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 4 - Centres

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

(PLANNING)

12 JUNE 2023

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1. EXECUTIVE SUMMARY

- 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 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 will address the following matters:
 - (a) National and regional consistency I recommend changes to improve national and regional consistency, in particular with the National Policy Statement Urban Development (NPS-UD) and the National Planning Standards, and consequently to increase the type and scale of centres;
 - (b) The need for a Town Centre Zone in the Centres Hierarchy – I recommend a Town Centre Zone (TCZ) to be included in the PDP and for Tawa, Newtown, and Miramar to be rezoned from Local Centres to TCZ. A copy of my proposed TCZ provisions are attached at Appendix 1;
 - (c) Expanding the Spatial Extent of the Centre Zones I recommend expanding the Centre Zones at Miramar, Newtown, Tawa, Johnsonville, Karori, and Kilbirnie to maximise employment and residential intensification in these key centres;
 - (d) Integrated Retail Scale I recommend changes to ensure that the scale of integrated retail activities is relative to the scale of the centre in the Centres hierarchy:

- (e) City Outcomes Contribution I recommend changes to the City Outcomes Contribution provisions to ensure that the provisions are workable;
- (f) Effects beyond those anticipated in the Zone I recommend changes to confirm that amenity effects should only be considered beyond those anticipated in the relevant zone in accordance with NPS-UD Policy 6;
- (g) Medium vs High Density I recommend changes to ensure the appropriate scale of high and medium density development are applied across centres;
- (h) Residential Activities I recommend changes to ensure an appropriate consent threshold for residential activities across centres and eliminate duplication between residential activity and building rules;
- (i) **Standards** I recommend changes to standards to ensure that there is a focus on off-site rather than on-site effects; and
- (j) **MUZ Building Bulk** I recommend the deletion of the 500m² building bulk control in the Mixed-Use Zone (**MUZ**) to ensure an appropriate range of activities can be provided for and to avoid consenting duplication.
- 1.3 These matters are further described below in terms of areas of agreement and areas for improvement.

Areas of Agreement

- 1.4 I generally agree with the reporting officer on the following matters:
 - a) Increasing the heights where wind controls apply;
 - b) Removing the maximum height from the City Centre Zone (CCZ);

- c) Confirming that high density development is a key focus for the CCZ and medium to high density development in the Local Centre Zone (LCZ) and Neighbourhood Centre Zone (NCZ);
- d) Centre expansion is inappropriate in Berhampore; and
- e) Under height development within the Centre Zones should be a discretionary activity.
- 1.5 I also support a number of amendments proposed by the reporting officer, as outlined in **Appendix 1** of my evidence.

Areas for improvement:

- 1.6 The key focus areas for my evidence where I support the relief sought by Kāinga Ora is the need to improve the scale of development in and around centres and re-enforcing the Centres hierarchy by:
 - a) Introducing a TCZ with appropriate provisions and rezoning Tawa, Newtown and Kilbirnie as TCZ from LCZ;
 - b) Expanding the spatial extent of a number of higher order Centres;
 - Focusing on effects beyond those anticipated by the Zone provisions and ensuring standards principally address key offsite effects;
 - Ensuring an appropriate scale of medium and high density development in centres and building bulk in the MUZ; and
 - e) Focusing the City Outcomes Contribution provisions to ensure they are workable.
- 1.7 A copy of my proposed amendments and changes sought to the provisions under consideration in Hearing Stream 4 is included in Appendix 1 of my evidence. I 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.

- 1.8 I have prepared a section 32AA assessment as set out in **Appendix 2** of my evidence.
- 1.9 In my opinion, the proposed changes sought in the Kāinga Ora submission and discussed within my 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.¹
- 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).
- 2.3 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.
- 2.4 In preparing this evidence I have read the following documents:
 - a) The NPS-UD;
 - b) The PDP;
 - c) The Kāinga Ora submissions in relation to the PDP;

¹ A full description of my experience is provided in paragraphs 2.2 to 2.5 of my Hearing Stream 1 evidence dated 7 February 2023.

- d) Section 32 reports and supporting evidence, including but not limited to:
 - Section 32 Evaluation Report Part 2: City Centre Zone,
 Special Purpose Waterfront Zone, Special Purpose
 Stadium Zone and Te Ngākau Civic Square Precinct;
 - II. Section 32 Evaluation Report Part 2: Centres,Commercial, Mixed Use and Industrial Zones;
 - III. Section 32 Evaluation Report Part 2: Wind Chapter;
 - IV. Wellington City Commercially Feasible ResidentialCapacity Assessment Property Economics 2022;
 - Wellington regional housing and business capacity assessment report – Housing update May 2022;
 - VI. Statement of Evidence of Dr Farzad Zamani on behalf of Wellington City Council (Urban Design);
 - VII. Statement of Evidence of Dr Kirdan Ross Lees on behalf of Wellington City Council (Economics); and
 - VIII. Statement of Evidence of Mr Nick Locke on behalf of Wellington City Council (Wind).
- e) Section 42A reports.²

3. CODE OF CONDUCT

3.1 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 an expert are set out above. I confirm that the issues addressed in this statement of evidence are within my area

² s42A reports for Hearing Stream 1 and Overview and General Matters, HRZ, and MRZ for Hearing Stream 2, s42A reports for Hearing Stream 4 including Part 1 – Overview and General Matters, Part 2 – Metropolitan Centre Zone, Part 3 – Local Centre Zone, Part 4 – Neighbourhood Centre Zone, Part 5 – Mixed Use Zone, and Wind.

of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

4. SCOPE OF EVIDENCE

- 4.1 Hearing Stream 4 addresses submission points relating to the PDP on the Commercial, Mixed Use and Industrial Zones and Wind.
- 4.2 In accordance with Minute 15 issued by the Hearings Panel, this evidence will not cover design guides directly as this will be addressed in the Wrap up hearing ISPP Provisions.
- 4.3 Accordingly, my evidence will address the following matters addressed in the Hearing Stream 4 section 42A reports:
 - (a) National and regional consistency;
 - (b) The need for a TCZ in the Centres Hierarchy and the rezoning of Tawa, Newtown and Miramar;
 - (c) Expanding the spatial extent of the Centre Zones;
 - (d) Integrated Retail scale across Centres Zones;
 - (e) City Outcomes Contributions;
 - (f) Effects beyond those anticipated in the Zone;
 - (g) Medium vs High Density in Commercial Zones;
 - (h) Residential Activities in Centres Zones;
 - (i) Standards across Commercial Zones; and
 - (j) MUZ building Bulk.
- 4.4 My evidence should be read together with the following statements of evidence filed on behalf of Kāinga Ora:
 - a) Brendon Scott Liggett Corporate;

- b) Michael John Cullen Urban Economics; and
- c) Nicholas James Rae Urban Design.

5. KĀINGA ORA SUBMISSION RELATED TO HEARING STREAM 4

- A summary of the submission points and further submission points from Kāinga Ora which relate to matters addressed in Hearing Stream 4 will be provided within **Appendix 1** of the legal submissions. The Kāinga Ora submissions generally seek the introduction of a Town Centre classification in the Centres hierarchy, spatial expansion of the Centres Zones and increases to bulk and location standards to provide a greater level of intensification in the Centres and Mixed Use Zones.
- 5.2 As outlined in the corporate evidence of Mr Liggett, Kāinga Ora seeks 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. Mr Liggett further outlines the interest of Kāinga Ora in the implementation of the NPS-UD in Centres, the importance of an appropriate centres hierarchy and the role City Outcomes Contribution plays within the PDP context.
- Kāinga Ora seeks amendments to the PDP to ensure that development opportunities are maximised in locations close to public transport, employment opportunities and public amenities such as schools, retail, and community services. Centres play a crucial role in providing these development opportunities. Enabling development and a range of appropriate activities within centres ensures well-functioning environments are formed to provide for the whole community's 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.

6. STATUTORY CONTEXT

- As outlined in the introduction of its original submission, Kāinga Ora seeks to ensure that the PDP provisions align with national planning directions to provide well-functioning environments that meet the needs of current and future generations.
- This section of my evidence explains the overarching context and philosophy behind the submissions by Kāinga Ora on the PDP and Hearing Stream 4 topics, and highlights the planning principles and context behind the submission points and the relief sought.

Resource Management Act 1991

- 6.3 Section 5 of the RMA outlines the purpose of the RMA which is to
 "promote the sustainable management of natural and physical
 resources". As the Hearings Panel will be well aware, 'sustainable
 management' means managing the use, development, and protection
 of natural and physical resources in a way, or at a rate, which enables
 people and communities to provide for their social, economic, and
 cultural well-being and their health and safety.
- In achieving the broader purpose of the RMA, section 6 identifies matters of national importance (including significant and outstanding natural values, the management of significant risks from natural hazards, and the protection of historic heritage) that need to be recognised and provided for. A range of other matters also require particular regard including the maintenance and enhancement of amenity values, and the efficient use and development of natural and physical resources. These matters should be addressed in district plans along with a range of Council functions including ensuring there is sufficient housing and business land development capacity to meet the expected future demands of the district.
- 6.5 All the matters above need to be considered in making decisions under the RMA, including the development of district plans. A section 32 analysis is also necessary to consider whether the district

- plan objectives are the most efficient and effective way to achieve the purpose of the RMA, and whether the other provisions are the most effective and efficient method of achieving the objectives.
- The proposed height and intensification increases, in and around Centres (including Centres expansion), sought in submissions by Kāinga Ora achieve the requirements of the RMA in the following ways:
 - (a) Levels of intensification proposed in Centres have been designed to address amenity impacts as they are of a comparable scale to levels of intensification proposed in residential areas that surround these Centres;
 - (b) Greater centre expansion and intensification will provide additional economic benefits and an efficient use of land as "more is better" from a land-use capacity and supply perspective;
 - (c) Health and safety risks associated with natural hazards and infrastructure constraints can be addressed through a range of overlays in the plan and engineering and financial solutions;
 - (d) The Section 32AA assessments attached at Appendix 2 and undertaken in earlier hearings streams for the PDP confirms that the relief sought in submissions by Kāinga Ora represents the most efficient and effective method of achieving the purpose of the RMA.
- 6.7 Further guidance on these matters is provided via the NPS-UD as outlined below.
 - Objectives and Policies of the National Policy Statement on Urban Development 2020 (NPS-UD)
- 6.8 Under the overarching objective of the NPS-UD (Objective 1), which is to ensure 'well-functioning urban environments' that enable all people

and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future, 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.

6.9 The NPS-UD also seeks to:

- ensure that planning decisions focus 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;
- (b) promote and enable compact/efficient urban form and management of effects through good urban design(Objectives 1 and 4); and
- (c) ensure people also have opportunities to live and work in the right locations close to centres, areas with employment and business and community services, and in high demand areas well served by public transport (Objective 3 and Policy 3).
- 6.10 In my opinion, the outcomes sought by the NPS-UD facilitate a paradigm shift in land use 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, the NPS-UD provides for development opportunities for people and communities now while maintaining a focus on planning outcomes for the long term to benefit future communities.
- Appropriate regulatory incentivisation, in the form of enabling planning provisions for substantive intensification, are critical in achieving compact urban form outcomes. 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.

- 6.12 Generally, the Kāinga Ora submissions agree with and are supportive of the concept that, at a high level, the changes proposed through the PDP broadly incorporate the matters required by 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.
- 6.13 Policy 10 of the NPS-UD requires that Tier 1 local authorities that share jurisdiction over urban environments work together when implementing the NPS-UD. The Tier 1 local authorities in the Wellington urban environment include:
 - (a) Greater 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.
- 6.14 The Kāinga Ora submissions on the PDP and other IPIs in the Wellington region have generally sought additional intensification in areas that are considered the most appropriate due to the level of commercial amenity, community services and public transport.

 Kāinga Ora has sought to enable development to give effect to the Objectives of the NPS-UD, particularly Objective 1 and 3, rather than simply seeking the minimum intensification requirements of the NPS-UD.

- 6.15 It is unclear how the Wellington-region local authorities have worked together to implement the NPS-UD given the level of inconsistency found across the region and across the provisions proposed. If there had been a regionally consistent approach, then:
 - (a) greater intensification would have been provided within centres and walkable catchments of all Rapid Transit Stops including the Johnsonville line;
 - (b) unlimited height would have been provided within the Wellington City CCZ as the highest order centre in the Wellington region; and
 - (c) Town Centres as a zone would be included in the Wellington City centres hierarchy in areas that have higher levels of community and commercial services such as Miramar, Tawa, and Newtown.
- 6.16 Accordingly, the submissions of Kāinga Ora seek for improved regional alignment across the plans.
- 6.17 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 would ensure that the PDP is more aligned with the intent of the NPS-UD.

National Planning Standards

- 6.18 Amendments to district plans to align with the National Planning
 Standards must be notified by Wellington City Council by 2024. One
 of the mandatory changes includes Standard 8 (Zone Framework) that
 describes the Zones for all the Commercial and mixed use zones
 including Town Centres.
- 6.19 The Zone descriptions in Standard 8 of the National Planning Standards are useful in distinguishing between different types of

commercial centre zones (refer **Appendix 3**). These naturally form a hierarchy as follows:

- City Centre Zone the main Centre for the region or district;
- Metropolitan Centre Zone focal point for sub-regional urban catchments;
- Town Centre Zone service the needs of immediate and neighbouring suburbs;
- 4. Local Centre Zone service the needs of the **residential** catchment; and
- Neighbourhood Centre Zone service the needs of the immediate residential neighbourhood.

(emphasis added in bold)

6.20 The description in Standard 8 makes a clear distinction between Town Centres which serve the immediate and neighbouring suburbs, and Local Centres which serve the residential catchment. Despite this distinction, the PDP has not identified any centres as Town Centres and the description of a Local Centre combines both the Town Centre and Local Centre functionalities into one zone:

"CEKP-O2(3) Local Centres – these centres service the surrounding **residential catchment** and **neighbouring suburbs**. Local Centres contain a range of commercial, community, recreational and entertainment activities....".

(emphasis added in bold)

6.21 Introducing a Town Centres in the hierarchy of centres will give better effect to the National Planning Standards than the notified PDP.

7. OVERALL ASSESSMENT ON NATIONAL AND REGIONAL CONSISTENCY

- 7.1 As previously discussed, one of Kāinga Ora strategic goals through submissions on the various IPI processes across the country including the Wellington region, is to ensure the implementation of the NPS-UD and the RMA Amendment Act requirements achieve their stated outcomes.
- 7.2 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 provisions is done in a similar manner across the various district plans, whilst recognising the local context.³

 Submissions by Kāinga Ora also seek that the Centres hierarchy and commercial intensification provisions are reviewed to improve national and regional consistency and increase density and heights across the board.⁴
- 7.3 Evidence I provided on behalf of Kāinga Ora in Hearing Stream 1 also showed that there is clearly a need for regional consistency particularly in relation to the Centres hierarchy (including the need for Town Centres in the hierarchy),⁵ the approach to walkable catchments,⁶ the classification of the Rapid Transit Stops,⁷ and the need to provide for "at least sufficient and feasible land development capacity".⁸ Increasing the location and scale of the Centres will help to achieve anticipated growth and intensification outcomes identified in the NPS-UD.
- 7.4 The changes sought from the Kāinga Ora submission and in my evidence, will enable growth and intensification outcomes to happen, and achieve the stated outcomes of the NPS-UD and Amendment Act.

³ 391.308.

⁴ 391.501 and 391.502.

⁵ Statement of Evidence of Matt Heale – Hearing stream 1 paragraphs 4.40 to 4.66.

⁶ Statement of Evidence of Matt Heale – Hearing stream 1 paragraphs 4.14 to 4.34.

⁷ Statement of Evidence of Matt Heale – Hearing stream 1 paragraphs 4.8 to 4.13.

⁸ Statement of Evidence of Matt Heale – Hearing stream 1 paragraphs 4.75 to 4.83.

8. RECOMMENDATIONS BY SECTION 42A REPORT AND RESPONSE

- 8.1 The following sections of my evidence respond to the following matters raised in the Hearing Stream 4 section 42A reports:
 - (a) The need for a TCZ in the Centres Hierarchy;
 - (b) Expanding the spatial extent of the Centre Zones;
 - (c) Integrated Retail scale across Centres Zones;
 - (d) City Outcomes Contributions;
 - (e) Effects beyond those anticipated in the Zone;
 - (f) Medium vs High Density in Commercial Zones;
 - (g) Residential Activities in Centres Zones;
 - (h) Standards across Commercial Zones; and
 - (i) MUZ building Bulk.
- 8.2 The planning matters in relation to the extent of the Centres Zones, the Centres hierarchy and scale of intensification are discussed in detail below. The evidence of Mr Cullen and Mr Rae supports these findings.

9. THE NEED FOR A TOWN CENTRE ZONE IN THE CENTRES HIERARCHY

- 9.1 Submissions by Kāinga Ora seek the inclusion of a TCZ in the Centres hierarchy, and for the rezoning of the Tawa, Miramar, and Newtown Centre zones to TCZ.9
- 9.2 This matter is addressed in the Section 42A report Commercial and Mixed Use Zones Overview and General Matters report. Reference¹⁰

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⁹ 391.2, 391.3, 391.52, 391,53, 391.501, 391.503, 391.588-391.560.

¹⁰ Paragraph 56 and 57.

is made to Mr McCutcheon's section 42A report from Hearing Stream 1 and outlines that, despite Sense Partners recommendations to the contrary, the Operative District Plan TCZs have been rezoned as LCZ in the PDP because:

- (a) There is no difference in height between TCZs, LCZs and NCZs Centre provisions;
- (b) The Sense Partners and Colliers Retail and Market Assessment Report showed there were only arbitrary differences in the catchments serviced between Town and Local Centres and ranges of business activity; and
- (c) The planning provisions for all centres have a high degree of similarity and an additional zone would result in unnecessary supplication of content.
- 9.3 The Reporting Officer for Hearing Stream 4 has provided further rationale for why a TCZ should not be included in the Centres hierarchy¹¹. Reasons include:
 - (a) There is sufficient development potential enabled through the notified PDP to meet the requirements of the NPS-UD;
 - (b) The zoning of the PDP centres hierarchy has been informed by a range of technical reports;¹²
 - (c) Dr Lees evidence that indicates Karori, Tawa, Miramar and Newtown should be Local Centres given their limits to spending and population growth;¹³
 - (d) Council does not restrict activities within the different centres as a method of enforcing the Centres hierarchy;
 - (e) Building heights can be addressed through the notified PDP zone framework;

¹² "The ODP Centres hierarchy (refer to Chapters 6 and 7 of the ODP); - The National Planning Standards zone framework; - The Spatial Plan; - The BECA Report; - The Spatial Plan; and - The Sense Partners Report."

¹³ Paragraph 35 – Statement of Evidence of Dr Lees – 24 May 2023.

¹¹ Paragraphs 98 to 111.

- (f) The TCZ would add an additional level of complexity;
- (g) Increasing maximum height from 22m to 36m is unnecessary and consent can be sought to exceed 22m;
- (h) Development potential is limited by other factors such as flood and inundation hazard in all centres, Airport designations (Miramar and Newtown), and heritage and character constraints (Newtown); and
- (i) If the Hearing Panel is minded to increase heights, this could be done by including a 'Height Control Area 4' at LCZ-S1.
- 9.4 I strongly disagree with the reporting officers from both HearingStreams 1 and 4 and their recommendations for the following reasons:
 - (a) As previously stated in my evidence from Hearing Stream 1:14
 - There are key differences between TCZs and LCZs, as outlined in an assessment of the National Planning Standards and other district plans across New Zealand;
 - (ii) The NPS-UD requires heights and densities commensurate with the level of commercial activity and community services in Town Centres but the PDP has standard height limits (22m in all local centres), integrated retail (20,000m² GFA from NCZ to MCZ) and walkable catchments applying to all centres, irrespective of a centre containing a higher range of community and commercial services;
 - (iii) Standard 8 of the National Planning Standards distinguishes between Local and Town Centres by the catchments they serve. LCZs serve the needs of the residential catchment and TCZs serve the needs of immediate and neighbouring suburbs. The PDP

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¹⁴ Paragraphs 4.40 – 4.66 – Refer Appendix 3.

- Centres approach currently lumps these together despite evidence to the contrary;
- (iv) There is a need for regional consistency across the Wellington Region both in terms of the Regional Policy Statement and other district plans;
- (v) Technical work such as the Wellington Outer
 Suburbs Assessment and Evaluation Report 2020,
 the Retail and Market Assessment for Wellington
 City Council Colliers International Sense Partners
 2020, the Journey to Work (all modes) analysis
 (refer maps at **Appendix 4**), and Mr Cullen's
 evidence from Hearing Stream 1 (February 2023),
 indicate that the proposed TCZs have stronger
 levels of services and a wider catchment than LCZs.
- (b) Based on my assessment of the section 42A reports for Hearing Stream 4, and the statements of evidence prepared by Mr Cullen and Mr Rae, I consider there are additional factors that support the inclusion of a TCZ into the PDP:
 - (i) Mr Cullen has outlined that the proposed TCZ and the application to Tawa, Newtown and Miramar, have a much greater level of commercial and community services than other LCZs. In some cases, these centres exceed MCZs;¹⁵
 - (ii) Mr Cullen evidence for both Hearing Streams 1 and 4 indicates that "more is better" in terms of achieving NPS-UD growth targets. As a result, the inclusion of the TCZ and its application to the three proposed centres is justified in the Centres hierarchy;
 - (iii) The Council's technical evidence supports the inclusion of a TCZ in the Centres hierarchy;¹⁶

¹⁵ Paragraph 5.12 Statement of Evidence of Michael John Cullen – 10 June 2023.

¹⁶ Sense Partners and Colliers Retail and Market Assessment Report 2020.

- (iv) The NPS-UD indicates that heights and density in Town Centres should be commensurate with the level of community services and commercial activity. The PDP proposes heights of up to 35m in MCZs. Mr Cullen's evidence demonstrates that the Kāinga Ora proposed TCZs are operating at a higher economic level than MCZs – on that basis Tawa, Newtown and Miramar should have a comparable height;
- (v) Mr Rae indicates that increased height limits (36m)
 can be accommodated without generating significant urban design impacts in the proposed TCZs;
- (vi) Limits to development potential such as natural hazards, designations (Newtown and Miramar), heritage, and character constraints (Newtown) would apply to a LCZ as well as a TCZ and will be controlled by other provisions in the PDP through qualifying matters; and
- (vii) A TCZ would not unnecessarily add a level of complexity to the plan if it is more aligned with the PDP Centres style as outlined below.
- 9.5 Overall, I consider the Town Centre zone should be included in the Centres hierarchy in the PDP because this would create national and regional consistency, is supported by urban design and economic technical work, and there is a need to differentiate between density outcomes at a policy, rule, and standard level.

10. INTRODUCTION OF A TOWN CENTRE ZONE CHAPTER

10.1 Submissions by Kāinga Ora sought the inclusion of a TCZ chapter¹⁷.

Kāinga Ora included a proposed TCZ chapter in its primary submission with the intent of assisting the Council, and Hearing Panel

¹⁷ 391.503.

in its review, to incorporate a TCZ chapter into the PDP with very clear relief sought. Unfortunately, an incorrect version of a TCZ chapter was included with the original submission by error¹⁸. Due to the risk of the submission in its entirety being considered late and potentially not being heard, it was decided that a safer approach would be to wait for the hearing stage to provide the correct version.

Consequently, the reporting officer's response¹⁹ indicates that the 10.2 chapter contains terms not otherwise defined in the PDP. This is acknowledged due to the intent for that chapter to be applied to an entirely different district plan. The correct Kāinga Ora proposed TCZ chapter is included at **Appendix 1** and adopts the style of the PDP to address these concerns.

10.3 Of note, the proposed TCZ chapter:

- (a) Utilises wording style and definitions that are used throughout the PDP:
- (b) Clarifies that the catchment for Town Centres is focused on the needs of immediate and neighbouring suburbs rather than residential areas (Introduction, TCZ-O1);
- (c) Clarifies that a HRZ surrounds, and is provided within Town Centres rather than medium to high density (Introduction, TCZ-P1.2, TCZ-P6);
- (d) Clarifies that the TCZ will sit below the CCZ and MCZ in the Centres hierarchy, but above the LCZ (TCZ-P1.1);
- (e) Amends the City Outcomes Contribution policy to align with Kāinga Ora submissions on other Centre Zones and the High Density Residential Zone;
- (f) Provides for 10 storey development (Introduction, TCZ-S1); and

¹⁸ This chapter included with the WCC submission was the Town Centre chapter prepared for the Porirua City Council Variation 1 and Plan Change 19 ISPP processes which were due at the same time. This was a simple administration error.

¹⁹ Paragraph 102 section 42A report – Commercial and Mixed Use Zones Overview and General Matters.

- (g) Provides for integrated retail development comparable in scale with the MCZ due to the greater zoning footprint in the TCZ (TCZ-R13).
- These changes will address the PDP consistency issues raised by the reporting officer and will achieve greater national and regional consistency and alignment. Further justification for these changes is outlined in the section 32AA assessment in **Appendix 2**.

11. SPATIAL EXPANSION OF THE CENTRES ZONES

- 11.1 Submissions by Kāinga Ora seek a spatial expansion to the centres in Miramar, Newtown, Tawa, Johnsonville, Kilbirnie, Karori, and Berhampore,²⁰ as outlined in the maps attached in **Appendix C** of Mr Rae's evidence. I understand that Kāinga Ora no longer seek any spatial expansion of Berhampore.
- 11.2 The reporting planner rejects all other centre expansions sought by Kāinga Ora.
- 11.3 I disagree with the reporting officer's recommendation to reject these changes for the following reasons:
 - (a) According to Mr Cullen's evidence, Centres within Wellington need to grow out, not just up, to cater for 47,000 jobs needed in the next 30 years;
 - (b) These centres are all higher order centres in terms of the level of community services and commercial activities available so can, and will, accommodate future growth;
 - (c) The expansions will address some difficult land-use transitions (such as single-family homes adjacent to industrial uses in places like Kilbirnie and Miramar);

- (d) The expansions will deal with expressed Council concerns about the lack of suitable centre space for small businesses (Council's HBA and Operative Plan);
- (e) Following recent site visits with Mr Rae on 1 June 2023, I agree that, subject to the amended Centre expansion being adopted, positive urban design outcomes will result; and
- (f) Rezoning centre expansion areas shown in Appendix C of Mr Rae's evidence will help create well-functioning urban environments by:
 - (i) Enabling a variety of sites suitable for different business sectors in terms of location and site size (NPS-UD Policy 1(b));
 - (ii) Creating good access between housing, jobs and community services (NPS-UD Policy 1(c));
 - (iii) Supporting a competitive land and development market ((NPS-UD Objective 2 and Policy 1(d)) by encouraging new and emerging businesses to attach to centres at relatively low entry costs²¹;
 - (iv) Enabling at least 6 storey building heights in MCZs and within a walkable catchment of MCZs, along with commensurate building heights relative to the level of community services and commercial activities in other centres (NPS-UD Policy 3); and
 - (v) Centre expansion will enable a number of churches and community facilities to be more appropriately zoned²² and address inconsistencies with zoning.²³

²² Community facilities are permitted in the Centre Zones but restricted discretionary in the HRZ.

²¹ Refer paragraph 6.12 of Mr Cullen's evidence.

²³ Churches in Linden, Khandallah, Wadestown, and Northland have Centre zoning but comes churches in Tawa and Miramar are zoned Residential despite being adjacent or in the same block as the Centre Zone.

- 11.4 For the reasons outlined above, I consider that the Centres should be expanded in accordance with the maps in **Appendix C** of Mr Rae's evidence.
- 11.5 Mr Rae also recommends that the proposed Karori centre expansion should be significantly reduced and instead the Marsden Centre should be upgraded to a LCZ rather than a NCZ. I agree with this recommendation as Marsden Centre is performing to a level that is comparable with other Local Centres in Wellington City.

12. INTEGRATED RETAIL ACTIVITIES

- 12.1 Kāinga Ora seeks a reduced level of integrated retail activities to correspond to the scale of lower order of centres.²⁴ The PDP provided for a 20,000m² GFA for integrated retail regardless of the size of centre.
- The reporting officer has recommended a range of scales including 10,000m² GFA for NCZ, 20,000m² GFA for Local Centres (including the TCZs proposed by Kāinga Ora), and 30,000m² GFA for MCZ. The evidence from Dr Lees suggests that no limit should be provided in the MCZ, 30,000m² GFA in LCZ, and 20,000m² GFA in NCZ.²⁵
- 12.3 Table 1 of Mr Cullen's evidence includes zoned areas of LCZ, TCZ and MCZ in the PDP along with the areas of these centres if the zone expansions sought by Kāinga Ora are approved. **Table 1** below indicates the areas of all the NCZ. A map of the Centres is attached at **Appendix 5**.

Table 1: NCZ Areas in Wellington City

Map Reference	Centre	Centre Area (ha)
1	1a	1.04
2	2a	0.31
3	3a	0.85
3	3b	0.16

²⁴ NCZ 391.533 and 391.534, LCZ 391.586, 391.587, and 391.588 and General - 391.506.

²⁵ Statement of evidence of Dr Kirdan Ross Lees on behalf of Wellington City Council, para 50.

Map Reference	Centre	Centre Area (ha)	
4	4a	0.39	
4	4b	0.60	
5	5a	0.05	
5	5b	1.22	
6	6a	0.14	
6	6b	0.63	
6	6C	0.70	
7	7a	0.18	
7	7b	0.81	
7	7c	0.10	
8	8a	0.20	
8	8b	0.21	
8	8c	0.17	
8	8d	0.46	
8	8e	0.54	
9	9a	0.28	
9	9b	0.23	
9	9c	0.25	
10	10a	0.10	
10	10b	0.46	
10	10c	0.47	

- The data referenced in Table 1 above shows that Neighbourhood Centres range in size from 500m² to 12,200m². Only two out of the 25 NCZs are slightly greater than 10,000m² (1.0ha) which would suggest that 10,000m² of integrated retail proposed by the reporting officer is too large.
- 12.5 Similarly, only three of the Local Centres exceed 20,000m² (Churton Park, Crofton Downs, and Karori). The TCZs proposed by Kāinga Ora range from 2 to 6ha and with the expansion proposed by Kāinga Ora would grow to between 5 to 8ha. The MCZs are between 10 to 13ha and with centre expansions will increase to 12 to 21ha.

- 12.6 Given the size and scale of the existing centre zone areas and the potential for growth if the Kāinga Ora submissions are accepted, the reduced integrated retail thresholds may be more appropriate to reflect the zoned area of the centres so that enough land is available for other community, commercial, and residential activities anticipated in the NPS-UD and provided for in the PDP.
- 12.7 Alternatively, the Hearing Panel might want to consider a percentage of the zoned area of the centre or managing integrated retail via design controls through a consent process.
- 12.8 I consider that the Council needs to undertake more work to determine appropriate thresholds for integrated retail for the following reasons:
 - (a) The proposed thresholds could result in centres becoming dominated by retail activities rather than a more appropriate range of activities;
 - (b) No assessment has been made on the impact on residential growth in the Centres, particularly as the reporting officer indicates that these thresholds could only be achieved by multi storey retail development which would then occupy the upper floors which is where residential development is anticipated;
 - (c) It is unclear how this development could be achieved within proposed height standards; and
 - (d) Dr Lees has questioned the purpose of this control altogether²⁶.

²⁶ Paragraph 50, Statement of Evidence Dr Lees 24 May 2023.

13. CITY OUTCOMES CONTRIBUTIONS

- 13.1 Submissions by Kāinga Ora seek amendments to the City Outcomes Contributions²⁷ and to remove the height limits from the CCZ.²⁸ The reporting officer is recommending that relevant policies and rules across the Centre Zones and HRZ are amended to:
 - (a) reference the new Appendix 16 of the PDP;
 - (b) apply to over height and under height building thresholds in the CCZ; and
 - (c) apply to over height buildings in the Centre Zones and the HRZ.

