres.⁴⁷ The reporting officer recommends declining this relief on the basis that the height control provides a distinction between height limits for multi-units and retirement villages and that this approach has been informed by access to services such as public transport.⁴⁸
- 5.46 The PDP allows a building height of up to 11m where no more than three residential units are proposed or within a character/townscape precinct (see MRZ-S1). An 11m height limit applies for other buildings in Height Area 1 and 14m in Height Area 2 on the basis that Height Area 2 is close to public transport services (see MRZ-S2). Urban Design advice from Mr Rae indicates that an 18m height limit is appropriate within a walkable catchment of Local Centre Zones as depicted in the Height Variation Maps attached to his evidence. Increasing density proximate to Local Centres will help support the viability of these centres as outlined in Mr Cullen’s economic evidence and help meet the requirements of Policy 3(d) of the NPS-UD.
- 5.47 Kāinga Ora⁴⁹ sought changes to MRZ-O1 to clarify that the MRZ neighbourhood’s planned urban built character should not only include three storey development generally but also “additional height and density in areas of high accessibility to public transport, commercial activities and community services.” Despite the reporting officer noting that a distinction has been made in the PDP between Height Control Area 1 and 2 based on proximity to centres and public transport services, as outlined above, the relief sought to MRZ-O1

⁴⁶ This has changed to S14 as S10 has been recommended to be deleted via s42A report

⁴⁷ 391.406

⁴⁸ MRZ s42A report paragraph 653

⁴⁹ 391.326

was rejected, noting that a Section 32 assessment for the proposed amendments was not provided.⁵⁰ Regardless of whether the height is increased from 14m or 18m, both options enable buildings that are greater than three storeys. Consequently, the change requested by Kāinga Ora is necessary.

- 5.48 I have incorporated wording changes to MRZ-S1 and MRZ-O1 in **Appendix 1** of my evidence. I have also prepared a Section 32AA assessment to consider my proposed amendments in **Appendix 2** of my evidence.

Height in Relation to Boundary

- 5.49 Kāinga Ora submissions seek amendments to MRZ-S3 to raise the starting point for HIRB from 5 to 6 metres to reflect the increase in height sought above and to ensure development is suitably enabled⁵¹ Mr Rae's evidence indicates that this change will result in negligible impacts on adjoining properties particularly when considering the planned urban built form anticipated by the MDRS via the Amendment Act. I support this advice and have included wording changes in **Appendix 1**.

Boundary Setbacks

- 5.50 Kāinga Ora submissions supported MRZ-S4 on the basis that MRZ-R13.1.a.iii included an exclusion for front and side yards where no more than three residential units occupy the site.⁵² The reporting officer has recommended that this exclusion in MRZ-R13.1.a.iii is removed on the basis that this will align with the MDRS requirements of the Amendment Act (Clause 13 of RMA, Schedule 3A) and notes that the amendments proposed by Kāinga Ora will not have any greater economic impacts on the notified provisions.⁵³
- 5.51 However, the consequence of not accepting the Kāinga Ora amendments is that buildings will need to be set back 1.5m from the front of sites and 1.0m from side boundaries. I disagree with the reporting officer in relation to side yards as maintaining these set-backs will potentially create a 2.0m 'no-mans land' between houses on adjoining sites. This will not lead to good urban design outcomes and will make development less feasible than the notified version of the plan, resulting in economic and environmental impacts as outlined in

⁵⁰ MRZ s42A report paragraph 236

⁵¹ 391.409

⁵² 391.410 and 391.380

⁵³ MRZ s42A report paragraph 542 and 749, p29 of S32 assessment

Mr Rae's evidence. I therefore seek that the exclusion of the side yard standards is either retained within MRZ-R13 or included in MRZ-S4 (as per HRZ-S4.1.a) as outlined in **Appendix 1**.

6. SUMMARY OF PROPOSED WORDING CHANGES SOUGHT

6.1 Copies of the proposed additional changes are included in **Appendix 1** of my evidence. I can confirm that the version of relief in my evidence represents the full "updated" set of relief requested by Kāinga Ora in relation to this hearing topic.

7. CONCLUSION

7.1 In conclusion, I am of the opinion that the amendments sought by Kāinga Ora (as outlined in my evidence) are appropriate and will assist in improving the consistency, usability and interpretation of provisions with the Proposed District Plan. This will include how provisions are interpreted by both plan users and Councils within the Wellington region and nationally.

7.2 In accordance with section 32AA of the RMA I consider that the amendments to the provisions are the most appropriate means of achieving the Act as outlined in **Appendix 2**.

7.3 Overall, I consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA (including proposed changes to objectives), relevant objectives of the PDP and other relevant statutory documents.

Matthew Cecil Heale

16 March 2023

Appendix 1 – Proposed Text Changes

Black Text – Original wording from Proposed District Plan

Blue Text – Officer’s recommended amendments, as set out in the Section 42A report.

Red Text – Additional amendments proposed by Kāinga Ora

ISPP indicated by * (black as notified, blue for officer’s recommendation and red for Kāinga Ora’s recommendation)

HRZ	High Density Residential Zone
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Introduction

The High Density Residential Zone encompasses areas of the city located near to the City Centre Zone, ~~Johnsonville~~ Metropolitan Centre Zones and ~~Kenepuru and Tawa~~ railway stations. These areas are used predominantly for residential activities with a high concentration and bulk of buildings and other compatible activities.

The efficient use of land and infrastructure within the High Density Residential Zone is important to meet the strategic objectives of maintaining a compact urban form and providing new housing to help address the City’s housing needs. This will also ensure that residents have convenient access to retail, services, employment and public transport.

The High Density Residential Zone provides for a range of housing types at a greater density and scale than the Medium Density Residential Zone. It gives effect to the requirements of the RMA to provide for well-functioning urban environments by allowing for ~~three intensive development residential units of~~ up to three storeys on a site, and also by enabling multi-unit housing of ~~up to at least 6 storeys in all areas of the HRZ and up to 12 storeys in areas of high accessibility to key centres, three storeys on a site, and also by enabling multi-unit housing of up to six through a resource consent process subject to standards and design guidance.~~

It is anticipated that the form, appearance and amenity of neighbourhoods within the High Density Residential Zone will change over time to a more intensive urban built form.

There are parts of the High Density Residential Zone where the permitted development, height or density directed by the NPS-UD may be modified by qualifying matters. ~~These include the following:~~

- ~~• Stream corridors and overland flow paths (refer to Natural Hazards Chapter);~~
- ~~• Heritage buildings, heritage structures and heritage areas (refer to Historic Heritage Chapter);~~
- ~~• Notable trees (refer to Notable Trees Chapter); and~~
- ~~• Sites and areas of significance to Māori (refer to Sites and Areas of Significance to Māori Chapter).~~

The High Density Residential Zone accommodates a range of compatible non-residential uses that support the needs of local communities. Incompatible non-residential activities are not anticipated in this zone.

Objectives	
HRZ-O1	<p>Purpose</p> <p>The High Density Residential Zone provides for predominantly residential activities and a variety of housing types and sizes that respond to:</p> <ol style="list-style-type: none"> 1. Housing needs and demand; and

	<p>2. The neighbourhood's planned urban built character, of at least 6 stories and 6-12 storey buildings proximate to Centres and Rapid Transit Stops.</p>
HRZ-O2	<p>Efficient use of land</p> <p>Land within the High Density Residential Zone is used efficiently for residential development that:</p> <ol style="list-style-type: none"> 1. Increases housing supply and choice; 2. Is May be of a greater density and scale than the Medium Density Residential Zone; and 3. Contributes positively to a more intensive high-density urban living environment.
HRZ-O3	<p>Healthy, safe and accessible living environments</p> <p>The High Density Residential Zone provides healthy, safe and accessible living environments with attractive and safe streets.</p>
Policies	
HRZ-P1	<p>Enabled activities</p> <p>Enable residential activities and other activities that are compatible with the purpose of the High Density Residential Zone, while ensuring their scale and intensity is consistent with the amenity values anticipated and planned urban environment of for the Zone, including:</p> <ol style="list-style-type: none"> 1. Home business; 2. Boarding houses; 3. Visitor accommodation; 4. Supported residential care; 5. Childcare services; and 6. Community gardens.
HRZ-P2	<p>Housing supply and choice</p> <p>Enable a variety of housing typologies with a mix of densities within the zone, including 3-storey attached and detached dwellings, low-rise apartments, and residential buildings of up to at least 6-storeys in height.</p>
HRZ-P3	<p>Housing needs</p> <p>Enable housing to be designed to meet the day-to-day needs of residents, including by and encouraging a variety of housing types and sizes and tenures to cater for people of all ages, lifestyles and abilities impairments.</p>
HRZ-P4	<p>Medium density residential standards</p> <p>Apply the medium density residential standards across the High Density Residential Zone and enable higher permitted threshold to</p>

	<p>support high density development, except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga).</p>
HRZ-P5	<p>Developments not meeting permitted activity status</p> <p>Provide for developments not meeting permitted activity status, while encouraging high-quality developments.</p>
HRZ-P6	<p>Multi-unit housing Higher density residential development</p> <p>Provide for multi-unit housing high density residential development where it can be demonstrated that the development:</p> <ol style="list-style-type: none"> 1. Fulfils the intent of the Residential Design Guide; Achieves the following urban design outcomes: <ol style="list-style-type: none"> a. Provides an effective public private interface; b. The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood; c. Provides high quality buildings; d. Responds to the natural environment. 2. Provides a minimum area of private or shared outdoor living space that is sufficient to cater for the needs of future occupants; 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; and 4. Is able to be adequately serviced by three waters infrastructure or can address any water constraints on the site; and 5. Is located within: <ol style="list-style-type: none"> a. 10 minutes' walk from the rapid transit stops of the Kapiti and Johnsonville Lines, the Ngauranga Rail Station, the edge of the Tawa, Newtown, and Miramar Town Centre Zones, and the Johnsonville Metropolitan Centre Zone and Kilbirnie Metropolitan Centre Zone; or b. 20 minutes' walk from the edge of the Wellington City Centre Zone.
HRZ-P7	<p>Retirement villages</p> <p>Provide for retirement villages where it can be demonstrated that the development:</p> <ol style="list-style-type: none"> 1. Fulfils the intent of the Residential Design Guide; Achieves the following urban design outcomes: <ol style="list-style-type: none"> a. Provides an effective public private interface;

	<ul style="list-style-type: none"> b. <u>The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood;</u> c. <u>Provides high quality buildings;</u> d. <u>Responds to the natural environment.;</u> <ol style="list-style-type: none"> 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 <u>able to be</u> 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 <u>amenity values</u> anticipated <u>and planned built form</u> for the Zone.
HRZ-P8	<p>Residential buildings and structures</p> <p>Provide for a range of residential buildings and structures, including additions and alterations, that:</p> <ol style="list-style-type: none"> 1. Provide healthy, safe and accessible living environments; 2. Are compatible with the built environment anticipated in the High Density Residential Zone; and 3. Contribute positively to a changing urban environment.; and 4. Achieve attractive and safe streets.; <u>and</u> 5. <u>Responds to the site context, particularly where it is located adjacent to a heritage building, heritage structure or heritage area, or character precinct.</u>
HRZ-P9	<p>- To be addressed in a future hearing Stream</p> <p>Permeable surface</p> <p>Require development to provide a minimum level of permeable surface to assist with reducing the rate and amount of storm water run-off.</p> <p>Require development to provide a <u>minimum level of sufficient</u> permeable surface <u>area</u> to assist with reducing the rate and amount of storm water run-off.</p> <p>-</p>
HRZ-P10P9	<p>Vegetation and landscaping</p> <p>Encourage the retention of existing vegetation, particularly native vegetation and visually prominent trees that may not otherwise be protected, and where vegetation is proposed to be removed, seek new landscaping of equal or better quality to help integrate new development into the surrounding environment and minimise hard surfacing.</p>
HRZ- P44P10	<p>Attractive and safe streets and public open spaces</p>

	Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.
HRZ- P42P11	<p>Community gardens, urban agriculture and waste minimisation</p> <p>Encourage the development of community gardens, small-scale urban agriculture and circular approaches to the production and management of waste (particularly organic waste), while managing adverse effects.</p>
HRZ- P43P12	<p style="background-color: yellow; text-align: center;">- To be addressed in a future hearing Stream</p> <p>City Outcomes Contribution</p> <p>Require over height, large-scale residential <u>Encourage</u> development in the High Density Residential Zone to <u>contribute to positive outcomes deliver City Outcomes Contributions as detailed and scored in the Residential Design Guide</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. Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change resilience; and/or 3. Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or 4. Incorporating assisted housing into the development, and where this is provided legal instruments are required to ensure that it remains assisted housing for at least 25 years; and/or 4. Enabling ease of access for people of all ages and mobility.
HRZ- P44P13	<p>Non-residential activities and buildings</p> <p>Only a<u>Allow</u> non-residential activities and buildings that:</p> <ol style="list-style-type: none"> 1. Support the needs of local communities; 2. Are of an intensity, scale and design that is consistent with the amenity values anticipated <u>and planned urban environment for of</u> the Zone; 3. Contribute positively to the urban environment and achieve attractive and safe streets; 4. Reduce reliance on travel by private motor vehicle; 5. Maintain the safety and efficiency of the transport network; and 6. Are <u>able to be</u> adequately serviced by three waters infrastructure or can address any constraints on the site.; <u>and</u> 7. <u>Are integrated into residential developments where appropriate.</u>
Rules: Land use Activities	
HRZ – R2	<p>Residential activities, excluding retirement villages, supported residential care activities and boarding houses</p> <ol style="list-style-type: none"> 1. Activity status: Permitted <p>Where:</p> <ol style="list-style-type: none"> a. No more than three residential units occupy the site; <ol style="list-style-type: none"> 2. Activity status: Restricted Discretionary

	<p>Where:</p> <p>a. Compliance with HRZ-R2.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The matters in HRZ-P2, HRZ-P3, HRZ-P5 and HRZ-P6.</p> <p>Notification status: An application for resource consent made in respect of rule HRZ-R2.2.a is precluded from being either publicly or limited notified.</p>
<p>HRZ-R3</p>	<p>Home Business</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The site is occupied by a residential building and used for residential activities by the person or persons living on the site as their principal place of residence;</p> <p>b. No more than four people in total work in the home business at any one time, and the maximum number of people on site associated with the home business does not exceed 10 people at any one time;</p> <p>c. No more than one third of the total gross floor area of all buildings on the site is used for home business activities;</p> <p>d. Activities do not create a dust nuisance;</p> <p>e. The home business does not involve the use of trucks or other heavy vehicles;</p> <p>f. The home business does not include the repair, alteration, restoration or maintenance of motor vehicles or internal combustion engines, or the spray painting of motor vehicles, excluding the residents' motor vehicles;</p> <p>g. Any external storage of materials associated with the home business must be screened so they are not visible from outside the site; and</p> <p>h. No retailing must be conducted on the site, except:</p> <p>i. goods retailed online and do not result in customer visits to the site, or</p> <p>ii. goods ancillary and related to a service provided by the home business.</p> <hr/> <p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of HRZ-R3.1 cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The extent and effects of non-compliance with any requirement not met; and</p> <p>2. The extent to which the intensity and scale of the activity adversely impacts on the amenity values of anticipated urban environment experienced by nearby residential properties and the surrounding neighbourhood.</p> <p>Notification status: An application for resource consent made in respect of rule HRZ-R3.2.a is precluded from being publicly notified.</p>

