

BEFORE INDEPENDENT HEARING COMMISSIONERS
AT RAUKAWA MARAE, ŌTAKI

I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHAKE
KI KĀPITI

IN THE MATTER of the Resource Management Act 1991
AND
IN THE MATTER of the hearing of submissions on Plan Change 2
to the Kāpiti Coast District Plan

HEARING TOPIC: Plan Change 2: Intensification

STATEMENT OF PRIMARY EVIDENCE OF KAREN TRACY WILLIAMS
ON BEHALF OF KĀINGA ORA - HOMES AND COMMUNITIES

(PLANNING)

10 MARCH 2023

Instructing solicitor:
C E Kirman
Special Counsel
Kāinga Ora - Homes and Communities
PO Box 14594
Central Auckland 1051
E: claire.kirman@kaingaora.govt.nz

Counsel Instructed:
BUDDLE FINDLAY
Barristers and Solicitors
Auckland

Solicitor Acting: **Jennifer Caldwell /
Natalie Summerfield**
Email:
jennifer.caldwell@buddlefindlay.com /
natalie.summerfield@buddlefindlay.com
Tel 64 9 363 0702 Fax 64 9 358 2055
PO Box 1433 DX CP24024 Auckland 1010

1. EXECUTIVE SUMMARY

1.1 My full name is Karen Tracy Williams. I am a Principal Planner at The Property Group, based in Wellington. I have been engaged by Kāinga Ora - Homes and Communities (Kāinga Ora) to provide evidence in support of its primary and further submissions to Kāpiti Coast District Council's (**Council**) Proposed Plan Change 2 (**PC(N)**) to the Kāpiti Coast Operative District Plan (**District Plan**).

1.2 My evidence will address the following matters:

- (a) A revised residential zone framework, including the creation of a High Density Residential Zone (HRZ), and consequential revisions to the General Residential Zone (GRZ), including the removal of Residential Intensification Precinct A and Residential Intensification Precinct B.
- (b) I recommend that the High Density Residential Zone enabling intensification of 6-storeys be applied in areas within 400m to 800m of Town Centre Zones, in addition to areas required by Policy 3(c) of the NPS-UD.
- (c) I recommend the introduction of a height variation control to the HRZ within 400m of the Metropolitan Centre Zone (MCZ) to enable building heights of 36m (ten storeys).
- (d) I recommend amendments to the Height in Relation to Boundary (HIRB) standard in the HRZ to provide design flexibility near road boundaries to enable residential intensification and a variety of housing forms and typologies, to give effect to the intensification outcomes directed by the NPS-UD and consistent with the planned urban built environment of the HRZ.
- (e) I recommend greater utilisation of non-notification clauses, to reduce risk and increase certainty for residential developments;

- (f) I discuss the role and status of design guides in PC(N) to achieve high quality urban built environments and recommend amendments to the guiding policies and matters of discretion within the relevant rules;
 - (g) I recommend an increased building maximum building height in the Metropolitan Centre Zone;
 - (h) I recommend an expansion of the two Ōtaki Town Centres;
 - (i) I recommend that, in relation to the MRZ and HRZ, the minimum lot size control within SUB-RES-Table x1 be removed, and that the shape factor be adjusted to 8m x 15m.
- 1.3 A copy of my proposed amendments and changes sought to the provisions is included in **Appendix A** of my evidence.
- 1.4 I have prepared a section 32AA assessment as set out in **Appendix B** of my evidence.
- 1.5 I have provided a recommended High Density Residential Zone chapter at **Appendix C** of my evidence.
- 1.6 I can confirm that the version of relief in my evidence represents the full “updated” set of relief requested by Kāinga Ora in relation to PC(N).
- 1.7 In my opinion, the proposed changes sought in the Kāinga Ora submission and discussed within my evidence, will provide an efficient, less complex and more enabling and user-friendly plan framework and greater alignment with regional and national direction. I consider this approach to be the most efficient and effective way of achieving the purpose of the Resource Management Act 1991 (RMA).