It is unclear why height is a trigger for applying the City Outcome Contributions as these matters appear to apply to general design, building tenure and building performance matters which are unrelated to height.

- 13.2 The reporting officer states that the City Outcomes Contribution is a variation to a policy in the ODP related to "design excellence" and references international examples of comparable policies, 29 but it is not clear how the proposed City Outcomes Contribution Policy is related to design excellence or outcomes as described. There appears to be a disconnect between what the reporting officer indicates is the intent of the policy, and what the policy proposes to require.
- 13.3 Appendix 16 requires an assessment of amenity, accessibility, building performance, resilience, and assisted housing. The reporting officer recommends that CCZ-S1 "maximum height" be amended to note that there are no maximum heights for buildings and structures in the CCZ but that where development is above CCZ-S1 "height thresholds" (ranging from 27m-93m), the City Outcomes Contribution must be complied with.

²⁷ 391.530, 391.583, 391.666 and 391.719.

²⁹ Paragraph 176, 177, 182, section 42A report: Part 3, Commercial and Mixed Use zone.

- 13.4 CCZ-R20 provides for a limited range of permitted buildings in the CCZ (new buildings with a GFA of <100m², building coverage of <20%, and compliance with numerous standards³0). CCZ-R19 also permits some alterations and additions, including where they are not visible from public spaces, do not result in new residential units, and comply with numerous standards.³¹ The restrictive rules mean that most buildings and additions would be subject to the City Outcomes Contributions requirements where height thresholds are not met.
- I note that irrespective of the removal of the maximum building height limit, building height in the CCZ will continue to be limited by view shaft controls and wind assessment requirements, which will continue to add to the complexity of developing in the CCZ.
- 13.6 City Outcomes Contribution provisions as proposed are onerous, complex and subjective.³² The reporting officer has accepted unlimited building heights,³³ but the question arises as to why the City Outcomes Contribution should apply. Most of the matters assessed in the City Outcomes Contribution provisions do not relate to effects arising from the height of a building, but are instead concerned with how a building will be used and performs and the impacts on other matters such as public space.
- 13.7 Over height development in the other Centre Zones and the HRZ are also subject to similar assessments but with a smaller requirement for points (10-30). It is also difficult to understand how this system will help with assisted housing when only 1 point is allocated for every 1% of the net floor area of new assisted housing and this only applies once buildings are over height limits.
- 13.8 The reporting officer notes that over height or under height development has the potential to impact on the quality and level of public and private amenity and securing additional benefits from the

³⁰ CCZ-R20.

³¹ CCZ – R19.

³² A range of 20 to 40 points is required depending on the scale of non-compliance, and the points are allocated depending on levels of amenity achieved across a range of factors including public space, accessibility, sustainability and resilience, and 1 point for every 1% of assisted housing.

³³ Paragraph 542 S42A Report – CCZ.

developments is therefore required.³⁴ I disagree that City Outcomes Contributions are required to address effects associated with height as these matters are already addressed in the PDP. I note that a number of the City Outcomes matters duplicate matters of discretion and standards referenced in the construction of buildings and structures rule (CCZ-R20), such as:

- (a) open space (CCZ-S10, and CCZ-P8 and CCZ-P9);
- (b) pedestrian access and accessibility (CCZ-P9);
- (c) heritage (CCZ-P9); and
- (d) natural hazard resilience and climate change (CCZ-P9).

The City Outcomes Contributions policies across the Centres Zones and HRZ (CCZ – P11, MCZ-P10, LCZ-P10, NCZ-P10, and HRZ-P13) also address all the key issues identified in Appendix 16 so these matters can already be assessed within an RMA effects based context when new buildings are constructed and altered without the need for Appendix 16.

- 13.9 It is also unclear how Appendix 16 and relevant policies will be applied in the Centres outside the CCZ and HRZ. In the CCZ, height will be permitted where it scores an appropriate number of points pursuant to CCZ-S1 but in other zones development will still be a restricted discretionary activity where height is not met.
- 13.10 It is also unclear how many of the matters in the City Outcomes
 Contributions Appendix 16 relate to Council's functions under the
 RMA and are potentially better addressed as a non-regulatory method
 to be "encouraged" rather than "required" by unrelated standards such
 as over or under height development. Many of these matters such as
 building performance or building tenure would be better addressed via
 other legislation or policies such as the Building Act or Development
 Contribution Policy incentives.

³⁴ Paragraph 184 S42A Report – Overview and General matters.

13.11 It is therefore recommended that reference to Appendix 16 is removed from relevant provisions so that they rely instead on the general principles from Appendix 16 as outlined in **Appendix 1** of my evidence.

CCZ-P11

City outcomes contribution

Encourage Require over and under height, large-scale residential, non-residential and comprehensive development over CCZ-S1 height thresholds and or under CCZ-S4 minimum building heightsin the City Centre Zone to that contribute to positive outcomes deliver City Outcomes Contributions as detailed and scored in Appendix 16 the Centres and Mixed Use Design Guide guideline G107, including by through either:

- Positively contributing to public space provision and the amenity of the site and surrounding area; and/or
- Enabling ease of access for people of all ages and mobility; and/or
- Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change earthquake resilience; and/or
- 4.Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or
- 5. Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure that it remains assisted housing for at least 25 years.;
- 6. Enabling ease of access for people of all ages and mobility
- 13.12 I consider reference to Appendix 16 and the City Outcomes contribution matters of discretion can also be removed from relevant rules given that the principles are recognised more broadly as

something to be encouraged in the relevant policies (City Outcomes Contribution³⁵ and Quality Design outcomes³⁶ for example) as follows:

CCZ-R19 Alterations and additions to buildings and structures

1. Activity status: Permitted

Where:

- a. Any alterations or additions to a building or structure that:
- i. Do not alter the external appearance of the building or structure; or
- ii. Relate to a building frontage below veranda level, including entranceways and glazing and compliance with CCZ-S8 is achieved; or
- iii. Do not result in the creation of new residential units; and
- iv. Are not visible from public spaces; and
- v. Comply with standards CCZ-S1, CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S5, CCZ-S6, CCZS7 and CCZ-S8.
- 2. Activity status: Restricted Discretionary

Where:

 a. Compliance with any of the requirements of CCZ-R19.1 cannot be achieved.

Matters of discretion are:

- 1. The matters in CCZ-P4, CCZ-P5, CCZ-P6, CCZ-P7, CCZ-P8 CCZ-P9, CCZ-P10 CCZ-P11 and CCZ-P12;
- 2. The extent and effect of non-compliance with CCZ-S1, CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S5, CCZ-S6, CCZ-S7, CCZ-S8, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12 and CCZ-S13;

³⁵ NCZ-P10, LCZ-P10, MCZ-P10 and CCZ-P11

³⁶ CCZ-P9, NCZ-P7, LCZ-P7 and MCZ-P7

- 3. Construction impacts on the transport network;
- 4. The Centres and Mixed-Use Design Guide, including guideline G107—City Outcomes Contribution as required in Appendix 16 for any building that exceeds the maximum CCZ-S1 height threshold requirement and is under the minimum height limit and either comprises 50 or more residential units or is a non-residential building; and

5. The Residential Design Guide.

Notification status....

CCZ-R20 Construction of buildings and structures

1. Activity status: Permitted

Where:

- a. It involves the construction of any new building or structure that:
- i. Will have a gross floor area of 100m2 or less; and
- ii. Will result in a building coverage of no more than 20 percent; and
- b. Compliance with CCZ-S1, CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S5, CCZ-S6, CCZ-S7, CCZS8, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12 and CCZ-S13 is achieved..
- 2. Activity status: Restricted Discretionary

Where:

a. Compliance with any of the requirements of CCZ-R20.1, excluding CCZ-S4 cannot be achieved.

Matters of discretion are:

- 1. The matters in CCZ-P4, CCZ-P5, CCZ-P6, CCZ-P7, CCZ-P8, CCZ-P9, CCZ-P10, CCZ-P11 and CCZ-P12;
- 2. The extent and effect of non-compliance with CCZ-S1, CCZ-S2, CCZ-S3, CCZ-S5, CCZ-S6, CCZ-S7, CCZ-S8, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12 and CCZ-S13;
- 3. The Centres and Mixed-Use Design Guide, including guideline G107 City Outcomes Contribution as required in Appendix 16 for any building that exceeds the maximum CCZ-S1 height threshold requirement or is under the minimum height limit in CCZ-S4 and either comprises 50 or more residential units or is a non-residential building;
- 4. The Residential Design Guide;
- 5. The extent and effect of any identifiable site constraints;
- 6. The impacts of related construction activities on the transport network; and
- 7. The availability and connection to existing or planned three waters infrastructure. Notification status....
- 13.13 Similar changes to those outlined above will also need to be made to the other Centre Zones and the HRZ as outlined in **Appendix 1.**

14. EFFECTS BEYOND THOSE ANTICIPATED IN THE ZONE

- 14.1 Submissions by Kāinga Ora seek amendments to various provisions across the PDP³⁷ to ensure that only effects beyond those anticipated in the plan are considered at the resource consent stage.
- 14.2 The reporting officer notes caselaw has established that 'anticipated' means permitted and this sets an expectation of a permitted baseline which may be disregarded at consent stage.³⁸

 $^{^{\}rm 37}$ MCZ - 391.664, LCZ - 391.581, NCZ - 391.664, and CCZ – 391.721.

³⁸ See for example Paragraph 151 of MCZ S42A Report.

This reference is intentional and reflects NPS-UD Policy 6 which requires decision makers to have particular regard to the fact that the planned urban built form anticipated by plans that have implemented the NPS-UD may involve significant changes to the existing environment (particularly amenity) and that those changes in themselves do not constitute and adverse effect. For example, if building height standards permit buildings of up to 22m in height in the LCZ then only effects beyond those standards should be considered. Consequently, policies should help make this clear as outlined in the example below:

LCZ-P9 Managing adverse effects

Recognise the evolving, higher density development context enabled in the Local Centres Zone, while managing any associated adverse effects beyond those anticipated within the zone, including:

- Shading, privacy, bulk and dominance effects on adjacent sites;
 and
- 2. The impact of construction on the transport network <u>and pedestrian</u> linkages.
- 14.4 I further note that there is inconsistency across the policies in the Centre Zones. LCZ-P9 and NCZ P9 says context "enabled" while MCZ P9 and CCZ P12 say context "anticipated". This provides another reason for amending the relevant policies to ensure there is a consistent interpretation to the provision in the PDP. I consider "anticipated" is the appropriate term to use.
- 14.5 Proposed amendments to the wording of policies to address the points above is provided in **Appendix 1** of my evidence.

15. HIGH DENSITY VS MEDIUM DENSITY DEVELOPMENT

15.1 Submissions by Kāinga Ora seek changes to objectives and policies to ensure that these reflect an appropriate density of development to

effectively implement the objectives and policies of the NPS-UD.39 Table 2 below reflects the section 42A recommendations, the outcomes sought in submissions and the rationale for this.

Table 2: Density anticipated by Zone

Zone	Section 42A recommendation	Kāinga Ora	Rationale for submission
CCZ	CCZ-O2 – medium and high-density CCZ – P4 – High density	CCZ-O2 and CCZ- P4 – <u>High Density</u>	NPS-UD objective 3 and Policy 3 (a)
MCZ	MCZ-O3, MCZ-P1 and MCZ-P6 Medium and High density	MCZ-O3, MCZ-P1 and MCZ-P6 Medium and High density	NPS-UD Objective 3 and Policy 3 (b).
тсz	Reject TCZ	TCZ-O3, TCZ-P1 and TCZ-P6 High density	Tawa on RTN (Policy 3(c), Newtown and Miramar (Policy 3 (d))
LCZ	Medium to high density (LCZ-O3 and LCZ-P1) and medium density (LCZ-P6)	Medium to high density (LCZ-O3 LCZ-P1 and LCZ-P6)	Some centres are adjacent to RTN therefore require six storey development minimum (NPS_UD Policy 3 (c)
NCZ	Medium to high density (NCZ-O3 NCZ-P1 and NCZ- P6)	Medium to high density (NCZ-O3 NCZ-P1 and NCZ- P6)	Some centres are adjacent to RTN therefore require six storey development minimum (NPS_UD Policy 3 (c)
MUZ	Medium density (MCZ-P1)	Medium and high density (MUZ-P1)	Supports range of adjacent residential intensification adjacent to these areas

15.2 It is clear from Table 2 above that the submissions from Kāinga Ora are more closely aligned with the objectives and policies of the NPS-UD than the PDP because the submissions seek a greater range of density in centres and the MUZ commensurate with the levels of commercial and community services. This is particularly evident when read in conjunction with other evidence outlined above and provided

 $^{^{39}}$ 391.694, 391.708, 391.652, 391.654, 391.658, 391.566, 391.569, 391.575, 391.513, 391.516, 391.522, and 391.620.

- by Mr Rae and Mr Cullen justifying the inclusion of a TCZ in the Centres hierarchy and increased heights/density across centres.
- 15.3 I consider that a lack of reference to high density in LCZ-P6 must be an error given the reference in other objectives and policies in the LCZ and the lower order NCZ. Consequently, changes to the relevant objectives and policies outlined in **Table 2** above should be made in accordance with the proposed amendments in **Appendix 1** of my evidence to better reflect the range of densities anticipated in the NPS-UD.

16. RESIDENTIAL ACTIVITIES

- 16.1 Submissions by Kāinga Ora seek that the activity status for residential activities at ground level should be restricted discretionary rather than full discretionary⁴⁰ across the Centres Zones. This is because the effects of buildings above ground level can be clearly defined and are articulated in policies that cover a broad range of matters including adaptive re-use, sense of place, context, scale, design and residential amenity.
- The reporting officer proposes that, even as a discretionary activity, consent would be precluded from public or limited notification. While I agree with the reporting officer on this matter, I consider this is to be a further justification for consent being a restricted discretionary activity where discretion is limited rather than un-limited. This approach would be similar to MUZ-R10.2 where residential activities above ground floor are restricted discretionary activity rather than full discretionary, with consent only being precluded from public notification.
- 16.3 Accordingly, residential activities rules across the Centres Zones should be amended to align with the approach in CCZ-R12.2 and identified further in **Appendix 1** of my evidence as follows:

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^{40 391.724, 391.532,} and 391.585.

2. Activity status: Discretionary Restricted Discretionary

Where:

a. Compliance with the requirements of CCZ-R12.1.a cannot be achieved.

Matters of discretion are:

1. The matters in CCZ- P6, CCZ P8, CCZ-P9, CCZ-P10

Notification status: An application for resource consent made in respect of rule CCZ-R12.2.a is precluded from being <u>either</u> publicly <u>or limited</u> notified.

17. BUILDINGS AND STRUCTURES

<u>Duplication of controls for residential buildings</u>

- 17.1 Submissions by Kāinga Ora seek amendments to remove consenting duplication for residential activities⁴¹. Residential activities are managed across the Centre Zones via the residential activity rules that require all residential activities at ground level or on an active frontage or veranda area to acquire resource consent for a discretionary activity.⁴² At the same time, the Buildings and Structures rules⁴³ require construction of, and conversion to, residential buildings to acquire a restricted discretionary activity consent.
- 17.2 This appears to be a duplication that could be avoided by just relying on the activity rule to manage the residential activities and the building rule to manage buildings, regardless of what the activity is for. I therefore recommend that the "Conversion of Buildings, or Parts of Buildings, for Residential Activities" rule is deleted, with the refence to "residential activities" from the "Buildings and Structures" rules across the Centre Zones also deleted, as shown in the LCZ example below and depicted in **Appendix 1**.

⁴¹ LCZ - 391.594, NCZ - 391.542, MCZ - 391.673, and CCZ - 391.728.

⁴² CCZ-R12, MCZ-R12, LCZ-R10, NCZ-R10.

⁴³ LCZ-R18.1.a.iii, LCZ-R19, NCZ-R18, NCZ-R19, MCZ-R18, MCZ-R19, CCZ-R19, and CCZ-R21.

R18

LCZ- Construction of, or additions and alterations to, buildings and structures

1. Activity status: Permitted

Where:

- a. Any alterations or additions to a building or structure:
 - i. Do not alter the external appearance of the building or structure; or
 - ii. Relate to a building frontage below veranda level, including entranceways and glazing and compliance with LCZ-S5; or
 - iii. Do not result in the creation of new residential units: and
 - iv. Are not visible from public spaces; and
 - v. Comply with effects standards LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4, LCZ-S5, and LCZ-S6, and LCZ-SX (Boundary setback from a rail corridor).
- b. The construction of any building or structure:
 - i. Is not located on a site with an active frontage or non-residential activity frontage; or
 - ii. Is not visible from a public space; and
 - iii. Will have a gross floor area of less than 100m²; and
 - iv. Will result in a total coverage (together with other buildings) of no more than 20 percent of the site; and
 - v. Comply with effects standards LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4, LCZ-S5 and LCZ-S6; and LCZ-SX (Boundary setback from a rail corridor);
 - vi. Does not involve the construction of a new building for residential activities
- 3. Activity status: Restricted Discretionary

Where:

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

Matters of discretion are:

- 1. The matters in LCZ-P6, LCZ-P7, LCZ-P8, LCZ-P9 and LCZ-P10;
- 2. The extent and effect of non-compliance with LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4, LCZ-S5, LCZ-S6, LCZ-S7, LCZ-S8, LCZ-S9, LCZ-S10, and LCZ-S11 and LCZ-SX (Boundary setback from a rail corridor);
- 3. City Outcomes Contribution as required in Appendix 16 The Centres and Mixed-Use Design Guide, including guideline G107 - City Outcomes Contribution for any building that exceeds the maximum height requirement -and either comprises 25 or more residential units or is a non-residential building;
- The Residential Design Guide;
- 4. 3. The extent and effect of any identifiable site constraints;
- 5. 4. Construction impacts on the transport network; and
- 6. 5. The availability and connection to existing or planned three waters infrastructure.

Notification status:

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

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

LCZ-R19 Conversion of buildings, or parts of buildings, for residential activities

1. Activity status: Restricted Discretionary

Matters of discretion are:

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

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

18. STANDARDS

- 18.1 Submissions by Kāinga Ora seek amendments to a range of standards across Centre Zones. These include:
 - (a) Height;
 - (b) Height In Relation To Boundary;
 - (c) Active Frontage And Non-Residential Activity Frontage Controls;
 - (d) Outlook Space;
 - (e) Building Separation; and
 - (f) Minimum Building Depth.

The reasoning behind these submissions is that the focus for the PDP should be on standards that have off-site effects (i.e. impacts on daylight, wider neighbourhood character and how buildings address the street) rather than internal amenity.

On-site effects

- Accordingly, as outlined in my Hearing Stream 2 evidence,⁴⁴ I consider standards such as maximum building depth (MCZ S11, LCZ-S11), minimum building separation (MCZ-S10, LCZ-S10), and minimum outlook space for multi-unit housing (MCZ-S9, LCZ-S9) to be unnecessary. In particular, the effects associated with these matters are already addressed more broadly in the restrictive building rules (MCZ-R20, LCZ-R18) via reference in matters of discretion to policies relating to adverse effects such as shading, privacy, bulk, dominance (MCZ-P9, LCZ-P9), outlook (MCZ-P8, LCZ-P8), site context and streetscape (MCZ-P7, LCZ-P7).
- 18.3 The following paragraphs address standards relating to off-site effects.

Height

18.4 Kāinga Ora submissions seek an increase in heights in the Centres and Mixed Use Zones⁴⁵ as outlined in **Table 3** below. For completeness and comparison, the table also includes heights sought in the residential zones proximate to those centre types. The maps attached at **Appendix C** of Mr Rae's evidence also show these areas and heights graphically.

44 Paragraph 5.42.

⁴⁵ 391.598 LCZ, 391.636, 391.637 MUZ, 391.677 MCZ, and 391.734 CCZ.

Table 3: Centre Heights and Residential heights sought proximate to those centres

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 ⁴⁶)
Metropolitan Centre	55m (PDP – 15- 35m)	0-400m – 36m (10 storeys) 400-800 HRZ 22m (6 storeys) (PDP HRZ 11-21m ⁴⁷)
Town Centre	36m (PDP – 22m)	0-400m – • 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 ⁴⁸)
Local Centre	22m	0-400m – 18m (5 storeys) (PDP – MRZ 11m for no more than 3 units or 11-14m for multiunit housing,)
Neighbourhood Centre	No Change (PDP generally 12m apart from Aro Valley Area B, Berhampore, Ngaio, and Oxford St Tawa which is 22m)	
Mixed Use Zone	22m PA and unlimited RDA	

 $^{^{46}}$ 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.

⁴⁷ 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.

48 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
	(PDP - 12-18m PA and 16- 27m RDA)	
Rapid Transit Stops		0-800m – 22m (6 storeys) (PDP HRZ 11-21m ⁴⁹ but 21m only within 400m of some stations on the Johnsonville Line)

- 18.5 The reporting officers have rejected submissions to amend heights across the Centres Zones and Mixed-Use Zone apart from:
 - (a) Deleting the height limits in the CCZ but requiring over height development to comply with City Outcome Contributions requirements;
 - (b) Reducing Heights in Kelburn and Khandallah from 22m to 18m;
 - (c) Increasing height in the Newtown Heritage Area LCZ from 12m to 18m;
 - (d) Increasing the heights in Newtown and Tawa LCZ from 22m to 27m;
 - (e) Adding a height control area of 14m to Mersey Street, Island Bay; and
 - (f) Increases in height to 18m for Tawa Junction and Takapu Island MUZ.
- 18.6 I disagree with the reporting officer's rejection of increased height limits as sought in Kāinga Ora submissions for the following reasons:
 - (a) As outlined above, Mr Cullen's evidence indicates that we should be taking a "more is better" approach when it comes

⁴⁹ Note the section 42A 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.

- to achieving the capacity and demand minimums, housing affordability and business land objectives of the NPS-UD;
- (b) Increasing height limits will allow more community services and people to live and work in areas in centres, that are well serviced by public transport, and are in high demand in accordance with NPS-UD Objective 3 and Policy 3;
- (c) Increasing height limits 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 building stock, thereby improving accessibility to active travel modes, improved walking and cycling provision, climate change resilience, and allowing existing social connections within these centres and surrounds to be maintained and enhanced;
- (d) 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;
- (e) The amendments are not inconsistent with existing plan objectives and strategic direction objectives;
- (f) Mr Rae's evidence indicates that increased heights can be appropriately managed to address any urban design impacts;
- (g) This will clearly signal the significance of centres for employment and wider community services;
- (h) Centres will be more vibrant as having more people at street level will improve public safety, surveillance, social connection, and the potential for social capital; and
- (i) There will be greater opportunities for feasible development.

18.7 On this basis, I consider that height limits should be amended to align with those outlined in **Table 3** above and shown in Standard 1 of the Centres and MUZ chapters attached at **Appendix 1** and as further detailed in Mr Rae's evidence. These height amendments would provide clearer alignment with the objectives and policies of the NPS-UD that seek **minimum** densities and heights in centres in specific locations.

Daylight

18.8 Kāinga Ora submissions sought amendments to increase the starting point for Height in Relation to Boundary standards in the MRZ and HRZ⁵⁰. In Hearing Stream 2, I provided evidence that supported these changes.⁵¹ Should the Hearings Panel accept these changes then consequential amendments will be required to the height in relation to boundary standards across the Centres Zones as outlined in **Appendix 1** and shown in the MCZ example below:

MCZ-S4 Height in relation to bounda		ry
 No part of any building or st the relevant recession plane boundary in the MRZ, HRZ below: 	Assessment criteria where the standard is infringed: 1. Dominance, privacy, and shading effects	
Location	Recession plane	on adjoining sites; 2. Whether an increase
Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps	eight of 4m vertically above ground level boundary a response hazard m	in height in relation to boundary results from a response to natural hazard mitigation; 3. Effects on public
Boundary adjoining any site within the MRZ with a height limit of 14m identified on the District Plan Maps	60° measured from a height of 5m vertically above ground level	spaces; and 4. The extent to which an increase in height in relation to
Boundary adjoining any site within the HRZ	60° measured from a height of 8m vertically above ground level	boundary would contribute to a substantial increase in residential
Boundary adjoining any site within an Open Space Zone	60° measured from a height of 5m vertically above ground level	accommodation.

⁵⁰ 391.409 (MRZ) and 391.476 and 391.477 (HRZ).

⁵¹ Statement of Evidence of Matt Heale 16 March 2023 - Paragraphs 5.30 to 5.41 (HRZ) and paragraph 5.49 (MRZ).

Active Frontage and Veranda Controls

- 18.9 The Kāinga Ora submissions seek that Active Frontage controls should only apply where necessary, such as along principal roads/arterials and not along connecting streets.⁵² The submissions also seek that rules related to veranda coverage are removed, particularly when ground floor development is controlled on active frontages and non-residential activity frontages.⁵³
- 18.10 Mr Rae has comprehensively reviewed the application of Active Frontage and Veranda controls and recommended that these should be amended within existing Centre Zones and proposed Centre spatial expansion areas to enhance urban design outcomes.
- 18.11 Amendments are shown on maps in **Appendix C** to Mr Rae's evidence. Mr Rae has also identified amendments to standards that I support and have reflected in **Appendix 1**.
- 18.12 I consider that these changes, in conjunction with other recommended amendments, will result in well-functioning urban environments as buildings will better address the street making for a better pedestrian environment and more vibrant and active centres.

19. MUZ BUILDING BULK

- 19.1 The Kāinga Ora submissions seek that the limit on building size of 500m² GFA should be deleted from the MUZ.⁵⁴ The reporting officer rejects this submission point on the basis that the scale of buildings needs to be controlled in order to address building dominance issues.
- 19.2 The MUZ is designed to accommodate a wide range of activities⁵⁵ and consequently permits the following:
 - (a) Commercial activities;

⁵³ 391.532 (NCZ), 391.585 (LCZ), 391.668 (MCZ), and 391.722(CCZ).

⁵² 391.505

⁵⁴ 391.642.

⁵⁵ MPZ-01.

- (b) Community facilities;
- (c) Light Industrial activities;
- (d) Supermarkets up to 1500m²;
- (e) Integrated Retail activities up to 10,000m² GFA; and
- (f) Residential activities above ground floor.
- MUZ-O3 seeks a scale that does not undermine Centres and MUZ-P6 seeks a high standard of built form while enabling innovative design to reflect the diverse neighbourhood context. These matters are controlled by a number of standards including height variation, height in relation to boundary at zone interfaces, and residential design standards.
- 19.4 I consider that the use of a 500m² GFA building limit is incongruent with the objectives and policies of the MUZ, the range and scale of the activities permitted in the zone, and is unnecessary given the nature and scale of the MUZ and the other standards that manage built form. The MUZ also anticipates residential activities above ground floor which will necessitate a greater GFA if this is likely to occur. I have also discussed this matter with Mr Rae who has indicated that typical buildings anticipated in the zone would exceed 500m².
- 19.5 On this basis I consider the 500m² limit is unnecessary and should be deleted as detailed in **Appendix 1**.

20. SUMMARY OF PROPOSED WORDING CHANGES SOUGHT

20.1 Copies of the proposed additional changes are included in Appendix 1 of my evidence. I 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.

21. CONCLUSION

- 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 PDP. This will include how provisions are interpreted by both plan users and Councils within the Wellington region and nationally.
- 21.2 In accordance with section 32AA of the RMA, I consider that the amendments to the provisions are the most appropriate means of achieving the RMA as outlined in **Appendix 2**.
- 21.3 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

12 June 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)

Appendix 1 - Proposed Amendments

Black Text – Original wording from Proposed District Plan

Green Text – Officer's recommended amendments, as set out in the Section 42A reports.

Red Text - Additional amendments proposed by Kāinga Ora

He Rohe Pokapū Tāone

City Centre Zone

CCZ City Centre Zone

P1 Sch1 Introduction

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

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

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

Also centrally located within the City Centre Zone is Te Ngākau Civic Square – a distinct civic precinct that abuts Victoria Street, Wakefield Street, Harris Street and Jervois Quay and acts as a key connector to the city's waterfront. The precinct is entering a phase of transition, with some of its associated civic buildings and assets requiring either earthquake strengthening or redevelopment. In addition to seismic resilience challenges it also faces significant climate and water management related issues including flooding and inundation. A long-term vision for the Te Ngākau Civic Square Precinct has been developed and approved by the Council, the focus of which is ensuring the precinct becomes a vibrant, safe and inclusive area that enables creative, cultural, civic and arts activities to flourish. The Council and its Tākai Here partners will plan the precinct development to realise this vision.

The City Centre Zone aligns with this vision by enabling a level of redevelopment to occur that accommodates the range of activities anticipated.

To maximise development capacity to accommodate projected growth, an increase in the scale and intensity of development is enabled across the zone. This includes building height, density and urban form tailored to align with the outcomes sought by the National Policy Statement – Urban Development (NPS-UD) and to reflect the higher, denser nature of development within the City Centre Zone. To complement this the Zone also contains measures to ensure that buildings and spaces are designed to:

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

To ensure the continued vibrancy and viability of the City Centre Zone a wide range of activities are permitted and encouraged throughout most parts of the Zone. This is supported by measures to manage activities and development that have the potential to adversely affect public and private amenity or to create reverse sensitivity effects, including along the boundary with adjoining residentially zoned areas or identified public space. In locations where rapid transit investment has been signalled measures have been included to enable opportunities for more intensive, comprehensive development to occur, particularly in areas within a walkable distance catchment of planned rapid transit stops.

CCZ-PREC01 | Te Ngākau Civic Square Precinct

P1 Sch1

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

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

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

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

- 1. Ensure that it is a vibrant and welcoming space which supports a range of uses to locate alongside its core civic function;
- 2. Provide a distinctive, safe, inclusive, comfortable and green environment for all users;
- 3. Create a civic space that reflects Wellington's unique culture, architecture, design, heritage and identity, including reflecting mana whenua values;
- 4. Ensure that future buildings and public environments are designed to a high quality; are resilient and sustainable; and complement and connect existing buildings and public spaces within the precinct as well as to the wider urban fabric of the City Centre;
- 5. Enable greater connectivity to surrounding streets and access between the city and waterfront, and to integrate with the wider transport network; and
- 6. Ensure that it is equipped to respond to significant seismic and climate change resilience challenges.