HRZ-R4	Supported residential care activities
	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>The maximum occupancy does not exceed 10 residents.</p>
HRZ-R5	Boarding houses
	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>The maximum occupancy does not exceed 10 guests per night.</p> <p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>Compliance with HRZ-R5.1.a is not achieved.</p> <p>Matters of discretion are:</p> <p>The extent to which the intensity and scale of the activity may adversely impact on the amenity values of anticipated urban environment <u>experienced by</u> nearby residential properties and the surrounding neighbourhood.</p> <p>Notification status: An application for resource consent made in respect of rule HRZ-R5.2.a is precluded from being publicly notified.</p>
HRZ-R6	Visitor accommodation
	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>The maximum occupancy does not exceed 10 guests per night.</p>
	<p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with HRZ-R6.1.a is not achieved.</p> <p>Matters of discretion are:</p>

	<p>1. The extent to which the intensity and scale of the activity may adversely impact on the <u>amenity-values of anticipated urban environment experienced by</u> nearby residential properties and the surrounding neighbourhood.</p> <p>Notification status: An application for resource consent made in respect of rule HRZ-R6.2.a is precluded from being publicly notified.</p>
<p>HRZ-R7</p>	<p>Childcare services</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The maximum number of children who are not normally resident on the site does not exceed 10; and b. The hours of operation are between 7.00am and 7.00pm, Monday to Friday. <p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance with HRZ-R7.1.a or HRZ-R7.1.b cannot be achieved. Matters of discretion are: <ul style="list-style-type: none"> 1. The extent to which the intensity and scale of the activity may adversely impact on the <u>amenity-values of anticipated urban environment experienced by</u> of nearby residential properties and the surrounding neighbourhood. 2. <u>The extent to which childcare facilities are integrated into residential development.</u> <p>Notification status: An application for resource consent made in respect of rule HRZ-R7.2.a is precluded from being publicly notified.</p>
<p>HRZ-R9</p>	<p>Community facility, health care facility, emergency facility, educational facility (excluding child care services) and Commercial activities</p> <p>1. Activity status: Restricted Discretionary</p> <p><u>Where commercial activities:</u></p> <ul style="list-style-type: none"> <u>a. Are limited to the ground floor tenancy of an apartment building;</u> <u>b. Have a gross floor area that does not exceed 200m²</u> <u>c. Have hours of operation between:</u> <ul style="list-style-type: none"> <u>i. 7.00am and 9.00pm Monday to Friday; and</u> <u>ii. 8.00am and 7.00pm Saturday, Sunday and public holidays.</u> <p>Matters of discretion are:</p> <ul style="list-style-type: none"> 1. The matters in HRZ-P14.

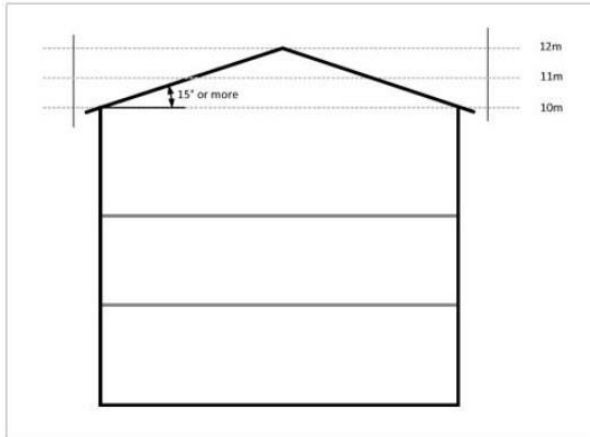
	Notification status: An application for resource consent made in respect of rule HRZ-R9.1 is precluded from being publicly notified.
HRZ-R10	All Other Activities
	<p>1. Activity status: Discretionary</p> <p>Where:</p> <p>a. The activity status is not otherwise provided for as a permitted activity or restricted discretionary activity.</p>
Rules: Building and structure activities	
HRZ-R13	Construction, addition or alteration of buildings and structures where no more than three residential units occupy the site
	<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. HRZ-S1; ii. HRZ-S3; iii. HRZ-S4 only in relation to the rear yard boundary setback; iv. HRZ-S5; v. HRZ-S6; vi. HRZ-S7; vii. HRZ-S8; and viii. HRZ-S9; and ix. HRZ-S10.
	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of HRZ-R13.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <ul style="list-style-type: none"> 1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard; and 2. The matters in HRZ-P2, HRZ-P3, HRZ-P4, HRZ-P5, HRZ-P8, HRZ-P9, HRZ-P10P9 and HRZ-P11P10; and 3. <u>The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.</u> <p>Notification status:</p> <p>An application for resource consent made in respect of rule HRZ-R13.2.a which results from non-compliance with HRZ-S1, HRZ-S3, MRZ-S4 or MRZ-S5 is precluded from being publicly notified.</p> <p>An application for resource consent made in respect of rule HRZ-R13.2.a which results from non-compliance with HRZ-S6, HRZ-S7, HRZ-S8 or HRZ-S9 or HRZ-S10 is precluded from being either publicly or limited notified.</p>
HRZ-R14	Construction of buildings or structures for multi-unit housing or a retirement village

	<p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The extent and effect of non-compliance with any of the follow standards as specified in the associated assessment criteria for any infringed standard: <ol style="list-style-type: none"> i. HRZ-S2; ii. HRZ-S3; iii. HRZ-S12<u>S11</u> for multi-unit housing only; iv. HRZ-S13<u>S12</u> for multi-unit housing only; v. HRZ-S14S13 for multi-unit housing only; vi. HRZ-S15<u>S14</u>; vii. HRZ-S16<u>S15</u>; and viii. HRZ-S17<u>S16</u>. 2. The matters in HRZ-P2, HRZ-P3, HRZ-P5, HRZ-P6 (For multi-unit housing only), HRZ- P7 (For retirement villages only), HRZ-P8, HRZ-P10P9 and HRZ-P11P10. 3. The matters in HRZ-P13 where the development comprises 25 or more residential units; or exceeds the maximum height requirement by 25% or more. <p>Notification status: An application for resource consent made in respect of rule HRZ-R14.1 is precluded from being publicly notified.</p> <p>An application for resource consent made in respect of rule HRZ-R14.1 that complies with all relevant standards is also precluded from being limited notified.</p> <p>An application for resource consent made in respect of rule HRZ-R14.1 that complies with HRZ-S2, HRZ-S3.1, and HRZ-S4, but does not comply with one or more of the other relevant standards is also precluded from being limited notified.</p>
HRZ-R17	Construction of any other building or structure, including additions and alterations
	<p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance with the following standards is achieved: <ol style="list-style-type: none"> i. HRZ-S1; ii. HRZ-S2; iii. HRZ-S3; iv. HRZ-S4; v. HRZ-S5; vi. HRZ-S10; vii. HRZ-S12<u>S11</u> (For multi-unit housing only); viii. HRZ-S13<u>S12</u> (For multi-unit housing only); ix. HRZ-S14<u>S13</u> (For multi-unit housing only); x. HRZ-S15<u>S14</u> (For multi-unit housing and retirement villages only); xi. HRZ-S16<u>S15</u> (For multi-unit housing and retirement villages only); and xii. HRZ-S17<u>S16</u> (For multi-unit housing and retirement villages only).
	<p>2. Activity status: Restricted Discretionary</p>

	<p>Where:</p> <p>a. Compliance with any of the requirements of HRZ-R17.1.a cannot be achieved</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard; 2. The matters in HRZ-P9, HRZ-P10, HRZ-P11 and HRZ-P14; and HRZ-P9, HRZ-P10, HRZ-P11 and HRZ-P13;and 3. The matters in HRZ-P6, HRZ-P7 and HRZ-P8 for additions and alterations to multi-unit- housing; and or a retirement village. 4. <u>The matters in HRZ-P7 and HRZ-P8 for additions and alterations to a retirement village.</u> <p>Notification status: An application for resource consent made in respect of rule HRZ-R17.2.a is precluded from being publicly notified.</p> <p><u>An application for resource consent for additions and alterations to a retirement village where compliance is achieved with HRZ-S2, HRZ-S3, HRZ-S14, HRZ-S15, and HRZ-S16 is precluded from being limited notified.</u></p>
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Standards	
HRZ-S1	
Building height control 1 where no more than three residential units occupy the site	
<p>1. Buildings and structures <u>must meet the following requirements:</u></p> <p>a. not exceed 11 14 metres in height above ground level;</p> <p>a. <u>not exceed 22 24 metres in height above ground level, except that:</u></p> <ol style="list-style-type: none"> i. <u>This can be extended to 43m where Buildings and Structures are located within 400m of the CCZ; and</u> ii. <u>This can be extended to 36m where Buildings and Structures are located between 400m-800m of the CCZ or 400m of the MCZ; and</u> iii. <u>This can be extended to 29m where Buildings and Structures are located within 400m from Miramar Town Centre and 50m adjoining the Tawa MUZ extension, within 400m of the Tawa Town Centre Zone and 36m within 400m of the Newtown Town Centre Zone; and</u> <p>b. <u>In all cases</u> 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1</p>	<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. Effects on the function and associated amenity values of any adjacent open space zone; and 4. <u>Wind effects</u>

metre, where the entire roof slopes 15° or more, as shown in Diagram 5 below:



This standard does not apply to:

- a. Fences or standalone walls.;
- 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 measured vertically;](#)
- d. [Multi-unit housing;](#) and
- e. [Retirement villages.](#)

HRZ-S2

Building height control 2 for multi-unit housing or a retirement village

~~1. Buildings and structures must not exceed 21 metres in height above ground level.~~

~~This standard does not apply to:~~

- ~~a. Fences or standalone walls;~~
- ~~b. Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; and~~
- ~~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. Circumstances where up to 50% of a building's roof in elevation exceeds the maximum height where the entire roof slopes 15° or more.~~

~~Assessment criteria where the standard is infringed:~~

- ~~1. Streetscape and visual amenity effects;~~
- ~~2. Dominance, privacy and shading effects on adjoining sites;~~
- ~~3. Effects on the function and associated amenity values of any adjacent open space zone; and~~
- ~~4. Wind effects.~~

HRZ-S3	
Height in relation to boundary	
<p>1. For any site where HRZ-S1 applies: No part of any building or structure may project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, <u>within 21.5m from the frontage, as shown in Diagram 6 below</u>;</p> <p>2. For any site where HRZ-S1 applies: No part of any building or structure may project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, <u>within 21.5m from the frontage, as shown in Diagram 6 below</u>;</p> <p>2. For any site where HRZ-S2 applies: no part of any building or structure may project beyond a 60° recession plane measured from a point 8 metres vertically above ground level along all boundaries <u>except where (1) above is applicable, and</u> except where (3) or (4) below is applicable;</p> <p>3. For any site where HRZ-S2 applies: no part of any building or structure may project beyond a 60° recession plane measured from a point 5 <u>6</u> metres vertically above ground level along any boundary that adjoins a site in:</p> <ul style="list-style-type: none"> i. The Medium Density Residential Zone; or ii. The Wellington Town Belt Zone; or iii. Any Heritage Area; or iv. Any site containing a Heritage Building; or v. <u>Any character precinct; or</u> vi. Any <u>Any</u> site occupied by a school; <p>4. or any site where HRZ-S2 applies that is located adjacent to a site in the Natural Open Space Zone, Open Space Zone, or Sport and Active Recreation Zone: all buildings and structures must be designed and located to maintain sunlight access to a minimum of 70% of the open space site area during 10am to 3pm at either of the equinoxes (i.e. 21 March or 23 September).</p> <p>5. 4. In relation to 1, 2 and 3 above, where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. A boundary with a road; b. Existing or proposed internal boundaries within a site; <u>and</u> 	<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; 3. Effects on the function and associated amenity values of any adjacent open space zone or school site; and <p>For any site adjacent to a character precinct or heritage area, the effects on the identified character or heritage values.</p>

<ul style="list-style-type: none"> c. Site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed; d. Solar panel and heating components attached to a building provided these do not exceed the height 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 by more than 1m measured vertically. 	
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HRZ-S4

Boundary setbacks

<p>1. Buildings and structures must be set back from the relevant boundary by the minimum depth listed in the yards table below:</p> <table border="1" data-bbox="338 882 887 1072"> <thead> <tr> <th>Yard</th> <th>Minimum Depth</th> </tr> </thead> <tbody> <tr> <td>Front</td> <td>1.5m</td> </tr> <tr> <td>Side</td> <td>1m</td> </tr> <tr> <td>Rear</td> <td>1m</td> </tr> <tr> <td>Rail Corridor boundary</td> <td>1.5m</td> </tr> </tbody> </table> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. Developments of 1-3 household units with respect to the front and side yard set-back requirements; b. a. Site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed; c. b. Fences or standalone walls; d. Uncovered decks and uncovered structures no more than 500mm in height above ground level; e. Eaves up to 600mm in width; f. c. Multi-unit housing-(except in relation to the rail corridor boundary, where it does apply);-and d. Retirement villages (except in relation to the rail corridor boundary, where it does apply). 	Yard	Minimum Depth	Front	1.5m	Side	1m	Rear	1m	Rail Corridor boundary	1.5m	<p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. Streetscape and visual amenity effects; and 2. Dominance, privacy and shading effects on adjoining sites.
Yard	Minimum Depth										
Front	1.5m										
Side	1m										
Rear	1m										
Rail Corridor boundary	1.5m										

HRZ-S5

Building coverage

<p>1. Maximum building coverage must not exceed 50% of the net site area.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. Uncovered decks and uncovered 	<p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. Streetscape and visual amenity effects; and
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<p><u>structures no more than 1m in height above ground level</u></p> <p>b. <u>Eaves up to 1m in width;</u></p> <p>c. a. Multi-unit housing; and</p> <p>d. b. Retirement villages.</p>	<p>2. Dominance, privacy and shading effects on adjoining sites.</p>
<p>HRZ-S6</p>	
<p>Outdoor living space (per unit) for multi-unit housing</p>	
<p>1. A residential unit at ground floor level must have an outdoor living space that is at least 20 square metres and that comprises ground floor, balcony, patio, or roof terrace space that:</p> <p>a. where located at ground level, has no dimension less than 3 metres;</p> <p>b. where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres;</p> <p>c. is accessible from the residential unit;</p> <p>d. may be:</p> <p>i. grouped cumulatively by area in 1 communally accessible location; or</p> <p>ii. located directly adjacent to the unit; and</p> <p>e. is free of buildings, parking spaces, and servicing and manoeuvring areas; and</p> <p>2. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:</p> <p>a. is at least 8 square metres and has a minimum dimension of 1.8 metres;</p> <p>b. is accessible from the residential unit;</p> <p>c. may be:</p> <p>i. grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or</p> <p>ii. located directly adjacent to the unit.</p> <p><u>This standard does not apply to:</u></p> <p>a. Multi-unit housing; and</p> <p>b. Retirement villages.</p> <p>1. <u>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;</u></p>	<p><u>Assessment criteria where the standard is infringed:</u></p> <p><u>The extent to which:</u></p> <p>1. The design of the proposed outdoor living space provides a good standard of amenity;</p> <p>2. Other on-site factors compensate for a reduction in the size or dimension of the outdoor living space; and</p> <p>3. The availability of public open space in proximity to the site.</p> <p><u>Assessment criteria where the standard is infringed:</u></p> <p><u>The extent to which:</u></p> <p>1. <u>Any proposed outdoor living space provides a good standard of amenity relative to the number of occupants the space is designed for;</u></p> <p>2. <u>Other on-site factors compensate for a reduction in the size or dimension of the outdoor living space; and</u></p> <p><u>The availability of public open space in proximity to the site.</u></p>

2. Where private outdoor living space is provided it must be:

- 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

3. Where communal outdoor living space is provided it does not need to be in a single continuous space but it must be:

- 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 maneuvering areas.

<u>Living Space Type</u>	<u>Minimum Area</u>	<u>Minimum Dimension</u>
<u>Private</u>		
<u>i. Studio unit and 1-bedroom unit</u>	<u>5m²</u>	<u>1.8m</u>
<u>ii. 2 + bedroom unit</u>	<u>8m²</u>	<u>1.8m</u>
<u>Communal</u>		
<u>i. For every 5 4-15 units</u>	<u>1064m²</u>	<u>8m</u>
<u>ii. For each additional unit above 15 units</u>	<u>2m²</u>	

Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space.

HRZ-S7

Outlook space (per unit) Outlook space for multi-unit housing

<p>1. All habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width; and</p> <p>2. The outlook space must meet the requirements set out HRZ-S7.4-9.</p> <p>Delete remainder of Text</p>	<p>Assessment criteria where the standard is infringed:</p> <p>The extent to which:</p> <ol style="list-style-type: none"> Acceptable levels of natural light are provided to habitable rooms; and The design of the proposed unit provides a healthy living environment. <p>Delete remainder of Text</p>
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Delete HRZ-S12 Outdoor living space for multi-unit housing

Delete HRZ-S13 Outlook Space for multi-unit housing
Delete HRZ-S14 Minimum Building depth for multi-unit housing or a retirement village
Delete HRZ – S16 Minimum building separation distance for multi-unit housing or a retirement village

<u>Oriental Bay Height Precinct</u>	
<u>Introduction</u>	
<p><u>The Oriental Bay Height Precinct recognises the unique setting, characteristics and development potential of this area. Medium to high rise residential development is suitable here. It is also a popular recreational destination.</u></p> <p><u>The land use activities rules of the High Density Residential Zone apply to the Oriental Bay Height Precinct, except that there is no restriction on the number of permitted residential units on a site on the Oriental Bay Height Precinct.</u></p> <p><u>The building and structures activities rules and standards for the High Density Residential Zone do not apply to the Oriental Bay Height Precinct. There are separate building and structures activities rules and standards for this Precinct.</u></p> <p><u>Permitted building heights have been set on a site by site basis to maximise residential development potential while at the same time offering protection for the amenity of properties to the rear and the public amenity along Oriental Parade. The heights also serve to protect townscape views of St Gerard’s Monastery and the escarpment below.</u></p> <p><u>New buildings, and significant additions and alterations to existing buildings will be assessed against the Residential Design Guide to ensure that they make a positive contribution to townscape values and general amenity of the area.</u></p>	
<u>Objectives</u>	
<u>HRZ-PREC03-O1</u>	<p><u>Purpose</u></p> <p><u>The Oriental Bay Height Precinct accommodates medium to high density residential development and a range of compatible non-residential activities at ground floor that maintain or enhance the unique qualities of the Precinct.</u></p>
<u>Policies</u>	
<u>HRZ-PREC03-P1</u>	<p><u>Managing development</u></p> <p><u>Manage development in the Oriental Bay Height Precinct in a manner that recognises the unique characteristics and development potential of the Precinct.</u></p>
<u>Rules</u>	
<u>HRZ-PREC03-R1</u>	<p><u>Maintenance and repair of buildings and structures</u></p> <p>1. <u>Activity status: Permitted</u></p>
<u>HRZ-PREC03-R2</u>	<p><u>Demolition or removal of buildings and structures</u></p> <p>1. <u>Activity status: Permitted</u></p>

<p><u>HRZ-PREC03-R3</u></p>	<p><u>Additions or alterations to existing buildings, structures or accessory buildings</u></p> <p>1. <u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>The additions or alterations are to existing buildings three storeys or less in height (including garaging), provided that the works do not increase the height of the building above the existing highest point of the building and compliance is achieved with HRZ-PREC03-S1 and HRZ-PREC03-S2; or</u> b. <u>The additions or alterations do not alter the external appearance of the building, structure or accessory building; or</u> c. <u>The additions or alterations are not visible from public places; or</u> d. <u>The additions or alterations do not require an application for building consent.</u> <p><u>For the purpose of this rule chimneys, flues, ventilation shafts, aerials, satellite dishes less than 1 metre in diameter, spires, flagpoles, or other decorative features shall be excluded from the measurement of the highest point.</u></p>
<p><u>HRZ-PREC03-R4</u></p>	<p><u>Construction, alteration or addition to buildings, structures or accessory buildings that are not Permitted Activities</u></p> <p>1. <u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>Compliance is achieved with HRZ-PREC03-S1, HRZ-PREC03-S2, HRZ-PREC03-S3 and HRZ-PREC03-S54.</u> <p><u>Matters of discretion are:</u></p> <ol style="list-style-type: none"> 1. <u>Design (including building bulk, height, and scale), external appearance and siting; and</u> 2. <u>The matters in Policy HRZ-PREC03-P1</u> <p><u>Notification status: An application for resource consent made in respect of rule HRZ-PRE03-R4.1.a is precluded from being publicly being publicly or limited notified.</u></p> <p>2. <u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p>

	<p>a. <u>Compliance with any of the requirements of HRZ-PREC03 or HRZ-PREC03-S4 cannot be achieved.</u></p> <p><u>Matters of discretion are:</u></p> <p>1. <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><u>Notification status: An application for resource consent made in respect of rule HRZ-PREC03-R4.2.a is precluded from being publicly or limited notified.</u></p> <p>3. <u>Activity status: Discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance with any of the requirements of HRZ-PREC03-S3 cannot be achieved.</u></p>
<p><u>HRZ-PREC03-R5</u></p>	<p><u>Fences and standalone walls</u></p> <p>1. <u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance with HRZ-OBPH-S6 is achieved.</u></p> <p>2. <u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance with HRZ-OBPH-S6 is not achieved.</u></p> <p><u>Matters of discretion are:</u></p> <p>1. <u>Streetscape and visual amenity effects; and</u> 2. <u>Dominance and shading effects on adjoining properties.</u></p> <p><u>Notification status: An application for resource consent made in respect of rule HRZ-PREC03-R5.2.a is precluded from being publicly notified.</u></p>
<p><u>HRZ-PREC03-R6</u></p>	<p><u>Buildings and structures on or over a legal road</u></p> <p>1. <u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p>

	<ul style="list-style-type: none"> a. <u>Streetscape and visual amenity effects;</u> b. <u>Dominance, privacy and shading effects on adjoining properties;</u> c. <u>Maintaining safe access and safety for road users, including pedestrians; and</u> d. <u>The matters in HRZ-P8, HRZ-P10, HRZ-P11 and HRZ-PREC03-P1.</u> <p><u>Notification status: An application for resource consent made in respect of rule HRZ-PREC03-R6.1 is precluded from being publicly notified.</u></p>
<u>Standards</u>	
<u>HRZ-PREC03-S1</u>	
<u>Boundary setbacks</u>	
<ul style="list-style-type: none"> 1. <u>No boundary setbacks except:</u> <ul style="list-style-type: none"> a. <u>For 282-300 Oriental Parade a minimum 1 metre rear boundary setback is required; and</u> b. <u>For 232-234 Oriental Parade a minimum 6 metre rear boundary setback is required.</u> 	<p><u>Assessment criteria where the standard is infringed:</u></p> <ul style="list-style-type: none"> 1. <u>Dominance, privacy and shading effects on adjoining sites.</u>
<u>HRZ-PREC03-S2</u>	
<u>Height in relation to boundary</u>	
<ul style="list-style-type: none"> 1. <u>No height in relation to boundary except on boundaries with adjacent residential properties that are located outside the Oriental Bay Height Precinct; and</u> 2. <u>Where a boundary is adjacent to a residential property located outside the Oriental Bay Height Precinct, the height in relation to boundary standard of the underlying zone of the adjacent residential property will apply.</u> 	<p><u>Assessment criteria where the standard is infringed:</u></p> <ul style="list-style-type: none"> 1. <u>Dominance, privacy and shading effects on adjoining sites; and</u> 2. <u>Effects on the function and associated amenity values of any adjacent open space zone.</u>
<u>HRZ-PREC03-S3</u>	
<u>Maximum height</u>	
<ul style="list-style-type: none"> 1. <u>Buildings, structures and accessory buildings must not exceed the maximum heights shown on the Oriental Bay Height Precinct Map, except for 20A Oriental Terrace where the maximum height must not be exceeded by more than 20%.</u> 	<p><u>Assessment criteria where the standard is infringed:</u></p> <ul style="list-style-type: none"> 1. <u>Streetscape and visual amenity effects;</u> 2. <u>Dominance, privacy and shading effects on adjoining sites; and</u>

	<p>3. <u>Effects on the function and associated amenity values of any adjacent open space zone.</u></p>
<p><u>HRZ-PREC03-S4</u></p>	
<p><u>Fences and standalone walls</u></p>	
<p>1. <u>Any fence or standalone wall, or combination of these structures, must not exceed a maximum height of 2m above ground level where within 1m of any side or rear boundary; and</u></p> <p>2. <u>On a road boundary: any fence or standalone wall, or combination of these structures, must not exceed:</u></p> <ul style="list-style-type: none"> a. <u>A maximum height of 2m above ground level; and</u> b. <u>Any part of a fence or standalone wall above 1.2m in height must be 50% visually transparent for its entire length.</u> 	<p><u>Assessment criteria where the standard is infringed:</u></p> <p>-</p> <ul style="list-style-type: none"> 1. <u>Streetscape and visual amenity effects; and</u> 2. <u>Dominance and shading effects on adjoining properties.</u>

MRZ	Medium Density Residential Zone
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Introduction

The Medium Density Residential Zone comprises predominantly residential activities with a moderate concentration and bulk of buildings, such as detached, semi-detached and terraced housing, low-rise apartments and other compatible activities.

The suburbs within the Medium Density Residential Zone have developed at different times and with varying topography and characteristics across its neighbourhoods.

The efficient use of land within the Medium Density Residential Zone is important to meet the strategic objectives of maintaining a compact urban form and providing new housing to help address the City's housing needs.

The Medium Density Residential Zone adopts the medium density residential standards from the RMA which allow for three residential units of up to three storeys on a site. ~~Developments of four or more residential units are also encouraged through the policy framework and provided for through a resource consent process. Multi-unit housing of four or more units is also anticipated through a resource consent process subject to standards and design guidance.~~

It is anticipated that the form, appearance and amenity of neighbourhoods within the Medium Density Residential Zone will change over time to enable a variety of housing types with a mix of densities.

There are parts of the Medium Density Residential Zone where the permitted development, height or density directed by the NPS-UD may be modified by qualifying matters. ~~These include the following:~~

- ~~• Character Precincts and the Mt Victoria North Townscape Precinct (refer to MRZ-PREC01 and MRZ-PREC02).~~
- ~~• Wellington Fault (refer to Natural Hazards Chapter).~~
- ~~• Stream corridors and overland flow paths (refer to Natural Hazards Chapter).~~
- ~~• Medium and high coastal hazards (refer to Coastal Environment Chapter).~~
- ~~• Very high and high coastal natural character areas (refer to Coastal Environment Chapter).~~
- ~~• Coastal margins and riparian margins (refer to Coastal Environment and Natural Character Chapters).~~
- ~~• Air noise overlay (refer to Noise Chapter).~~
- ~~• Heritage buildings, heritage structures and heritage areas (refer to Historic Heritage Chapter).~~
- ~~• Notable trees (refer to Notable Trees Chapter).~~
- ~~Sites and areas of significance to Māori (refer to Sites and Areas of Significance to Māori Chapter).~~

There are also two areas within the Medium Density Residential Zone that have particular constraints or opportunities that require specific policies. These are the Tapu Te Ranga land and the Spenmoor Street area.

The Medium Density Residential Zone accommodates a range of compatible non-residential uses that support the needs of local communities. Incompatible non-residential activities are ~~not anticipated managed or discouraged~~ in this zone.

~~Precincts within the Medium Density Residential Zone include Character Precincts, the Mt Victoria North Townscape Precinct, and the Oriental Bay Height Precinct.~~

MRZ- PREC01	Character Precincts
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se of the Character Precincts is to provide for the management of effects on character values specifically identified residential areas of the City.

acts are located within the City's older suburbs and are comprised of a range of older houses that live of the historical development pattern of the City. The Precincts are generally in close proximity to the City Centre Zone and are anticipated to undergo a degree of change.

the District Plan endeavours to balance the ongoing maintenance of character with the demands of residential growth and change. The District Plan seeks to manage pre-1930 buildings within the Character Precincts where the concentration of coherent development defines and contributes to their character and sense of place.

Character Precincts are located in the following suburbs:

- Berhampore;
- Newtown;
- Mt Cook;
- Mt Victoria;
- Aro Valley; and
- Thorndon.

Character Precincts do not seek to protect historic heritage values. While some areas may also be designated as heritage areas in the District Plan, the majority of the Character Precincts seek to identify concentrations of consistent character and prevent its further erosion. This character is a product of architectural values of the dwellings in these areas, patterns of subdivision and the resultant streetscape. The Character Precincts have been identified and mapped based on the consistency and concentration of character of the houses in these areas.

Individual characteristics of each Precinct are described in the Character Precincts Appendix to the District Design Guide.

Use activities rules for the Medium Density Residential Zone apply to the Character Precincts.

Building and structure activities rules for the Medium Density Residential Zone do not apply to the Character Precincts. There are separate building and structure activities rules that apply within the Character Precincts.