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

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

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

Other relevant District Plan provisions

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

	Objectives		
	City Centre Zone		
ISPP	CCZ-O1	Purpose	
		The City Centre Zone continues to be the primary commercial and employment centre servicing Wellington and the wider region, supported by residential and a diverse mix of other compatible activities that reflect its role and function in the hierarchy of centres.	
ISPP	CCZ-02	Accommodating growth	
		The City Centre Zone plays a significant role in accommodating residential, business and supporting community service growth, and has sufficient serviced development capacity and additional infrastructure to meet its short, medium and long term residential and business growth needs, including: 1. A choice variety of building type, size, affordability and distribution, including forms of medium and high-density housing; 2. Convenient access to active and public transport activity options; 3. Efficient, well integrated and strategic use of available development sites; and 4. Convenient access to a range of open space, including green space, and supporting commercial activity and community facility options.	
ISPP	CCZ-O3	Urban form and scale	
		The scale and form of development in the City Centre Zone reflects its purpose as Wellington's primary commercial and employment centre, with the highest and most intensive form of development concentrated in the zone relative to other parts of the city.	
ISPP	CCZ-O4	Ahi Kā	
		Taranaki Whānui and Ngāti Toa Rangatira are acknowledged as the mana whenua of Te Whanganui ā Tara (Wellington) and their cultural associations, and landowner and development interests are recognised in planning and developing the City Centre Zone.	
ISPP	CCZ-05	Amenity and design	

		Development in the City Centre Zone positively contributes to creating a high quality, well-functioning urban environment, including:
		 Reinforcing the City Centre Zone's distinctive sense of place; Providing a quality and level of public and private amenity in the City Centre Zone that evolves and positively responds to anticipated growth and the diverse and changing needs of residents, businesses and visitors; Maintaining and enhancing the amenity and safety of public space; Contributing to the general amenity of neighbouring residential areas while achieving the anticipated urban form of the City Centre Zone; Producing a resilient urban environment that effectively adapts and responds to natural hazard risks and the effects of climate change; Protecting current areas of open space, including green space, and providing greater choice of space for residents, workers and visitors to enjoy, recreate and shelter from the weather; and Acknowledging and sensitively responding to adjoining heritage buildings, heritage areas and areas and sites of significance to Māori.
ISPP	CCZ-O6	Development near rapid transit
		Activities and development near existing and planned rapid transit stops: 1. Are located to enable convenient access by local residents, workers and visitors, particularly around transport hubs; 2. Are of sufficient residential scale and intensity to support a frequent and rapid transit network and associated mixed use development; and 3. Provide vibrant, attractive and easily accessible public space.
ISPP	CCZ-O7	Managing adverse effects
		Adverse effects of activities and development beyond the planned urban built form anticipated in the City Centre Zone are managed effectively both: 1. Within the City Centre Zone; and 2. At interfaces with: a. Heritage buildings, heritage structures and heritage areas; b. Scheduled sites and areas of significance to Māori; c. Identified public spaces; d. Identified pedestrian streets; e. Residential Zoned areas; f. Open Space and Recreation Zoned areas; and g. The Waterfront Zone.

	Te Ngākau Civic Square Precinct			
ISPP	CCZ- PREC <u>01</u> -01	Purpose		

		Te Ngākau Civic Square Precinct is a vibrant, safe, resilient, connected and inclusive environment supported by a range of activities that complement its primary civic function.
ISPP	CCZ- PREC <u>01</u> -O2	Built form
		The scale, form and positioning of development within the Te Ngākau Civic Square Precinct:
		 Respects and reinforces the distinctive form and scale of existing associated historic heritage buildings, architecture and public space; Integrates mana whenua values into the design; Frames the square; Ensures a high degree of sunlight access is achieved within the precinct public spaces in the precinct; Provides multiple connections which enable people to conveniently move between the city centre and the waterfront; and Is sustainable and resilient; and Provides for green spaces, where possible.
ISPP	CCZ- PREC <u>01</u> -O3	Integration with the City Centre, Waterfront and wider transport network
		Safe and accessible pedestrian linkages through the Te Ngākau Civic Square Precinct, and to and from other parts of the city centre and waterfront, are maintained and enhanced.
	Policies	
	City Centre Zone	
P1 Sch1	CCZ-P1	Enabled activities
		Enable a range and diversity of activities that support the purpose and ongoing viability of the City Centre Zone and enhances its vibrancy and amenity, including:
		 Commercial activities; Residential activities, except located; a. Above ground level; or b. At ground level aAlong any street not subject to active frontage and/or verandah coverage requirements.; c. On any site subject to an identified natural hazard risk; Community facilities; Educational facilities; Arts, culture and entertainment activities; Emergency service facilities; Marae activities; Community corrections activities; Public transport activities; Visitor accommodation;

		 11. Repair and maintenance service activities; and 12. Recreation activities: 13. Parliamentary activities; 14. Government activities; and
P1 Sch1		15. Civic activities.
1 1 30111	CCZ-P2	Potentially incompatible activities
		Only allow activities that are potentially incompatible with the purpose of the City Centre Zone, where they will not have an adverse effect on its vitality, vibrancy, and amenity, resilience and accessibility. Potentially incompatible activities include:
		 Industrial activities; Yard-based retail activities; Carparking at ground level; Demolition of buildings that results in the creation of vacant land; and
		5. Ground floor residential activities that are visible on streets identified as requiring either an active frontage or verandah coverage and sites subject to an identified hazard risk.
P1 Sch1	CCZ-P3	Heavy industrial activities
		Avoid heavy industrial activities from locating in the City Centre Zone.
ISPP	CCZ-P4	Housing choice
		Enable high density, good quality residential development that:
		 Contributes towards accommodating anticipated growth in the city; and Offers Contributes to a range of housing price, type, and size and tenure that is accessible to people of all ages, lifestyles, cultures, impairments and abilities.
ISPP	CCZ-P5	Urban form and scale
		Recognise the benefits of intensification by:
		 Enabling greater overall height and scale of development to occur in the City Centre Zone relative to other centres; and Requiring the available development capacity of land within the zone to be efficiently optimised.
ISPP	CCZ-P6	Adaptive use
		Encourage new development and redevelopment in the City Centre Zone that is sustainable, resilient and adaptable to change in use over time, including enabling:

- 1. Sufficient flexibility for ground floor space to be used and converted for a range of activities: and
- 2. Residential activities at ground floor level along fronting streets that are not subject to active frontage and/or verandah coverage requirements-and sites free of any identified natural hazard risk.

P1 Sch1

CCZ-P7

Ahi Kā

Recognise and enable Taranaki Whānui and Ngāti Toa Rangatira cultural associations and landowner and development interests in the City Centre Zone by:

- 1. Providing for the development of papakāinga, kaumātua housing and affordable Māori housing on their landholdings;
- 2. Managing new development adjoining scheduled sites of significance to Māori; and
- 3. Collaborating on the design and incorporation of traditional cultural elements into public space within the zone.

ISPP

CCZ-P8

Sense of place

Provide for good quality new development and supporting public space that reinforces the City Centre's identity and unique sense of place at a city scale, including its:

- 1. Surrounding topography and harbour setting;
- 2. Rich Māori and tauiwi/non-Māori history;
- 3. Compact, walkable city structure;
- 4. Diversified and vibrant mix of activities;
- 5. Visually prominent buildings and variety of architectural styles; and
- 6. Diversity of accessible, well designed civic and public space.

ISPP

CCZ-P9

Quality design outcomes

Require significant new development, and alterations and additions to existing development, at a site scale to positively contribute to the sense of place and distinctive form, quality and amenity-planned urban built form and function of the City Centre Zone by:

- 1. Meeting the requirements of the Centres and Mixed Use Design Guide;
- 24. Recognising the benefits of well-designed, comprehensive intensive development, including the extent to which the development:
 - a. Acts as a catalyst for future change by reflecting Reflects the nature and scale of the development proposed enabled within the zone and in the vicinity and responds to the evolving, more intensive identity of the City Centre neighbourhood;

- Optimises the development capacity of the land, particularly including sites that are: large, narrow, vacant or ground level parking areas;
 - i. Large; or
 - ii. Narrow; or
 - iii. Vacant; or
 - iv. Ground level parking areas;
- c. Provides for the increased levels of residential accommodation anticipated; and
- d. Provides for a range of supporting business, open space and community facilities; and
- e. Is accessible for emergency service vehicle; and
- 2. Ensuring that development, where relevant:
 - a. Responds to the site context, particularly where it is located adjacent to:
 - i. A scheduled site of significance to Māori;
 - ii. A heritage building, heritage structure or heritage area;
 - iii. An identified character precinct;
 - iv. A listed public space;
 - v. Identified pedestrian streets;
 - vi. Residential zones;
 - vii. Open space zones; and
 - viii. The Waterfront Zone;
 - b. Responds to the pedestrian scale of narrower streets;
 - Responds to any identified significant natural hazard risks and climate change effects, including the strengthening and adaptive reuse of existing buildings;
 - d. Provides a safe and comfortable pedestrian environment;
 - e. Enhances the quality of the streetscape and the private/public interface;
 - Integrates with existing and planned active and public transport activity movement networks, including planned rapid transit stops; and
 - g. Allows sufficient flexibility for ground floor space to be converted to a range of activities, including residential along streets that are not

		subject to active frontage and/or verandah coverage requirements and sites free of any identified natural hazard risk.
ISPP	CCZ-P10	On-site residential amenity
		Achieve a high standard of amenity for residential activities that reflects and responds to the evolving, higher density scale of development anticipated in the City Centre Zone, including: 1. Providing residents with access to an adequate outlook; and
		2. Ensuring convenient access to convenient outdoor space, including
		private and/or shared communal areas of outdoor space; 3. Meeting the requirements of the Residential Design Guide, as relevant; and 4. Providing residents with adequate internal living space.
ISPP		
15PP	CCZ-P11	City outcomes contribution
		Require Encourage over and under height, large-scale residential, non-residential and comprehensive developments over CCZ-S1 height thresholds and under CCZ-S4 minimum building heights in the City Centre Zone to deliver City Outcomes Contributions as detailed and scored in Appendix 16 the
		Centres and Mixed Use Design Guide guideline G107, including through either:
		that contribute to positive outcomes including by:
		Positively contributing to public space provision and the amenity of the site and surrounding area; and/or
		 Enabling ease of access for people of all ages and mobility/disability; and/or
		2.3. Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change earthquake resilience; and/or
		3. 4. Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or
		4. <u>5.</u> Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure that it remains assisted housing for at least 25 years.; and/or
ICDD		5. Enabling ease of access for people of all ages and mobility.
ISPP	CCZ-P12	Managing adverse effects
		Recognise the evolving, higher density development context anticipated in the City Centre Zone, while managing any associated adverse effects beyond those anticipated within the zone including:

- 1. The impacts of building dominance and the height and scale relationship;
- 2. Building mass effects, including the amount of light and outlook around buildings; and
- 3. The impacts on sunlight access to identified public space; and
- 4. The impacts of related construction activity on the transport network <u>and</u> <u>pedestrian linkages</u>.

CCZ-PX

Retirement village

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

- 1. Meeting the requirements of the Residential Design Guide, as relevant;
- 2. <u>Includes outdoor space that is sufficient to cater for the needs of the residents of the village;</u>
- 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. <u>Is able to be adequately serviced by three waters infrastructure or can</u> address any constraints on the site; and
- 5. <u>Is of an intensity, scale and design that is consistent with the amenity</u> values anticipated for the Zone.

Te Ngākau Civic Square Precinct

P1 Sch1

CCZ-PREC01-P1

Activities

Enable a range of activities and temporary events that support the civic purpose and ongoing vibrancy and amenity of Te Ngākau Civic Square Precinct, including:

- 1. Civic functions:
- 2. Arts, culture and entertainment activities;
- 3. Recreation activities;
- 4. Community facilities;
- 5. Commercial activities; and
- 6. Residential activities above ground level to encourage activation of the precinct both day and night.

ISPP

CCZ-PREC01-P2

Use and development of the Te Ngākau Civic Square Precinct

Provide for the staged redevelopment of the Te Ngākau Civic Square Precinct, and its connections with the transport network, wider City Centre Zone and Waterfront Zone, including:

- 1. Enhancing the public function, pedestrian network and public spaces within the precinct;
- 2. Maintaining its special character by managing the form, scale and intensity of development;

	_	
		 3. Ensuring land use activities and development are planned and designed in a co-ordinated, site-responsive, comprehensive and integrated manner; and 4. Enabling new development and a range of activities that are integrated and compatible with existing buildings and land uses in the precinct.
ISPP	CCZ- PREC01-P3	Access, connections and open space
		Require that the use and development of the Te Ngākau Civic Square Precinct:
		 Provides attractive, safe, efficient, and convenient connections to existing and planned transport networks; Promotes existing and planned pedestrian access and connections between the precinct, the waterfront and the city centre; and Provides well-designed, safe and accessible public and green open space, within the precinct.
ISPP	CCZ- PREC01-P4	Amenity and design
		Require development within the Te Ngākau Civic Square Precinct to contribute positively to its visual quality, amenity, interest and public safety by:
		 Requiring buildings and public spaces to incorporate high-quality visual and architectural design based on factors such as the bulk, form, scale, portion, location and detailing of the building/structure or building additions/alterations; Ensuring building design respects the form, scale and style of heritage buildings and wider architectural elements within the precinct, including interface treatment with the Town Hall; Responding to any identified significant natural hazard risks and climate change effects, including the strengthening and adaptive reuse of existing buildings and requiring new buildings to be resiliently designed; Recognising mana whenua cultural values in the design of public spaces; Ensuring new development will result in overall improvements to the function, access and safety of the precinct, including enabling universal access and opportunities for formal and informal surveillance; Providing an active edge along a portion of each building that addresses both the internal precinct area and externally towards adjoining streets; Providing a comfortable micro-climate for precinct users; Positioning new development and managing building height and form to ensure a high degree of sunlight access is achieved within the square; Retaining and enhancing strong visual and physical connections between the square, the waterfront, the city centre and streets surrounding the precinct; and Incorporating public amenities, public artwork and means to assist wayfinding, including provision of interpretation and references to the area's cultural and historic heritage associations.

Rules: Land use activities in the City Centre Zone

P1 Sch1	CCZ-R1	Commercial activities	
	1. Activity s	status: Permitted	
P1 Sch1	CCZ-R2	Community facilities	
	1. Activity	v status: Permitted	1
P1 Sch1	CCZ-R3	Educational facilities	
	1. Activity	status: Permitted	1
P1 Sch1	CCZ-R4	Recreation activities	
	1. Activity	status: Permitted	1
P1 Sch1	CCZ-R5	Arts, culture, and entertainment activities	
	1. Activity	v status: Permitted	-
P1 Sch1	CCZ-R6	Emergency service facilities	
	Activity status: Permitted		
P1 Sch1	CCZ-R7	Marae activities	
	1. Activity	v status: Permitted	
P1 Sch1	CCZ-R8	Community corrections activities	
	1. Activity	status: Permitted	1
P1 Sch1	CCZ-R9	Public transport activities	
	1. Activity	status: Permitted	1
P1 Sch1	CCZ-R10	Visitor accommodation activities	
	1. Activity	status: Permitted	7
P1 Sch1	CCZ-R11	Repair and maintenance service activities	
P1 Sch1	CCZ-RX	Parliamentary activities	
	1. Activ	rity status: Permitted	
P1 Sch1	CCZ-RX	Government activities	
	1. Activ	ity status: Permitted	
P1 Sch1	CCZ-RX	Civic activities	
	1. Activ	rity status: Permitted	

P1 Sch1	CCZ-RX	Retirement Villages
	1. Activity status: Permitted	
P1 Sch1	CCZ-R12	Residential activities and Retirement Villages
	1. Act	ivity status: Permitted
	Wh	ere:
	a	The activity is located:
		i. Above ground floor level; orii. At ground floor level along any street edge not identified as an active
		frontage; or iii. At ground level along any street not identified as requiring verandah
		coverage ; or
		v. At ground level on any site contained within a Natural Hazard Overlay. y status: Restricted Discretionary
		·
	Where	9:
	a. (Compliance with the requirements of CCZ-R12.1.a cannot be achieved.
	Matters of Discretion are restricted to: 1. The matters in CCZ-PXX, CCZ-P9 and CCZ–P10	
		status: An application for resource consent made in respect of rule CCZ-R12.2.a d from being either publicly or limited notified.
P1 Sch1	CCZ-R13 Industrial activities, excluding repair and maintenance service activities	
	1. Activit	y status: Restricted Discretionary
	Where: a. The activity is not a Heavy Industrial Activity.	
	Matters of o	discretion are:
		ompatibility with, and nature and form of, neighbouring activities; ffect on the visual quality of the streetscape and the extent to which the activity
	contril	butes to or detracts from the surrounding public space; and so on the amenity of the area, particularly in relation to noise, traffic generation,
	dust,	
	odour and light spill. Notification status: An application for resource consent made in respect of rule CCZ-R13.1 is precluded from being publicly notified.	
		y status: Non-complying
	Where	e:
	a. Compliance with the requirements of CCZ-R13.1.a cannot be achieved	

	Notification status: An application for resource consent made in respect of rule CCZ-R13.2 must be publicly notified.			
P1 Sch1	CCZ-R14 Carparking activities			
	Activity status: Permitted			
	Where:			
	a. The activity involves: i. Provision of carparks above ground level; or ii. Provision of carparks below ground floor level; or iii. Provision of parking spaces for people with disabilities; or iv. Provision of ground level carparks that form part of a building specifically constructed and used for carparking purposes.			
	1. Activity status: Discretionary			
	Where:			
	a. Compliance with the requirements of CCZ-R14.1.a cannot be achieved. Notification status: An application for resource consent made in respect of rule CCZ-R14.2.a must be publicly notified.			
P1 Sch1	CCZ-R15 Yard-based retailing activities			
	1. Activity status: Discretionary Notification Status: An application for resource consent made in respect of rule CCZ-R15 must be publicly notified except when. a. The activity relates to the maintenance, operation and upgrading of an existing activity.			
P1 Sch1	CCZ-R16 All other land use activities			
	2. Activity status: Discretionary			
	Where:			
	a. The activity is not otherwise provided for as a permitted activity, restricted discretionary activity, or a non-complying activity.			
	Rules: Land use activities in the Te Ngākau Civic Square Precinct			
P1 Sch1	CCZ- Civic activities PREC01-R1			
	1. Activity status: Permitted			
P1 Sch1	CCZ- Arts, culture, and entertainment activities PREC01-R2			
	Activity status: Permitted			

P1 Sch1					
	CCZ- PREC01-R3	Community activities			
	1. Activit	ty status: Permitted			
P1 Sch1	CCZ- PREC01-R4	Commercial facilities			
	Activity status: Permitted				
P1 Sch1	CCZ- PREC01-R5	Recreation activities			
	1. Act	ivity status: Permitted			
P1 Sch1	CCZ- PREC01-R6	Residential activities			
	1. Activit	ty status: Permitted			
	Where:				
	a.	The activity is located above ground floor level.			
<u>1 Sch1</u>	CCZ PRECO RX				
	a. Activit	y status: Permitted			
1 Sch1	CCZ- PREC0 RX				
F	1. Acti	vity status: Permitted			
	PREC01-R7				
	Activity status: Discretionary				
	Where: a. The activity is not otherwise provided for as a permitted activity, restricted discretionary activity, or a non-complying activity.				
	Rules: Buildi	ing and structure activities in the City Centre Zone			
ISPP	CCZ-R17	Maintenance and repair of buildings and structures			
	1. Activit	ty status: Permitted			
ISPP	CCZ-R18	Demolition or removal of buildings and structures			

1. Activity status: Permitted

Where:

- a. The demolition or removal of a building:
 - i. Is required to avoid an imminent threat to life and/or property; or
 - Enables the creation of public space or private outdoor living space associated
 - with the use of a building; or
 - iii. Is required for the purposes of constructing a new building or adding to or altering an existing building that <u>is a permitted activity under CCZ-R19 or CCZ-R20</u>, or that has an approved resource consent or resource consent is being sought concurrently under CCZ-R19.2, CCZ-R20.2 or CCZ-R20.3; or
- b. The demolition or removal involves a structure, excluding any building.
- 1. Activity status: Non-complying

Where:

a. Compliance with any of the requirements of CCZ-R18.1 cannot be achieved.
 Notification status: An application for resource consent made in respect of rule CCZ-R18.2.a is

precluded from being either publicly or limited notified.

ISPP

CCZ-R19 Alterations and additions to buildings and structures

1. Activity status: Permitted

Where:

- a. Any alterations or additions to a building or structure that:
 - i. Do not alter the external appearance of the building or structure; or
 - Relate to a building frontage below verandah level, including entranceways and
 - glazing and compliance with CCZ-S8 is achieved; or
 - iii. Do not result in the creation of new residential units; and
 - iv. Are not visible from public spaces; and
 - v. Comply with standards CCZ-S1, CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S5, CCZ-S6,
 - CCZ-S7, and CCZ-S8 and CCZ-SX (Fences and standalone walls).
- 1. Activity status: Restricted Discretionary

Where:

a. Compliance with any of the requirements of CCZ-R19.1 cannot be achieved.

Matters of discretion are:

- 1. The matters in CCZ-P4, CCZ-P5, CCZ-P6, CCZ-P7, CCZ-P8 CCZ-P9, CCZ-P10, CCZ-P11 and CCZ-P12;
- The extent and effect of non-compliance with CCZ-S1, CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S5, CCZ-S6, CCZ-S7, CCZ-S8, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12 and CCZ-S13, and CCZ-S13, CCZ-SX (Fences and standalone walls), CCZ-SX

(Boundary setback from a rail corridor) and CCZ-SX (Sites adjoining residential zones);

- 3. Construction impacts on the transport network; and
- 4. The Centres and Mixed-Use Design Guide, including guideline G107 -
- 5. City Outcomes Contribution <u>as required in Appendix 16 for any building that exceeds</u> the maximum <u>CCZ-S1</u> height <u>threshold</u> requirement <u>or is under the minimum height</u> <u>limit.</u> and either comprises 50 or more residential units or is a non-residential <u>building</u>; and
- 6. The Residential Design Guide.

Notification status:

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

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

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

ISPP

CCZ-R20

Construction of buildings and structures

1. Activity status: Permitted

Where:

- a. It involves the construction of any new building or structure that:
 - i. Will have a gross floor area of 100m2 or less; and
 - ii. Will result in a building coverage of no more than 20 percent; and
- b. Compliance with CCZ-S1, CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S5, CCZ-S6, CCZ-S7,

CCZ-S8,CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12, and CCZ-S13, CCZ-SX (Fences and standalone walls), CCZ-SX (Boundary setback from a rail corridor) and CCZ-SX (Sites adjoining residential zones) is achieved.

1. Activity status: Restricted Discretionary

Where:

 a. Compliance with any of the requirements of CCZ-R20.1, excluding CCZ-S4, cannot

be achieved.

Matters of discretion are:

- 1. The matters in CCZ-P4, CCZ-P5, CCZ-P6, CCZ-P7, CCZ-P8, CCZ-P9, CCZ-P10, CCZ-P11 and CCZ-P12;
- The extent and effect of non-compliance with CCZ-S1, CCZ-S2, CCZ-S3, CCZ-S5, CCZ-S6, CCZ-S7, CCZ-S8, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12, and CCZ-S13, CCZ-SX (Fences and standalone walls), CCZ-SX (Boundary setback from a rail corridor) and CCZ-SX (Sites adjoining residential zones);
- 3. The Centres and Mixed-Use Design Guide, including guideline G107 -

- 4. City Outcomes Contribution as required in Appendix 16 for any building that exceeds the maximum CCZ-S1 height threshold requirement or is under the minimum height limit in CCZ-S4 and either comprises 50 or more residential units or is a non-residential building;
- 4. The Residential Design Guide;
- 5. The extent and effect of any identifiable site constraints;
- 6. The impacts of related construction activities on the transport network; and
- 7. The availability and connection to existing or planned three waters infrastructure.

Notification status:

An application for resource consent made in respect of rule CCZ-R20.2.a which complies with all standards is precluded from being either publicly or limited notified.

An application for resource consent made in respect of rule R20.2.a which results in non-compliance with CCZ-S5, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12 and CCZ-S13 is precluded from being either publicly or limited notified.

An application for resource consent made in respect of rule R20.2.a which results from non-compliance with CCZ-S1, CCZ-S2, CCZ-S3, CCZ-S6, CCZ-S7 and CCZ-S8 is precluded from being publicly notified.

1. Activity status: Discretionary

Where:

a. Compliance with the requirements of CCZ-S4 cannot be achieved. Notification status: An application for resource consent made in respect of rule CCZ- R20.3 which results in non-compliance with CCZ-S4 is precluded from being either publicly or limited notified.

P1 Sch1

CCZ-R21

Conversion of buildings, or parts of buildings, for residential activities

a. Activity status: Restricted Discretionary
Matters of discretion are:

- a. The matters in CCZ-P1, CCZ-P4 and CCZ-P10;
- b. The extent of compliance with standards CCZ-S9, CCZ-S10 and CCZ-S13 and satisfaction of associated assessment criteria:
- c. The relevant guidance contained within the Residential Design Guide; and
- 4.3. The availability and connection to existing or planned three waters infrastructure. Notification status: An application for resource consent made in respect of rule CCZ-R21.1 is precluded from being either publicly or limited notified.

P1 Sch1

CCZ-R22

Outdoor storage areas

b. Activity status: Permitted

Where:

- a. The storage area is screened by either a fence or landscaping of 1.8m in height from any adjoining road or site.
- b. Screening does not obscure emergency or safety signage or obstruct access to

emergency panels, hydrants, shut-off valves, or other emergency response facilities.

c. Activity status: Restricted Discretionary

Where:

a. Compliance with the requirements of CCZ-R22.1 cannot be achieved

Matters of discretion are:

- 1. The matters in CCZ-P7 and CCZ-P10;
- The extent to which any lesser screening is necessary to provide for functional or operational requirements of the activities on the site, or for people's health and safety; and
- The extent to which outdoor storage is visible to surrounding areas, including any associated effects on amenity values where visible from residential or open space areas.

Notification status: An application for resource consent made in respect of rule CCZ-R22 is precluded from being publicly and limited notified.

Rules: Building and structures activities in the Te Ngākau Civic Square Precinct (CCZ-PREC01)

ISPP

CCZ-PREC01-

Construction of buildings and structures, additions and alterations to buildings and structures

R7<u>8</u>

1. Activity status: Restricted Discretionary

Matters of discretion are:

- a. The matters in CCZ-PREC01-P2, CCZ-PREC01-P3 and CCZ-PREC01-P4;
- b. The extent and effect of non-compliance with CCZ-S1, CCZ-S3, CCZ-S5, CCZ-S6, CCZ-S7, CCZ-S8, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12 and CCZ-S13;
- c. The Centres and Mixed Use Design Guide;
- d. The Residential Design Guide;
- e. The outcomes of any consultation undertaken with mana whenua;
- f. The extent and effect of any identifiable site constraints;
- g. The extent to which the proposed building or addition/alteration respects the form, scale
 - and style of historic heritage buildings located within the precinct;
- h. The extent to which the new building or addition/alteration to a building has an adverse impact on the micro-climate of surrounding public space, including any impacts on sunlight access and wind protection; and
- i. The design, scale and configuration of the proposed building/structure or building additions/ alterations, including:
 - I. The scale of development anticipated within the precinct and in the vicinity of the site:
 - II. Their visual and architectural quality based on such factors as form, scale, design,
 - portion and detailing of the building/structure or building additions/alterations; and
 - III. The safe movement of people to, from and within the site, precinct and surrounding

transport and street network.

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

Standards

City Centre Zone

ISPP

CCZ-S1

Maximum height City Outcomes Contribution Height Threshold

- 1. There are no maximum heights for buildings and structures in the City Centre Zone.
- Above Tthe following maximum height limits thresholds the City Outcomes Contribution must be complied with (measured above ground level unless otherwise specified):-

Location Limit-**Height** threshold a. Height Control Area 1 -35.4m Thorndon Quay b. Height Control Area 2 50m Waterloo Quay section c. Height Control Area 3 - Bulk of 27m **Thorndon** d. Height Control Area 4 - Mid 43.8m and Upper Molesworth Street e. Height Control Area 5 - CBD 48.5m-93m Eastf. Height Control Area 6 - CBD West g. Height Control Area 7-43.8m Southern edge of CBD h. Height Control Area 8 -Te Aro 42.5m i. Height Control Area 9 - South-28.5m East, South-West Zone Edge 42.5m j. Height Control Area 10 -Adelaide Road

 Fences and standalone walls must not exceed a maximum height of 1.8 metres (measured above ground level).

This standard does not apply to:

Assessment criteria where the standard is infringed:

- Streetscape and visual amenity effects;
- ii. Dominance and privacy effects on adjoining sites; and
- iii. The extent to which taller buildings would substantially contribute to increasing residential accommodation in the city.

- Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm;
- b. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m; and
- e. a. Lift overruns provided these do not exceed the height by more than 4m; and
 - k. Fences and standalone walls.

ISPP

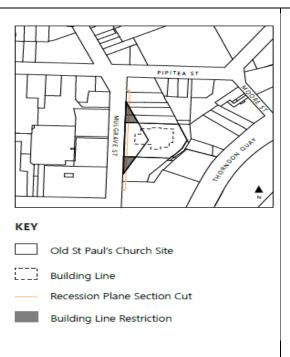
CCZ-S2 Old St Paul's Church – Adjoining site specific building height

- Buildings and structures on sites bounded by Mulgrave Street, Pipitea Street, Moore Street and Thorndon Quay (refer to Diagram 17 – CCZ: Old St Paul's Church – Adjoining Site Specific Building Height below):
 - a. Maximum height:
 - i. Southern, western and eastern site boundaries: 10m above and parallel to each of the Old St Paul's site boundaries, rising at an angle to the horizontal of 1.5 vertical to 1 horizontal outwards in a direction perpendicular to the boundary.
 - ii. Northern site boundary: 10m above and parallel to the Old St Paul's site boundary, rising at an angle to the horizontal of 1.5 vertical to 1 horizontal extending outwards in a north (i.e. perpendicular to the boundary) and north east direction (i.e. 45 degrees off perpendicular).
 - iii. Building line restriction area: No building or part thereof is permitted to be erected above the existing ground level between the building line restriction and Mulgrave Street as shown in Diagram 17 below.

Assessment criteria where the standard is infringed:

 Dominance and shading effects on Old St Paul's Church and associated setting.





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

ISPP

CCZ-S3

Character precincts and Residentially Zoned heritage areas – Adjoining site specific building and structure height

- Identified character precincts and Residentially Zoned heritage areas:
 - a. For any site adjoining a site identified within a Character Precinct or a Residentially Zoned Heritage Area: no part of any building, accessory building or structure may project beyond a line of 60° measured from a height of 8m above ground level from all side and rear boundaries that adjoin that precinct.

This standard does not apply to:

- a. Fences or standalone walls no greater than1.8m in height;
- Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm;
- c. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m; and
- d. Lift overruns provided these do not exceed the height by more than 4m.

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

Assessment criteria where the standard is infringed:

1. Dominance and shading effects on adjoining sites.

ISPP

CCZ-S4

Minimum building height

1. A minimum height of 22m is required for new buildings or structures.

This standard does not apply to:

- Any site adjoining a site located within a character precinct or Residentially Zoned Heritage Area and thus subject to CCZ-S3; and
- 2. Any site within the Te Ngākau Civic Square Precinct.

Assessment criteria where the standard is infringed:

- The extent to which a reduced height is necessary to provide for the functional needs or operational needs of a proposed activity; and
- Whether topographical or other site constraints make compliance with the standard impracticable or unnecessary.

ISPP

CCZ-S5 Minimum ground floor height

1. The minimum ground floor height to <u>the</u> underside of <u>a</u> structural slab or equivalent shall be 4m.

Assessment criteria where the standard is infringed:

- 1. The extent to which a reduced height:
 - a. Will compromise or preclude future use or adaptation of the ground floor for non-residential activities;
 - Is necessary to provide for functional needs or operational needs of a proposed activity;
 and
- Whether topographical or other Site constraints make compliance with the standard impracticable or unnecessary.

ISPP

CCZ-S6

Minimum sunlight access - public space

- All buildings or structures within the City
 Centre Zone must be designed and located to
 maintain sunlight access to any area mapped
 with the "Minimum Sunlight Access Public
 Space Requirements", during the time periods
 specified in Table 1 of Appendix 9;
- 2. For areas in Appendix 9 with a specified time period:
 - a. 11:30am-1:30pm;
 - b. 12:00pm-2pm; or
 - c. 1:30pm-3:00pm; and

Sunlight access must be maintained in the entire area during this period.

3. For areas in Appendix 9 with a specified time period:

Assessment criteria where the standard is infringed:

 The extent of increased shadowing and any associated adverse amenity effects on the open space

- a. 10:00am-3:00pm; or
- b. 10:00am-4:00pm; and

Sunlight access must be maintained in a minimum of 70% of the area during this period.

This standard does not apply to:

- a. Any temporary structure erected and dismantled in less than 30 days; and
- b. Any public amenity facility erected within an identified public space.