MRZ- PREC02	Mt Victoria North Townscape Precinct
<p>Introduction</p> <p>The purpose of the Mt Victoria North Townscape Precinct is to provide for the management of townscape values within the Mt Victoria North area.</p> <p>The Mt Victoria North Townscape Precinct has been identified as important due to its high visibility and proximity to St Gerard's Monastery and the escarpment below. When viewed from the City Centre (and the waterfront) the houses, monastery and escarpment combine to form one of Wellington's most iconic urban landscapes. The District Plan seeks to manage the design of new buildings and additions and alterations to existing buildings in this area. The controls are provided to ensure that new development is well designed, respects the predominant patterns of the area and the setting of St Gerard's Monastery.</p> <p>The Mt Victoria North Townscape Precinct does not seek to protect historic heritage values. While some parts of this Precinct may also be identified as heritage areas or buildings in the District Plan, this Precinct reflects the collective unique identity and townscape values present within the area.</p> <p>Similarly, this Precinct is separate from the Character Precincts which are identified due to the predominance of buildings constructed prior to 1930 and the contribution of those buildings to broader streetscape characteristics. While there are some sites within the Mt Victoria North Townscape Precinct which are also included in Character Precincts, the focus</p>	

MRZ-PREC03 Oriental Bay Height Precinct

Introduction

The Oriental Bay Height Precinct recognises the unique setting, characteristics and development potential of this area. Medium to high rise residential development is suitable here. It is also a popular recreational destination.

The land use activities rules of the Medium Density Residential Zone apply to the Oriental Bay Height Precinct, except that there is no restriction on the number of permitted residential units on a site on the Oriental Bay Height Precinct.

The building and structures activities rules and standards for the Medium Density Residential Zone do not apply to the Oriental Bay Height Precinct. There are separate building and structures activities rules and standards for this Precinct.

Permitted building heights have been set on a site by site basis to maximise residential development potential while at the same time offering protection for the amenity of properties to the rear and the public amenity along Oriental Parade. The heights also serve to protect townscape views of St Gerard's Monastery and the escarpment below.

New buildings, and significant additions and alterations to existing buildings will be assessed against the Residential Design Guide to ensure that they make a positive contribution to townscape values and general amenity of the area.

Other relevant District Plan provisions

of these provisions is different.

Townscape focuses on long range views from public spaces, which differs from streetscape values which are enjoyed by those in the immediate streetscape, rather than from a long range viewpoint. Streetscape values can contribute to townscape characteristics and values but are not the primary focus of the townscape precinct.

Building proposals will be assessed against the Residential Design Guide, including the Mt Victoria North Design Guide and the Character Precincts Design Guide appendices, as relevant to the proposal.

The land use activities rules for the Medium Density Residential Zone apply to the Mt Victoria North Townscape Precinct.

The building and structures activities rules for the Medium Density Residential Zone do not apply to the Mt Victoria North Townscape Precinct. There are separate building and structures activities rules that apply within the Townscape Precinct.

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

Medium Density Residential Zone	
MRZ-O1	<p>Purpose</p> <p>The Medium Density Residential Zone provides for predominantly residential activities and a variety of housing types and sizes that respond to:</p> <ol style="list-style-type: none"> 1. Housing needs and demand; and 2. The neighbourhood's planned urban built character, including 3 storey

	buildings, <u>and additional height and density in areas of high accessibility to public transport, commercial amenity and community services.</u>
MRZ-O2	<p>Efficient use of land</p> <p>Land within the Medium Density Residential Zone is used efficiently for residential development that:</p> <ol style="list-style-type: none"> 1. Increases housing supply and choice; and 2. Contributes positively to a changing and well-functioning urban environment.
MRZ-O3	<p>Healthy, safe, accessible and attractive environments</p> <p>The Medium Density Residential Zone provides healthy, safe and accessible living environments with attractive and safe streets.</p>
Character Precincts	
MRZ- PREC01-O1	<p>Purpose</p> <p>Character Precincts are managed to:</p> <ol style="list-style-type: none"> 1. Minimise the further erosion of their character; 2. Provide for their ongoing use and development that maintains or enhances their character; and <p>Ensure development recognises and responds to the character values of the Precinct.</p>
Mt Victoria North Townscape Precinct	
MRZ- PREC02-O1	<p>Purpose</p> <p>The area around St Gerard's Monastery in the northern portion of Mt Victoria and western portion of Oriental Bay is:</p> <ol style="list-style-type: none"> 1. Recognised as a townscape precinct; 2. Managed to maintain or enhance the iconic landscape setting and townscape values; 3. Developed in a manner that recognises and responds to the townscape values of the area; and 4. Enabled for its ongoing use and appropriate future development.
Oriental Bay Height Precinct	
MRZ- PREC03-O1	<p>Purpose</p> <p>The Oriental Bay Height Precinct accommodates medium to high density residential development and a range of compatible non-residential activities at ground floor that maintain or enhance the unique qualities of the Precinct.</p>
Policies	
Medium Density Residential Zone	
MRZ-P1	<p>Enabled activities</p> <p>Enable residential activities and other activities that are compatible with the purpose of the Medium Density Residential Zone, while ensuring their scale and</p>

	<p>intensity is consistent with the amenity values anticipated <u>and planned urban environment of for</u> the Zone, including:</p> <ol style="list-style-type: none"> 1. Home Business; 2. Boarding Houses; 3. Visitor Accommodation; 4. Supported Residential Care; 5. Childcare Services; and 6. Community Gardens.
<p>MRZ-P2</p>	<p>Housing supply and choice</p> <p>Enable a variety of housing typologies with a mix of densities within the zone, including 3-storey attached and detached dwellings, and low-rise apartments <u>up to 5 storeys in areas of high accessibility to public transport, commercial activities and community services.</u></p>
<p>MRZ-P3</p>	<p>Housing needs</p> <p>Enable housing to be designed to meet the day-to-day needs of residents, <u>including by and encouraging</u> a variety of housing types, and sizes and tenures to cater for people of all ages, lifestyles and abilities, impairments.</p>
<p>MRZ-P6</p>	<p>Multi-unit housing <u>Higher density residential development</u></p> <p>Provide for multi-unit housing <u>more than three residential units per site</u> where it can be demonstrated that the development:</p> <ol style="list-style-type: none"> 1. Fulfills the intent of the Residential Design Guide; <u>Achieves the following urban design outcomes:</u> <ol style="list-style-type: none"> a. <u>Provides an effective public private interface;</u> b. <u>The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood;</u> c. <u>Provides high quality buildings;</u> d. <u>Responds to the natural environment.</u> 2. Provides a minimum area of private or shared outdoor living space that is sufficient to cater for the needs of future occupants; 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; and 4. Is <u>able to be</u> adequately serviced by three waters infrastructure or can address any <u>water</u> constraints on the site; and 5. <u>Is located within:</u> <ol style="list-style-type: none"> a. <u>10 minutes' walk from the rapid transit stops of the Kapiti and Johnsonville Lines, the Ngauranga Rail Station, the edge of the Tawa, Newtown, and Miramar Town Centre Zones, and the Johnsonville Metropolitan Centre Zone and Kilbirnie Metropolitan Centre Zone; or</u>

	<p>b. <u>20 minutes' walk from the edge of the Wellington City Centre Zone.</u></p> <p><u>Note: Best practice urban design guidance is contained within Council's Design Guidelines.</u></p>
<p>MRZ-P7</p>	<p>Retirement villages</p> <p>Provide for retirement villages where it can be demonstrated that the development:</p> <ol style="list-style-type: none"> 1. Fulfills the intent of the Residential Design Guide; <u>Achieves the following urban design outcomes:</u> <ol style="list-style-type: none"> a. <u>Provides an effective public private interface;</u> b. <u>The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood;</u> c. <u>Provides high quality buildings.</u> d. <u>Responds to the natural environment.</u> 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 <u>able to be</u> 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 <u>and planned built form</u> for the Zone. <p><u>Note: Best practice urban design guidance is contained within Council's Design Guidelines.</u></p>
<p>MRZ-P9</p>	<p>Permeable surface</p> <p>Require development to provide a minimum level of permeable surface to assist with reducing the rate and amount of storm water run-off.</p> <p>Require development to provide a minimum level of sufficient permeable surface <u>area</u> to assist with reducing the rate and amount of storm water run-off. (To be addressed in a future hearing stream)</p>
<p>MRZ-P109</p>	<p>Vegetation and landscaping</p> <p>Encourage the retention of existing vegetation, particularly native vegetation and visually prominent trees that may not otherwise be protected, and where vegetation is proposed to be removed, seek new landscaping of equal or better quality to help integrate new development into the surrounding environment and minimise hard surfacing.</p>

<p>MRZ-P1211</p>	<p>Roading capacity in the Spenmoor Street Area</p> <p>Only allow multi-unit housing more than three residential units per site where it can be demonstrated that the local roading network has the capacity to accommodate any increase in traffic associated with the new development, and that the safety and efficiency of the roading network will be maintained.</p>
<p>MRZ-P1312</p>	<p>Tapu Te Ranga</p> <p>Facilitate the integrated development of the Tapu Te Ranga land in a manner that:</p> <ol style="list-style-type: none"> 1. Identifies and appropriately addresses any geo-technical and contamination issues; 2. Incorporates planting and landscaping to provide visual screening and integrate development into the surrounding environment; and 3. Fulfills the intent of the Residential Design Guide and Papakainga Design Guide where relevant and applicable; <u>Achieves the following urban design outcomes:</u> <ul style="list-style-type: none"> • <u>Provides an effective public private interface;</u> • <u>The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood;</u> • <u>Provides high quality buildings.</u> • <u>Responds to the natural environment.;</u> and 4. <u>Supports the long-term development aspirations for the site including Nohokāinga/Papakāinga, Marae, Urupā extension, Kāinga, and community buildings.</u>
<p>MRZ-P1514</p>	<p>Non-residential activities and buildings</p> <p>Only allow non-residential activities and buildings that:</p> <ol style="list-style-type: none"> 1. Support the needs of local communities; 2. Are of an intensity, scale and design that is consistent with the amenity values anticipated <u>and planned urban environment of</u> for the Zone; 3. Contribute positively to the urban environment and achieve attractive and safe streets; 4. Reduce reliance on travel by private motor vehicle; 5. Maintain the safety and efficiency of the transport network; and 6. Are <u>able to be</u> adequately serviced by three waters infrastructure or can address any constraints on the site. ; <u>and</u> 7. <u>Are integrated into residential developments where possible.</u>
<p>Character Precincts</p>	
<p>MRZ- PREC01-P1</p>	<p>Maintenance of character</p>

	<p>Require new development, and alterations and additions to existing development in the Character Precincts, to have regard and respond positively to the character values of the Precinct, as identified in the relevant Character Precincts Appendix to the Residential Design Guide, and to:</p> <ol style="list-style-type: none"> 1. Maintain the continuity or coherence of the identified character values of the area; 2. Maintain the qualities and cohesiveness of the streetscape; 3. Respond positively to: <ol style="list-style-type: none"> a. The design, scale, height, setback, and massing of existing development; b. Any distinctive pattern of subdivision; and c. Its relationship to the street; 4. Ensure development is of a compatible form which contributes to the identified character values of the area; 5. Maintain: <ol style="list-style-type: none"> a. The relationship of built form to open space and landscape context; and b. The setting of the character areas where features such as mature trees and landform contribute to character values; 6. Enable the removal of additions and features that detract from the character of the Precinct; 7. Encourage maintenance and repair; and 8. Recover or reveal character values of buildings and features.
<p>MRZ- PREC01-P2</p>	<p>Restrictions on demolition</p> <p>Only allow the demolition of pre-1930 buildings, including the demolition or removal of architectural features from the primary elevation of any pre-1930 building, where either:</p> <ol style="list-style-type: none"> 1. It can be demonstrated that the contribution of the building to the character of the area is low, with reference to: <ol style="list-style-type: none"> a. The level of visibility of the existing building from surrounding public spaces; b. Whether the building is consistent in form and style with other pre-1930 buildings that contribute positively to the character of the area; c. The extent to which the existing building retains its original or pre-1930 design features relating to form, materials, and detailing and the extent to which those features have been modified; d. Whether the building is an integral part of a row of buildings that are consistent in form, scale, and siting; and e. Whether the building represents a rare or unique example of pre-1930 architecture; 2. The building is shown to be in poor condition, particularly in terms of: <ol style="list-style-type: none"> a. Its structural integrity, so that its retention is impractical or economically unviable; b. Whether the building presents a hazard; and c. Whether the building presents a risk to life in the event of an earthquake.

<p>MRZ- PREC01-P3</p>	<p>Intensification</p> <p>Enable residential intensification within Character Precincts provided that it does not detract from the character and amenity of the Precinct in which it is located.</p>
<p>MRZ- PREC01-P4</p>	<p>On-going use and repair and maintenance</p> <p>Enable the on-going use, and repair and maintenance of buildings in Character Precincts.</p>
<p>MRZ- PREC01-P5</p>	<p>Car parking and accessory buildings</p> <p>Design and locate car parking, garaging and accessory buildings to maintain and enhance the character of the Precinct.</p>
<p>Mt Victoria North Townscape Precinct</p>	
<p>MRZ- PREC02-P1</p>	<p>Maintenance of townscape values</p> <p>Require new development to have regard to and respond positively to the townscape values of the Mt Victoria North Townscape Precinct, as identified in the relevant appendix to the Residential Design Guide, and to consider:</p> <ol style="list-style-type: none"> 1. The design, location, bulk, scale and height of any new development; 2. Landscaping, parking areas, vehicle manoeuvring and site access; and 3. The extent to which the development makes a positive contribution to the predominant pattern of development of the Mt Victoria North Townscape Precinct including building orientation, construction, style, and relationship to St Gerard's Monastery.
<p>Oriental Bay Height Precinct</p>	
<p>MRZ- PREC03-P1</p>	<p>Managing development</p> <p>Manage development in the Oriental Bay Height Precinct in a manner that recognises the unique characteristics and development potential of the Precinct.</p>
<p>Rules: Land use activities in the Medium Density Residential Zone</p>	
<p>MRZ-R2</p>	<p>Residential activities, excluding retirement villages, supported residential care activities and boarding houses</p> <ol style="list-style-type: none"> 1. Activity status: Permitted <p>Where:</p> <ol style="list-style-type: none"> a. No more than three residential units occupy the site

	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with MRZ-R2.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in MRZ-P2, MRZ-P3, MRZ-P5 and MRZ-P6; 2. For any site within the Spenmoor Street Area: the matters in MRZ-P2, MRZ-P3, MRZ-P5, MRZ-P6 and MRZ-P12P11; and 3. For the Tapu Te Ranga land: the matters in MRZ-P2, MRZ-P3, MRZ-P5, MRZ-P6 and MRZ- P13P12. <p>Notification status: An application for resource consent made in respect of rule MRZ-R2.2.a is precluded from being either publicly or limited notified.</p>
<p>MRZ-R3</p>	<p>Home business</p>
	<p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. The site is occupied by a residential building and used for residential activities by the person or persons living on the site as their principal place of residence; b. No more than four people in total work in the home business at any one time, and the maximum number of people on site associated with the home business does not exceed 10 people at any one time; c. No more than one third of the total gross floor area of all buildings on the site is used for home business activities; d. Activities do not create a dust nuisance; e. The home business does not involve the use of trucks or other heavy vehicles; f. The home business does not include the repair, alteration, restoration or maintenance of motor vehicles or internal combustion engines, or the spray painting of motor vehicles, excluding the residents' motor vehicles; g. Any external storage of materials associated with the home business must be screened so they are not visible from outside the site; and h. No retailing must be conducted on the site, except: <ol style="list-style-type: none"> i. goods retailed online and do not result in customer visits to the site, or ii. goods ancillary and related to a service provided by the home business.
	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of MRZ-R3.1 cannot be achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The extent and effects of non-compliance with any requirement not met; and 2. The extent to which the intensity and scale of the activity adversely impacts on the planned urban built form amenity values of nearby

	<p>residential properties and the surrounding neighbourhood.</p> <p>Notification status: An application for resource consent made in respect of rule MRZ-R3.2.a is precluded from being publicly notified.</p>
MRZ-R4	<p>Supported residential care activities</p>
	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The maximum occupancy does not exceed 10 residents.</p>
	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with MRZ-R4.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The extent to which the intensity and scale of the activity adversely impacts on the <u>anticipated urban environment experienced by amenity values of</u> nearby residential properties and the surrounding neighbourhood.</p> <p>Notification status: An application for resource consent made in respect of rule MRZ-R4.2.a is precluded from being publicly notified.</p>
MRZ-R5	<p>Boarding houses</p>
	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The maximum occupancy does not exceed 10 guests per night.</p>
	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with MRZ-R5.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The extent to which the intensity and scale of the activity may adversely impact on the <u>anticipated urban environment experienced by amenity values of</u> nearby residential properties and the surrounding neighbourhood.</p> <p>Notification status: An application for resource consent made in respect of rule MRZ-R5.2.a is precluded from being publicly notified.</p>
MRZ-R6	<p>Visitor accommodation</p>
	<p>1. Activity status: Permitted</p> <p>Where:</p>

	<p>a. The maximum occupancy does not exceed 10 guests per night.</p> <p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with MRZ-R6.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The extent to which the intensity and scale of the activity may adversely impact on the <u>anticipated urban environment experienced by amenity values of</u> nearby residential properties and the surrounding neighbourhood.</p> <p>Notification status: An application for resource consent made in respect of rule MRZ-R6.2.a is precluded from being publicly notified.</p>
MRZ-R7	<p>Childcare services</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The maximum number of children who are not normally resident on the site does not exceed 10; and</p> <p>b. The hours of operation are between 7.00am and 7.00pm, Monday to Friday.</p>
	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with MRZ-R7.1.a or MRZ-R7.1.b cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The extent to which the intensity and scale of the activity may adversely impact on the <u>anticipated urban environment experienced by amenity values of</u> nearby residential properties and the surrounding neighbourhood.</p> <p>2. <u>The extent to which childcare facilities are integrated into residential development.</u></p> <p>Notification status: An application for resource consent made in respect of rule MRZ-R7.2.a is precluded from being publicly notified.</p>
<p>Rules: Building and structures activities in the Medium Density Residential Zone, excluding the Character Precincts, Mount Victoria North Townscape Precinct, and the Oriental Bay Height Precinct</p>	
MRZ-R13	<p>Construction, addition or alteration of buildings and structures where no more than three residential units occupy the site.</p>
	<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. MRZ-S1; ii. MRZ-S3; iii. MRZ-S4 <u>only in relation to the rear and front yard boundary setback;</u> iv. MRZ-S5; v. MRZ-S6; vi. MRZ-S7; vii. MRZ-S8; <u>and</u> viii. MRZ-S9; <u>and</u> ix. <u>MRZ-S10</u>
	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of MRZ-R13.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <ul style="list-style-type: none"> 1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard; and 2. The matters in MRZ-P2, MRZ-P3, MRZ-P4, MRZ-P5, MRZ-P8, <u>MRZ-P9, MRZ-P10P9 and MRZ-P11P10.; and</u> 3. <u>The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.</u> <p>Notification status:</p> <p>An application for resource consent made in respect of rule MRZ-R13.2.a which results from non-compliance with MRZ-S1, MRZ-S3, MRZ-S4 or MRZ-S5 is precluded from being publicly notified.</p> <p>An application for resource consent made in respect of rule MRZ-R13.2.a which results from non-compliance with MRZ-S6, MRZ-S7, MRZ-S8, <u>or MRZ-S9-or MRZ-S10</u> is precluded from being either publicly or limited notified.</p>
<p>MRZ-R14</p>	<p>Construction of buildings or structures for multi-unit housing or a retirement village</p>

	<p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The extent and effect of non-compliance with any of the follow standards as specified in the associated assessment criteria for any infringed standard: <ol style="list-style-type: none"> i. MRZ-S2; ii. MRZ-S3; iii. MRZ-S4; iv. MRZ-S5; v. MRZ-S12<u>S11</u>-for multi-unit housing only; vi. MRZ-S13<u>S12</u>-for multi-unit housing only; and vii. MRZ-S14<u>S13</u>-for multi-unit housing only; and 2. The matters in MRZ-P2, MRZ-P3, MRZ-P5, MRZ-P6 (For multi-unit housing only), MRZ-P7 (For retirement villages only), MRZ-P8, MRZ-P10 and MRZ-P11<u>P10</u>. <p>Notification status: An application for resource consent made in respect of rule MRZ-R14.1 is precluded from being publicly notified.</p> <p>An application for resource consent made in respect of rule MRZ-R14.1 that complies with all relevant standards is also precluded from being limited notified.</p> <p>An application for resource consent made in respect of rule MRZ-R14.1 that complies with MRZ-S2, MRZ-S3, MRZ-S4, but does not comply with one or more of the other relevant standards is also precluded from being limited notified.</p>
<p>MRZ-R17</p>	<p>Construction of any other building or structure, including additions and alterations</p>
	<p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance with the following standards is achieved: <ol style="list-style-type: none"> i. MRZ-S2; ii. MRZ-S3; iii. MRZ-S4; iv. MRZ-S5; v. MRZ-S6; vi. MRZ-S12<u>S11</u>; vii. MRZ-S13<u>S12</u>; and viii. MRZ-S14<u>S13</u>.
	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with any of the requirements of MRZ-R17.1.a cannot be achieved. <p>Matters of discretion are:</p>

	<ol style="list-style-type: none"> 1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard; 2. The matters in MRZ-P9, MRZ-P10P9; MRZ-P11P10 and MRZ-P15P14; and 3. The matters in MRZ-P6, MRZ-P7 and HMRZ-P8 for additions and alterations to multi-unit- housing or a retirement village. <p>Notification status: An application for resource consent made in respect of rule MRZ-R17.2.a is precluded from being publicly notified.</p> <p><u>An application for resource consent made in respect of rule MRZ-R17.2.a and complies with standards MRZ-S2 and MRZ-S3 is precluded from being limited or publicly notified.</u></p>
Rules: Building and structure activities in the Character Precincts (MRZ-PREC01)	
MRZ-PREC01-R1	Maintenance and repair of buildings and structures
MRZ-PREC01-R2	<p style="text-align: center;">Construction, addition, and alteration of accessory buildings</p> <p>1. Activity status: Permitted</p> <p style="text-align: center;">Where:</p> <p style="text-align: center;">a. The accessory building is not located between the road boundary and the primary elevation of a residential building on the site; and</p> <p style="text-align: center;">b. Compliance with the following standards is achieved:</p> <p style="text-align: center;">i. MRZ-S3;</p> <p style="text-align: center;">ii. MRZ-S4 only in relation to the rear yard boundary setback;</p> <p style="text-align: center;">iii. MRZ-S5; and</p> <p style="text-align: center;">iv. MRZ-S10; and</p> <p style="text-align: center;">v. MRZ-PREC01-S2.</p> <p>2. Activity status: Restricted Discretionary</p> <p style="text-align: center;">Where:</p> <p style="text-align: center;">a. Compliance with any of the requirements of MRZ-PREC01-R2.1.a or MRZ-PREC01-R2.1.b cannot be achieved.</p> <p style="text-align: center;">Matters of discretion are:</p> <p style="text-align: center;">1. The extent and effect of non-compliance with the standard as specified in the associated assessment criteria for the infringed standard;</p> <p style="text-align: center;">2. The matters in MRZ-PREC01-P1, MRZ-PREC01-P5, MRZ-PREC01-P6; and</p> <p style="text-align: center;">3. The Residential Design Guide Character Precincts Appendix.</p> <p>Notification status: An application for resource consent made in respect of rule MRZ-PREC01-R2.2.a is precluded from being publicly notified.</p>
MRZ-	Demolition or removal of buildings and structures, except those buildings

PREC01-R3	addressed in MRZ-PREC01-R4
MRZ-PREC01-R4	<p>Demolition of any building or part of any building, excluding accessory buildings, constructed prior to 1930</p> <p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are:</p> <p>1. The matters contained in MRZ-PREC01-P2.</p>
MRZ-PREC01-R5	<p>Construction, addition or alteration of any buildings or structures, excluding accessory buildings</p> <p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are:</p> <p>1. The extent and effect of non-compliance with any of the following standards as specified in the associated assessment criteria for the infringed standard:</p> <p>i. MRZ-S1;</p> <p>ii. MRZ-S3;</p> <p>iii. MRZ-S4 only in relation to the rear yard boundary setback;</p> <p>iv. MRZ-S5;</p> <p>v. MRZ-S6;</p> <p>vi. MRZ-S7;</p> <p>vii. MRZ-S8;</p> <p>viii. MRZ-S9;</p> <p>ix. MRZ-S10;</p> <p>x. MRZ-S12S11 for multi-unit housing;</p> <p>xi. MRZ-S13S12 for multi-unit housing; and</p> <p>xii. MRZ-S14S13 for multi-unit housing; and</p> <p>2. The matters in MRZ-PREC01-P1, MRZ-PREC01-P3, MRZ-PREC01-P6;</p> <p>3. The Residential Design Guide Character Precincts Appendix; and</p> <p>4. The matters in MRZ-P6 for multi-unit housing.</p> <p>Notification status: An application for resource consent made in respect of rule MRZ-PREC01-R5.1 is precluded from being publicly notified.</p>
MRZ-PREC01-R6	<p>Fences and standalone walls</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance with MRZ-PREC01-S1 is achieved.</p> <p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of MRZ-PREC01-R6.1.a cannot be achieved.</p> <p>Matters of discretion are:</p>

	<p>1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard.</p> <p>Notification status: An application for resource consent made in respect of rule MRZ-PREC01-R6.2.a is precluded from being publicly notified.</p>
MRZ-PREC01-R7	Buildings and structures on or over a legal road
	<p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Streetscape, visual amenity and character effects; 2. Dominance, privacy and shading effects on adjoining properties; and 3. Maintaining safe access and safety for road users, including pedestrians.
Rules: Building and structure activities in the Mount Victoria North Townscape Precinct (MRZ-PREC02)	
MRZ-PREC02-R1	Maintenance and repair of buildings and structures
MRZ-PREC02-R2	Demolition or removal of buildings and structures
MRZ-PREC02-R3	Construction, addition or alteration of any buildings or structures
	<p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The extent and effect of non-compliance with any of the following standards as specified in the associated assessment criteria for the infringed standard: <ol style="list-style-type: none"> a. MRZ-S1; b. MRZ-S3; c. MRZ-S4 only in relation to the rear yard boundary setback; d. MRZ-S5; e. MRZ-S6; f. MRZ-S7; g. MRZ-S8; h. MRZ-S9; i. MRZ-S10; j. MRZ-S12S11 for multi-unit housing; k. MRZ-S13S12 for multi-unit housing; and l. MRZ-S14S13 for multi-unit housing; and 2. The matters in MRZ-PREC02-P1; 3. The Residential Design Guide Mt Victoria North Townscape Precinct Appendix; and 4. The matters in MRZ-P6 for multi-unit housing. <p>Notification status: An application for resource consent made in respect of rule MRZ-PREC02-R3.1 is precluded from being publicly notified.</p>
MRZ-	Fences and standalone walls
	1. Activity status: Permitted

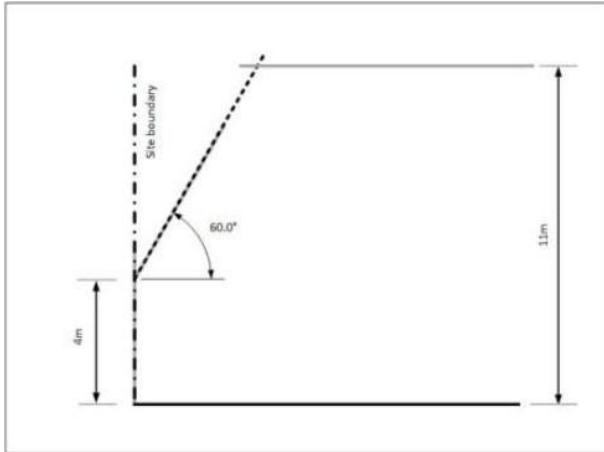
PREC02-R4	<p>Where:</p> <p>a. Compliance with MRZ-S11S10 is achieved.</p> <p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of MRZ-PREC02-R4.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard.</p> <p>Notification status: An application for resource consent made in respect of rule MRZ-PREC01-R5.2.a is precluded from being publicly notified.</p>
MRZ-PREC02-R5	<p>Buildings and structures on or over a legal road</p> <p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are:</p> <p>1. Streetscape, visual amenity and townscape effects; 2. Dominance, privacy and shading effects on adjoining properties; and 3. Maintaining safe access and safety for road users, including pedestrians.</p>
Rules: Building and structure activities in the Oriental Bay Height Precinct (MRZ-PREC03)	
MRZ-PREC03-R1	Maintenance and repair of buildings and structures
MRZ-PREC03-R2	Demolition or removal of buildings and structures
MRZ-PREC03-R3	<p>Additions or alterations to existing buildings, structures or accessory buildings</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The additions or alterations are to existing buildings three storeys or less in height (including garaging), provided that the works do not increase the height of the building above the existing highest point of the building and compliance is achieved with MRZ-PREC03-S1 and MRZ-PREC03-S2; or b. The additions or alterations do not alter the external appearance of the building, structure or accessory building; or c. The additions or alterations are not visible from public places; or d. The additions or alterations do not require an application for building consent.</p>

	<p>For the purpose of this rule chimneys, flues, ventilation shafts, aerials, satellite dishes less than 1 metre in diameter, spires, flagpoles, or other decorative features shall be excluded from the measurement of the highest point.</p>
<p>MRZ- PREC03-R4</p>	<p>Construction, alteration or addition to buildings, structures or accessory buildings that are not Permitted Activities</p>
	<p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance is achieved with MRZ-PREC03-S1, MRZ-PREC03-S2, MRZ-PREC03-S3, MRZ-PREC03-S4 and MRZ-PREC03-S5.</p> <p>Matters of discretion are:</p> <p>1. Design (including building bulk, height, and scale), external appearance and siting; and</p> <p>2. The Residential Design Guide.</p> <p>Notification status: An application for resource consent made in respect of rule MRZ-PREC03-R4.1.a is precluded from being publicly or limited notified.</p>
	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of MRZ-PREC03-S4 or MRZ-PREC03-S5 cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard.</p> <p>Notification status: An application for resource consent made in respect of rule MRZ-PREC03-R4.2.a is precluded from being publicly or limited notified.</p>
	<p>3. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance with any of the requirements of MRZ-PREC03-S1, MRZ-PREC03-S2 or MRZ-PREC03-S3 cannot be achieved.</p>
<p>MRZ- PREC03-R5</p>	<p>Fences and standalone walls</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance with MRZ-PREC-03-S6 MRZ-OBPH-S6 is achieved.</p>
	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with MRZ-PREC-03-S6 MRZ-OBPH-S6 is not achieved.</p>