ISPP

CCZ-S7 Verandahs

- 1. Verandahs must be provided on building elevations on identified street frontages;
- 2. Any verandah must:
 - a. Extend the full width of the building elevation;
 - b. Connect with any existing adjoining verandah;
 - c. Have a minimum clearance of 2.5m directly above the footpath or formed ground surface;
 - d. Not exceed a maximum height of 4m measured between the base of the verandah fascia and the footpath or formed ground surface directly below;
 - e. Be setback a minimum of 450mm from ay point along the kerbing extending back to the site boundary; and
 - f. Not exceed a maximum width of 3m from the front of the building.

This standard does not apply to:

- a. Any scheduled building identified in SCHED1 - Heritage Buildings. However, if for any reason these buildings received resource consent approval to be demolished, then a verandah would be required for any replacement buildings on these sites; and
- Any building where compliance with the standard results in an encroachment into the dripline of an existing street tree; and-
- c. Service stations.

Assessment criteria where the standard is infringed:

- 1. The extent to which any non-compliance:
 - a. Will adversely affect the comfort and convenience of pedestrians;
 - Will result in further street trees being added to public space as part the development; and
- The continuity of verandah coverage along the identified street, informal access route or public space.

ISPP

CCZ-S8

Active frontage control

- Any new building or addition to an existing building adjoining an identified street with an active frontage control must:
 - a. Be built up to the street edge on all street boundaries with an identified active frontage control and along the full width of the site bordering any the street boundary, excluding vehicle and pedestrian access;
 - b. Provide a minimum of 60% of continuous display windows or transparent glazing along the width of the ground floor building frontage; and
 - c. Locate the principal public entrance on the front boundary.

Except that:

This does not apply to any heritage building identified in SCHED1-heritage buildings or service stations; and

- 2. Any ground level <u>façade of new building or</u> addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that:
 - a. Is more than 4 metres wide;
 - b. Extends from a height of 1m above ground level to a maximum height of 2.5m; and
 - c. Any roller shutter doors (except to car parking and service areas), security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent.

Assessment criteria where the standard is infringed:

- 1. The extent to which:
 - a. Any non-compliance is required for on-site functional needs or operational needs;
 - b. The building frontage is designed and located to create a strong visual alignment with adjoining buildings or otherwise enhances the streetscape;
 - c. An acceptable level of pPassive surveillance is maintained between the interior of the building and the street is provided.

ISPP

CCZ-S9 Minimum residential – unit size

1. Residential units, including any dual key unit, must meet the following minimum sizes:

Residential unit type	Minimum net floor area
a. Studio unit	35m ²
b. 1 bedroom unit	40m²
c. 2+ bedroom unit	55m²

Assessment criteria where the standard is infringed:

- 1. The extent to which:
 - a. The design of the proposed unit provides a good standard of amenity; and
 - b. Other on-site factors compensate for a reduction in unit size.

ISPP

CCZ-S10 Residential – outdoor living space

 Each residential unit, including any dual key unit, must be provided with either a private outdoor living space or access to a communal outdoor

Assessment criteria where the standard is infringed:

living space;

- 2. Where private outdoor living space is provided it must be:
 - a. For the exclusive use of residents;
 - b. Directly accessible from a habitable room;
 - c. A single contiguous space; and
 - d. Of the minimum area and dimension specified in the table below;
- 3. Where communal outdoor living space is provided it does not need to be a single continuous space but it must be:
 - a. Accessible from the residential units it serves;
 - b. Of the minimum area and dimension specified in the table below; and
 - c. Free of buildings, parking spaces, and servicing and manoeuvring areas.

1.	ıne	extent	to	whic	n:
----	-----	--------	----	------	----

- a. Any proposed outdoor living space provides a good standard of amenity relative to the number of occupants the space is designed for;
- b. Other on-site factors compensate for a reduction in the size or dimension of the outdoor living space; and
- c. The availability of public open space in proximity to the site.

Living space type	Minimu m area	Minimum dimension
a. Private		
i. Studio unit and 1- bedroom unit	5m ²	1.8m
ii. 2+ bedroom unit	8m²	1.8m
b. Communal		
i. For every 5 4-15 units	1064m² per unit	8m
ii. For each additional unit above 15 units	<u>2m²</u>	=

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

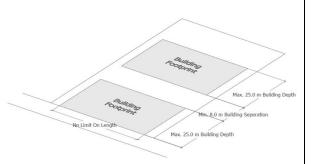
area of private outdoor living space

ISPP

CCZ-S11

Minimum building separation distance

 Any new building or addition to an existing building used for residential activities must provide a 8m separation distance between buildings located on the same site, as shown in Diagram 18 below.



Assessment criteria where the standard is infringed:

-

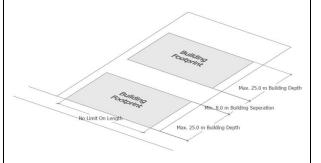
- 1. The extent to which a reduced setback will increase dominance and shadowing related effects on residential units within the development site; and
- 2. Dominance and privacy effects on adjoining sites.

<u>ISPP</u>

CCZ-S12

Maximum building depth

 Any new building or additions to existing building must not result in the continuous depth of any external side wall being greater than 25m, as shown in Diagram 19 below.



Assessment criteria where the standard is infringed:

=

- The extent to which the design mitigates the effect of a long featureless building façade; and
- 2. <u>Dominance and privacy effects on</u> <u>adjoining sites.</u>

ISPP

CCZ-S13

Outlook space

- An outlook space must be provided for each residential unit as specified in this standard;
- 2. All habitable rooms must have an outlook space of a minimum dimension of 1m in depth and 1m in width;
- 3. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies;
- Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space;
- 5. Outlook spaces may overlap where they are on the same wall plane in the case of a

Assessment criteria where the standard is infringed:

- 1. The extent to which:
 - Acceptable levels of natural light are provided to habitable rooms:
 - b. The design of the proposed unit provides a healthy living environment; and
 - c. The extent of dominance and privacy related effects on adjoining sites.

multi-storey building;

- 6. Outlook spaces may be under or over a balcony;
- 7. Outlook spaces required from different rooms within the same building may overlap; and
- 8. Outlook spaces must:
 - a. be clear and unobstructed by buildings; and
 - b. not extend over an outlook space or outdoor living space required by another dwelling.

ISPP

CCZ-SX Fences and standalone walls

 Fences and standalone walls must not exceed a maximum height of 1.8 metres (measured above ground level) on front boundaries and 2.0m on side and rear boundaries.

<u>Assessment criteria wher</u> standard Is infringed:

- Streetscape and visual a effects; and
- 2. <u>Dominance and</u> <u>privacy effects on</u>

ISPP

CCZ-SX Boundary setback from a rail corridor

Boundary or structures must not be located within 1.5m setback from a rail corridor boundary.

Assessment criteria where the standard

is infringed:

1. The extent to which the location and design of the building relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.

CCZ-SX Sites adjoining residential zones

- 1. For any site adjoining a Residentially Zoned site:
 - a. no part of any building, accessory building or structure may project beyond a line of 60° measured from a height of 19m above ground level from all side and rear boundaries that adjoin the Residentially Zoned site.

This standard does not apply to:

- a. Fences or standalone walls no greater than 1.8m in height;
- <u>Solar panel and heating components</u>
 <u>attached to a building provided these</u>
 <u>do not exceed the height by more than</u>
 500mm;
- c. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m; and
- d. Lift overruns provided these do not exceed the height by more than 4m.

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

Assessment criteria where the standard is infringed:

1. <u>Dominance and shading effects on</u> adjoining sites.

Te Ngākau Civic Square Precinct

ISPP

CCZ- Maximum height PREC01-S1

1. The following maximum height limit above ground level must be complied with:

Location	Limit
a. Entire Precinct	40m

This standard does not apply to:

- a. Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm;
- b. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m; and
- c. Lift overruns provided these do not exceed the height by more than 4m.

Assessment criteria where the standard is infringed:

- Dominance and shading effects with in the Precinct and on adjoining sites;
 and
- 2. Streetscape and visual amenity effects.

Methods

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

He Rohe Paetata Tāone

Metropolitan Centre Zone

MCZ Metropolitan Centre Zone

P1 Sch1 Introduction

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

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

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

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

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

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

Other relevant District Plan provisions

There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each

relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

	Approach chapter.			
	Objectives	es		
ISPP	MCZ-O1	Purpose The Metropolitan Centre Zone meets the sub-regional needs of communities, businesses and residents in a manner that supports the City's strategic direction for compact urban growth and its sub-regional role and function in the City's hierarchy of centres.		
ISPP	MCZ-O	Accommodating growth		
		The Metropolitan Centre Zone plays a significant role in accommodating growth and has sufficient serviced, resilient development capacity <u>and additional infrastructure</u> to meet commercial and residential growth needs.		
ISPP	MCZ-O3	Amenity and design		
		Medium and Hhigh density mixed-use development is achieved that positively contributes to a good quality, well-functioning urban environment that reflects the changing urban form and amenity values of streets and public spaces in the Metropolitan Centres Zone.		
ISPP	MCZ-O4	Activities		
		Activities will be of an appropriate scale and type to enhance the vibrancy and viability of Metropolitan Centres, support walkable neighbourhoods and reflect their sub-regional purpose.		
	Policies			
ISPP	MCZ-P1	Accommodating growth		
		Provide for the use and development of the Metropolitan Centre Zone to meet the City's needs for housing, business activities and community facilities, including:		
		 A variety of building types, sizes, tenures, affordability and distribution of a scale and intensity that does not undermine the ongoing viability, vibrancy and primacy of the City Centre Zonesupports the purpose of the zone; A mix of medium and Hhigh-density housing; Convenient access to active transport and public transport options; Efficient, well integrated and strategic use of available development sites; and Convenient access to a range of open spaces. 		

P1 Sch1	MCZ-P2	Enabled activities
		Enable a range of activities that contribute positively to the purpose of the zone and meet sub-regional needs including:
		 Commercial activities; Residential activities; Community facilities; Educational facilities; Arts, culture, and entertainment activities; Marae activities; Emergency service facilities; Community corrections activities; Visitor accommodation; Recreational activities; Repair and maintenance service activities; Industrial activities; and Public transport activities.
P1 Sch1	MCZ-P3	Managed activities
		Manage the location and scale of commercial activities that could result in cumulative adverse effects on the viability and vibrancy of centres, the retention and establishment of a mix of activities within the Metropolitan Centre Zone, and the function of the transport network.
P1 Sch1	MCZ-P4	Potentially incompatible activities
		Only allow activities that are potentially incompatible with the purpose of the Metropolitan Centre Zone, where they will not have an adverse effect on the vibrancy and amenity values of the centre.
		Potentially incompatible activities include: 1. Carparking visible at street edge along an active frontage or non-
		residential activity frontage; 2. Demolition of buildings that results in the creation of vacant land; 3. Ground floor residential activities on street edges identified as having an active frontage or non-residential activity frontage; and 4. Yard-based retail activities.
P1 Sch1	MCZ-P5	Heavy industrial activities
·		Avoid heavy industrial activities from locating in the Metropolitan Centre Zone.
ISPP	MCZ-P6	Housing choice

Enable medium and high-density residential development that: 1. Contributes towards accommodating anticipated growth in the City; and 2. Offers a range of housing price, type, and size and tenure that is accessible to people of all ages, lifestyles, cultures, impairments and abilities. **ISPP** MCZ-P7 Quality design outcomes - neighbourhood and townscape outcomes Require new development, and alterations and additions to existing development at a site scale, to positively contribute to the sense of place, quality and <u>planned urban built form and function</u> amenity of the Metropolitan Centre Zone by: 1. Meeting the requirements of the Centres and Mixed Use Design Guide as relevant; 2. 4. Recognising the benefits of well-designed, comprehensive, development, including the extent to which the development: a. Acts as a positive catalyst for future change by reflecting Reflects the nature and scale of the development proposed enabled within the zone and in the vicinity, and responds to the evolving, more intensive identity of the centre; b. Optimises the development capacity of the land, particularly including sites that are: large, narrow, vacant or ground level parking areas; i. Large; or ii. Narrow; or iii. Vacant; or iv. Ground level parking areas: c. Provides for the increased levels of residential accommodation enabled in this zone; and d. Provides for a range of supporting business, open space and community facilities: e. Is accessible for emergency service vehicles. 3. 2. Ensuring that the development, where relevant: a. Responds to the site context, particularly where it is located adjacent to: i. A scheduled site of significance to tangata whenua or other Māori: ii. A heritage building, heritage structure or heritage area: iii. Residential zoned areas: iv. Open space zoned areas; b. Provides a safe and comfortable pedestrian environment; c. Enhances the quality of the streetscape and public / private interface; d. Integrates with existing and planned active and public transport movement networks; and e. Allows sufficient flexibility for ground floor space to be converted for a range of activities, including residential. **ISPP** MCZ-P8 On-site residential amenity

Achieve a good standard of amenity for residential activities in the Metropolitan Centre Zone by:

- 1. Providing residents with access to adequate outlook; and
- Ensuring <u>convincint</u> convenient access to <u>convenient outdoor space</u>, including private and/or <u>shared</u> communal areas of outdoor space;-
- 3. Meeting the requirements of the Residential Design Guide, as relevant; and
- 4. Providing residents with adequate internal living space.

ISPP

MCZ-P9

Managing adverse effects

Recognise the evolving, higher density development context anticipated in the Metropolitan Centre Zone, while managing any associated adverse effects beyond those anticipated in the zone including:

- 1. Shading, privacy, bulk and dominance effects on adjacent sites; and
- 2. The impact of construction on the transport network <u>and pedestrian linkages</u>.

ISPP

MCZ-P10

City outcomes contribution

Require Encourage over height, large-scale residential, non-residential and comprehensive development in the Metropolitan Centre Zone that contribute to positive outcomes including by to deliver City Outcomes Contributions as detailed and scored in Appendix 16 the Centres and Mixed Use Design Guide guideline G107, including through either:

- 1. Positively Ccontributing to public space provision and the amenity of the site and surrounding area; and/or
- 2. Enabling ease of access for people of all ages and mobility; and/or
- 3. 2.3. Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change resilience; and/or
- 4. 3.4. Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or
- 4.<u>5.</u> Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure that it remains assisted housing for at least 25 years; and/or.
- 6. Enabling ease of access for people of all ages and mobility.

MCZ-PX

Retirement village

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

1. Meeting the requirements of the Residential Design Guide, as

relevant; 2. <u>Includes outdoor space that is sufficient to cater for the needs of the</u> residents of the village; Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development; 4. Is able to be adequately serviced by three waters infrastructure or can address any constraints on the site; and 5. Is of an intensity, scale and design that is consistent with the amenity values anticipated for the Zone. Rules: Land use activities MCZ-R1 Commercial activities 1. Activity status: Permitted Where: a. The activity is not an Integrated Retail Activity (refer to Rule MCZ-R13). MCZ-R2 **Community facilities** 1. Activity status: **Permitted** MCZ-R3 **Educational facilities** 1. Activity status: Permitted MCZ-R4 Arts, culture, and entertainment activities 1. Activity status: Permitted MCZ-R5 Marae activities 1. Activity status: Permitted MCZ-R6 **Emergency service facilities** 1. Activity status: Permitted MCZ-R7 Community corrections activities 1. Activity status: Permitted MCZ-R8 Visitor accommodation activities 1. Activity status: Permitted MCZ-R9 **Recreation activities**

P1 Sch1

1. Activity status: Permitted

Repair and maintenance activities

MCZ-R10

	Activity status: Permitted	
P1 Sch1	MCZ-R11	Public transport activities
	Activity status: Permitted	
P1 Sch1	MCZ-RX	Retirement Villages
	_ <u>1. Act</u>	ivity status: Permitted
P1 Sch1	MCZ-R12	Residential activities and Retirement Villages
	1. Acti	vity status: Permitted
	Whe	ere:
	a. 1	The activity is located:
		i. Above ground floor level;ii. At ground floor level along any street edge not identified as an active
		frontage; or iii. At ground floor level along any street edge not identified as a non-
		residential activity frontage; iv. At ground level along any street not identified as requiring verandah
		coverage_; or v. At ground level on any site contained within a Natural Hazard Overlay.
	2. Activi	ty status: Restricted Discretionary
	Where:	,
	a. (Compliance with the requirements of MCZ-R12.1 cannot be achieved.
		hiscretion are restricted to: matters in MCZ-PXX, MCZ-P7 and MCZ – P8
		status: An application for resource consent made in respect of rule MCZ-recluded from being limited and publicly notified.
P1 Sch1	MCZ-R13	Integrated retail activity
	1. Acti	vity status: Permitted
	Whe	ere:
	a.]	The total gross floor area does not exceed XX,000m ² .
	- 2. Activity	y status: Restricted Discretionary
	Where	<u>c</u>
	a. <u>(</u>	Compliance with the requirements of MCZ-R13.1 cannot be achieved.

Matters of discretion are:

- 1. The matters in MCZ-P1, MCZ-P2, MCZ-P3, and MCZ-P4;
- 2. The cumulative effect of the development on:
 - a. The ongoing viability and vibrancy of the City Centre Zone and Golden Mile;
 - b. <u>a. The safety and efficiency of the transport network, including providing for a range of transport modes;</u>
 - c. b. The hierarchy of roads, travel demand or vehicle use; and
- 3. The compatibility with other activities provided for in the Zone.

Council will not apply a permitted baseline assessment when considering the effects of integrated retail activities that cannot comply with MCZ-R13.1.a.

P1 Sch1

MCZ-R14

Industrial activities

1. Activity status: Permitted

Where:

- a. The activity is not a heavy industrial activity.
- 2. Activity Status: Non-complying

Where:

a. Compliance with the requirements of MCZ-R14.1 cannot be achieved.

Notification status: An application for resource consent made in respect of rule MCZ-R14.2.a must be publicly notified.

P1 Sch1

MCZ-R15

Carparking activities

1. Activity status: **Permitted**

Where:

- a. The activity involves:
 - i. Provision of carparks not visible at street edge along an active frontage or non-residential activity frontage; or
 - ii. Provision of carparks above ground floor level; or
 - iii. Provision of carparks below ground floor level; or
 - iv. Provision of parking spaces for people with disabilities; or
 - v. Provision of ground floor level carparks that form part of a building specifically constructed and used for carparking purposes.
- 2. Activity status: Discretionary

Where:

a. Compliance with the requirements of MCZ-R15.1.a is not achieved.

P1 Sch1

MCZ-R16

Yard-based retailing activities

1. Activity status: Discretionary

Notification status: An application for resource consent made in respect of rule MCZ-R16.1 must be publicly notified except when:

a. The activity relates to the maintenance, operation and upgrading of an existing activity.

P1 Sch1

MCZ-R17

All other land use activities

1. Activity status: Discretionary

Where:

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

Rules: Building and structures activities

ISPP

MCZ-R18

Maintenance and repair of buildings and structures

1. Activity status: Permitted

ISPP

MCZ-R19

Demolition or removal of buildings and structures

1. Activity status: Permitted

Where:

- a. The demolition or removal of a building:
 - i. Is required to avoid an imminent threat to life and/or property; or
 - ii. Enables the creation of public space or private outdoor living space associated with the use of a building; or
 - iii. Is required for the purposes of constructing a new building or structure, or adding to or altering an existing building or structure, that <u>is a permitted</u> <u>activity under MCZ-R20 or DEV-R1, or that</u> has an approved resource consent, or resource consent is being sought concurrently under MCZ-R20.2, or for the Kilbirnie Bus Barns Development Area, DEV-R1.2; or
- b. The building or structure for demolition or removal is not on a site that has an active frontage or non-residential activity frontage; or
- c. The demolition or removal involves a structure, excluding any building.
- 2. Activity status: Discretionary

Where:

a. Compliance with any of the requirements of MCZ-R19.1 cannot be achieved

The assessment of the activity must have regard to:

- 1. How the land will be utilised whilst it is vacant; and
- 2. Creating a positive visual relationship between the site and streetscape whilst the site is vacant.

Notification status: An application for resource consent made in respect of rule MCZ-R19.2.a is precluded from being either publicly or limited notified.

MCZ-R20

Construction of, or additions and alterations to, buildings and structures

1. Activity status: Permitted

Where:

- a. Any alterations or additions to a building or structure that:
 - i. Do not alter the external appearance of the building or structure; or
 - ii. Relate to a building frontage below verandah level, including entranceways and glazing and compliance with MCZ-S5 is achieved; or
 - iii. Do not result in the creation of new residential units; and
 - iv. Are not visible from public spaces; and
 - v. Comply with standards MCZ-S1, MCZ-S2, MCZ-S3, MCZ-S4, MCZ-S5, and MCZ-S6 and MCZ-SX (Boundary setback from rail corridor); and
- b. The construction of any building or structure:
 - i. Is not located on a site with an active frontage or non-residential activity frontage; or
 - ii. Is not visible from public space; and
 - iii. Will have a gross floor area of less than 100m²; and
 - iv. Will result in a total coverage (together with other buildings) of no more than 20 percent of the site; and
 - v. Will cComply with standards MCZ-S1, MCZ-S2, MCZ-S3, MCZ-S4, MCZ-S5, and MCZ-S6 and MCZ-SX (Boundary setback from rail corridor); and
 - vi. Does not involve the construction of a new building for residential activities.

2. Activity status: Restricted Discretionary

Where:

a. compliance with any of the requirements of MCZ-R20.1 cannot be achieved.

Matters of discretion are:

- 1. The matters in MCZ-P6, MCZ-P7, MCZ-P8 and MCZ-P9, and MCZ-P10;
- The extent and effect of non-compliance with MCZ-S1, MCZ-S2, MCZ-S3, MCZ-S4, MCZ-S5, MCZ-S6, MCZ-S7, MCZ-S8, MCZ-S9, MCZ-S10, and MCZ-S11 and MCZ-SX (Boundary setback from rail corridor);
- City Outcomes Contribution for The Centres and Mixed-Use Design Guide, including guideline G107 - City Outcomes Contribution <u>as required in Appendix 16 for any</u> building that exceeds the maximum height requirement and either comprises 25 or more residential units or is a non-residential building;
- 4. The Residential Design Guide;
- 5. 3. 4. The extent and effect of any identifiable site constraints;
- 4. 4. 5. Construction impacts on the transport network; and
- 5. 5. 6. The availability and connection to existing or planned three waters infrastructure.

Notification status:

An application for resource consent made in respect of rule MCZ-R20.2.a that complies with all standards is precluded from being either publicly or limited notified.

Notification status: An application for resource consent made in respect of rule MCZ-R20.2 which complies with MCZ-S3, MCZ-S7, MCZ-S8, MCZ-S9, MCZ-S10 and MCZ-S11 is precluded from being either publicly or limited notified.

Notification status: An application for resource consent made in respect of rule MCZ-R20.2 which results from non-compliance with MCZ-S1, MCZ-S2, MCZ-S4, MCZ-S5 and MCZ-S6 is precluded from being publicly notified.

MCZ-R21

Conversion of buildings, or parts of buildings, to residential activities

1. Activity status: Restricted Discretionary

Matters of discretion are:

- 1. The matters in MCZ-P1, MCZ-P3, MCZ-S6 and MCZ-P8;
- 2. The extent of compliance with standards MCZ-S7, MCZ-S8 and MCZ-S9 and satisfaction of associated assessment criteria; and
- 3. The Residential Design Guide; and
- 4. 3. The availability and connection to existing or planned three waters infrastructure.

Notification status: An application for resource consent made in respect of rule MCZ-R21.1 is precluded from being either publicly or limited notified.

P1 Sch1

MCZ-R22

Outdoor storage areas

1. Activity status: Permitted

Where:

- a. The storage area is screened by either a fence or landscaping of 1.8m in height from any adjoining road or site.
- b. Screening does not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.
- 2. Activity status: Restricted Discretionary

Where:

a. Compliance with the requirements of MCZ-R21.1 cannot be achieved.

Matters of discretion are:

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

Notification status: An application for resource consent made in respect of rule MCZ-R22.2.a is precluded from being either publicly or limited notified.

Standards

ISPP

MCZ-S1 Maximum height

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

<u>Buildings and structures must not exceed a</u> maximum height of 55m above ground level.

Location	Limit
Height control area 1	35m
Johnsonville	
Height control 2	27m
- Kilbirnie (except as below)	
Height control area 3	15m
- Kilbirnie, north of Rongotai Road	

 Fences and standalone walls must not exceed a maximum height of 1.8 metres (measured above ground level) on front boundaries and 2.0m on side and rear boundaries.

This standard does not apply to:

- a. Lot 2 DP 32689 (27 Johnsonville Road), where an 11m maximum height limit applies;
- b. Accessory buildings;
- Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm;
- d. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m;
- e. Lift overruns provided these do not exceed the height by more than 4m.

Assessment criteria where the standard is infringed:

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

ISPP

MCZ-S2

Minimum building height

- 1. A minimum height of 7m is required for:
 - a. New buildings or structures; and
 - b. Additions to the frontages of existing buildings and structures.

This standard does not apply to:

- 1. Accessory buildings, ancillary to the primary activity on the site.
- 2. Any building or structure that is unable to be occupied by people.

Assessment criteria where the standard is infringed;

- 1. The extent to which a reduced height:
 - a. Is necessary to provide for functional needs or operational needs of a proposed activity;
- Whether topographical or other site constraints make compliance with the standard impracticable or unnecessary; and
- 3. Whether, for any additions or alterations, the existing ground floor height meets the standard.

ISPP

MCZ-S3 Minimum ground floor height

 The minimum ground floor height to underside of structural slab or equivalent shall be 4m. Assessment criteria where the standard is infringed:

- 1. The extent to which a reduced height:
 - a. Will compromise or preclude future use or adaptation of the ground floor for non-residential activities;
 - Is necessary to provide for functional needs or operational needs of a proposed activity;
 and
- Whether topographical or other site constraints make compliance with the standard impracticable or unnecessary.

ISPP

MCZ-S4 Height in relation to boundary

 No part of any building or structure may project beyond the relevant recession plane <u>standards of an adjoining</u> <u>boundary in the MRZ, HRZ or Open</u> <u>Space Zone</u> <u>shown below:</u>

Location Recession plane Boundary adjoining 60° measured from a any site within the height of 4m vertically MRZ with a height above ground level limit of 11m identified on the District Plan **Maps** Boundary adjoining 60° measured from a any site within the height of 5m vertically MRZ with a height above ground level

Assessment criteria where the standard is infringed:

- 1. Dominance, privacy, and shading effects on adjoining sites;
- Whether an increase in height in relation to boundary results from a response to natural hazard mitigation;
- 3. Effects on public spaces; and
- The extent to which an increase in height in relation to boundary would contribute to a substantial increase in residential accommodation.

limit of 14m identified on the District Plan Maps	
Boundary adjoining any site within the HRZ	60° measured from a height of 8m vertically above ground level
Boundary adjoining any site within an Open Space Zone	60° measured from a height of 5m vertically above ground level

MCZ-S5 Verandah control

- 1. Verandahs must be provided on building elevations on identified street frontages.
- 2. Any verandah must:
 - a. Extend the full width of the building elevation;
 - b. Connect with any existing adjoining verandah;
 - Have a minimum clearance of 2.5m directly above the footpath or formed ground surface;
 - d. Not exceed a maximum height of 4m measured between the base of the verandah fascia and the footpath or formed ground surface directly below;
 - e. Be setback a minimum of 450mm from any point along the kerbing extending back to the site boundary; and
 - f. Not exceed a maximum width of 3m from the front of the building.

This standard does not apply to:

- a. Any scheduled building identified in SCHED1-Heritage buildings. However, if for any reason these buildings received Council approval (resource consent or other approval) to be demolished, then a verandah would be required for any replacement buildings on these sites; and
- b. Any building where compliance with the standard results in an encroachment into the dripline of an existing street tree-;
- c. Service stations.

Assessment criteria where the standard is infringed:

- 1. The extent to which any non-compliance:
 - a. Will adversely affect the comfort and convenience of pedestrians;
 - Will result in further street trees being added to public space as part the development; and
- The continuity of verandah coverage along the identified street, informal access route or public space.

ISPP

MCZ-S6

Active frontage and non-residential activity frontage controls

- Any new building or addition to an existing building adjoining an identified street with an active frontage must:
 - a. Be built up to the street edge on all street boundaries with an identified active frontage control and along the full width of the site bordering any street boundary, excluding vehicle and pedestrian access;
 - b. Provide a minimum of 60% of continuous display windows or transparent glazing along the width of the ground floor building frontage;
 - c. Locate the principal public entrance on the front boundary;

Except that this does not apply to service stations.

- Any ground level <u>façade of a new building</u> addition to, or alteration of, a building or structure facing a public space must not result in a featureless facade that:
 - a. Is more than 3 metres wide; and
 - Extends from a height of 1m above ground level to a maximum height of 2.5m;
- 3. Any roller shutter doors (except to car parking and service areas), security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent; and
- 4. Any new building or addition to an existing building on a site with a non-residential activity frontage control must:
 - a. Be built up to the street edge on all street boundaries and along the full width of the site bordering any street boundary; and
 - b. Locate the principal public entrance on the front boundary.

Assessment criteria where the standard is infringed:

- 1. The extent to which:
 - a. Any non-compliance is required for on-site functional needs or operational needs;
 - b. The building frontage is designed and located to create a strong visual alignment with adjoining buildings or otherwise enchances the streetscape; and
 - c. An acceptable level of <u>pPassive</u> surveillance is <u>maintained</u> between the interior of the building and the street is provided.

ISPP

MCZ-S7 Minimum residential unit size

 Residential units, including dual-key units must meet the following minimum sizes:

Residential unit type | Minimum net floor area

Assessment criteria where the standard is infringed:

b. The extent to which:

a. Studio unit	35m ²
c. 1 bedroom unit	40m²
d. 2+ bedroom unit	55m ²

- a. The design of the proposed unit provides a good standard of amenity; and
- Other on-site factors compensate for a reduction in unit sizes.

MCZ-S8 Residential – outdoor living space

- Each residential unit, including any dual key unit, must be provided with either a private outdoor living space or access to a communal outdoor living space;
- 2. Where private outdoor living space is provided it must be:
 - a. For the exclusive use of residents;
 - b. Directly accessible from a habitable room;
 - c. A single contiguous space; and
 - d. Of the minimum area and dimension specified in the table below; and
- 3. Where communal outdoor living space is provided it does not need to be in a single continuous space but it must be:
 - a. Accessible from the residential units it serves;
 - b. Of the minimum area and dimension specified in the table below; and
 - Free of buildings, parking spaces, and servicing and manoeuvring areas.

Living space type	Minimum area	Minimum dimension
1. Private		
i. Studio unit and 1- bedroom unit	5m ²	1.8m
ii. 2+ bedroom unit	8m ²	1.8m
b. Communal		
i. For every <u>4 – 15</u> 5 units	10 64 m²	8m
For each additional unit above 15 units	<u>2m²</u>	

Assessment criteria where the standard is infringed:

- 1. The extent to which:
 - a. Any proposed outdoor living space provides a good standard of amenity relative to the number of occupants the space is designed for;
 - b. Other on-site factors compensate for a reduction in the size or dimension of the outdoor living space;
- Whether any alternative publicly available open space adjoins or is in close proximity to the site; and
- 3. The availability of public space in proximity to the site.

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

MCZ-S9

Minimum outlook space for multi-unit housing

 Every residential unit must be designed to achieve a minimum of 1m by 1m outlook space for all habitable rooms. Assessment criteria where the standard is infringed:

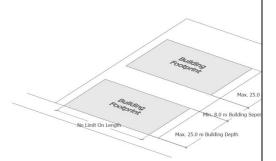
- -
 - 1. The extent to which:
 - a. The design of the proposed unit provides a good standard of amenity; and
 - b. Other on-site factors compensate for a reduction in outlook space.