	<p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. Streetscape and visual amenity effects; and 2. Dominance and shading effects on adjoining properties. <p>Notification status: An application for resource consent made in respect of rule MRZ-PREC03-R5.2.a is precluded from being publicly notified.</p>
<p>MRZ-PREC03-R6</p>	<p>Buildings and structures on or over a legal road</p> <ol style="list-style-type: none"> 1. Activity status: Restricted Discretionary <p>Where: <u>Matters of discretion are:</u></p> <ol style="list-style-type: none"> a. Streetscape and visual amenity effects; b. Dominance, privacy and shading effects on adjoining properties; c. Maintaining safe access and safety for road users, including pedestrians; and d. The matters in MRZ-P8, MRZ-P10P9, MRZ-P11P10 and MRZ-PREC03-P1. <p>Notification status: An application for resource consent made in respect of rule MRZ-PREC03-R6.1 is precluded from being publicly notified.</p>
Standards	
<p>MRZ-S1</p> <p>Building height control 1:</p> <ol style="list-style-type: none"> 1. Where no more than three residential units occupy the site; or 2. For the construction, addition or alteration of any buildings or structures in a Character Precinct or Mount Victoria North Townscape Precinct. 	
<ol style="list-style-type: none"> 1. Buildings and structures must not exceed 11 metres in height above ground level, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed the heights above by 1 metre, where the entire roof slopes 15° or more, as shown in Diagram 1 below: <p><u>Except where:</u></p> <ol style="list-style-type: none"> 2. <u>In areas identified as having a height control of 18m in the planning maps, the height must not exceed 18 metres above ground level except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed the heights above by 1 metre, where the entire roof slopes 15° or more, as shown in Diagram 1 below:</u> 	<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 <p>Effects on the function and associated amenity values of any adjacent open space and recreation zone.</p>

<p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. Fences or standalone walls. b. Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; and 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 measured vertically. 							
<p>MRZ-S2</p> <p>Building height control 2:</p> <p>1. For multi-unit housing or a retirement village: or</p> <p>Other buildings and structures.</p>							
<p>1. Buildings and structures must not exceed the following heights above ground level as identified on the District Plan maps:</p>	<p>Assessment Criteria where the standard is infringed:</p>						
<table border="1"> <thead> <tr> <th data-bbox="277 913 469 958">Location</th> <th data-bbox="469 913 946 958">Limit</th> </tr> </thead> <tbody> <tr> <td data-bbox="277 958 469 1151">a. Height Area 1</td> <td data-bbox="469 958 946 1151">11m, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 meter, where the entire roof slopes 15° or more.</td> </tr> <tr> <td data-bbox="277 1151 469 1223">b. Height area 2</td> <td data-bbox="469 1151 946 1223">14m</td> </tr> </tbody> </table>	Location	Limit	a. Height Area 1	11m, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 meter, where the entire roof slopes 15° or more.	b. Height area 2	14m	<ul style="list-style-type: none"> 1. Streetscape and visual amenity effects; 2. Dominance, privacy and shading effects on adjoining sites; and <p>Effects on the function and associated amenity values of any adjacent open space and recreation zone.</p>
Location	Limit						
a. Height Area 1	11m, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 meter, where the entire roof slopes 15° or more.						
b. Height area 2	14m						
<p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. Fences or standalone walls; b. Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; and 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. 							
<p>MRZ-S3</p> <p>Height in relation to boundary</p>							

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



1. For any site where ~~MRZ-S2.1.b~~ **MRZ-S1.2** applies: no part of any building or structure may project beyond a 60° recession plane measured from a point ~~5~~ **6** metres vertically above ground level along all boundaries; and
2. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.

This standard does not apply to:

- a. A boundary with a road;
- b. Existing or proposed internal boundaries within a site; and
- c. Site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.
- d. [Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; and](#)

[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 measured vertically.](#)

Assessment Criteria where the standard is infringed:

1. Streetscape and visual amenity effects;
 2. Dominance, privacy and shading effects on adjoining sites; and
- Effects on the function and associated amenity values of any adjacent open space and recreation zone.

MRZ-S6

Outdoor living space (per unit)

1. A residential unit at ground floor level must

Assessment criteria where the

<p>have an outdoor living space that is at least 20 square metres and that comprises ground floor, balcony, patio, or roof terrace space that:</p> <ol style="list-style-type: none"> a. Where located at ground level, has no dimension less than 3 metres; b. Where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; c. Is accessible from the residential unit; d. May be: <ol style="list-style-type: none"> i. grouped cumulatively by area in 1 communally accessible location; or ii. located directly adjacent to the unit; and e. Is free of buildings, parking spaces, and servicing and maneuvering areas. <p>2. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:</p> <ol style="list-style-type: none"> a. Is at least 8 square metres and has a minimum dimension of 1.8 metres; b. Is accessible from the residential unit; and c. May be: <ol style="list-style-type: none"> i. grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or ii. located directly adjacent to the unit. <p>This standard does not apply to:</p> <ol style="list-style-type: none"> a. Multi-unit housing; and b. Retirement villages. 	<p>standard is infringed:</p> <p>The extent to which:</p> <ol style="list-style-type: none"> 1. The design of the proposed outdoor living space provides a good standard of amenity; 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 open space in proximity to the site.
<p><u>MRZ-S6</u></p> <p><u>Outdoor living space for multi-unit housing</u></p>	
<ol style="list-style-type: none"> <u>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;</u> <u>2. Where private outdoor living space is provided it must be:</u> <ol style="list-style-type: none"> <u>a. For the exclusive use of residents;</u> 	<p><u>Assessment criteria where the standard is infringed:</u></p> <p><u>The extent to which:</u></p> <ol style="list-style-type: none"> <u>1. Any proposed outdoor living space provides a good standard of amenity relative to the number of occupants the</u>

<ul style="list-style-type: none"> b. <u>Directly accessible from a habitable room;</u> c. <u>A single contiguous space; and</u> d. <u>Of the minimum area and dimension specified in the table below;</u> <p>3. <u>Where communal outdoor living space is provided it does not need to be in a single continuous space but it must be:</u></p> <ul style="list-style-type: none"> a. <u>Accessible from the residential units it serves;</u> b. <u>Of the minimum area and dimension specified in the table below; and</u> c. <u>Free of buildings, parking spaces, and servicing and maneuvering areas.</u> 			<p><u>space is designed for;</u></p> <ul style="list-style-type: none"> 2. <u>Other on-site factors compensate for a reduction in the size or dimension of the outdoor living space; and</u> 3. <u>The availability of public open space in proximity to the site.</u>
<u>Living Space Type</u>	<u>Minimum area</u>	<u>Minimum Dimension</u>	
<u>a. Private</u>			
<u>i. Studio unit and 1-bedroom unit</u>	<u>5m²</u>	<u>1.8m</u>	
<u>b. Communal</u>			
<u>i. For every 4-155 units</u>	<u>1064m²</u>	<u>8m</u>	
<u>ii. 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>			

Replace MRZ-S7 Outlook space (per unit) with MRZ-S14 Outlook space for multi unit housing and;

Delete MRZ-S11

Delete MRZ-S14

Delete MRZ-13 Outdoor living space for multi unit housing

Delete MRZ-PREC01-S1 and MRZ-OREC01-S2

Delete MRZ-PREC03-S1 – MRZ-PREC03-6 (Oriental Bay Height Precinct)

Appendix 2 – S32 AA Assessment

Table 1: Expanded Extent of the HRZ

Effectiveness and efficiency	<p>The recommended amendments to provide for expanded walkable catchments is an effective and efficient means of giving effect to higher order documents, particularly the NPS-UD and National Planning Standards as well as the PDP strategic objectives (including CC-O3,CEKP-O2, UFD-O1, UFD-O3, UFD-O4, UFD-O4, UFD-O5, UFD-O6, UFD-O7)</p> <ul style="list-style-type: none"> • A walkable catchment of 800m/1500m is considered to be a minimum approach, but appropriate in the Wellington context. • The methodology used to inform the spatial extent of the zone is consistent with that recommended by MfE.
Costs/Benefits	<p>The zone extension is consistent with the direction provided by the NPSUD, and will clearly signal where the greatest level of intensification is anticipated and directed to.</p> <ul style="list-style-type: none"> • Significant degree of additional capacity is enabled, providing for a change in housing preferences over time and thereby improving housing choice and affordability. • The utilisation of ‘vertical’ space and the subsequent lower land use, allows for lower residential site costs, greater infrastructure efficiency (lower marginal costs) and utilisation, improved amenity and greater access to employment and service opportunities. • The increased spatial extent will result in a greater degree of change to the character of the existing residential environment.
Risk of acting or not acting	<p>I consider that the appropriateness of adopting the relief sought must be considered in the context of the direction set out in higher order policy documents, in particular the NPSUD and the National Planning Standards.</p> <ul style="list-style-type: none"> • The NPSUD directs Council to clearly signal where the greatest level of intensification is anticipated and directed to. I am of the opinion that the relief sought by Kāinga Ora will be more in line with outcomes expressed in the NPSUD. • The risk of not acting is that intensification or redevelopment opportunities are not taken up or are unnecessarily prevented from occurring due to the complexity of navigating the rule framework and maps in the District Plan. • It could result in an ad hoc uptake of high density housing in the HRZ, reducing housing variety outcomes intended through Policy 1 of the NPS-UD.
Decision about more appropriate action	<ul style="list-style-type: none"> • The recommended spatial amendments (as shown on maps in Mr Rae’s evidence) are therefore considered to be more appropriate in achieving the purpose of the RMA than the notified version of the PDP.

Table 2: Changes to HRZ/MRZ building heights

Effectiveness and efficiency	<ul style="list-style-type: none"> • The recommended amendments to the building heights in proximity to Centres will deliver on the strategic objectives to achieve a range of intensity of built form in proximity to the centre and to facilitate the compact growth of the city (including CC-O3,CEKP-O2, UFD-O1, UFD-O3).
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	<ul style="list-style-type: none"> • Concentrating development in areas with the greatest degree of accessibility to services is likely to increase uptake in housing development opportunities. • Concentrating development of 5⁵⁴-12 storeys adjacent to the centres means greater market exposure for businesses with an increased populous in close proximity to centre businesses. • Areas beyond this are still proposed to have greater heights enabled as a result of being within a walkable catchment, meaning there still remains a high degree of housing enablement. • The proposed Height Variation Control is an effective use of a tool already utilised in the Plan. • The methodology used to inform the spatial extent of the height variation control is consistent with that applied elsewhere in the Wellington region
Costs/Benefits	<p>Providing 5-12 storeys in proximity to centres shows a strong response to the significance of centres as a focal point (both currently and planned) for employment, the centre of public transport connectivity, accessibility to public open space and active transport.</p> <ul style="list-style-type: none"> • The increases in height will facilitate more housing choice and design flexibility. It will provide greater certainty to investors and developers. • The location of 5-12 storey development reflects a symbiotic relationship between the adjoining centre and the residential environment. Interface issues between zones are better addressed through a more comparable height differential (representing a proportionally better response to building heights enabled in centres). Also, the extent of the area defined for 5-12 storeys is able to act as a contributor to the viability and vitality of the Centre, rather than competing against opportunities provided within the Centre • Providing for an area up to 12 storeys means there is a stronger chance that development opportunities will be taken up. • The additional heights will result in a greater degree of change to the character of the existing residential environment. • An increase in building height is likely to result in reduced sunlight access, privacy, overshadowing, and building dominance. • The transitional effects of developing to this form are likely for a longer period as established sites become feasible to be developed and those who do develop do so alongside established (lower density) sites. • Further intensification and increased height opportunities around sites of cultural/heritage significance may impact upon relationship to those sites. • Potential effects of intensification on receiving environment, in particular water quality and supply
Risk of acting or not acting	<p>I consider that the appropriateness of adopting the relief sought must be considered in the context of the direction set out in higher order policy documents and in particular the NPSUD.</p> <p>The NPSUD seeks to enable growth by requiring local authorities to provide development capacity to meet the diverse demands of communities, address overly restrictive rules, and encourage quality, liveable urban environments. It also aims to provide for growth that is strategically planned and results in vibrant cities. I am of the opinion</p>

⁵⁴ MRZ 5 storeys within 400m of LCZ with 6-12 storeys in the HRZ

	<p>that the relief sought by Kāinga Ora will be more in line with outcomes expressed in the NPSUD.</p> <ul style="list-style-type: none"> • The risk of not acting is that intensification or redevelopment opportunities are not taken up or are unnecessarily prevented from occurring. In particular, failing to sufficiently-realise intensification opportunities now will frustrate future intensification initiatives in the long term as populations increase due to the inefficient use of the limited land supply resource. • Some degree of enablement beyond 6 storeys around the centres may reduce economic viability of centre recovery (drawing apartments from the centres).
Decision about more appropriate action	<p>This option is recommended as it provides for a level of development that responds to the significance of the centres in a way that supports the centres hierarchy as higher order centres have higher adjacent heights that are commensurate with the level of commercial and community services in those centres. This is seen to be the most appropriate means to address the intensification direction of the NPS-UD, having regard to the range of factors including urban form, accessibility, demand while having regard to the effect on the centres and surrounds.</p> <ul style="list-style-type: none"> • The recommended amendments as set out in my evidence are therefore considered to be more appropriate in achieving the purpose of the RMA than the notified version of the PDP or the proposed changes set out in the section 42A report.

Table 3: Expanded HIRB of the HRZ

Effectiveness and efficiency	<ul style="list-style-type: none"> • The recommended amendments to the Height in Relation to Boundary (HIRB) control will more effectively deliver on the chapter's objectives to achieve a quality built form that it is of an intensity, scale and design that is consistent with the planned urban built form of the HRZ. • Adapting the existing design controls enabled by MDRS means that consenting is improved and better responds to associated effects. More lenient HIRB controls will further improve this, with many of the controls acting as an incentive to better realise opportunities for intensification. • The result of modifying the HIRB control in the HRZ means they are better able to respond to the intensification directions in the MDRS and Policy 3 of the NPS-UD. This improves overall effectiveness of applying associated provisions and the ability to develop to a higher form of residential living.
Costs/Benefits	<ul style="list-style-type: none"> • The recommended amendments enable greater intensity and development to occur within the HRZ. This will have the benefit of encouraging redevelopment and intensification to support the outcomes expressed in both the PDP and the NPSUD. • Modifications to HIRB density standards will improve the chances of delivery of an intensified urban form in a way that supports improved urban design outcomes (e.g, perimeter block development, greater street interface and surveillance, potential for greater privacy and amenity of outdoor living areas towards the rear of sites with greater potential for buildings to be brought forward on the site). • Increased intensification will result in a change in amenity values experienced by current neighbouring residents, but in doing so will provide alternative amenities for future generations, as anticipated and directed by the NPSUD. • It will provide greater certainty to investors and developers.

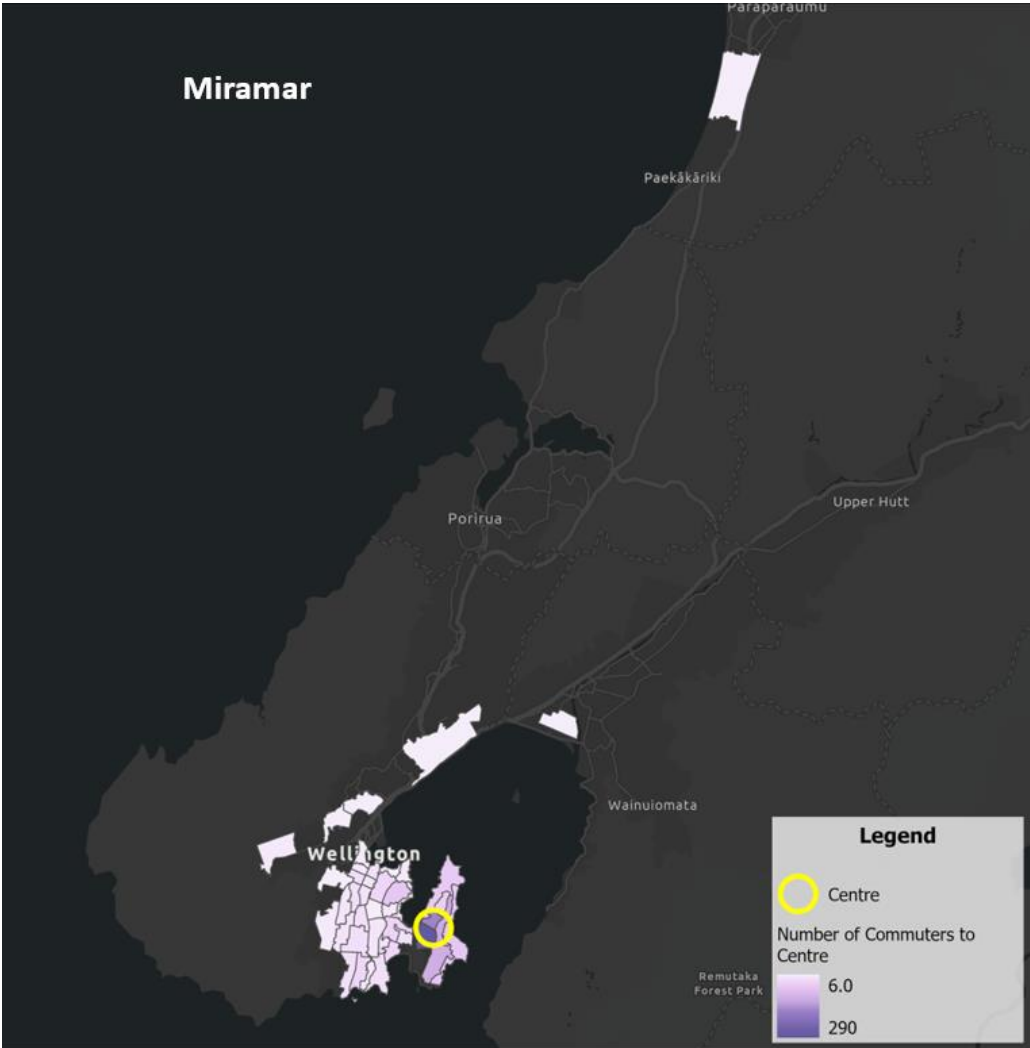
Risk of acting or not acting	<ul style="list-style-type: none"> • I consider that the appropriateness of adopting the relief sought must be considered in the context of the direction set out in higher order policy documents and in particular the NPSUD. • The NPSUD seeks to enable growth by requiring local authorities to provide development capacity to meet the diverse demands of communities, address overly restrictive rules, and encourage quality, liveable urban environments. It also aims to provide for growth that is strategically planned and results in vibrant cities. I am of the opinion that the relief sought by Kāinga Ora will be more in line with outcomes expressed in the NPSUD. • The risk of not acting is that intensification or redevelopment opportunities are not taken up or are unnecessarily prevented from occurring. • Acting will enable significant change to be realised in existing residential environments, which may lead to transitory effects as existing areas are redeveloped.
Decision about more appropriate action	<ul style="list-style-type: none"> • The amendments are recommended since more lenient and new related provisions enable a balanced outcome between enablement and quality urban environments that provides for current and future generations. The recommended amendments as set out in my evidence are therefore considered to be more appropriate in achieving the purpose of the RMA than the notified version of the PDP or the proposed changes set out in the section 42A report.

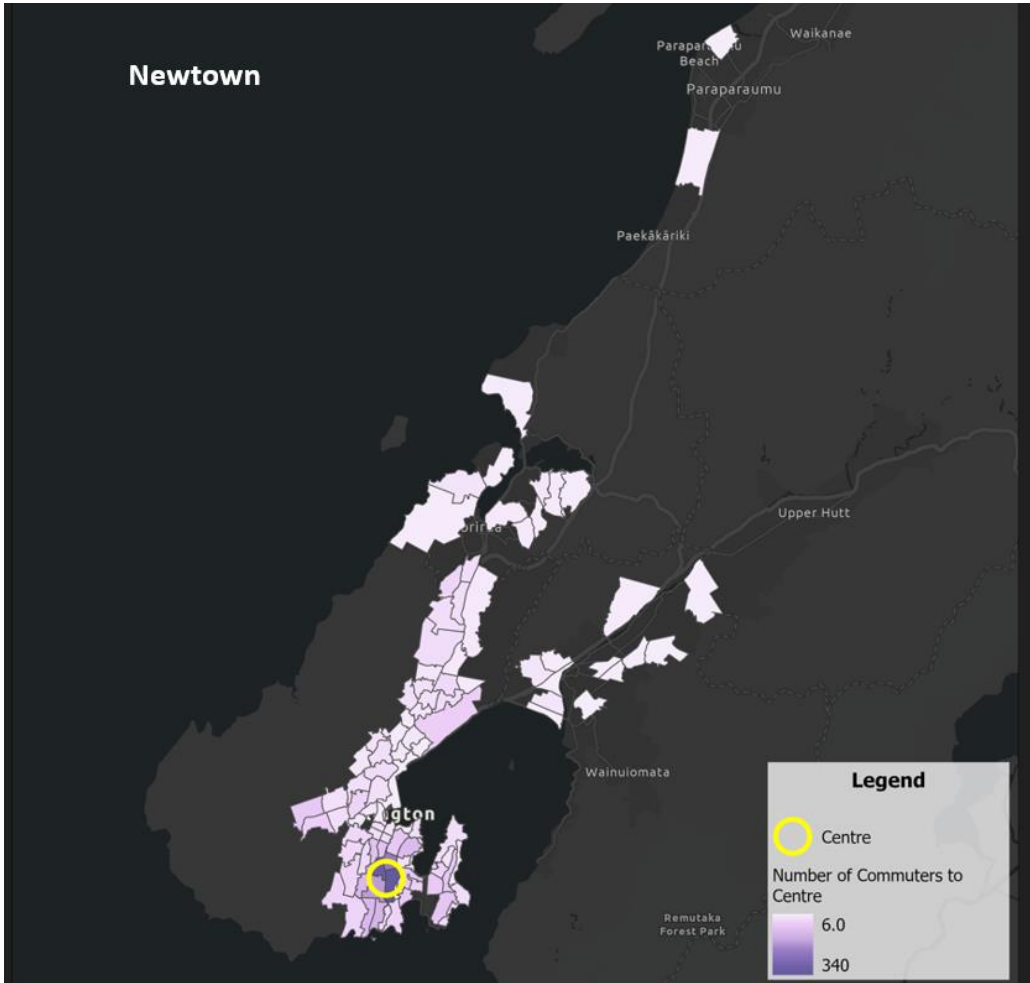
Table 4: Decreased Front and Side yards in MRZ

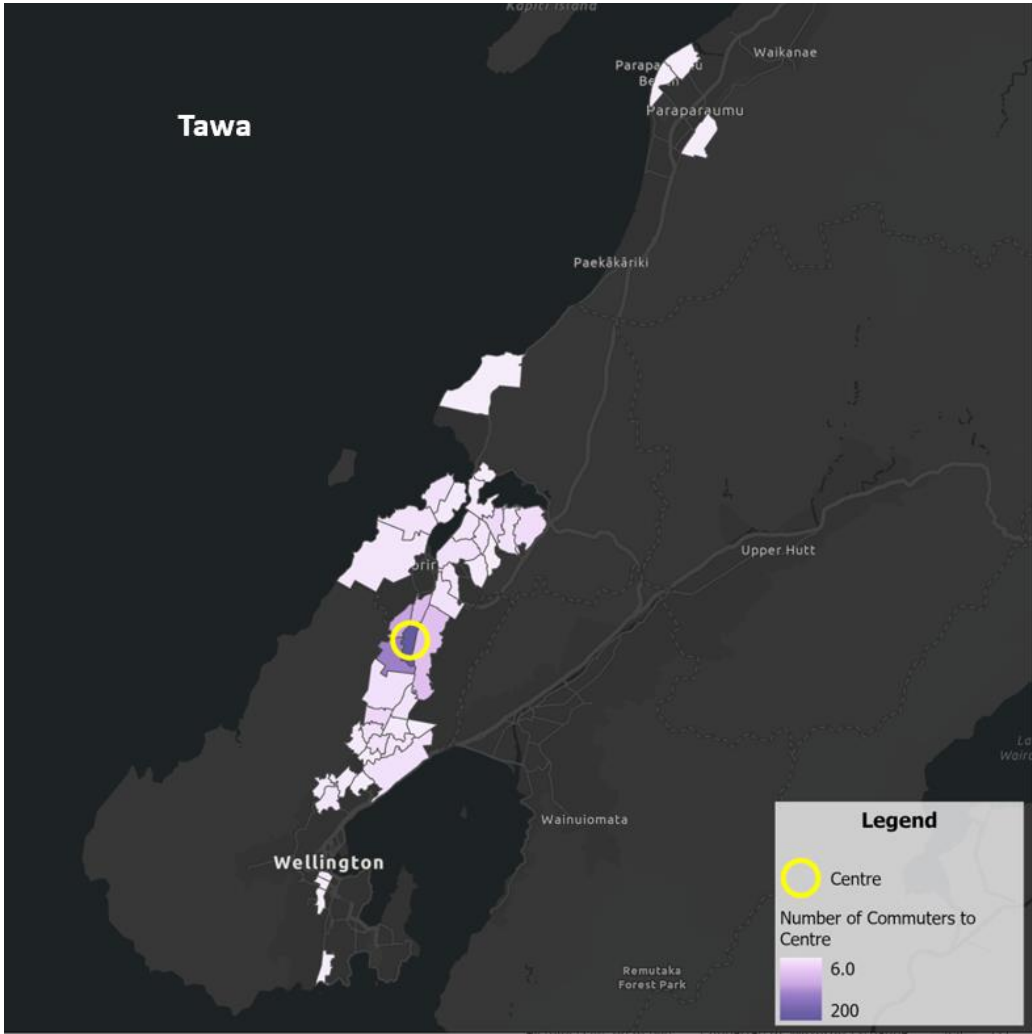
Effectiveness and efficiency	<ul style="list-style-type: none"> • The recommended amendments to go back to the notified version of the PDP with no yard setbacks on front and side boundaries will more effectively deliver on the chapter's objectives to achieve a quality built form that it is of an intensity, scale and design that is consistent with the planned urban built form of the MRZ. • Adapting the existing design controls enabled by MDRS means that consenting is improved and better responds to associated effects. More lenient controls will further improve this, with many of the controls acting as an incentive to better realise opportunities for intensification. • The result of modifying the yard control in the MRZ means they are better able to respond to the intensification directions in the MDRS and Policy 3 of the NPS-UD. This improves overall effectiveness of applying associated provisions and the ability to develop to a higher form of residential living.
Costs/Benefits	<ul style="list-style-type: none"> • The recommended amendments enable greater intensity and development to occur within the MRZ. This will have the benefit of encouraging redevelopment and intensification to support the outcomes expressed in both the PDP and the NPSUD. • Modifications to yard standards will improve the chances of delivery of an intensified urban form in a way that supports improved urban design outcomes (e.g, greater street interface and better utilisation of the site and limited land resource). • Increased intensification will result in a change in amenity values experienced by current neighbouring residents, but in doing so will provide alternative amenities for future generations, as anticipated and directed by the NPSUD. • It will provide greater certainty to investors and developers.