ISPP

MCZ-S10

Minimum building separation distance

1. Any new building or addition to an existing building used for residential activities must provide an 8m separation distance between buildings located on the same site, as shown in Diagram 15 below.



Assessment criteria where the standard is infringed:

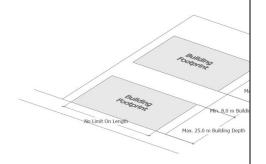
- 1. The extent to which a reduced setback will increase dominance and shadowing related effects on residential units within the development site; and
- 2. Dominance, privacy and shading effects on adjoining sites.

ISPP

MCZ-S11

Maximum building depth

1. Any new building or additions to existing building used for residential activities must not result in the continuous depth of any external side wall being greater than 25m, as shown in Diagram 16 below.



Assessment criteria where the standard is infringed:

- The extent to which design mitigates the effect of a long featureless building elevation;
- 2. Dominance, privacy and shading effects on adjoining sites.

MCZ-SX Boundary setback from rail corridor

Boundary or structures must not be located within 1.5m setback from a rail corridor boundary.

Assessment criteria where the standard is infringed:

The extent to which the location and design of the building relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.

Methods

MCZ-M1

Urban Design Panel

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

Town Centre Zone

TCZ_	Town Centre Zone

Introduction

The purpose of the Town Centre Zone is to provide for a range commercial, community, recreational and residential activities. These centres service the needs of the immediate and neighbouring suburbs. Town centres support the role and function of other Centre Zones in the hierarchy of centres and therefore provides a greater scale of development and intensity than what is enabled in the Local Centre Zone.

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

Achieving well designed buildings is a focus for the Town Centres Zone. The transition to more intensive use in town centres will result in changes to existing amenity values in the centres and their surrounds.

Consequently, redevelopment will be supported by a range of measures to promote good design and environmental outcomes, and address amenity issues that are not anticipated in the Zone. Accordingly, building activities beyond 10 storeys will require a resource consent and an assessment against key design criteria.

There is an identified need for residential intensification within and around town centres.

Accordingly, residential activity is permitted above ground floor or where not visible at ground level within these centres and the High Density Residential Zone has been applied within a walkable catchment of the edge of these centres.

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

Other relevant District Plan provisions

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

<u>Objectives</u>	
TCZ-01	<u>Purpose</u>
	The Town Centre Zone meets the needs of the needs of communities, businesses
	and residents in the immediate and neighbouring suburbs in a manner that supports
	the City's strategic direction for compact urban growth and its role and function in the
	City's hierarchy of centres.
TCZ-O2	Accommodating growth
	The Town Centre Zone plays an important role in accommodating growth and has
	sufficient serviced, resilient development capacity to meet commercial and residential
	growth needs.
TCZ-O3	Amenity and design
	High density mixed-use development is achieved that positively contributes to a good
	quality, well-functioning urban environment with a changing compact urban form and
	amenity values of streets and public places in the Town Centre Zone.
TCZ-04	<u>Activities</u>

Activities will be of an appropriate scale and type to enhance the vibrancy of suburban Town Centres.

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Policies	
Policies	
TCZ-P1	Accommodating growth
	Provide for the use and development of the Town Centre Zone to meet the City's
	needs for housing, business activities and community facilities including:
	1. A variety of building types, sizes and distribution of scale and intensity that
	supports the purpose of the Zone;
	2. <u>High density housing;</u>
	3. Convenient access to active, public transport and rapid transport options;
	4. Efficient, well integrated and strategic use of available development sites;
	<u>and</u>
	5. Convenient access to a range of open spaces.
TCZ-P2	Enabled activities
	Enable a range of activities that contribute positively to the role and function of the
	Zone and meet the needs of the immediate and surrounding suburbs including:
	1. Commercial activities;
	2. Residential activities;
	3. Community facilities;
	4. Educational facilities;
	5. Arts, culture, and entertainment activities;
	6. <u>Emergency service facilities;</u>
	7. Community corrections activities;
	8. Marae activities;
	9. <u>Visitor accommodation;</u>
	10. Recreational activities;
	11. Public transport activities;
	12. Industrial activities; and
	13. Repair and maintenance services activities.
TCZ-P3	Managed activities
	Manage the location and scale of commercial activities that could result in cumulative
	adverse effects on the viability and vibrancy of centres, the retention and
	establishment of a mix of activities within the Town Centre Zone, and the function of
	the transport network.
TCZ-P4	Potential incompatible activities
	Only allow activities that are potentially incompatible with the purpose of the Town
	Centre Zone, where they will not have an adverse effect on the vibrancy and amenity
	of the centre.
	Potentially incompatible activities include:
	1. Carparking visible at street edge along an active frontage or non-residential
	activity frontage;
	2. Demolition of buildings that results in the creation of unutilised vacant land;
	3. Ground floor residential activities on street edges identified as having an
	active frontage or non-residential activity frontage; and
	4. Yard-based retail activities
TCZ-P5	Heavy industrial activities
	Avoid heavy industrial activities from locating in the Town Centre Zone.
TCZ-P6	Housing choice
	Enable high-density residential development that:
	Contributes towards accommodating anticipated growth in the City; and
	2. Offers a range of housing price, type, and size that is accessible to people of
	all ages, lifestyles, cultures, impairments and abilities.
L	

TCZ-P7	Quality design outcomes			
	Require new development, and alterations and additions to existing development at a			
	site scale, to positively contribute to the sense of place, quality and planned urban built			
	form and function of the Town Centre Zone by:			
	Recognising the benefits of well-designed, comprehensive development, including the extent to which the development:			
	a. Reflects nature and scale of the development enabled within the			
	zone and responds to the evolving, more intensive identity of the			
	neighbourhood;			
	b. Optimises the development capacity of land.			
	c. Provides for the increased levels of residential accommodation			
	enabled in this zone; and			
	d. Provides for a range of supporting business, open space and			
	community facilities; and			
	e. Is accessible for emergency service vehicles.			
	2. Ensuring that the development:			
	a. Responds to the site context, particularly where it is located			
	adjacent to:			
	i. A scheduled site of significance to tangata whenua or other			
	Māori;			
	ii. Heritage buildings, heritage structures and heritage areas;			
	iii. Residential zoned areas;			
	iv. Open space zoned areas;			
	b. Provides a safe and comfortable pedestrian environment;			
	interface;			
	d. Integrates with existing and planned active and public transport			
	movement networks, including planned rapid transit stops; and			
	e. Allows sufficient flexibility for ground floor space to be converted for a range of activities, including residential.			
TCZ-P8	On-site residential amenity			
10210	Achieve a good standard of amenity for residential activities in the Town Centre Zone			
	by ensuring access to convenient outdoor space.			
TCZ-P9	Managing adverse effects			
102-13	Recognise the evolving, higher density development context anticipated in the Town			
	Centre Zone, while managing any associated adverse effects beyond those anticipated			
	within the zone, including:			
	Shading, privacy, bulk and dominance effects on adjacent sites; and			
	The impact of construction on the transport network and pedestrian			
	linkages.			
TCZ-P10	City outcomes contribution			
102-110	Encourage development in the Town Centre Zone that contributes to positive			
	outcomes including by:			
	Contributing to public space provision and the amenity of the site and			
	surrounding area; and/or			
	Enabling ease of access for people of all ages and mobility; and/or Incorporating a level of building performance that leads to reduced earliest.			
	Incorporating a level of building performance that leads to reduced carbon amissions and increased earthquake resilience, and/or			
	emissions and increased earthquake resilience; and/or			
	4. Incorporating construction materials that increase the lifespan and resilience			
TO7 DV	of the development and reduce ongoing maintenance costs; and/or			
TCZ-PX	Retirement village			
	Drovide for retirement villages where it can be demonstrated that the development			
	Provide for retirement villages where it can be demonstrated that the development:			
	 Meeting the requirements of the Residential Design Guide, as relevant; 			

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

- Rules: Land u	se activities_
TCZ-R1	Commercial activities
	Activity status: Permitted
	Where:
	a. The activity is not an Integrated Retail Activity (refer to Rule TCZ-R13).
TCZ-R2	Community facilities
	1. Activity status: Permitted
TCZ-R3	Educational facilities
	1. Activity status: Permitted
TCZ-R4	Arts, culture and entertainment activities
	1. Activity status: Permitted
TCZ-R5	Marae activities
	1. Activity status: Permitted
TCZ-R6	Emergency Service facilities
	1. Activity status: Permitted
TCZ-R7	Community corrections activities
	1. Activity status: Permitted
TCZ-R8	Visitor accommodation activities
	1. Activity status: Permitted
TCZ-R9	Recreation activities
	1. Activity status: Permitted
TCZ-R10	Repair and maintenance activities
	1. Activity status: Permitted
TCZ-R11	Public transport activities
	1. Activity status: Permitted
TCZ-R12	Residential activities and Retirement Villages
	1. Activity status: Permitted
	Where:
	a. The activity is located:
	I. Above ground floor level;
	II. At ground floor level along any street edge not identified as an active
	<u>frontage;</u>
	III. At ground floor level along any street edge not identified as a non-
	residential activity frontage; or
	IV. At ground level along any street not identified as requiring verandah
	<u>coverage.</u>
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	2. Activity status: Restricted Discretionary
	Where:
	a. Compliance with the requirements of TCZ-R12 cannot be achieved
	Matters of discretion are restricted to:
	Matters of discretion are restricted to:
	 The matters in TCZ-PXX, TCZ-P7 and TCZ – P8

	Notification status: An application for resource consent made in respect of rule TCZ-
	R12.2.a is precluded from being limited and publicly notified.
TCZ-R13	Integrated retail activity
TOP KIO	Activity status: Permitted
	Where:
	a. The total gross floor area does not exceed XX,000m ²
	2. Activity status: Restricted Discretionary
	Where:
	a. Compliance with the requirements of TCZ-R13.1 cannot be achieved
	Matters of discretion are restricted to:
	1. The matters in TCZ-P1, TCZ-P2, TCZ-P3, and TCZ-P4;
	2. The cumulative effect of the development on:
	a. The ongoing viability and vibrancy of the Metropolitan Centre Zone, City
	Centre Zone and Golden Mile;
	b. The safety and efficiency of the transport network, including providing for a
	range of transport modes;
	c. The hierarchy of roads, travel demand or vehicle use; and
	3. The compatibility with other activities provided for in the Zone.
	Council will not apply a permitted baseline assessment when considering the effects of
	integrated retail activities that cannot comply with TCZ-R13.1.a.
TCZ-R14	Industrial Activities
102-1(14	Activity status: Permitted
	Where:
	a. The activity is not a heavy industrial activity.
	an into desirtly to not a nearly industrial desirtly.
	2. Activity status: Non-Complying
	Where:
	a. Compliance with the requirements of TCZ-R14.1 cannot be achieved.
	Notification status: An application for resource consent made in respect of rule TCZ-
	R14.2.a must be publicly notified.
TCZ-R15	Carparking activities
	1. Activity status: Permitted
	Where:
	a. The activity involves:
	i. <u>Provision of ground floor level carparks on streets that are not visible at</u>
	street edge along an active frontage or non- residential activity frontage;
	<u>or</u>
	ii. Provision of carparks above ground floor level; or
	iii. Provision of carparks below ground floor level; or
	iv. Provision of parking spaces for people with disabilities; or
	v. Provision of ground floor level carparks that form part of a building
	specifically constructed and used for carparking purposes.
	2. Activity status: Discretionary
	Where:
	a. Compliance with the requirements of TCZ-R15.1.a is not achieved.
TCZ-R16	Yard-based retailing activities
	1. Activity status: Discretionary

	Notification status: An application for resource consent made in respect of rule TCZ-	
	R16.1 must be publicly notified except when:	
	a. The activity relates to the maintenance, operation and upgrading of an existing	
	activity.	
TCZ-R17	All other land use activities	
	1. Activity status: Discretionary	
	Where:	
	a. The activity is not otherwise provided for as a permitted activity, restricted	
	discretionary activity or non-complying activity.	

Rules: Building	g and structures activities
TCZ-R18	Maintenance and repair of buildings and structures
	1. Activity status: Permitted
TCZ-R19	Demolition or removal of buildings and structures
	1. Activity status: Permitted
	Where:
	a. The demolition or removal of a building:
	 i. Is required to avoid an imminent threat to life and/or property; or
	ii. Enables the creation of public space or private outdoor living space
	associated with the use of a building; or
	iii. Is required for the purposes of constructing a new building or structure,
	or adding to or altering an existing building or structure that is a permitted
	activity under TCZ-R20, or that has an approved resource consent, or
	resource consent is being sought concurrently; or
	b. The building or structure for demolition or removal is not on the street edge of
	an active frontage or non-residential activity frontage; or
	c. The demolition or removal involves a structure, excluding any building.
	2. Activity status: Discretionary
	Where:
	a. Compliance with any of the requirements of TCZ-R19.1 cannot be achieved
	The assessment of the activity must have regard to:
	1. How the land will be utilised whilst it is vacant; and
	2. Creating a positive visual relationship between the site and streetscape whilst the
	site is vacant
	Notification status: An application for resource consent made is respect of rule TCZ-
	R19.2.a is precluded from being either publicly or limited notified.
TCZ-R20	Construction of, or additions and alterations to, buildings and structures
	1. Activity status: Permitted
	Where:
	a. Any alterations or additions to a building or structure that:
	i. Do not alter the external appearance of the building or structure; or
	ii. Relate to a building frontage below verandah level, including
	entranceways and glazing and compliance with TCZ-S5 is achieved; or
	iii. Are not visible from public spaces; and
	iv. Comply with standards TCZ-S1, TCZ-S2, TCZ-S3, TCZ-S4, TCZ-
	S5,TCZ-S6, and TCZ-SX (boundary setback from rail corridor); and
	b. The construction of any building or structure:
	i. Is not located on a site with an active frontage or non-residential activity
	frontage; or

- ii. Is not visible from public space; and
- iii. Will have a gross floor area of less than 100m²; and
- iv. Will result in a total coverage (together with other buildings) of no more than 20 percent of the site; and
- v. Comply with standards TCZ-S1, TCZ-S2, TCZ-S3, TCZ-S4, TCZ-S5 and TCZ-S6; and
- vi. For residential activities comply with standards TCZ-S7 and TCZ-S8

2. Activity status: Restricted Discretionary

Where

a. <u>Compliance with any of the requirements of TCZ-R19.1 cannot be achieved.</u>

Matters of discretion are restricted to:

- 1. The matters in TCZ-P6, TCZ-P7, TCZ-P8, and TCZ-P9;
- 2. The extent and effect of non-compliance with any infringed standard;
- 4. The extent and effect of any identifiable site constraints;
- 5. Construction impacts on the transport network; and
- 6. The availability and connection to existing or planned three waters infrastructure.

Notification status:

An application for resource consent made in respect of rule MCZ-R20.2.a that complies with all standards is precluded from being either publicly or limited notified.

An application for resource consent made in respect of rule TCZ-R20.2 which complies with TCZ-S3, TCZ-S7 and TCZ-S8 is precluded from being either publicly or limited notified.

An application for resource consent made in respect of rule TCZ-R20.2 which results from non-compliance with TCZ-S1, TCZ-S2, TCZ-S4, TCZ-S5 and TCZ-S6 is precluded from being publicly notified.

TCZ-R22 Outdoor storage areas

1. Activity status: **Permitted**

Where:

- a. The storage area is screened by either a fence or landscaping of 1.8m in height from any adjoining road or site; and
- b. <u>Screening does not obscure emergency or safety signage or obstruct access</u> to emergency panels, hydrants, shut-off valves, or other emergency response facilities.

2. Activity status: Restricted Discretionary Where:

a. Compliance with the requirements of TCZ-R22.1 cannot be achieved.

Matters of discretion are restricted to:

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

Notification status: An application for resource consent made in respect of rule TCZ-R22.2.a is precluded from being either publicly or limited notified.

<u>Standards</u>	
TCZ-S1	Maximum height
	1. Buildings and structures must not exceed a maximum height of 36 metres above
	ground level.
	2. Fences or standalone walls must be no greater than 1,8metres in height on front
	boundaries and 2 metres in height on side and rear boundaries
	This standard does not apply to:
	a. Lot 2 DP 32689 (27 Johnsonville Road), where an 11m maximum height limit
	<u>applies</u>
	b. Accessory buildings.
	c. Solar panel and heating components attached to a building provided these do
	not exceed the height by more than 500mm.
	d. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative
	features (e.g. finials, spires) provided that none of these exceed 1m in
	diameter and do not exceed the height by more than 1m.
	e. Lift overruns provided these do not exceed the height by more than 4m.
	Assessment criteria where the standard is infringed:
	Streetscape and visual amenity effects;
	2. Dominance, privacy and shading effects on adjoining sites; and
	3. The extent to which the increased building height would provide for additional
	development potential which is consistent with the purpose of the zone.
TCZ-S2	Minimum building height
	1. A minimum height of 7m is required for:
	a. New buildings or structures; and
	b. Additions to the frontages of existing buildings and structures.
	This standard does not apply to:
	a. Accessory buildings, ancillary to the primary activity on the site.
	b. Any building or structure that is unable to be occupied by people.
	Assessment criteria where the standard is infringed:
	The extent to which a reduced height is necessary to provide for functional needs.
	or operational needs of a proposed activity;
	Whether topographical or other site constraints make compliance with the standard
	impracticable or unnecessary; and
	3. Whether, for any additions or alterations, the existing ground floor height meets
	the standard.
TCZ-S3	Minimum ground floor height
<u> </u>	The minimum ground floor height to underside of structural slab or equivalent shall
	be 4 metres.
	Assessment criteria where the standard is infringed:
	The extent to which a reduced height:
	a. Will compromise or preclude future use or adaptation of the ground floor for
	non-residential activities;
	b. Is necessary to provide for functional needs or operational needs of a proposed
	activity; and
	c. Whether topographical or other site constraints make compliance with the
	standard impracticable or unnecessary.
TCZ-S4	Height in relation to boundary
	

1. No part of any building or structure may project beyond the relevant recession plane standards of an adjoining boundary in the MRZ, HRZ or Open Space Zone

TCZ-S5 Verandah control

- 1. Verandahs must be provided on building elevations on identified street frontages.
- 2. Any verandah must:
 - a. Extend the full width of the building elevation;
 - b. Connect with any existing adjoining verandah;
 - c. <u>Have a minimum clearance of 2.5m directly above the footpath or formed ground surface;</u>
 - d. Not exceed a maximum height of 4m measured between the base of the verandah fascia and the footpath or formed ground surface directly below;
 - e. <u>Be setback a minimum of 450mm from any point along the kerbing extending back to the site boundary; and</u>
- 3. Not exceed a maximum width of 3m from the front of the building.

This standard does not apply to:

- a. Any scheduled building identified in SCHED1-Heritage buildings. However, if
 for any reason these buildings received Council approval (resource consent or
 other approval) to be demolished, then a verandah would be required for any
 replacement buildings on these sites; and
- b. Any building where compliance with the standard results in an encroachment into the dripline of an existing street tree.

Assessment criteria where the standard is infringed:

- 1. The extent to which any non-compliance:
- 2. Will adversely affect the comfort and convenience of pedestrians;
- Will result in further street trees being added to public space as part the development; and
- 4. The continuity of verandah coverage along the identified street, informal access route or public space.

TCZ-S6 Active frontage and non-residential activity frontage controls

- 1. Any new building or addition to an existing building adjoining an identified street with an active frontage must:
 - a. Be built up to the street edge on all street boundaries with an active frontage control and along the full width of the site bordering any street boundary, excluding vehicle and pedestrian access;
 - b. Provide a minimum of 60% of display windows or transparent glazing along the width of the ground floor building frontage; and
 - c. Locate the principal public entrance on the front boundary;
- 2. Any ground level façade of a new building or addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that:
 - a. Is more than 3 metres wide; and
 - b. Extends from a height of 1m above ground level to a maximum height of 2.5m;
- Any roller shutter doors (except to car parking and service areas), security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent; and
- 4. Any new building or addition to an existing building on a site with a non-residential activity frontage control must:
 - a. Be built up to the street edge on all street boundaries and along the full width of the site bordering any street boundary; and
 - b. Locate the principal public entrance on the front boundary.

Assessment criteria where the standard is infringed:

- 1. The extent to which:
 - a. Any non-compliance is required for on-site functional needs or operational needs;

	b. The building fronta	ge is designed a	and located to create a strong visual
	_		herwise enhances the streetscape; and
		•	erior of the building and the street is
	provided.		
TCZ-S7	Minimum residential unit s	size_	
	Residential units, including dual-key units must meet the following mining		
	sizes:		
	Residential unit type		Minimum net floor area
	a. Studio unit		30m²
	b. 1 or more bedroom	<u>1</u>	40m²
TCZ-S8	Residential outdoor living space		
	Each residential unit, includi	ng any dual key ur	nit, must be provided with private
	outdoor living space which is	<u>s:</u>	
	a. For the exclusive use of residents;		
	b. <u>Directly accessible fro</u>	<u>m a habitable roor</u>	<u>n;</u>
	c. A single contiguous si		
	d. Of the minimum area and dimension specified in the table below.		
	Living space type	Minimum area	Minimum dimension
	i. Studio unit and 1 bedro		1.8m
	unit	John Jin	1.011
	i. 2+ bedroom unit	8m²	1.8m_
TCZ - SX	Boundary setback from ra	il corridor	
	Boundary or structures m	nust not be located	within 1.5m setback from a rail corridor
	boundary.		
	Assessment criteria where the standard is infringed:		
	1. The extent to which the location and design of the building relates to the ability to		
			<u> </u>
			vithout requiring access on, above or

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He Rohe Pokapū Haukāinga

Local Centre Zone

LCZ	Local Centre Zone
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P1 Sch1 Introduction

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

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

High quality building design is a focus for the Local Centres Zone. The transition to more intensive use in some local centres will result in changes to existing amenity values in the centres and their surrounds. Consequently, redevelopment will be supported by a range of measures to promote good design and environmental outcomes, and address amenity issues that are not anticipated in the zone. Accordingly, most building activities will require a resource consent and an assessment against the Centres and Mixed Use Design Guide key design criteria. To enable intensification around existing neighbourhood centres, some of these will have substantial building heights.

There is an identified need for residential intensification within and around local centres. These centres are subject to the intensification policies 3 (c) and (d) of the National Policy Statement on Urban Development 2020 (NPS-UD). Accordingly, residential activity is permitted above ground floor within these centres and the High and Medium Density Residential Zones have been applied within a walkable catchment of the edge of these centres.

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

Other relevant District Plan provisions

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

Ī	Objectives		
	LCZ-O1	Purpose	

		The Local Centre Zone meets the needs of communities, businesses and residents in the surrounding residential catchment and neighbouring suburbs in a manner that supports the City's compact urban growth objectives and its role and function in the City's hierarchy of centres.
ISPP	LCZ-O2	Accommodating growth
		The Local Centre Zone has an important role in accommodating growth and has sufficient serviced, resilient development capacity and additional infrastructure to meet residential and commercial growth needs.
ISPP	LCZ-O3	Amenity and design
		Medium to high density mixed-use development is achieved that positively contributes to creating a high quality, well-functioning urban environment that reflects the changing urban form and amenity values of the Local Centres and their surrounding residential areas.
P1 Sch1	LCZ-O4	Activities
		Activities will be of an appropriate scale and type to enhance the vibrancy—and viability of Local Centres, support walkable neighbourhoods and support their local purpose.
	Policies	
ISPP	LCZ-P1	Accommodating growth
		Provide for the use and development of the Local Centre Zone to meet the City's needs for housing, business activities and community facilities, including:
		 A variety of building types, sizes, tenures, affordability and distribution of a scale and intensity that does not undermine the viability and vibrancy of the Town Centre Zone, the Metropolitan Centre Zone and the primacy of the City Centre Zone; Forms of medium to high density housing; Convenient access to active, public transport and rapid transit
		options; 4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces.
P1 Sch1	LCZ-	

		Enable a range of activities that contribute positively to the role and function of the Zone and meet the needs of the residential catchment and surrounding suburbs including: 1. Commercial activities; 2. Residential activities; 3. Community facilities; 4. Educational facilities; 5. Arts, culture, and entertainment activities; 6. Emergency service facilities; 7. Community corrections activities; 8. Visitor accommodation; 9. Recreational facilities; 10. Public transport activities; and 11. Industrial activities.
P1 Sch1	LCZ-P3	Managed activities
		Manage the location and scale of commercial activities which could result in cumulative adverse effects on the viability and vibrancy of centres, the retention and establishment of a mix of activities within the Local Centre Zone, and the function of the transport network.
P1 Sch1	LCZ-P4	Potentially incompatible activities
		Only allow activities that are potentially incompatible with the role and function of the Local Centre Zone, where they will not have an adverse effect on the vibrancy and amenity of the centre: 1. Carparking visible at street edge along an active frontage or non-residential activity frontage; 2. Demolition of buildings that results in the creation of unutilised vacant land; 3. Ground floor residential activities on street edges identified as having an active frontage or non-residential activity frontage; and 4. Yard-based retail activities.
P1 Sch1	LCZ-P5	Heavy industrial activities
ļ		Avoid heavy industrial activities from locating in the Local Centre Zone.
ISPP	LCZ-P6	Housing choice
		Enable medium to high density residential development that:

- Contributes towards accommodating anticipated growth in the City; and
- Offers a range of housing price, type, <u>and</u> size <u>and tenure</u> that is accessible to people of all ages, lifestyles, cultures, impairments and abilities.

LCZ-P7 Quality design outcomes - neighbourhood and townscape outcomes

Require new development, and alterations and additions to existing development at a site scale, to positively contribute to the sense of place, quality and <u>planned urban built form and function</u> <u>amenity</u> of the Local Centre Zone by:

- 1. Meeting the requirements of the Centres and Mixed Use Design Guide as relevant;
 - 2. Recognising the benefits of well-designed, comprehensive development, including the extent to which the development:
 - a. Acts as a positive catalyst for future change by reflectingReflects the nature and scale of the development proposedenabled within the zone-and in the vicinity and responds to the evolving, more intensive identity of the neighbourhood centre;
 - Optimises the development capacity of land <u>, particularly</u> sites that are:

i. Large; or

ii. Narrow; or

iii. Vacant; or

iv. Ground level parking areas;

- c. Provides for the increased levels of residential accommodation enabled in this zone; and
- d. Provides for a range of supporting business, open space and community facilities; and
- e. <u>Is accessible for emergency service vehicles.</u>
- 3. Ensuring that the development, where relevant:
 - f. Responds to the site context, particularly where it is located adjacent to:
 - i. A scheduled site of significance to tangata whenua or other Māori;
 - ii. Heritage buildings, heritage structures and heritage areas:
 - iii. An identified character precinct;
 - iv. Residential zoned areas;
 - v. Open space zoned areas;
 - g. Provides a safe and comfortable pedestrian environment;
 - h. Enhances the quality of the streetscape and public / private interface;
 - i. Integrates with existing and planned active and public transport movement networks, including planned rapid transit stops; and
 - j. Allows sufficient flexibility for ground floor space to be converted for a range of activities, including residential.

ISPP

LCZ-P8 On-site residential amenity

Achieve a good standard of amenity for residential activities in the Local Centre Zone by ensuring access to convenient outdoor space:

- 1. Providing residents with access to adequate outlook; and
- 2. Ensuring convenient access to convenient outdoor space, including private and/or shared communal areas of outdoor space;
- 3. <u>Meeting the requirements of the Residential Design Guide as</u> relevant; and
- 4. Providing residents with adequate internal living space.

ISPP

LCZ-P9 Managing adverse effects

Recognise the evolving, higher density development context enabled in the Local Centres Zone, while managing any associated adverse effects beyond those anticipated within the zone, including:

- Shading, privacy, bulk and dominance effects on adjacent sites; and
- 2. The impact of construction on the transport network <u>and</u> <u>pedestrian linkages</u>.

ISPP

LCZ-P10 | City outcomes contribution

Encourage-Require over height, large-scale residential, non-residential and comprehensive development in the Local Centre Zone that contribte to positive outcomes including by to deliver City Outcomes Contributions as detailed and scored in Appendix 16 the Centres and Mixed Use Design Guide guideline G107, including through either:

- 1. Positively contributing to public space provision and the amenity of the site and surrounding area; and/or
- 2. Enabling ease of access for people of all ages and mobility; and/or
- 3. Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change resilience; and/or
- 4. <u>4.</u> Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or
- <u>5.</u> Incorporating assisted housing into the development; where this
 is provided, legal instruments are required to ensure that it
 remains assisted housing for at least 25 years.; and/or
- 6. Enabling ease of access for people of all ages and mobility.

LCZ-PX

Retirement village

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

1. Meeting the requirements of the Residential Design

	Rules: Lanc	Guide, as relevant; 2. Includes outdoor space that is sufficient to cater for the needs of the residents of the village; 3. Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development; 4. Is able to be adequately serviced by three waters infrastructure or can address any constraints on the site; and 5. Is of an intensity, scale and design that is consistent with the amenity values anticipated for the Zone.
P1 Sch1	LCZ-R1	Commercial activities
	Wher	ty status: Permitted e: The activity is not an Integrated Retail Activity (refer to Rule LCZ-R11).
P1 Sch1	LCZ-R2	Community facilities
	a. Activi	ty status: Permitted
P1 Sch1	LCZ-R3	Educational facilities
	3. Activ	ity status: Permitted
P1 Sch1	LCZ-R4	Arts, culture and entertainment activities
	3. Activ	ity status: Permitted
P1 Sch1	LCZ-R5	Emergency services facilities
	4. Activ	ity status: Permitted
P1 Sch1	LCZ-R6	Community corrections activities
	7. Activ	ty status: Permitted
P1 Sch1	LCZ-R7	Visitor accommodation
	3. Activ	ity status: Permitted
P1 Sch1	LCZ-R8	Recreational activities
	2. Activ	rity status: Permitted
P1 Sch1	LCZ-R9	Public transport activities

	3. Activity status: Permitted				
P1 Sch1	<u>LCZ-RX</u> Retirement Villages				
	1. Activity status: Permitted				
P1 Sch1	LCZ-R10 Residential activities and Retirement Villages				
	Activity status: Permitted				
	Where:				
	 a. The activity is located: i. Above ground floor level; ii. At ground floor level along any street edge not identified as an active frontage; iii. At ground floor level along any street edge not identified as a non-residential activity frontage; iv. At ground level along any street not identified as requiring verandah 				
	coverage; or v. —At ground level on any site contained within a Natural Hazard Overlay.				
'	2. Activity status: Restricted Discretionary				
	Where:				
	a. Compliance with the requirements of LCZ-R10.1.a cannot be achieved.				
	Matters of discretion are restricted to:				
	1. The matters in LCZ-PXX, LCZ-P7 and LCZ-P8.				
	Notification status: An application for resource consent made in respect of rule LCZ-R10.2.a is precluded from being limited and publicly notified.				
P1 Sch1	LCZ-R11 Integrated retail activity				
	Activity status: Permitted				
	Where:				
	a. The total gross floor area does not exceed 20XX ,000m ² .				
	2. Activity status: Restricted Discretionary				
	Where:				
	b. Compliance with the requirements of LCZ-R11.1 cannot be achieved.				
	Matters of discretion are:				

- 1. The matters in LCZ-P1, LCZ-P2, LCZ-P3, and LCZ-P4;
- 2. The cumulative effect of the development on:
 - a. The viability and vitality of the City Centre Zone and Golden Mile;
 - b. The safety and efficiency of the transport network, including providing for a range of transport modes;
 - c. The hierarchy of roads, travel demand or vehicle use; and
- 3. The compatibility with other activities provided for in the zone.

Council will not apply a permitted baseline assessment when considering the effects of integrated retail activities that cannot comply with LCZ-R11.1.a.