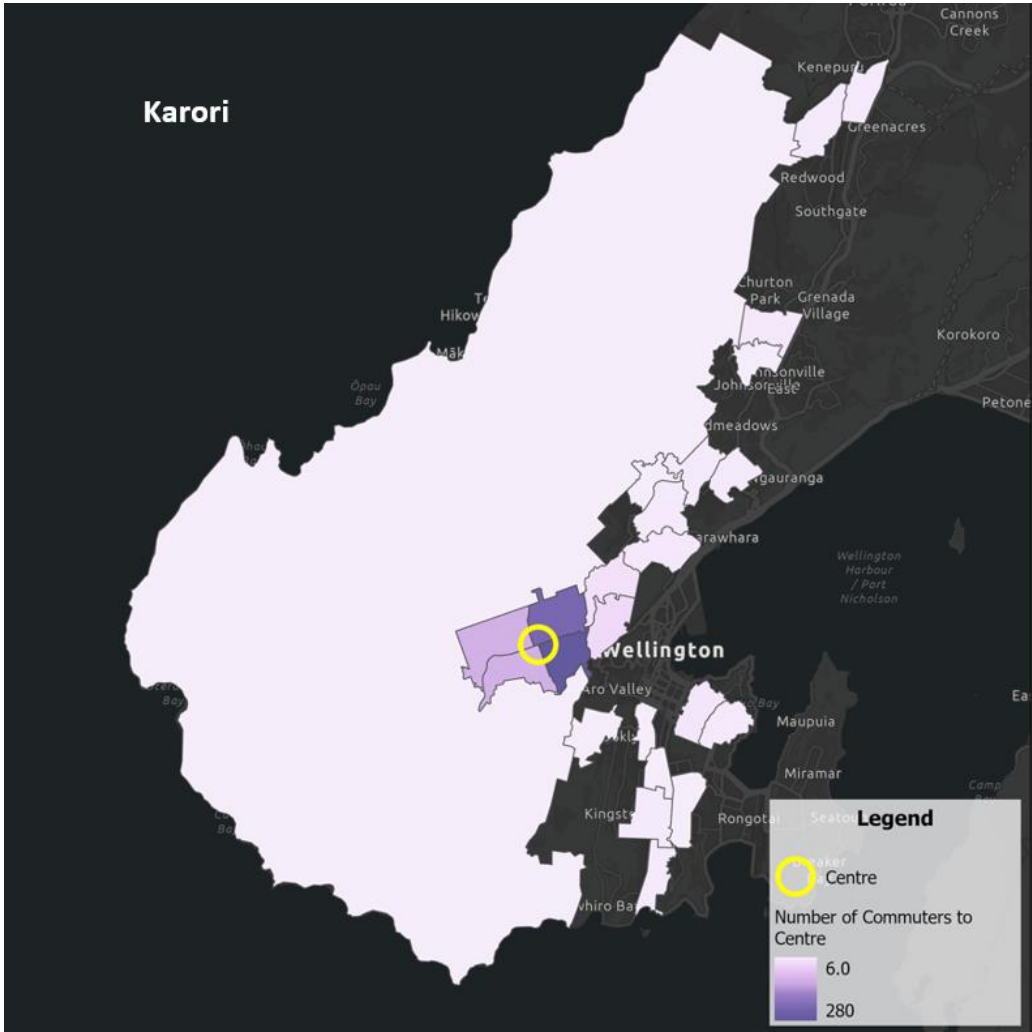
<p>Risk of acting or not acting</p>	<ul style="list-style-type: none"> • I consider that the appropriateness of adopting the relief sought must be considered in the context of the direction set out in higher order policy documents and in particular the NPSUD. • The NPSUD seeks to enable growth by requiring local authorities to provide development capacity to meet the diverse demands of communities, address overly restrictive rules, and encourage quality, liveable urban environments. It also aims to provide for growth that is strategically planned and results in vibrant cities. I am of the opinion that the relief sought by Kāinga Ora will be more in line with outcomes expressed in the NPSUD. • The risk of not acting is that intensification or redevelopment opportunities are not taken up or are unnecessarily prevented from occurring. • Acting will enable significant change to be realised in existing residential environments, which may lead to transitory effects as existing areas are redeveloped.
<p>Decision about more appropriate action</p>	<ul style="list-style-type: none"> • The amendments are recommended since more lenient and new related provisions enable a balanced outcome between enablement and quality urban environments that provides for current and future generations. The recommended amendments as set out in my evidence are therefore considered to be more appropriate in achieving the purpose of the RMA than the notified version of the PDP or the proposed changes set out in the section 42A report.

Appendix 3 – Journey to Work Data



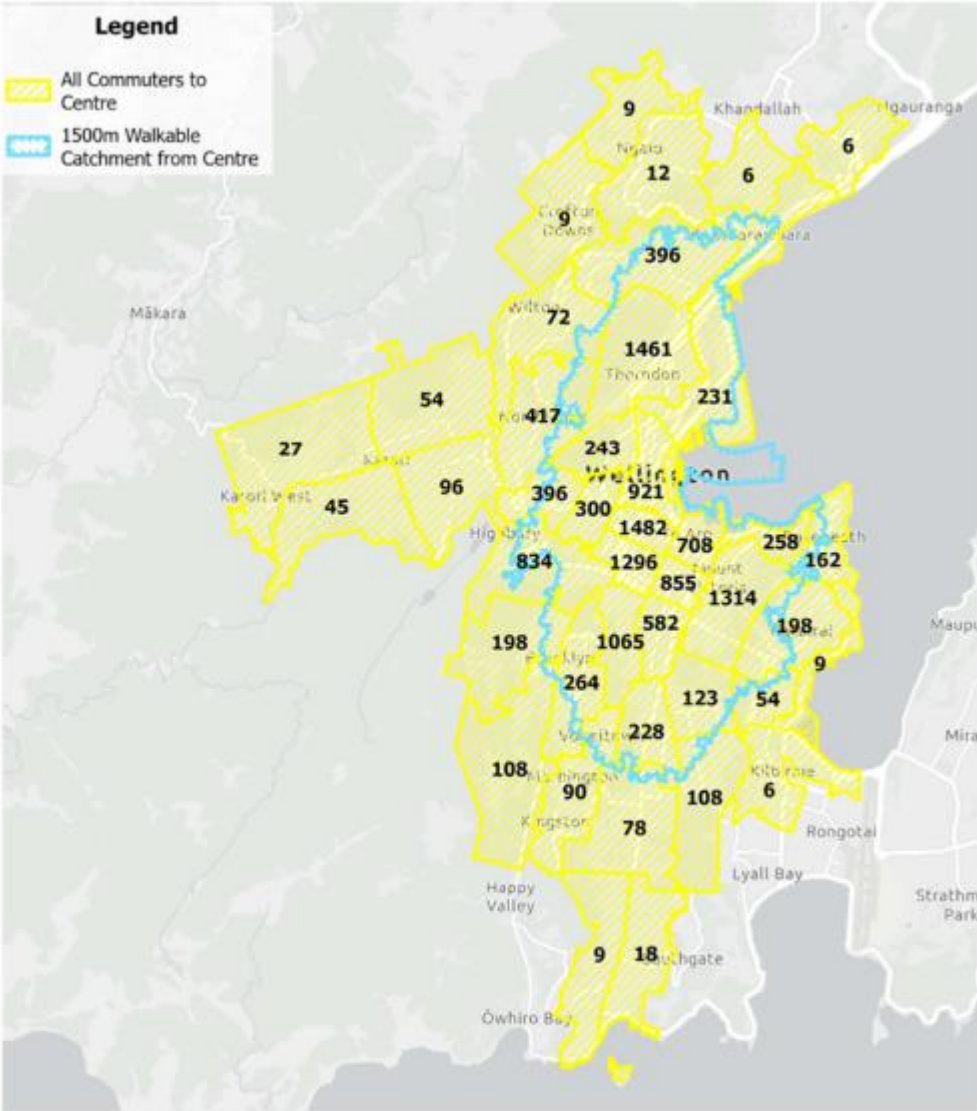




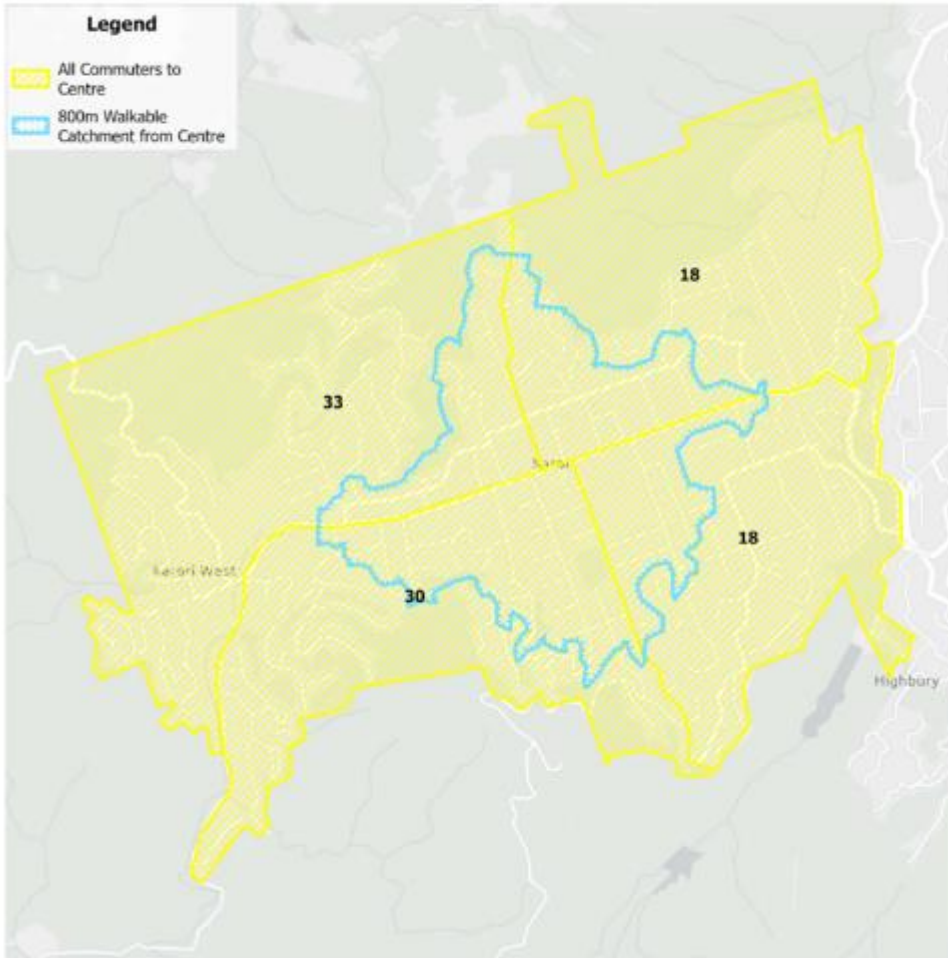


Journey to Work (Walking)

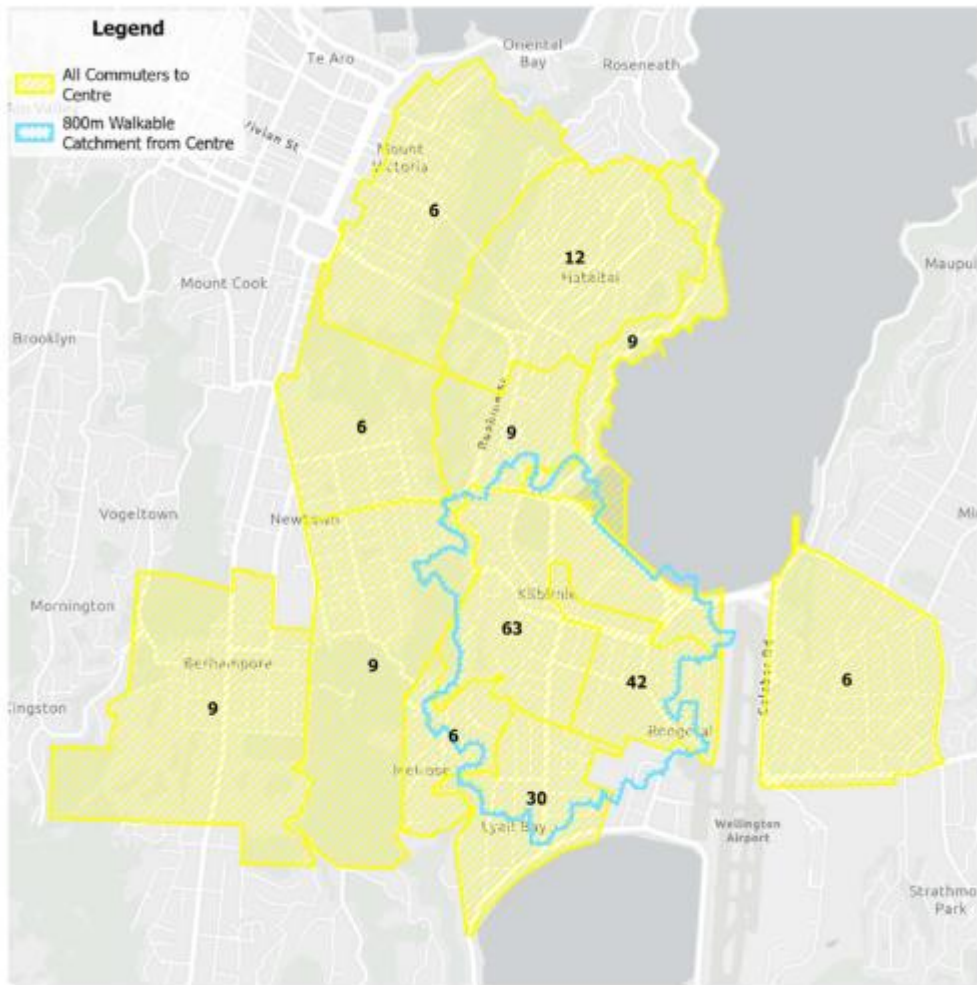
City Centre



Karori – Local Centre



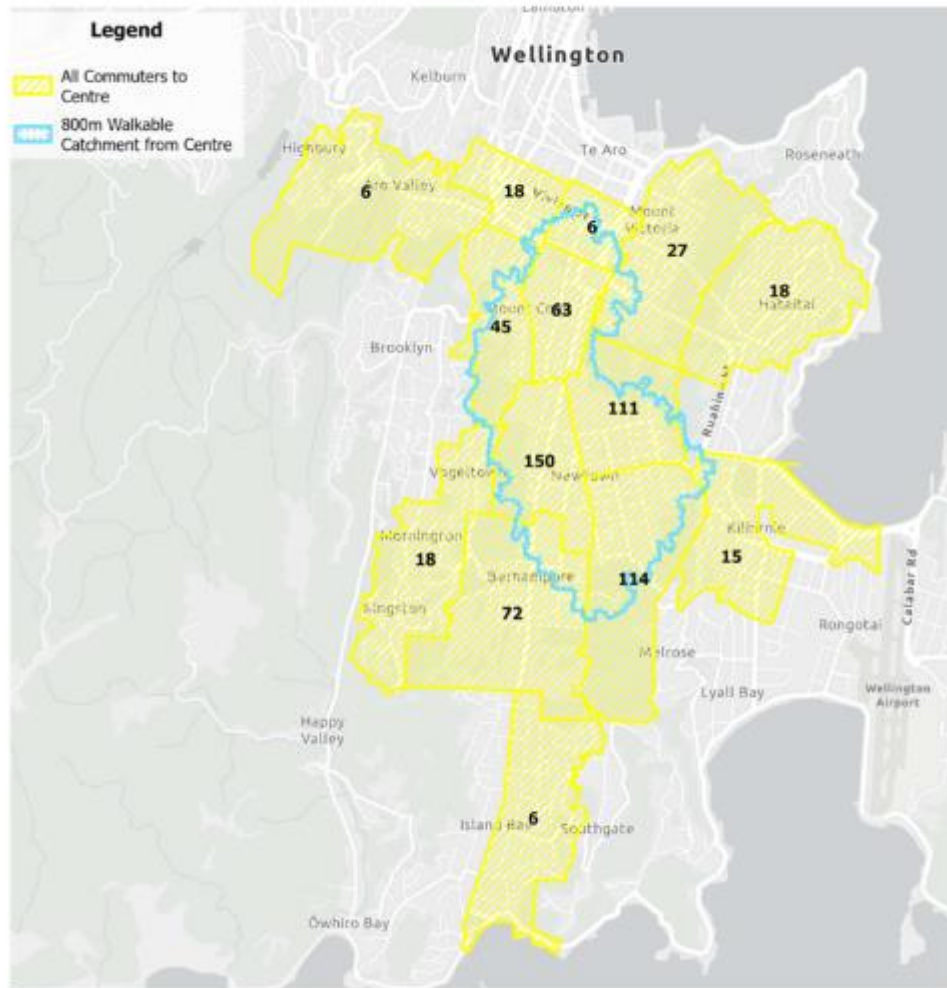
Kilbirnie – Metropolitan Centre



Miramar – Town Centre



Newtown – Town Centre



Tawa – Town Centre