P1 Sch1

LCZ-R12 Industrial activities

2. Activity status: Permitted

Where:

- a. The activity is not a heavy industrial activity.
- 3. Activity Status: Non-complying

Where:

a. Compliance with the requirements of LCZ-R12.1.a cannot be achieved.

Notification status: An application for resource consent made in respect of rule LCZ-R12.2.a must be publicly notified.

P1 Sch1

LCZ-R13 Carparking activities

1. Activity status: Permitted

Where:

- a. The activity involves:
 - i. Provision of carparks not visible at street edge along an active frontage or non-residential activity frontage;
 - ii. Provision of carparks above ground floor level;
 - iii. Provision of carparks below ground floor level;
 - iv. Provision of parking spaces for people with disabilities; or
 - v. Provision of ground floor level carparks that form part of a building specifically constructed and used for carparking purposes.
- 2. Activity status: Discretionary

Where:

a. Compliance with the requirements of LCZ-R13.1.a is not achieved.

P1 Sch1

LCZ-R14 Yard-based retailing activities

3. Activity status: Discretionary

Notification status: An application for resource consent made in respect of rule LCZ-R15 must be publicly notified, except:

a. The activity relates to the maintenance, operation and upgrading of an existing activity;

P1 Sch1

LCZ-R15 All other activities

2. Activity status: Discretionary

Where:

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

Rules: Building and structures activities

ISPP

LCZ-R16 Maintenance and repair of buildings and structures

1. Activity status: Permitted

ISPP

LCZ-R17 Demolition or removal of buildings and structures

1. Activity status: Permitted

Where:

- a. The demolition or removal of a building:
 - i. Is required to avoid a threat to life and/or property;
 - ii. Enables the creation of public space or private outdoor living space associated with the use of a building;
 - iii. Is required for the purposes of constructing a new building or structure, or adding to or altering an existing building or structure, that is a permitted activity under LCZ-R18, or that has an approved resource consent, or resource consent is being sought concurrently under LCZ-R18.2; or
- b. The building or structure for demolition or removal is not on a site that has an active frontage or non-residential activity frontage; or
- c. The demolition or removal involves a structure, excluding any building.
- 2. Activity status: Discretionary

Where:

a. Compliance with any of the requirements of LCZ-R17.1 cannot be achieved.

The assessment of the activity must have regard to:

- 2. How the land will be utilised whilst it is vacant; and
- 3. Creating a positive visual relationship between the site and streetscape whilst the site is vacant.

Notification status: An application for resource consent made in respect of rule LCZ-R17.2.a is precluded from being either publicly or limited notified.

ISPP

LCZ-R18

Construction of, or additions and alterations to, buildings and structures

1. Activity status: Permitted

Where:

- a. Any alterations or additions to a building or structure:
 - i. Do not alter the external appearance of the building or structure; or
 - ii. Relate to a building frontage below verandah level, including entranceways and glazing and compliance with LCZ-S5; or
 - iii. Do not result in the creation of new residential units; and
 - iv. Are not visible from public spaces; and
 - v. Comply with effects standards LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4, LCZ-S5, and-LCZ-S6-, and LCZ-SX (Boundary setback from a rail corridor).
- b. The construction of any building or structure:
 - i. Is not located on a site with an active frontage or non-residential activity frontage; or
 - ii. Is not visible from a public space; and
 - iii. Will have a gross floor area of less than 100m2; and
 - iv. Will result in a total coverage (together with other buildings) of no more than 20 percent of the site; and
 - v. Comply with effects standards LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4, LCZ-S5 and LCZ-S6; and LCZ-SX (Boundary setback from a rail corridor); and
 - vi. Does not involve the construction of a new building for residential activities

1. Activity status: Restricted Discretionary

Where:

 Compliance with any of the requirements of LCZ-R18.1 cannot be achieved.

Matters of discretion are:

- 1. The matters in LCZ-P6, LCZ-P7, LCZ-P8, LCZ-P9 and LCZ-P10;
- The extent and effect of non-compliance with LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4, LCZ-S5, LCZ-S6, LCZ-S7, LCZ-S8, LCZ-S9, LCZ-S10, and LCZ-S11 and LCZ-SX (Boundary setback from a rail corridor);
- City Outcomes Contribution as required in Appendix 16 The Centres and Mixed-Use Design Guide, including guideline G107 - City Outcomes Contribution for any building that exceeds the maximum height requirement and either comprises 25 or more residential units or is a non-residential building;
- 4. The Residential Design Guide;
- 4. 3. The extent and effect of any identifiable site constraints;
- 5. 4. Construction impacts on the transport network; and

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

Notification status:

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

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

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

LCZ-R19

Conversion of buildings, or parts of buildings, for residential activities

1. Activity status: Restricted Discretionary

Matters of discretion are:

- 1. The matters in LCZ-P1, LCZ-P3, LCZ-P6 and LCZ-P8;
- 2. The extent of compliance with standards LCZ-S7, LCZ-P8 and LCZ-S9 and satisfaction of associated assessment criteria; and
- 3. The Residential Design Guide; and
- 4. <u>3. The availability and connection to existing or planned three waters infrastructure.</u>

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

P1 Sch1

LCZ-R20

Outdoor storage areas

1. Activity status: **Permitted**

Where:

- a. The storage area is screened by either a fence or landscaping of 1.8m in height from any adjoining road or site.
- Screening does not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.
- 2. Activity status: Restricted Discretionary

Where:

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

Matters of discretion are:

5. The matters in LCZ-P7;

ISPP

Kelburn Khandallah

- 6. The extent to which any lesser screening is necessary to provide for the functional needs or operational needs of the activities on the site, or for people's health and safety; and
- 7. The extent to which outdoor storage is visible to surrounding areas, including any associated effects on amenity values where visible from Residential or Open Space Zones.

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

Standards LCZ-S1 Maximum height 1. The following maximum height limits Assessment criteria where the standard is above ground level must be complied infringed: with: 1. Streetscape and visual amenity effects; 2. Dominance, privacy and shading effects on Buildings and structures must not exceed adjoining sites; and a maximum height of 22m above ground 3. The extent to which taller buildings level. contribute to a substantial increase in residential accommodation. Location Limit **Height Control Area 1** 12 metres Newtown Local Centre Heritage Area Island Bay Local Centre Heritage Area Hataitai Local Centre Heritage Area **Height Control Area 2** 18 metres Karori Kelburn Khandallah Newtown Local Centre Heritage Area **Height Control Area 3** 22 metres Brooklyn **Churton Park** Crofton Downs Island Bay

Linden Hataitai Miramar Newlands Newtown Tawa		
Height Control Area 4 Newtown Tawa		27 metres
2. Fences and standalone exceed a maximum height (measured above ground I boundaries and 2.0m on reboundaries.	of 1.8 metres level) on front	
This standard does not ap a. Accessory building b. Solar panel and he components attack provided these do height by more that c. Satellite dishes, an chimneys, flues, a decorative feature spires) provided th exceed 1m in dian exceed the height 1m; and d. Lift overruns provi- exceed the height 4m.	gs. eating hed to a building not exceed the an 500mm; ntennas, aerials, rchitectural or s (e.g. finials, nat none of these neter and do not by more than	
LCZ-S2 Minir	num building hei	ight
A minimum height of 7m is required for:		Assessment criteria where the standard is infringed;
a. New buildings of and b. Additions to the existing building structures. This standard does not ap 1. Accessory buildings, primary activity on the 2. Any building or structure unable to be occupie	e frontages of gs and ply to: ancillary to the e site. ture that is	 3. The extent to which a reduced height: a. Is necessary to provide for the functional needs or operational needs of a proposed activity; 4. Whether topographical or other site constraints make compliance with the standard impracticable or unnecessary; and 5. Whether, for any additions or alterations, the existing ground floor height meets the standard.
LCZ-S3 Minir	num ground floo	r height

ISPP

 The minimum ground floor height to underside of structural slab or equivalent shall be 4m. Assessment criteria where the standard is infringed:

- 1. The extent to which a reduced height:
 - a. Will compromise or preclude future use or adaptation of the ground floor for non-residential activities;
 - b. Is necessary to provide for the functional needs or operational needs of a proposed activity; and
- Whether topographical or other site constraints make compliance with the standard impracticable or unnecessary.

ISPP

LCZ-S4

Height in relation to boundary

 No part of any building or structure may project beyond the relevant recession plane shown below: standards of an adjoining boundary in the MRZ, HRZ or Open Space Zone Assessment criteria where the standard is infringed:

- 1. Dominance, privacy, and shading effects on adjoining sites;
- Whether an increase in height in relation to boundary results from a response to natural hazard mitigation;
- 3. Effects on public spaces; and
- 4. The extent to which an increase in height in relation to boundary would contribute to a substantial increase in residential accommodation.

Location	Recession plane
Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps	60° measured from a height of 4m vertically above ground level
Boundary adjoining any site within the MRZ with a height limit of 14m identified on the District Plan Maps	60° measured from a height of 5m vertically above ground level
Boundary adjoining any site within the HRZ	60° measured from a height of 8m vertically above ground level
Boundary adjoining any site within an Open Space Zone	60° measured from a height of 5m vertically above ground level

These standards do not apply to:

- 1. A boundary with a road.
- 2. Internal boundaries;
- 3. Solar power and heating components attached to a building provided these

do not exceed the height in relation to boundary by more than 500mm; and

4. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height in relation to boundary by more than 3m measured vertically.

ISPP

LCZ-S5 Verandah control

- Verandahs must be provided on building elevations on identified street frontages;
- 2. Any verandah must:
 - a. Extend the full width of the building elevation;
 - b. Connect with any existing adjoining verandah;
 - c. Have a minimum clearance of 2.5m directly above the footpath or formed ground surface;
 - d. Not exceed a maximum height of 4m measured between the base of the verandah fascia and the footpath or formed ground surface directly below;
 - e. Be setback a minimum of 450mm from any point along the kerbing extending back to the site boundary; and
 - f. Not exceed a maximum width of 3m from the front of the building.

This standard does not apply to:

- a. Any scheduled building identified in SCHED1-Heritage buildings.
 However, if for any reason these buildings received Council approval (resource consent or other approval) to be demolished, then a verandah would be required for any replacement buildings on these sites; and
- b. Any building where compliance with the standard results in an encroachment into the dripline of an existing street tree.; and
- c. Service stations.

- 1. The extent to which any non-compliance:
 - a. Will adversely affect the comfort and convenience of pedestrians;
 - b. Will result in further street trees being added to public space as part the development; and
- 2. The continuity of verandah coverage along the identified street, informal access route or public space.

LCZ-S6

Active frontage and non-residential activity frontage controls

- Any new building or addition to an existing building adjoining an identified street with an active frontage must:
 - a. Be built up to the street edge on all street boundaries with an identified active frontage control and along the full width of the site bordering any street boundary, excluding vehicle and pedestrian access;
 - Provide a minimum of 60% of continuous display windows or transparent glazing along the width of the ground floor building frontage; and
 - c. Locate the principal public entrance on the front boundary.
 - Any ground level <u>façade of a new building or</u> addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that:
 - a. Is more than 3 metres wide;
 and
 - b. Extends from a height of 1m above ground level to a maximum height of 2.5m;
 - 3. Any roller shutter doors (except to car parking and service areas), security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent; and
 - Any new building or addition to an existing building on a site with a non-residential activity frontage control must:
 - a. Be built up to the street edge on all street boundaries and along the full width of the site bordering any street boundary; and
 - b. Locate the principal public entrance on the front boundary.

Assessment criteria where the standard is infringed:

- 1. The extent to which:
 - a. Any non-compliance is required for on-site functional needs or operational needs;
 - b. The building frontage is designed and located to create a strong visual alignment with adjoining buildings or otherwise enhances the streetscape; and
 - c. An acceptable level of pPassive surveillance is maintained between the interior of the building and the street is provided.

ISPP

LCZ-S7

Minimum residential unit size

 Residential units, including dual key units must meet the following minimum sizes: Assessment criteria where the standard is infringed:

- 1. The extent to which:
 - a. The design of the proposed unit provides a good standard of amenity; and
 - b. Other on-site factors compensate for a reduction in unit sizes.

Reside type	ntial unit	Minimum ı area	net	floor
a.	Studio unit	35m ²		
b.	1 bedroom unit	40m²		
C.	2+ bedroom unit	55m ²		

ISPP

LCZ-S8 Residential – outdoor living space

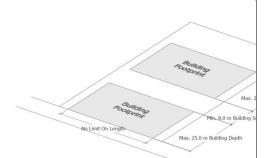
- Each residential unit, including any dual key unit, must be provided with either a private outdoor living space or access to a communal outdoor living space.
- 2. Where private outdoor living space is provided it must be:
 - a. For the exclusive use of residents:
 - b. Directly accessible from a habitable room;
 - c. A single contiguous space;
 and
 - d. Of the minimum area and dimension specified in the table below; and
- 3. Where communal outdoor living space is provided it does not need to be in a single continuous space but it must be:
 - a. Accessible from the residential units it serves:
 - b. Of the minimum area and dimension specified in the table below; and
 - Free of buildings, parking spaces, and servicing and

- 1. The extent to which:
 - a. The size of the proposed outdoor living space provides a good standard of amenity relative to the number of occupants the space is designed for; and
 - Other on-site factors
 compensate for a reduction
 in the size of the outdoor
 living space (e.g. communal
 living space);
- 2. Whether any alternative publicly available open space adjoins or is in close proximity to the site; and
- 3. Whether topographical or other site constraints make compliance with the standard impracticable.

the	1	.8m
the	8	.8m
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1. Any new residential building or addition to an existing residential building must provide an 8m separation distance between buildings located on the same site, as shown Diagram 13 below.



Assessment criteria where the standard is infringed:

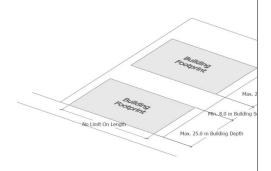
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- 1. The extent to which a reduced setback will increase dominance and shadowing related effects on residential units within the development site; and
- 2. Dominance, privacy and shading effects on adjoining sites.

LCZ-S11

Maximum building depth

 Any new building or additions to existing buildings used for residential activities must not result in the continuous depth of any external side wall being greater than 25m, as shown in Diagram 14 below.



Assessment criteria where the standard is infringed:

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- 1. The extent to which the design mitigates the effect of a long features building elevations; and
- 2. Dominance, privacy and shading effects on adjoining sites.

LCZ-SX

Boundary setback from a rail corridor

 Boundary or structures must not be located within 1.5m setback from a rail corridor boundary. Assessment criteria where the standard is infringed:

1. The extent to which the location and design of the building relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.

Methods

LCZ-M1

Urban Design Panel

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

He Rohe Pokapū Paekiritata

Neighbourhood Centre Zone

NCZ	Neighbourhood Centre Zone
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P1 Sch1 Introduction

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

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

High quality building design is a focus for the Neighbourhood Centres Zone. The transition to more intensive use in some neighbourhood centres will result in changes to existing amenity values in the centres and their surrounds. Consequently, redevelopment will be supported by a range of measures to promote good design and environmental outcomes, and address amenity issues that are not anticipated in the Zone. Accordingly, most building activities will require a resource consent and an assessment against key design criteria the Centres and Mixed Use Design Guide. To enable intensification around existing neighbourhood centres, some of these will have increased building heights.

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

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

Other relevant District Plan provisions

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

Objectives		
NCZ-O1	Purpose	
	The Neighbourhood Centre Zone meets the needs of communities,	

ISPP

		manner that supports the City's compact urban growth objectives and its role and function in the City's hierarchy of centres.
ISPP	NCZ-O2	Accommodating growth
		The Neighbourhood Centre Zone has sufficient serviced, resilient development capacity and additional infrastructure to meet residential and commercial growth needs.
ISPP	NCZ-O3	Amenity and design
		Medium to high density mixed-use development is achieved that positively contributes to creating a good quality, well-functioning urban environment that reflects the changing urban form and amenity values of the Neighbourhood Centres and their surrounding residential areas.
P1 Sch1	NCZ-O4	Activities
		Activities will be of an appropriate scale and type to enhance the vibrancy and viability of Neighbourhood Centres, support walkable neighbourhoods and support their neighbourhood purpose.
	Policies	
ISPP	NCZ-P1	Accommodating growth
ISPP	NCZ-P1	Accommodating growth Provide for the use and development of the Neighbourhood Centre Zone to meet the City's needs for housing, business activities and community facilities, including:
ISPP	NCZ-P1	Provide for the use and development of the Neighbourhood Centre Zone to meet the City's needs for housing, business activities and community facilities,
ISPP P1 Sch1	NCZ-P1	Provide for the use and development of the Neighbourhood Centre Zone to meet the City's needs for housing, business activities and community facilities, including: 1. A variety of building types, sizes, tenures, affordability and distribution of a scale and intensity that does not undermine the engoing viability and vibrancy of the Local Centre Zone and Metropolitan Centre Zone and primacy of the City Centre Zone; 2. A mix of medium to high density housing; 3. Convenient access to active, public transport and rapid transit options; 4. Efficient, well integrated and strategic use of available development sites; and
		Provide for the use and development of the Neighbourhood Centre Zone to meet the City's needs for housing, business activities and community facilities, including: 1. A variety of building types, sizes, tenures, affordability and distribution of a scale and intensity that does not undermine the ongoing viability and vibrancy of the Local Centre Zone and Metropolitan Centre Zone and primacy of the City Centre Zone; 2. A mix of medium to high density housing; 3. Convenient access to active, public transport and rapid transit options; 4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces.

		 Community facilities; Educational facilities; Arts, culture and entertainment activities; Emergency service facilities; Community corrections activities; Visitor accommodation; Recreational facilities; Public transport activities; and Industrial activities.
P1 Sch1	NCZ-P3	Managed activities
		Manage the location and scale of commercial activities which could result in cumulative adverse effects on the viability and vibrancy of centres, the retention and establishment of a mix of activities within the Neighbourhood Centre Zone, and the function of the transport network.
P1 Sch1	NCZ-P4	Potentially incompatible activities
		Only allow activities that are potentially incompatible with the role and function of the Neighbourhood Centre Zone, where they will not have an adverse effect on the vibrancy and amenity of the centre: 1. Carparking visible at street edge along an active frontage or non-residential activity frontage; 2. Demolition of buildings that results in the creation of vacant land; 3. Ground floor residential activities on street edges identified as having an active frontage or non-residential activity frontage; and 4. Yard-based retail activities.
P1 Sch1	NCZ-P5	Heavy industrial activities
		Avoid heavy industrial activities from locating in the Neighbourhood Centre Zone.
ISPP	NCZ-P6	Housing choice
ISPP	NOZ PZ	1. Contributes towards accommodating anticipated growth in the City; and 2. Offers a range of housing price, type, and size and tenure that is accessible to people of all ages, lifestyles, cultures, impairments and abilities. Outsite design poist bourbeed and towards a section as a section as a section and a size.
1011	NCZ-P7	Quality design – neighbourhood and townscape outcomes

Require new development, and alterations and additions to existing development at a site scale, to positively contribute to the sense of place, quality <u>and planned urban built form amenity</u> of the Neighbourhood Centre Zone by:

- 1. Meeting the requirements of the Centres and Mixed Use Design Guide as relevant;
- 2. 4. Recognising the benefits of well-designed, comprehensive development, including the extent to which the development:
 - Acts as a positive catalyst for future change by reflecting
 Reflects the nature and scale of the development proposed enabled within the zone and in the vicinity, and responds to the evolving, more intensive identity of the neighbourhood;
 - Optimises the development capacity of land <u>.</u>, particularly sites that are:
 - i. Large; or
 - ii. Narrow; or
 - iii. Vacant: or
 - iv. Ground level parking areas:
 - c. Provides for the increased levels of residential accommodation enabled in this zone; and
 - d. Provides for a range of supporting business, open space and community facilities;
 - e. <u>Is accessible for emergency service vehicles.</u>
- 3. 2. Ensuring that the development, where relevant:
 - a. Responds to the site context, particularly where it is located adjacent to:
 - i. A scheduled site of significance to tangata whenua or other Māori; or
 - ii. Heritage buildings, heritage structures and heritage areas; or
 - i. An identified character precinct; or
 - ii. Residential zoned areas; or
 - iii. Open space and recreation zoned areas;
 - k. Provides a safe and comfortable pedestrian environment;
 - Enhances the quality of the streetscape and public / private interface;
 - m. Integrates with existing and planned active and public transport movement networks, including planned rapid transit stops; and
 - n. Allows sufficient flexibility for ground floor space to be converted for a range of activities, including residential.

ISPP

NCZ-P8 On-site residential amenity

Achieve a good standard of amenity for residential activities in the Neighbourhood Centre Zone by ensuring access to convenient outdoor space:

- 1. Providing residents with access to adequate outlook; and
- 2. Ensuring convenient access to convenient outdoor space, including private and/or shared communal areas of outdoor space;
- 3. Meeting the requirements of the Residential Design Guide as relevant; and
- 4. Providing residents with adequate internal living space

NCZ-P9

Managing adverse effects

Recognise the evolving, higher density development context enabled in the Neighbourhood Centre Zone, while managing any associated adverse effects beyond those anticipated within the zone including:

- 1. Shading, privacy, bulk and dominance effects on adjacent sites; and
- 2. The impact of construction on the transport network <u>and pedestrian linkages.</u>

ISPP

NCZ-P10 City outcomes contribution

Require Encourage over height, large-scale residential, non-residential and comprehensive development in the Neighbourhood Centre Zone that contribute to positive outcomes including by to deliver City Outcomes Contributions as detailed and scored in Appendix 16 the Centres and Mixed Use Design Guide guideline G107, including through either:

- 1. Positively contributing to public space provision and the amenity of the site and surrounding area; and/or
- 2. Enabling ease of access for people of all ages and mobility; and/or
- 3. 2. Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change resilience; and/or
- 4. 3. Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or
- 5. 4. Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure that it remains assisted housing for at least 25 years.; and/or
- 6. Enabling ease of access for people of all ages and mobility.

NCZ-PX

Retirement village

<u>Provide for retirement villages where it can be demonstrated that the development:</u>

- 1. <u>Meeting the requirements of the Residential Design Guide, as</u> <u>relevant;</u>
- 2. <u>Includes outdoor space that is sufficient to cater for the needs of the residents of the village;</u>
- 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. <u>Is able to be adequately serviced by three waters infrastructure or can address any constraints on the site; and</u>
- 5. <u>Is of an intensity, scale and design that is consistent with the amenity values anticipated for the Zone.</u>

Rules: Land use activities

P1 Sch1	NCZ-R1	Commercial activities				
	Activity status: Permitted					
	Where:					
		a. The activity is not an Integrated Retail Activity (refer to Rule NCZ-R11).				
P1 Sch1	NCZ-R2	Community facilities				
	1. Ac	Activity status: Permitted				
P1 Sch1	NCZ-R	Educational facilities				
	Activity status: Permitted					
P1 Sch1	NCZ-R4	Arts, culture and entertainment activities				
	1. Ac	ctivity status: Permitted				
P1 Sch1	NCZ-R5	Emergency service facilities				
	1. Ac	ctivity status: Permitted				
P1 Sch1	NCZ-R6	NCZ-R6 Community corrections activities				
	1. Ac	ctivity status: Permitted				
P1 Sch1	NCZ-R7	Visitor accommodation				
	1. Ac	ctivity status: Permitted				
P1 Sch1	NCZ-R8	Recreational activities				
	Activity status: Permitted					
P1 Sch1	NCZ-R	Public transport activities				
	Activity status: Permitted					
	NCZ-RX	Retirement Villages				
	<u>-</u> 1. Ac	etivity status: Permitted				
P1 Sch1	NCZ-R10	Residential activities and Retirement Villages				
	1.	Activity status: Permitted				
	Where:					
		a. The activity is located:				
	i. Above ground floor level;					
	ii. At ground floor level along any street edge not identified as an active frontage; or					

- iii. At ground floor level along any street edge not identified as a nonresidential activity frontage; or
- iv. At ground level along any street not identified as requiring verandah coverage; or

At ground level on any site contained within a Natural Hazard Overlay.

2. Activity status: Restricted Discretionary

Where:

 Compliance with the requirements of NCZ-R10.1 cannot be achieved.

Matters of discretion are restricted to:

1. The matters in NCZ-PXX, NZC-P7 and NCZ-P8.

Notification status: An application for resource consent made in respect of rule NCZ-R10.2.a is precluded from being <u>limited and publicly notified</u>.

P1 Sch1

NCZ-R11

Integrated retail activity

1. Activity status: Permitted

Where:

- a. The total gross floor area does not exceed 21XX0,000m².
- 2. Activity status: Restricted Discretionary

Where:

a. Compliance with the requirements of NCZ-R11.1.a cannot be achieved.

Matters of discretion are:

- 1. The matters in NCZ-P1, NCZ-P2, NCZ-P3, and NCZ-P4;
- 2. The cumulative effect of the development on:
 - a. The ongoing viability and vitality brancy of the City Centre Zone and Golden Mile;
 - b. The safety and efficiency of the transport network, including providing for a range of transport modes;
 - c. The hierarchy of roads, travel demand or vehicle use; and
- 3. The compatibility with other activities provided for in the zone.

Council will not apply a permitted baseline assessment when considering the effects of integrated retail activities that cannot comply with NCZ-R11.1.a.

P1 Sch1

NCZ-R12

Industrial activities

1. Activity status: Permitted

Where:

- a. The activity is not a heavy industrial activity.
- 2. Activity Status: Non-complying

Where:

Compliance with the requirements of NCZ-R12.1 cannot be achieved

Notification status: An application for resource consent made in respect of rule NCZ-R12.2.a must be publicly notified.

P1 Sch1

NCZ-R13 Carparking activities

1. Activity status: Permitted

Where:

- a. The activity involves:
 - Provision of carparks not visible at street edge along an active frontage or non-residential activity frontage; or
 - ii. Provision of carparks above ground floor level; or
 - iii. Provision of carparks below ground floor level; or
 - iv. Provision of parking spaces for people with disabilities; or
 - Provision of ground floor level carparks that form part of a building specifically constructed and used for carparking purposes.
- 2. Activity status: Discretionary

Where:

a. Compliance with the requirements of NCZ-R13.1.a is not achieved.

P1 Sch1

NCZ-R14

Yard-based retailing activities

1. Activity status: Discretionary

Notification status: An application for resource consent made in respect of rule LCZ-R14 must be publicly notified, except:

a. The activity relates to the maintenance, operation and upgrading of an existing activity.

P1 Sch1

NCZ-R15

All other activities

1. Activity status: Discretionary

Where:

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

Rules: Building and structures activities

ISPP

NCZ-R16

Maintenance and repair of buildings and structures

1. Activity status: Permitted

ISPP

NCZ-R17

Demolition or removal of buildings and structures

2. Activity status: Discretionary

Where:

a. Compliance with any of the requirements of NCZ-R17.1 cannot be achieved.

The assessment of the activity must have regard to:

- 1. How the land will be utilised whilst it is vacant; and
- Creating a positive visual relationship between the site and streetscape whilst the site is vacant.

Notification status: An application for resource consent made in respect of rule NCZ-R17.2.a is precluded from being either publicly or limited notified.

1. Activity status: Permitted

Where:

- a. The demolition or removal of a building:
 - i. Is required to avoid an imminent threat to life and/or property; or
 - ii. Enables the creation of public space or private outdoor living space associated with the use of a building; or
 - iii. Is required for the purposes of constructing a new building or structure, or adding to or altering an existing building or structure, that <u>is a permitted activity under NCZ-R18</u>, or that has an approved resource consent, or resource consent is being sought concurrently <u>under NCZ-R18.2</u>; or
- b. The building or structure for demolition or removal is not on a site that has an active frontage or non-residential activity frontage; or
- c. The demolition or removal involves a structure, excluding any building.

ISPP

NCZ-R18

Construction of, or additions and alterations to, buildings and structures

1. Activity status: Permitted

Where:

- a. Alterations or additions to a building or structure:
 - Do not alter the external appearance of the building or structure; or
 - Relate to a building frontage below verandah level, including entranceways and glazing and compliance with NCZ-S5 is achieved; or
 - iii. Do not result in the creation of new residential units; and
 - iv. Are not visible from public spaces; and
 - v. Comply with effects standards NCZ-S1, NCZ-S2, NCZ-S3, NCZ-S4, NCZ-S5 and NCZ-S6; and
- b. The construction of any building or structure:
 - Is not located on a site with an active frontage or non-residential activity frontage; or
 - ii. Is not visible from a public space; and
 - iii. Will have a gross floor area of less than 100m²; and
 - iv. Will result in a total coverage (together with other buildings) of no more than 20 percent of the site; and
 - v. Comply with effects standards NCZ-S1, NCZ-S2, NCZ-S3, NCZ-S4, NCZ-S5 and NCZ-S6; and
 - vi. Does not involve the construction of a new building for residential activities.

2. Activity status: Restricted Discretionary

Where:

 Compliance with any of the requirements of NCZ-R18.1 cannot be achieved.

Matters of discretion are:

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

Notification status:

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

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

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

P1 Sch1

NCZ-R19

Conversion of buildings, or parts of buildings, for residential activities

1. Activity status: Restricted Discretionary

Matters of discretion are:

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

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

P1 Sch1

NCZ-R20

Outdoor storage areas

1. Activity status: Permitted

Where:

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

2. Activity status: Restricted Discretionary

Where:

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

Matters of discretion are:

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

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

Standards

ISPP

NCZ-S1

Maximum Height

The following maximum height limits above ground level must be complied with:	Assessment criteria where the standard is infringed:		
	 Streetscape and visual amenity effects; Dominance, privacy and shading effects on adjoining sites; and The extent to which taller buildings would contribute to a substantial increase in residential accommodation. 		
Location	Height		
Height control area 1	12 metres		
All Neighbourhood centres, including Aro Valley Centre Height Control Area A, except as stated below in Height Control Area 2			
Height control area 2	14 metres		
Mersey Street, Island Bay			
Height control area 2-3	22 metres		
Aro Valley Centre Height Control Area B Berhampore Centre Ngaio Centre Oxford Street Tawa Centre			
2. Fences and standalone walls must not exceed a maximum height of 1.8 metres (measured above ground level) on the front boundary and 2.0m on side and rear boundaries.			
This standard does not apply to:			
 a. Accessory buildings; b. Fences or standalone walls; c. Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; 			
d. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m; and			
e. Lift overruns provided these do not exceed the height by more than 4m.			

NCZ-S2 Mini

Minimum building height

- 1. A minimum height of 7m is required for:
 - a. New buildings or structures;
 - Additions to the frontages of existing buildings and structures.

This standard does not apply to:

- 1. Accessory buildings, ancilliary to the primary activity on the site.
- 2. Any building or structure that is unable to be occupied by people.

- 1. Assessment criteria where the standard is infringed;
- 2. The extent to which a reduced height:
 - a. Is necessary to provide for the functional needs or operational needs of a proposed activity;
- Whether topographical or other site constraints make compliance with the standard impracticable or unnecessary; and
- 4. Whether, for any additions or alterations, the existing ground floor height meets the standard.

ISPP

NCZ-S3

Minimum ground floor height

1. The minimum ground floor height to underside of structural slab or equivalent shall be 4m.

Assessment Criteria where the standard is infringed:

- 1. The extent to which a reduced height:
 - Will compromise or preclude future use or adaptation of the ground floor for nonresidential activities;
 - Is necessary to provide for the functional needs or operational needs of a proposed activity; and
 - Whether topographical or other site constraints make compliance with the standard impracticable or unnecessary.

ISPP

NCZ-S4

Height in relation to boundary

4. No part of any building or structure may project beyond the relevant recession plane <u>standards of an</u> <u>adjoining boundary in the MRZ, HRZ or Open Space</u> <u>Zone shown below:</u>

- Dominance, privacy and shading effects on adjoining sites;
- Whether an increase in height in relation to boundary results from

	3. 3. 4. 	hazard mitigation; Effects on public spaces; and The extent to which an increase in height in relation to boundary would contribute to a substantial increase in residential	
Recession plane			
60° measured from a height of 4m vertically above ground level			
60° measured from a height of 5m vertically above ground level			
60° measured from a height of 8m vertically above ground level			
60° measured from a height of 5m vertically above ground level			
 A boundary with a road; Internal boundaries; Solar power and heating components attached to a building provided these do not exceed the height in relation to boundary by more than 500mm; and Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height in relation to boundary by more than 3m measured vertically. 			
	60° measured from a height of 4m vertically above ground level 60° measured from a height of 5m vertically above ground level 60° measured from a height of 8m vertically above ground level 60° measured from a height of 5m vertically above ground level 60° measured from a height of 5m vertically above ground level omponents attached to not exceed the height fore than 500mm; and aerials, chimneys, ative features (e.g. none of these exceed exceed the height in	Recession plane 60° measured from a height of 4m vertically above ground level 60° measured from a height of 5m vertically above ground level 60° measured from a height of 8m vertically above ground level 60° measured from a height of 5m vertically above ground level 60° measured from a height of 5m vertically above ground level on the second from a height of 5m vertically above ground level on the second from a height of 5m vertically above ground level on the second from a height of 5m vertically above ground level on the second from a height of 5m vertically above ground level	increase in height in relation to boundary would contribute to a substantial increase in residential accommodation. Recession plane 60° measured from a height of 4m vertically above ground level 60° measured from a height of 5m vertically above ground level 60° measured from a height of 8m vertically above ground level 60° measured from a height of 5m vertically above ground level 60° measured from a height of 5m vertically above ground level 60° measured from a height of 5m vertically above ground level omponents attached to onot exceed the height ore than 500mm; and aerials, chimneys, ative features (e.g. none of these exceed exceed the height in

NCZ-S5 Verandah control

- Verandahs must be provided on building elevations on identified street frontages;
- 2. Any verandah must:
 - a. Extend the full width of the building elevation;
 - b. Connect with any existing adjoining verandah;

- 1. The extent to which any non-compliance:
 - a. Will adversely affect the comfort and convenience of pedestrians;
 - b. Will result in further street trees being added to public

- c. Have a minimum clearance of
 2.5m directly above the footpath
 or formed ground surface;
- d. Not exceed a maximum height of 4m measured between the base of the verandah fascia and the footpath or formed ground surface directly below;
- e. Be setback a minimum of 450mm from any point along the kerbing extending back to the site boundary; and
- f. Not exceed a maximum width of 3m from the front of the building.

space as part the development; and

2. The continuity of verandah coverage along the identified street, informal access route or public space.

This standard does not apply to:

- a. Any scheduled building identified in SCHED1-Heritage buildings.
 However, if for any reason these buildings received Council approval (resource consent or other approval) to be demolished, then a verandah would be required for any replacement buildings on these sites; and
- Any building where compliance with the standard results in an encroachment into the dripline of an existing street tree; and
- c. Service stations.

ISPP

NCZ-S6 Active frontage and non-residential activity frontage controls

- Any new building or addition to an existing building on an identified street with an active frontage must:
 - a. Be built up to the street edge on all street boundaries with an identified active frontage control and along the full width of the site bordering any street boundary, excluding vehicle and pedestrian access;
 - Provide a minimum of 60% of continuous display windows or transparent glazing along the width of the ground floor building frontage; and
 - c. Locate the principal public entrance on the front boundary;

Except that this standard does not apply to service stations.

- 1. The extent to which:
 - a. Any non-compliance is required for on-site functional or operational needs:
 - b. The building frontage is designed and located to create a strong visual alignment with adjoining buildings or otherwise enhances the streetscape; and
 - c. An acceptable level of passive surveillance is maintained between the interior of the building and the street is provided.

- Any ground level <u>façade of a new building or</u> addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that:
 - a. Is more than 3 metres wide; and
 - Extends from a height of 1m above ground level to a maximum height of 2.5m;
- 3. Any roller shutter doors (except to car parking and service areas), security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent; and
- 4. Any new building or addition to an existing building on a site with a non-residential activity frontage control must:
 - Be built up to the street edge on all street boundaries and along the full width of the site bordering any street boundary; and
 - b. Locate the principal public entrance on the front boundary.

NCZ-S7 Minimum residential unit size

 Residential units, including dual key units, must meet the following minimum sizes: Assessment criteria where the standard is infringed:

- 1. The extent to which:
 - The design of the proposed unit provides a good standard of amenity; and
 - b. Other on-site factors compensate for a reduction in unit sizes.

Residential unit type	Minimum net floor area
b. Studio unit	35m ²
c. 1 bedroom unit	40m ²
d. 2+ bedroom unit	55m ²

ISPP

NCZ-S8 Residential – outdoor living space

 Each residential unit, including any dual key unit, must be provided with either an private outdoor living space or access to a communal outdoor living space; Assessment criteria where the standard is infringed:

The extent to which:

 Any proposed outdoor living space provides a good

- 2. Where private outdoor living space is provided it must be: that is:
 - a. For the exclusive use of residents;
 - b. Directly accessible from a habitable room;
 - c. A single contiguous space; and
 - d. Of the minimum area and dimension specified in the table below:
- 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;
 - b. Of the minimum area and dimension specified in the table below; and
 - c. Free of buildings, parking spaces, and servicing and maneuvering manoeuvring areas.

- standard of amenity relative to the number of occupants the space is designed for;
- Other on-site factors compensate for a reduction in the size or dimension of the outdoor living space; and
- 3. The availability of public space in proximity to the site.

Living space type	Minimum area		Minimum dimension		
a. Private					
i. Studio unit and 1- bedroom unit			1.8m		
ii 2+ bedroom unit	8m ²		1.8m		
b. Communal					
iii For every 54 - 15 units	1064m²		8m		
For each additio nal unit above 15 units	<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.					

NCZ-S9 Minimum outlook space for multi-unit housing

 Every residential unit must be designed to achieve a minimum of 1m by 1m outlook space for all habitable rooms. Assessment criteria where the standard is infringed:

I. The extent to which:
The design of the proposed unit provides
a good standard of amenity; and
Other on-site factors compensate for a
reduction in outlook space.

ISPP

NCZ-S10

Minimum building separation distance

1. Any new building or addition to an existing building used for residential activities must provide an 8m separation distance between buildings located on the same site, as shown in Diagram 11 below.



Assessment criteria where the standard is infringed:

The extent to which a reduced setback will increase dominance and shadowing related effects on residential units within the development site; and

Dominance, privacy and shading effects on adjoining sites.

Footprint Max. 25.0 m Min. 8.0 m Building Seperat Max. 25.0 m Building Depth

This standard does not apply to Neighbourhood centres other than Aro Valley, Berhampore and

Ngaio Centres.

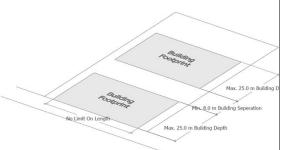
NCZ-S11 Maximum building depth-

1. Any new building or additions to existing buildings used for residential activities must not result in the continuous depth of any external side wall being greater than 25m, as shown in Diagram 12 below.

Assessment criteria where the standard is infringed:

The extent to which the design mitigates the effect of a long featureless building elevation; and

Dominance, privacy and shading effects on adjoining sites.



This standard does not apply to Neighbourhood centres other than Aro Valley, Berhampore and Ngaio Centres.

Methods

ISPP

MCZ-M1 **Urban Design Panel**

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

He Rohe Whakamahinga Rau

Mixed Use Zone

MUZ	Mixed Use Zone
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Introduction

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

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

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

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

Other relevant District Plan provisions

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

Objectives	
MUZ-O1	Purpose
	The Mixed Use Zone is developed and used for a wide range of compatible activities.
MUZ-O2	Accommodating growth
	The Mixed Use Zone has an important role in accommodating growth and has sufficient serviced, resilient development capacity <u>and additional infrastructure</u> to meet business, and to a lesser extent residential growth needs.

MUZ-O3	Compatibility with other employment areas and the hierarchy of centres		
	Activities and development will be of an appropriate scale and type that do not undermine the vitality, role and function of the City Centre and other Centres as set out in the hierarchy of centres.		
MUZ-O4	Amenity and design		
	Development in the Mixed Use Zone positively contributes to creating a well-functioning urban environment and a diverse local context.		
MUZ-O5	Managing adverse effects		
	Adverse effects from use and development of the Mixed Use Zone are managed effectively, particularly on more sensitive environments in neighbouring zones.		
Policies			
MUZ-P1	Accommodating growth		
	Provide for the use and development of the Mixed Use Zone to meet the City's needs for business activities and to a lesser extent housing, including:		
	 A choice-variety of building type, size, affordability and distribution, including forms of medium and high density housing; Efficient, well integrated and strategic use of available development sites; and Convenient access to state highways and key transport routes. 		
MUZ-P2	Enabled activities		
	Enable a wide range of compatible activities in the Mixed Use Zone where they are of an appropriate nature, scale and intensity for the zone and the hierarchy of centres, including		
	 Commercial activities; Community facilities; Educational facilities; Recreation activities; Arts, culture and entertainment activities; Emergency service facilities; Community corrections facilitiesactivities; Visitor accommodation; Recreational facilities; Residential activities above ground floor level; 		
	11. Public transport activities; and12. Industrial activities.		
MUZ-P3	Managing larger-scale retail activities		
	Only allow the establishment of integrated retail activities and large supermarkets in the Mixed Use Zone if it can be demonstrated that they will:		
	 Not result in significant adverse impacts on the viability, vitality, role and function of the City Centre or any Metropolitan, Local or Neighbourhood Centres; Not result in significant adverse impacts on the sustainability, safety or efficiency of the transport network and the hierarchy of roads from trip patterns, travel demand or vehicle use; and 		

	Be compatible with adjoining land uses.			
MUZ-P4	Avoiding heavy industrial activities			
	Avoid heavy industrial activities from locating in the Mixed Use Zone.			
MUZ-P5	Residential activities			
	Ensure the ongoing functional use of the Mixed Use Zone for a range of business uses by:			
	 Restricting residential activities being established at the ground floor level of buildings; and Ensuring residential activities are designed and constructed to provide good onsite amenity and to avoid reverse sensitivity effects on non-residential activities within the zone-; and Meeting the requirements of the Residential Design Guide as relevant. 			
MUZ-P6	Design of new development			
	Encourage a high standard of built form and amenity while,			
	 a. Eenabling innovation and choice in the design of new built development to reflect the diverse neighbourhood context of the Mixed Use Zone; and b. Meeting the intentions of the Centres and Mixed Use Design Guide as relevant. 			
MUZ-P7	Zone interfaces			
	Require use and development of the Mixed Use Zone to maintain a reasonable amenity for adjoining Residential or Open Space Zones or other sensitive uses.			
Rules: Land u	use activities			
MUZ-R1	Commercial activities			
1. Activ	rity status: Permitted			
Whe	re:			
	a. The activity is not an Integrated Retail Activity (refer to Rule MUZ-R11); and c. The activity is not a supermarket (refer to MUZ-R12).			
MUZ-R2	Community facilities			
1. Activ	rity status: Permitted			
MUZ-R3	Educational facilities			
1. Activ	rity status: Permitted			
MUZ-R4	Arts, culture and entertainment activities			
1. Activ	rity status: Permitted			
MUZ-R5	Emergency services facilities			
1. Activ	rity status: Permitted			
MUZ-R6	Community corrections facilities activities			
1. Activ	rity status: Permitted			

MUZ-R7	Visitor accommodation			
	vity status: Permitted			
MUZ-R8	Recreational activities			
	vity status: Permitted			
MUZ-R9	Public transport activities			
	vity status: Permitted			
MUZ-R10	Residential activities			
	vity status: Permitted			
Whe	ore:			
a. T	he activity is located above ground floor level.			
2. Activ	vity status: Restricted Discretionary			
Whe	ere:			
a. C	Compliance with the requirements of MUZ-R10.1 cannot be achieved.			
Matters of di	scretion are:			
2. The example of the contribution of the cont	natters in MUZ-P1, MUZ-P2 and MUZ-P5; xtent to which the activity is the most appropriate to meet Wellington's future growth needs; compatibility with existing activities nearby and other activities provided for in the Mixed Use affect on the visual quality of the streetscape and the extent to which the development outes to or detracts from the pedestrian environment; and axtent to which the activity enables or limits adaptability for future non-residential activity at d floor level.			
	status: An application for resource consent made in respect of rule MUZ-R10.2.a is om being publicly notified.			
MUZ-R11	Integrated retail activity			
1. Activ	vity status: Permitted			
Whe	Where:			
 a. The integrated retail activity comprises large format retail and does not exceed XX,000m² total GFA; or b. The integrated retail activity does not comprise large format retail and does not exceed 2,500m² total GFA. 				
2. Activity	status: Restricted Discretionary			
Where:	Where:			

a. Compliance any of the requirements of MUZ-R11.1 cannot be achieved.

Matters of discretion are:

1. The matters in MUZ-P3.

The Council will not apply a permitted baseline assessment when considering the effects of integrated retail activities that cannot comply with MUZ-R11.1.

MUZ-R12 Supermarkets

1. Activity status: Permitted

Where:

- a. The total gross floor area does not exceed 1,500m².
- 2. Activity status: Restricted Discretionary

Where:

c. Compliance with the requirements of MUZ-R12.1 cannot be achieved.

Matters of discretion are:

1. The matters in MUZ-P3.

The Council will not apply a permitted baseline assessment when considering the effects of supermarkets that cannot comply with MUZ-R12.1.

MUZ-RX Retirement Villages

1. Activity status: Discretionary

MUZ-R13 All other activities

1. Activity status: Discretionary

Where:

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

Rules: Building and structure activities

MUZ-R14	Maintenance and	l repair of building	gs and structures
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1. Activity status: Permitted

MUZ-R15 Demolition or removal of buildings and structures

1. Activity status: Permitted

MUZ-R16 Construction of, or additions and alterations to, buildings and structures

1. Activity status: Permitted

Where:

- a. Compliance with the following standards is achieved:
 - i. MUZ-S1;

- ii. MUZ-S3;
- iii. MUZ-S4;
- iv. MUZ-S5:
- v. MUZ-S6;
- vi. MUZ-S7;
- vii. MUZ-S11; and
- b. The activity is not the construction of a new building for residential activities.
- 2. Activity status: Restricted Discretionary

Where:

b. Compliance with any of the requirements of MUZ-R16.1 cannot be achieved.

Matters of discretion are:

- 1. The matters in MUZ-P2, MUZ-P5, MUZ-P6 and MUZ-P7;
- The extent and effect of non-compliance with MUZ-S1, MUZ-S3, MUZ-S4, MUZ-S5, MUZ-S6, MUZ-S7 and MUZ-S11 as specified in the associated assessment criteria for the infringed standards;
- 3. The extent of compliance with MUZ-S2; and
- 4. The extent of compliance with MUZ-S8, MUZ-S9 and MUZ-S10 for any part of the building used for residential activities.
- 5. The Centres and Mixed-Use Design Guide; and
- 6. The Residential Design Guides for any part of a building used for residential activities.

Notification status:

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

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

MUZ-R17 Conversion of buildings or parts of buildings for residential activities

1. Activity status: Restricted Discretionary

Matters of discretion are:

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

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

MUZ-R18 Outdoor storage areas

1. Activity status: Permitted

Where:

- a. The storage area is screened by either a fence or landscaping of 1.8m in height from any adjoining road or site.
- b. Screening does not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.
- 2. Activity status: Restricted discretionary

Where:

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

Matters of discretion are:

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

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

MUZ-RX Industrial Activities

1. Activity status: Permitted

Where:

- a. The activity is not a heavy industrial activity.
- 2. Activity status: Non-complying

Where:

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

Standards MUZ-S1 Maximum height for the purposes of MUZ-R16.1 1. The following maximum height limits above ground Assessment criteria where the standard level must be complied with: 22m is infringed: **Location** Limit 1. Streetscape and visual amenity effects; Height control area 1 12 metres 2. Dominance, privacy and shading effects on adjoining sites; and **Newtown South** 3. The extent to which taller buildings **Greta Point** would contribute to a substantial **Tawa South** increase in residential Takapu Island accommodation. the increased **Tauhinu Road** building height would provide for Rongotai South Mixed Use Zone additional development potential Height Control A

Rongotai South Mixed Use Zone Height Control B- Shelly Bay Tawa: Tawa Street	
Height control area 2 - Tawa Junction Kaiwharawhara Kilbirnie North Miramar - Park Road and Weka Street	15 metres
Height control area 3 - Rongotai South Mixed Use Zone Height Control B- Rongotai South Mixed Use Zone Height Control C	16 metres
Height control area 4 - Miramar - Ropa Lane, Maupuia Road Ngauranga Tawa Junction Takapu Island	18 metres

which is consistent with the purpose of the zone.

 Fences and standalone walls must not exceed a maximum height of 1.8 metres (measured above ground level) on front boundaries and 2.0m on side and rear boundaries.

This standard does not apply to:

- 1. Accessory buildings;
- Solar panel and heating components attached to a building provided these do not exceed the height by more than 500m;
- Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m; and
- 4. Lift overruns provided these do not exceed the height by more than 4m.

MUZ-S2 Maximum height for the purposes of MUZ-R16.2 The following maximum height limits above ground level must be complied with: Location Streetscape and visual amenity effects; Dominance, privacy and shading effects on adjoining sites; and

Rongotai South Mixed Use Zone	
Height Control B-	
Height control area 2	18 metres
-	
Newtown South	
Greta Point	
Tawa: Tawa South	
Takapu Island	
Miramar: - Ropa Lane, Maupuia	
Road and Tauhinu Road	
Rongotai South Mixed Use Zone	
Height Control A	
Rongotai South Mixed Use Zone	
Height Control C	
Height control area 3	19 metres
-	
Rongotai South Mixed Use Zone	
Height Control D	
Height control area 4	22 metres
neight control area 4 	22 metres
Tawa: Tawa Junction	
Tawa: Redwood Avenue	
Tawa: Tawa Street	
Height control area 5	22.5 metres
Height control area 5	ZZ.5 Metres
- Glenside	
Kaiwharawhara	
Sar Street	
Kilbirnie North	
Miramar: Park Road and Weka	
Street	
- Circuit	
Height control area 6	24 metres
-	
Ngauranga: Malvern	
Height control area 7	27 metres
-	
Shelly Bay	
-	1

3. The extent to which taller buildings would contribute to a substantial increase in residential accommodation.

8. Fences and standalone walls must not exceed a maximum height of 1.8 metres (measured above ground level).

This standard does not apply to:

- 2. Accessory buildings;
- 3. Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm;
- 4. 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
- 5. Lift overruns provided these do not exceed the height by more than 4m.

MUZ-S3

Height in relation to boundary

 No part of any building or structure may project beyond the relevant recession plane standards of an adjoining boundary in the MRZ, HRZ or Open Space Zone shown below:

Location Recession plane Boundary adjoining any 60° measured from a site within the MRZ with height of 4m vertically a height limit of 11m above ground level identified on the District Plan Maps 60° measured from a Boundary adjoining any site within the MRZ with height of 5m vertically a height limit of 14m above ground level identified on the District Plan Maps 60° measured from a Boundary adjoining any site within the HRZ height of 8m vertically above ground level Boundary adjoining any 60° measured from a site within an Open height of 5m vertically Space Zone above ground level Boundary adjoining any 60° measured from a site containing a height of 5m vertically scheduled heritage above ground level **building**

These standards do not apply to:

- a. A boundary with a road;
- b. Internal boundaries;
- Solar power or heating components provided these do not exceed the height in relation to boundary by more than 500mm measured vertically;
- d. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height in relation to boundary by more than 3m measured vertically; and

Assessment <u>criteria</u>xriteria where the standard is infringed:

- 1. The extent to which any infringement is necessary to provide for functional needs or operational needs of the activities on the site;
- 2. Dominance, privacy and shading effects on adjoining sites;
- 3. Whether topographical or other site constraints make compliance with the standard impracticable:
- 4. Whether an increase in height in relation to boundary results from a response to natural hazard mitigation;
- The extent to which an increase in height in relation to boundary would contribute to a substantial increase in residential accommodation; and
- 6. The effect on the function and associated amenity values of any adjacent open space zone.

e. Lift overruns, provided these do not exceed the height in relation to boundary by more than 1m measured vertically.

MUZ-S4 Minimum ground floor height

 The minimum ground floor height to the underside of structural slab or equivalent for any new building, or addition or alterations to an existing building shall be 4m. Assessment criteria where the standard is infringed:

- 1. The extent to which a reduced height:
 - a. Will compromise or preclude future alternative ground floor uses;
 - b. Is necessary to provide for functional needs or operational needs of a proposed activity;
- Whether topographical or other site constraints make compliance with the standard impracticable or unnecessary;
- The extent to which the ground floor level will be able to be used or adapted for future nonresidential activities; and
- 4. Whether, for any additions or alterations, the existing ground floor height infringes the standard.

MUZ-S5 Windows adjacent to Residential Zones

- Except for windows in a residential unit, <u>o</u>Opaque privacy glazing must be installed in windows where:
- 2. The associated building wall faces a site in any Residential Zone; and
- 3. The wall is located within 5m of the boundary of a site in any Residential Zone.

Assessment criteria where the standard is infringed:

- 1. Privacy effects on adjoining sites; and
- 2. Positive safety implications of over-looking public space.

MUZ-S6 Maximum gross floor area of buildings

1. Any building must not exceed a maximum gross floor area of 500m².

Assessment Criteria where the standard is infringed:

- The extent to which the additional floor area is necessary to provide for functional needs or operational needs of the activities on the site;
- 2. Dominance, privacy and shading effects on adjoining sites; and
- 3. The extent to which the design, appearance and location of the building on the site mitigates the visual impact or dominance effects of the additional building area on the surrounding area.

MUZ-S7 Verandah control

4. Any verandah constructed on any building frontage facing a public space, including roads, must:

Assessment criteria where the standard is infringed:

1. The extent to which any non-compliance is necessary to provide for functional or

- Have a minimum clearance of 2.5m directly above the footpath or formed ground surface;
- Not exceed a maximum height of 4m measured between the base of the verandah fascia and the footpath or formed ground surface directly below;
- c. Be setback a minimum of 450mm from any point along the kerbing extending back to the site boundary; and
- d. Not exceed a maximum width of 3m from the front of the building.

- operational requirements of the activities on the site, or for people's health and safety;
- Whether sufficient clearance is provided for pedestrians and the delivery of goods where any verandah is proposed lower than 2.5m above the footpath or ground surface level; and
- 3. The extent to which any verandahs wider than 3m or within 450mm of any kerbing allow clearance for unencumbered vehicle movement, parking and loading.

This standard does not apply to:

a. Service stations.

MUZ-S8 Minimum residential unit size

1. Residential units, including dual key units, must meet the following minimum sizes:

Residential unit type		Minimum net floor area
a.	Studio unit	35m ²
b.	1 bedroom unit	40m²
C.	2+ bedroom unit	55m²

Assessment criteria where the standard is infringed:

- 1. The extent to which:
 - a. The design of the proposed unit provides a good standard of amenity; and
 - b. Other on-site factors compensate for a reduction in unit sizes.

MUZ-S9 Outdoor living space for residential units

- Each residential unit, including any dual key unit, must be provided with either a private outdoor living space or access to a communal outdoor living space;
- 2. Where private outdoor living space is provided it must be:
 - a. For the exclusive use of residents;
 - b. Directly accessible from a habitable room;
 - c. A single contiguous space; and
 - d. Of the minimum area and dimension specified in the table below; and
- 3. Where communal outdoor living space is provided it does not need be in a single continuous space but it must be:
 - a. Accessible from the residential units it serves;
 - b. Of the minimum area and dimension specified in the table below; and
 - c. Free of buildings, parking spaces, and servicing and maneuvering areas.

Assessment criteria where the standard is infringed:

The extent to which:

- Any proposed outdoor living space provides a good standard of amenity relative to the number of occupants the space is designed for:
- Other on-site factors compensate for a reduction in the size or dimensions of the outdoor living space; and
- 3. The availability of public space in proximity to the site.

Living space type	Minimum area	Minimum
		dimension

a.	Pri	vate		
	i.	Studio unit and 1- bedroom unit	5m ²	1.8m
	ii.	2+ bedroom unit	8m ²	1.8m
b.	Co	mmunal		
b.			<u>64</u> 10 m ²	8m

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

MUZ-S10 Minimum Outlook space for multi-unit housing

 Every residential unit must be designed to achieve a minimum of 1m by 1m outlook space for all habitable rooms. Assessment criteria where the standard is infringed:

- 1. The extent to which:
 - The design of the proposed unit provides a good standard of amenity; and
 - b. Other on-site factors compensate for a reduction in outlook space.

MUZ-S11 Lyall Bay Parade frontage control

- New buildings built on a site adjoining the Open Space Zone and Recreation Zoned land fronting Lyall Parade must be built in alignment with the existing Lyall Parade street frontage; and
- Any addition to, alteration or modification of a building or structure on a site adjoining the Open Space Zone and Recreation Zoned land fronting Lyall Bay Parade, where the works are confined to the area below verandah level must not create a featureless façade.

Assessment criteria where the standard is infringed

 The extent to which the effectiveness of any landscaping, screening or other site mitigation proposed creates visual interest of the streetscape and façade relief.

MUZ-SX Boundary setback from a rail corridor

 Boundary or structures must not be located within 1.5m setback from a rail corridor boundary. Assessment criteria where the standard is infringed:

 The extent to which the location and design of the building relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.

Appendix 2 – Section 32AA assessment

Having regard to section 32AA, the following is noted:

Table 1: Introduction of a Town Centre Zone and consequential changes to the PDP

Effectiveness and	Separating the Centres hierarchy and introducing a TCZ, is consist	tent
efficiency	with national direction (National Planning Standards and the NPS-UD), which will mean that efficiencies are gained for plan users across territorial boundaries through greater consistency in approach.	
	The proposed revisions to Centres zone framework utilise elements of the existing TCZ and Operative District Plan provisions, in line worker changes in the PDP, thereby minimising the degree of widespread change and providing for efficient integration with the remainder of the PDP.	with
	A separate TCZ will provide for improved interpretation and implementation of the objectives and policies of the NPS-UD and District Plan.	the
	The use of a separate TCZ is consistent with the approaches proposed by territorial authorities in other large cities implement the NPS-UD, including Auckland Council and Christchurch City Council.	ting
	The use of a separate TCZ is consistent with the Operative District Plan.	t
	Introducing a TCZ will deliver on the strategic objectives to cemer Wellington city as the primary economic and employment hub fo the region, reinforce the centres hierarchy, meet land developme capacity requirements, achieve a range of intensity of built form the centre and to facilitate the compact growth of the city (includ CC-O1, CC-O2,CC-O3,CEKP-O1, CEKP-O2 (as recommended), UFD-UFD-O3, UFD-O5).	r ent in ding
Costs/Benefits	Providing a Centres hierarchy with a TCZ means the issues relevant development in the centres identified as being suitable for the TC are clearer and more refined thereby improving the effectiveness delivering the intended urban built outcomes for the differing commercial environments. Providing for greater residential intensification both within and around the TCZ and greater commercial intensification within the	CZ s in
	TCZ is an effective means of giving effect to higher order docume particularly the NPS-UD and will result in increased supply which achieve enhanced economic benefits in accordance with Mr Culle evidence – "More is better".	nts, will

Appendix 2 – S32 AA Assessment

- A more logical framework of defining the spatial extent of medium and higher densities through separate zones is also likely to improve understanding of the framework and result in greater uptake of intensification opportunities, both residential and commercial.
- The use of separate Centres zones (both LCZ and TCZ) removes
 distortion resulting from a single zone approach which, through use
 of height control areas, introduces large differentials in the outcomes
 that can be achieved in each centre in the underlying TCZ.
- Having a Centres zone framework that is more clearly expressed spatially enhances the legibility of the underlying planned outcome across the City.
- There are plan integrity issues with the proposed use of height control areas within the LCZ as these will likely result in large differentials in outcomes from the underlying LCZ. There is a reputational risk to Council of this approach, as it could be seen to be obscuring the true implications of what is enabled in the centres.
- The proposed TCZs are subject to a range of other PDP controls including natural hazards, designations and heritage controls which may restrict redevelopment opportunity in some areas.

Risk of acting or not acting

- 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 NPS-UD.
- The NPS-UD 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 NPS-UD.
- The risk of not acting is that intensification or redevelopment opportunities are not taken up or are unnecessarily prevented from occurring.
- The zoning of centres that does not align with the National Planning Standards creates a risk of inconsistency in district plan frameworks, which is clear objective of the National Planning Standards.
- A lack of hierarchy for centreswhere the role and function of centres is appropriate to support intensification can create a risk of under investment and under development by not signalling what the purpose of the centre is within the urban environment. For example, a town centre provides for surrounding residential suburbs, and the appropriate classification can signal to businesses what types of activities are enabled and supported for that type of centre zone.
- The risk of acting is that the Council would be required to incorporate these changes into the District Plan, which may impose a cost. It is

	considered that the proposed amendments by Kāinga Ora are of a nature that they can be easily included in the PDP and therefore the	
	risk has been mitigated.	
Decision about more	The recommended amendments as set out in my evidence are therefore	
appropriate action	considered to be more appropriate in achieving the purpose of the RMA	
	than the PDP or the proposed changes set out in the section 42A report	

Table 2: Spatial expansion of Centre Zones

• Expanding the spatial extent of the Centre Zones, as shown in Mr. Bae's	
 Expanding the spatial extent of the Centre Zones, as shown in Mr Rae's maps in Attachment C of his evidence, will more effectively deliver on 	
the centre attracting investment and development opportunities as	
the City grows and develops and sets the PDP up to be more	
effectively future focused.	
Centre expansion will enable a variety of sites suitable for different	
business sectors, create good access between housing, jobs and	
community services, support a competitive land and development	
market in accordance with the NPS-UD.	
Proposed Centre expansion will include a range of commercial and	
community services that will be more appropriately zoned resulting in	
consenting efficiencies.	
• The proposed spatial expansions will provide a greater chance of	
accommodating a broader range of activities, which would provide	
greater benefit and amenity to residents in the surrounding HRZs and	
MRZs and consenting efficiencies.	
The proposed spatial expansion of centres will not prevent, but	
improve, the development of sites for residential intensification	
purposes, and will provide enhanced commercial and mixed-use	
opportunities than would be available under the PDP zoning.	
• The proposed spatial expansions are in areas that have been identified	
by Kāinga Or as better suited to commercial and mixed use	
development in the future.	
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 NPS-UD.	
• The NPS-UD 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 NPS-UD.	
With significant residential development enabled through the	
implementation of the NPS-UD, it is important that centes are	
appropriately sized to provide for entrance of new businesses and are	

large enough to provide commercial development capacity for the anticipated residential intensification.

The risk of acting is that the Council would be required to incorporate these changes into the District Plan, which may impose a cost. It is

The risk of acting is that the Council would be required to incorporate
these changes into the District Plan, which may impose a cost. It is
considered that the proposed amendments by Kāinga Ora are of a
nature that they can be easily included in the PDP and therefore the
risk has been mitigated.

Decision about more appropriate action

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 PDP or the proposed changes set out in the section 42A report

Table 3: Increase in height in Centre Zones

Table 5. Illulease III lieig		
Effectiveness and	The recommended amendments to enable building heights of 55m in	
efficiency	the MCZ, 36m in the TCZ and 22m in the LCZ will more effectively	
	deliver on the centre attracting investment and development	
	opportunities as the City grows and develops and sets the PDP up to	
	be more effectively future focused.	
	• The recommended amendments to the building heights within Centres	
	will deliver on the strategic objectives to cement Wellington city as the	
	primary economic and employment hub for the region, reinforce the	
	centres hierarchy, meet land development capacity requirements,	
	achieve a range of intensity of built form in the centre and to facilitate	
	the compact growth of the city (including CC-O1, CC-O2,CC-O3,CEKP-	
	O1, CEKP-O2, UFD-O1, UFD-O3, UFD-O5).	
	• Increased heights will provide the potential for greater access to a	
	wider range of commercial and community services and will more	
	effectively achieve the minimum height requirements outlined in the	
	NPS-UD.	
	The increased heights are generally consistent with those being	
	applied in the neighbouring jurisdictions of Hutt City and Porirua City,	
	which creates some regional consistency.	
Costs/Benefits	Enables greater opportunity for greater investment and development	
	opportunities to be realised, which will support the vibrancy and	
	vitality of the City Centre.	
	Increased building heights will provide additional development	
	capacity for business and commercial activities in those locations.	
	Promotes infrastructure efficiency.	
	• 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 NPS-UD.	
Risk of acting or not	I consider that the appropriateness of adopting the relief sought must	
acting	be considered in the context of the direction set out in higher order	
	policy documents and in particular the NPS-UD.	

- The NPS-UD 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.
 The risk of not acting is to have regulatory planning barriers to level of development that the market may otherwise seek to provide, which is contrary to the intent of the NPS-UD.
 The risk of not acting is that intensification or redevelopment opportunities are not taken up or are unnecessarily prevented from occurring within centres, and potentially pushing development outside of and aroujnd centres which can effect their viability and viabrancy and the provision of public transport and infrastructure.
 The risk of acting is that the Council would be required to incorporate these changes into the District Plan, which may impose a cost. It is
 - these changes into the District Plan, which may impose a cost. It is considered that the proposed amendments by Kāinga Ora are of a nature that they can be easily included in the PDP and therefore the risk has been mitigated.

Decision about more appropriate action

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 PDP or the proposed changes set out in the section 42A report.

Table 4: Amendment to Centre Zone standards

The recommended amendments to the Centre Zones standards will	
more effectively deliver on Centre Zone chapters' objectives to achiev	
a quality built form that it is of an intensity, scale and design that is	
consistent with the planned urban built form of the respective zones.	
The recommended amendments enable greater intensity and	
development to occur within the Centre Zones. This will have the	
benefit of encouraging redevelopment and intensification to support	
the outcomes expressed in both the PDP and the NPS-UD.	
Modifications to the 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 amenity).	
It will provide greater certainty and incentive to investors and	
developers and reduce consenting costs.	
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 NPS-UD.	

Risk of acting or not • I consider that the appropriateness of adopting the relief sought must acting be considered in the context of the direction set out in higher order policy documents and in particular the NPS-UD. • The NPS-UD 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 NPS-UD. • 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 Centre Zones, which may lead to transitory effects as existing areas are redeveloped. • The risk of acting is that the Council would be required to incorporate these changes into the District Plan, which may impose a cost. It is considered that the proposed amendments by Kāinga Ora are of a nature that they can be easily included in the PDP and therefore the risk has been mitigated. Decision about more The amendments recommended provide a balanced outcome between appropriate action enablement and quality urban environments that caters 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 5: Amendment to integrated retail scale thresholds

Effectiveness and	The recommended amendments to the threshold for integrated	
efficiency	retail activities will better reflect the scale of lower order centres.	
	The recommended thresholds are more appropriate in reflecting the	
	zoned spatial extent of the centres and ensure enough other land is	
	available for community, commercial and residential activities, as	
	anticipated in the NPS-UD.	
Costs/Benefits	• Enables greater opportunity for an appropriate scale of retail activity	
	to be realised, which will support the vibrancy and vitality of higher	
	order centres.	
Risk of acting or not	The risk of not acting is creating a zone framework that	
acting	unintentionally signals to developers a scale of development that is	
	inconsistent with the role and function of the centre, and the	
	outcomes in which the zone is seeking to achieve.	
	The risk of acting is that the Council would be required to incorporate	
	these changes into the District Plan, which may impose a cost. It is	

	considered that the proposed amendments by Kāinga Ora are of a	
	nature that they can be easily included in the PDP and therefore the	
	risk has been mitigated.	
Decision about more	The recommended amendments as set out in my evidence are therefore	
appropriate action	considered to be more appropriate in achieving the purpose of the RMA	
	than the PDP or the proposed changes set out in the section 42A report.	

Table 6: City Outcomes Contributions

Table 6: City Outcomes	Contributions	
Effectiveness and	The recommended amendments to the references to City Outcomes	
efficiency	Contributions will make it clearer what is sought to be managed	
	when assessing the effects of buildings in Centre Zones.	
	The recommended amendments will remove the complex and	
	subjective assessment that would be required by requiring an	
	assessment under Appendix 16, providing more certainty for	
	resource consent applicants.	
	Remove duplication of policies as existing policies already cover the	
	range of matters identified in the City Outcomes Contribution.	
	Focus City Outcomes Contributions to be encouraged for all buildings	
	rather than only over or under height buildings	
Costs/Benefits	Provides greater certainty in the matters that are being assessed in a	
	resource consent application for a new building. This has the	
	potential to reduce costs associated with obtaining a resource	
	consent.	
Risk of acting or not	•	
acting	The risk of not acting is creating an onerous and complex framework	
	which can unintentionally disincentivise development in centre	
	zones, particularly the city centre zone which seeks to maximise the	
	benefits of intensification and development capacity.	
	The risk of not acting is that certain requirements have the potential	
	to negatively effect the provision of affordable housing that may	
	otherwise be achievable wihtot the requrirements of the policy.	
	The risk of not acting is including a "require" policy within an District	
	Plan framework that is requiring matters that are outside of the	
	scope of the RMA.	
	 Specifically, the risk of including encumbrances for assisted housing is 	
	creating a mandatory requirement for public housing providers who	
	have infringed maximum height limits to enter into encumbrances on	
	title, which effect thte ability of public housing providers to	
	efficiently manage their portfolio.	
	The risk of acting is that the Council would be required to incorporate	
	these changes into the District Plan, which may impose a cost. It is	
	considered that the proposed amendments by Kāinga Ora are of a	
	nature that they can be easily included in the PDP and therefore the	
	risk has been mitigated.	
<u></u>	<u> </u>	

Decision about more	The recommended amendments as set out in my evidence are therefore	
appropriate action	considered to be more appropriate in achieving the purpose of the RMA	
	than the PDP or the proposed changes set out in the section 42A report.	

Table 7: Residential activities

Effectiveness and efficiency	 The recommended amendments to the wording of policies will ensure the appropriate scale of high and medium density residential development are applied across centres. The recommended amendments to residential building and activity rules in centres will ensure an appropriate consent threshold for residential activities across centres and eliminate duplication 	
	between residential activity and building rules.	
Costs/Benefits	 Provides greater certainty in the matters that are being assessed in a resource consent application for a residential development in a centres zone. This has the potential to reduce costs associated with obtaining a resource consent. 	
	 Increases the likely uptake of residential development in centres by 	
	explicitly providing an enabling policy and rule framework.	
Risk of acting or not	The risk of not acting is that the centre zone frameworks won't	
acting	accurately reflect the role and scale of residential activity that is	
	anticipated within the zone, and can create confusion for plan users and inconsistency with the bulk and location standards that enable	
	high density development.	
	The risk of acting is that the Council would be required to incorporate	
	these changes into the District Plan, which may impose a cost. It is	
	considered that the proposed amendments by Kāinga Ora are of a	
	nature that they can be easily included in the PDP and therefore the	
	risk has been mitigated.	
Decision about more	The recommended amendments as set out in my evidence are therefore	
appropriate action	considered to be more appropriate in achieving the purpose of the RMA	
	than the PDP or the proposed changes set out in the section 42A report.	

Table 8: MUZ building bulk

Effectiveness and	The deletion of the building bulk control in the MUZ will ensure an	
efficiency	appropriate range of activities can be provided for in a zone that	
	specifically seeks to encourage a variety of uses to locate there.	
Costs/Benefits	 Increases the likely uptake of a wide range of commercial 	
	development in the MUZ by removing the GFA restriction. Many	
	large scale activities are controlled in the MUZ, so the effects of	
	activities of this nature will be assessed through the activity rules.	
Risk of acting or not	• The risk of not acting is creating a zone framework in the MUZ that is	
acting	more enabling to small scale activities, when the MUZ seeks to	
	provide an enabling framework for a wide-range of activities that are	
	of a range of sizes. This could result in the intent of the zone not	
	being fully realised due to the nature of the activity status.	

	 The risk of acting is that the Council would be required to incorporate these changes into the District Plan, which may impose a cost. It is considered that the proposed amendments by Kāinga Ora are of a nature that they can be easily included in the PDP and therefore the risk has been mitigated.
Decision about more	The recommended amendments as set out in my evidence are therefore
appropriate action	considered to be more appropriate in achieving the purpose of the RMA
	than the PDP or the proposed changes set out in the section 42A report.

Appendix 3 – Evidence of Matthew Heale from Hearing Stream 1 related to the need to Include TCZ in the Centres Hierarchy



- E. Strategic Direction the identification and inclusion of a Town Centre Zone in the PDP
- 4.40 Kāinga Ora supports objective CEKP-O2 in part, subject to an amendment to include Town Centre in the PDP and hierarchy of centres.
- 4.41 Kainga Ora sought changes⁴³ as follows (in red):

"The <u>City</u> maintains a hierarchy of centres based on their role and function, as follows: [...]

- 3. Town Centres these centres service the surrounding suburbs. Town centres contain a range of commercial, community, recreational and entertainment activities. Town Centres are well connected to the City's public transport network and active transport modes are also provided for. Town Centres will play a role in accommodating and servicing the needs of the existing and forecast population growth that is complementary to the City Centre and Metropolitan Centre Zones. This intensification is due to the capacity of the area to absorb more high-density housing with enablers of growth such as offering a walkable access to public transport, community facilities and services; and
- 3 4. Local Centres these centres service the surrounding residential catchment and neighbouring outurbo. Local Centres contain a range of commercial, community, recreational and entertainment activities. Local Centres are well-connected to the City's public transport network and active transport modes are also provided for. Local Centres will play a role in accommodating and servicing the needs of the existing and forecast population growth that is complementary to the City Centre, and Metropolitan Centre, and Town Centre Zones. This intensification is due to the capacity of the area to absorb more medium density housing with

⁴³ Submission Points 391.52 and 394.53

enablers of growth such as walkable access to public transport, and community facilities and services and;

- 4. 5. Neighbourhood Centres [...]"
- 4.42 One of the key arguments that the reporting officer has made to support their opposition to the inclusion of a Town Centre zone in the PDP is that there are arbitrary differences in the catchments of people serviced and the range of business activities provided in each of the two zones. The reporting officer considers the planning provisions for both centres are similar and would result in unnecessary duplication of PDP provisions.⁴⁴
- 4.43 I do not agree with the reporting officer.
- 4.44 As set out in Table 2 below, I consider they are key features and differences between the Town Centre zone and the Local Centre zone that justifies the inclusion of both zones in the PDP, rather than merging the two zones into a hybrid zone. In preparing Table 2, I have considered how the Auckland Unitary Plan (Operative in Part), New Plymouth District Plan; Waimakariri District Plan, and Kapiti Coast District Plan.

Table 2: Key features and differences between the Town Centre and Local Centre zones

	Town Centre	Local Centre
Enabled activities	A range of commercial, community, recreational, residential and entertainment activities. Entertainment activities Can include tourist, cultural and civic services, large scale commercial activities.	 A range of commercial and community activities Can include local retail, small scale commercial services, offices, food and beverage, appropriate scaled supermarkets.
Service function	Immediate and neighbouring suburbs To meet the community's social and economic needs	 Surrounding residential catchment To meet more localised needs.
Transportation	Main arterial access	Local roading access Public Transport access

⁴⁴ S42A report paragraph 874



	Good Rapid Transit / Public Transport connections Active Transport modes provided for.	
Density support	 High Density Residential 	Medium Density Residential

- 4.45 I consider the Town Centre Zone and the identification of Town Centres should be in the PDP. In my opinion there is a need for, and identification of Town Centres in the Wellington City, to reflect their higher order function in the city and region. I consider that there is a clear opportunity to provide for a centres hierarchy which enables development commensurate to the level of commercial activity and community services in an area and that to simply classify a range of centres as local centre zone to avoid a further chapter in the PDP is inconsistent with national direction. Furthermore, including Town Centres in the PDP centres hierarchy is consistent with the:
 - a) NPS-<u>UD;</u>
 - b) National Planning Standards;
 - c) Regional Policy <u>Statement</u>;
 - d) Other District Plans in the Region; and
 - e) Council reports and other technical data.

I draw your attention to the specifics of each of these matters to justify the inclusion of a Town Centre Zone in the Wellington City PDP.

NPS-UD

4.48 A key objective of the NPS-UD is to ensure "New Zealand has well-functioning urban environments that enable people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future. It is anticipated that resource management plans will enable more people to live in, and more business and community services to be located in, or near a centre zone or an area well serviced by existing and planned public transport, or where



- there is high demand for housing or business land. A "Town Centre" is identified as one of the centre zones in the NPS-UD.
- 4.47 Policy 3 of the NPS-UD states that plans must also enable building heights and densities commensurate with the level of commercial activity and community services in and adjacent to other centre zones (Neighbourhood, Local, and Town).
- 4.48 Despite the need for height and intensification variation anticipated in different areas by the NPS-UD, the PDP has set standard controls across the commercial areas with little regard to the level of commercial activity and community services in and adjacent to other centre zones. For example:
 - the height limit for all Local centres is 22m whether they have a significant amount of commercial activity such as Newtown, Tawa, and Miramar versus areas such as Kelburn;
 - Integrated retail activity of 20,000m² gross floor area is standardised across all centre types whether it be a small Neighbourhood centre or a large Metropolitan centre;
 - c) HRZ is not provided for adjacent to Miramar even though it has a high level of commercial activity and community services (supermarket, cinema, community centre etc) when compared to other smaller local centres which are typically served by foodmarts; and
 - d) The extent of walkable catchments has not been increased for centres with a greater range of services such as Miramar, Tawa, and Newtown despite the fact that people are prepared to walk further when there is a greater level of services available (see walk to work data from SNZ).
- 4.49 NPS-UD Section 3.37 highlights the significance of Town Centres in the hierarchy as Councils have to monitor the extent to which development is occurring in City, Metropolitan, and Town Centre Zones (noting that local and neighbourhood centres are not included). If monitoring indicates that development outcomes are not being realised, then action is required. This clarifies that development outcomes for higher order centres need to be clear.
- 4.50 All of which reinforces the notion that there is a need to identify and include Town Centre zone in the centres hierarchy and in the Wellington City PDP.



National Planning Standards

- 4.51 Amendments to district plans to align with the National Planning Standards must be notified by Wellington City Council by 2024. One of the mandatory changes includes Standard 8 (Zone Framework) that describes the Zones for all the Commercial and mixed use zones including Town Centres.
- 4.52 The Zone descriptions in Standard 8 are useful in distinguishing between different types of commercial centre zones (refer **Appendix 3**). These naturally form a hierarchy as follows:
 - City Centre Zone the main Centre for the region or <u>district</u>;
 - Metropolitan Centre Zone focal point for sub-regional urban catchments;
 - Town Centre Zone service the needs of immediate and neighbouring suburbs;
 - 4. Local Centre Zone service the needs of the residential catchment; and
 - Neighbourhood Centre Zone service the needs of the immediate residential neighbourhood.

(emphasis added in bold)

4.53 The description in Standard 8 makes a clear distinction between Town Centres which serve the immediate and neighbouring suburbs and Local Centres which serve the residential catchment. Despite this distinction, the PDP has not identified any centres as Town Centres and the description of a Local Centre combines both the Town Centre and Local Centre functionalities into one zone:

"CEKP-O2(3) Local Centres – these centres service the surrounding residential catchment and neighbouring suburbs. Local Centres contain a range of commercial, community, recreational and entertainment activities....".

(emphasis added in bold)

4.54 This is explained in paragraph 874 of the section 42A report. However, this is not supported by earlier technical work "Planning for Growth District Plan Review



Centres Issues and Options report October 2019, the Colliers International Sense Partners Retail and Market Assessment report* which I have considered below along with the additional technical work undertaken by Mr Cullen.

Regional Policy Statement for the Wellington Region

- 4.55 The Operative Regional Policy Statement for the Wellington Region (RP\$) includes a number of objectives and policies guiding regional form, design, and function. Objective 22 and associated policies seek a viable and vibrant regional central business district in Wellington City along with an increased range and diversity of activities around regionally significant centres and development and management of Regional Focus Areas.
- 4.58 Plan Change 1 to the RPS introduces a number of changes to Objective 22 and associated policies. There is a greater focus on achieving a well-functioning urban environment, housing affordability (22(i)), enabling intensification, and providing commercial and industrial development in appropriate locations including close to where people live (22(j)). Policies also focus on not only maintaining viability and vibrancy of regionally significant centres but also locally significant centres (Policy 30) along with enabling a range of building heights (Policy 31).
- 4.57 Policy 31 has been amended to be more directive about enabling rather than promoting a range of building heights and density and re-enforces Policy 3 of the NPS-UD by requiring high density development within and on the edge of city centre zones and metropolitan zones, areas with a range of commercial activities and community services (emphasis added in bold).
- 4.58 Therefore, in order for the district plan to give effect to the Operative RPS and not be inconsistent with the Proposed RPS, high density housing (such as apartments with a minimum height of at least six storeys) should be enabled in areas with good access to a range of commercial activities and community services (policy 31). As outlined in the technical evidence below Miramar, Newtown, and Tawa have good access to a range of commercial activities and community services and should therefore be provided with surrounding six storey development.

District Plan Approaches across the Wellington Region



- 4.59 The neighbouring territorial authorities in the Wellington region have notified plan changes/variations to implement the HSAA and the NPS-UD, with most of them (excluding Hutt City) also implementing the National Planning Standards in terms of updating their centres classification. However, it is noticeable that this exercise does not appear to have been co-ordinated across the region as discrepancies can be seen with how centres are classified, what height limits are applied within these centres, and the walkable catchment, extent and application of High Density and Medium Density Residential zones in and across the Wellington Region. Regardless of this, town centres are included and seen across other district plans and in neighbouring local authorities in the Wellington region.
- 4.60 Figure 3 shows the centres hierarchy (whether Operative or Proposed) across the Wellington Region and what Käinga Ora has sought via submissions on the various plan changes/variations/reviews underway.

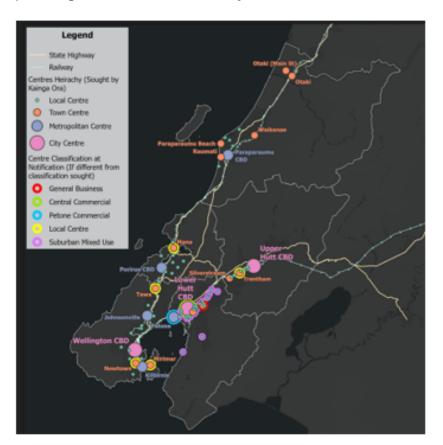


Figure 3 - Regional Centres Hierarchy



4.61 Käinga Ora has submitted on the RPS and the various changes happening across the Wellington Region in order to improve regional consistency of zones, rules, and provisions regardless of territorial jurisdiction.

The introduction of a Town Centre classification in the Wellington City PDP would achieve regional consistency with other Councils across the Wellington region – in that the role and function of a Town Centre in Wellington City is the same and similar to the role and function of town centres across other parts of the Wellington region as well as the rest of the country. This would bring consistency with the National Planning Standards, NPSUD, Regional Policy Statement and Growth Strategies.

Wellington Outer Suburbs Assessment & Evaluation Report 2020

4.62 This report indicates that Tawa and Miramar have a strong to good level of quality and service respectively (p5) and that Tawa and Miramar have strong to good density enablers such as supermarkets, existing centres, community hubs and primary and intermediate schools (p8). This is further highlighted in the detailed evaluations that follow.

Planning for Growth District Plan Review Centres issues and options report October 2019

- 4.63 This report is listed in the Section 32 assessment but no longer available on Councils website. It is understood that the report made some key recommendations to align the Operative District Plan with the National Planning Standards. This included re-naming Tawa and Miramar as a Town Centre Zone and consider combining Newtown and Adelaide Road as a Metropolitan Centre. t was also noted that:
 - Miramar had a high spend value and a heavy reliance on the eastern ward area.
 - (b) Tawa had spend from both the northern ward and the region, and
 - (c) Newtown had spend form the southern, eastern and central wards.
- 4.64 This technical work suggests that Tawa, Newtown, and Miramar should be classified as a Town Centre rather than Local Centre given their scale and that they are



serving wider suburban areas rather than just the residential catchment. This technical work is also supported by other technical and journey to work analysis outlined below.

Retail and Market Assessment for Wellington City Council Colliers International
Sense Partners 30 November 2020

4.65 This report also indicates strong growth in Miramar, Newtown, and Tawa⁴⁵ and recommends that Miramar, Tawa, and Adelaide Road should be Town Centres.

Journey to Work (all modes) Analysis

4.66 Maps using 2018 census journey to work data are attached (refer to Appendix 4 of my evidence). These maps indicate which Statistics New Zealand Statistical Areas (SA2) people journey from to Miramar, Newtown, Tawa and Karori for work. This information reinforces the WCC technical work outlined above indicating that Miramar, Newtown, and Tawa have more of a suburban than residential catchment when compared to other smaller local centres such as Karori.

Overall

4.67 Based on the above analysis and references to higher order documents, it is clear that the Plan should include Town Centres in the Centres hierarchy. I am of the opinion that a Town Centre Zone should be included and identified in the PDP. This will be consistent with national and regional direction. I will continue to provide further evidence and justification in support for the inclusion of the Town Centre in the PDP at subsequent hearings.

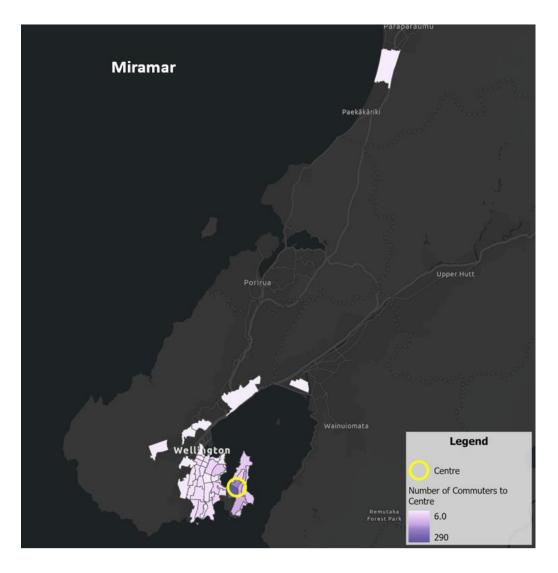


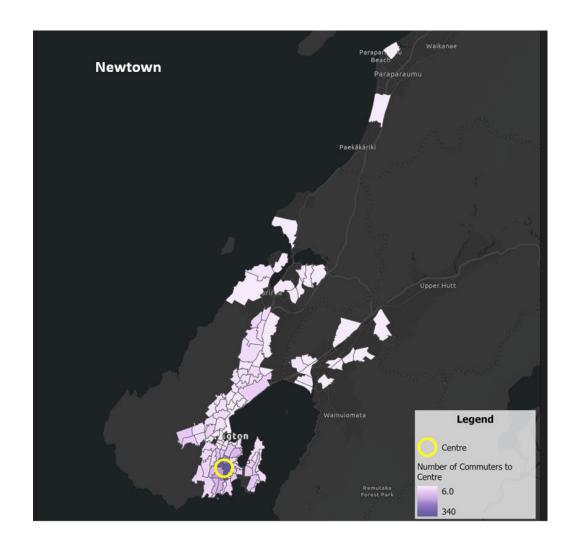
National Planning Standards Zone Descriptions

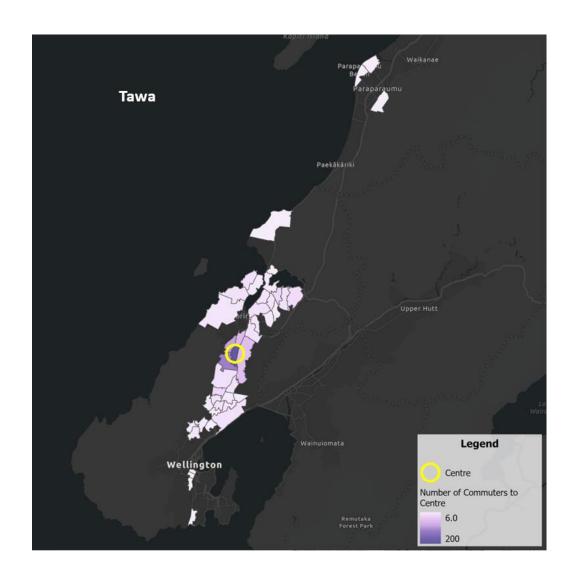
Neighbourhood centre zone	Areas used predominantly for small-scale commercial and community activities that service the needs of the immediate residential neighbourhood.
Local centre zone	Areas used predominantly for a range of commercial and community activities that service the needs of the residential catchment.
Commercial zone	Areas used predominantly for a range of commercial and community activities.
Large format retail zone	Areas used predominantly for commercial activities which require large floor or yard areas.
Mixed use zone	Areas used predominantly for a compatible mixture of residential, commercial, light industrial, recreational and/or community activities.
Town centre zone	Areas used predominantly for: in smaller urban areas, a range of commercial, community, recreational and residential activities. in larger urban areas, a range of commercial, community, recreational and residential activities that service the needs of the immediate and neighbouring suburbs.
Metropolitan centre zone	Areas used predominantly for a broad range of commercial, community, recreational and residential activities. The zone is a focal point for sub-regional urban catchments
City centre zone	Areas used predominantly for a broad range of commercial, community, recreational and residential activities. The zone is the main centre for the district or region.

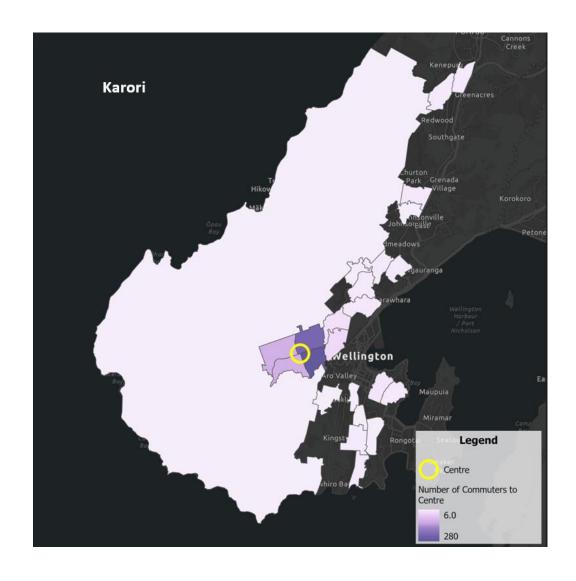


Appendix 4 – Journey to Work Data



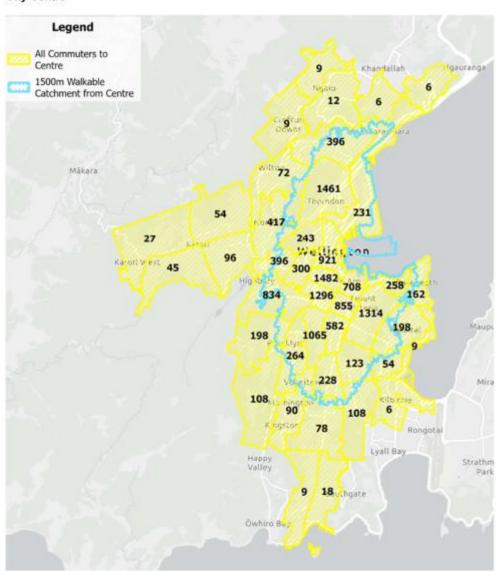




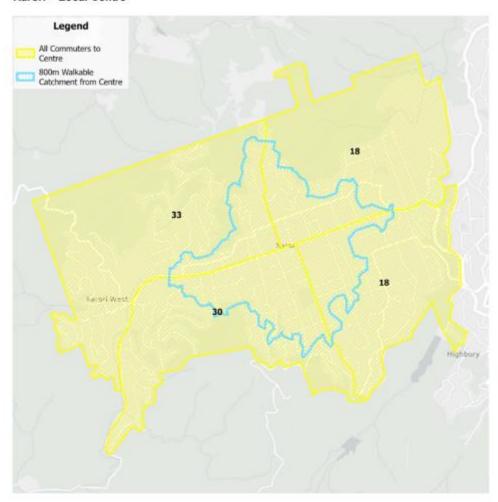


Journey to Work (Walking)

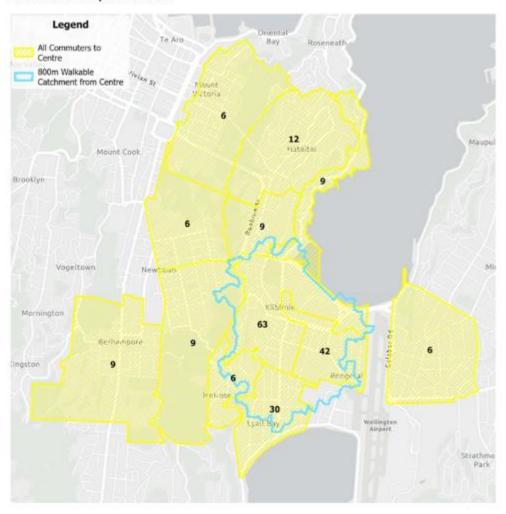
City Centre



Karori - Local Centre



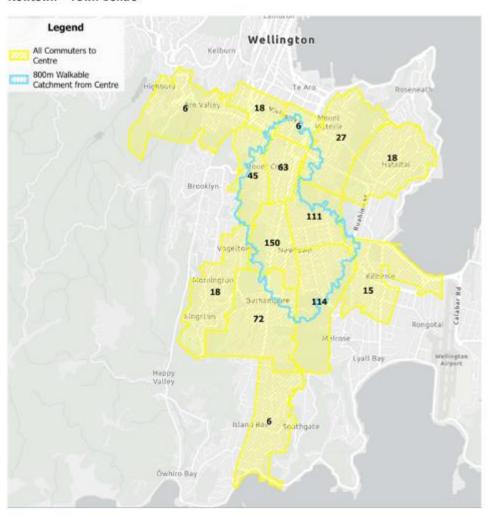
Kilbirnie - Metropolitan Centre



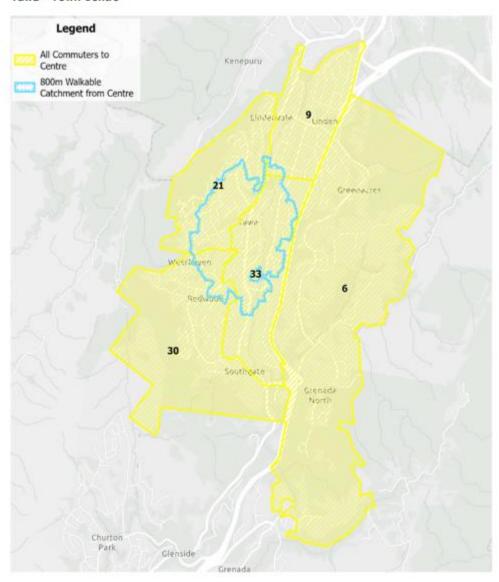
Miramar - Town Centre



Newtown - Town Centre



Tawa - Town Centre



Appendix 5 – Map of Neighbourhood Centres