2. INTRODUCTION

- 2.1 My name is Karen Tracy Williams, and I am a Principal Planner at The Property Group Limited, based in Wellington.
- 2.2 I have a Master of Resource and Environmental Planning from Massey University, and a Bachelor of Arts from the University of Otago. I have 15 years' experience in working with resource management and planning matters under the RMA. I am an Intermediate member of the New Zealand Planning Institute.
- 2.3 I have worked for local government and in private consultancy. My experience includes the preparation and processing of applications for resource consent and the preparation of, and submissions to, District Plans. I have also prepared evidence for, and appeared in, the Environment Court.
- 2.4 More recently, I have been involved in reviewing, making submissions, and providing evidence on behalf of Kāinga Ora in relation to the proposed Porirua District Plan.
- 2.5 I am providing planning evidence on behalf of Kāinga Ora in respect of submissions made on PC2. I was not directly involved in the preparation of primary and further submissions by Kāinga Ora in relation to PC(N), however I was involved in these processes for other plans in the Wellington region as part of the ISPP plan changes (Porirua and Hutt City).
- 2.6 In preparing this evidence I have read the following documents:
- (a) National Policy Statement on Urban Development 2020 (NPS-UD);
 - (b) Proposed Plan Change 2 - (PC(N));
 - (c) The Kāinga Ora submissions (both primary and further submissions) in relation to PC(N);

- (d) Section 32 reports and supporting evidence¹;
- (e) Section 42A report and recommended amendments PC(R)²;

Code of Conduct

2.7 Although this is a Council hearing, I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court’s Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

Scope of Evidence

2.8 My evidence will address the following matters:

- (a) The strategic approach to spatial planning taken by Kāinga Ora;
- (b) District Plan structure, insofar as it relates to the use of an alternative zone framework including a High Density Residential Zone (“HRZ”) and General Residential Zone (“GRZ”), and removal of Residential Intensification Precincts A (RIP-A) and B (RIP-B) within the GRZ³;
- (c) Identification of areas and suitably enabling intensification for the purposes of implementing Policy 3 of the NPS-UD;
- (d) Amendments to residential development standards to provide increased maximum building heights and height in relation to boundary controls in the HRZ to enable and incentivise a higher intensity of residential development;

¹ S32 Evaluation Report and Appendices

² Plan Change 2 Council Officers’ Planning Evidence

³ This results in consequential changes to the objectives, policies, and rules relating to the residential zones, which are set out in Appendix A and C of my evidence.

- (e) Increased use of notification preclusions as they relate to residential standards;
- (f) Introduction of a restricted discretionary rule framework to provide for non-residential/commercial activities on the ground floor of apartment buildings in the HRZ;
- (g) The role and status of design guides in the PDP and achieving high quality urban built environments. This includes suggested amendments to the relevant policies and matters of discretion to more clearly articulate the critical design outcomes in the residential and commercial zones.
- (h) Changes to the spatial extent of the Town Centre Zones in Ōtaki;
- (i) Amendments to the subdivision standards to remove the minimum lot size control and revise the shape factor control.

- 2.9 I have recommended wording changes to the objectives, policies, rules and standards as set out in **Appendix A** of my evidence, where I support changes sought in the submissions by Kāinga Ora that have not been endorsed by the section 42A reporting planners.
- 2.10 I have prepared a section 32AA assessment as set out in **Appendix B** of my evidence to address the recommended changes.
- 2.11 I have provided a recommended High Density Residential Zone chapter at **Appendix C** of my evidence.
- 2.12 My evidence should be read together with the following statements of evidence, and where appropriate and relevant, my evidence will refer to:
- (a) Michael Cullen - Centres and Urban Economics;
 - (b) Nicholas Rae - Urban Design; and
 - (c) Gurv Singh - Corporate.

2.13 In preparing my evidence, I have reviewed the section 42A report. I note that the relevant statutory documents have been identified and outlined within the Section 42a Report and I agree with the identification of those matters.

3. AREAS OF AGREEMENT WITH THE SECTION 42A REPORT

3.1 Having reviewed the Section 42A Report and recommendations, I generally support the following recommendations by the reporting planners on various submissions by Kāinga Ora on PC(N), and therefore this evidence does not specifically address the following matters:

- (a) Removing residential intensification from the Coastal Qualifying Matter Precinct and managing development within this area via the use of a precinct tool;
- (b) The provisions relating to papakāinga, noting that these provisions have been developed in partnership with Iwi;
- (c) Retention of the maximum building heights as provided for in Rule TCZ-R11 in the Town Centre Zone (TCZ) and Rule LCZ-R12 in the Local Centre Zone (LCZ);
- (d) Retention of the maximum building height of 14m in the General Residential Zone (GRZ), where adjacent to LCZ, and the spatial extent of these areas, as proposed in PC(N);
- (e) Retention of the following MDRS density standards, as recommended in the Section 42A Report:
 - (i) Outdoor living spaces - in the residential and Centres zones;
 - (ii) Height in Relation to Boundary - in the MCZ, TCZ, LCZ, and MUZ as they apply to boundaries with sites outside the centres zone;
 - (iii) Building Coverage - in the residential zones; and
 - (iv) Setbacks - in the residential zones.

- (f) Deletion of rule GRZ-Rx7, as proposed in PC(N), as it duplicated function of GRZ-Rx5 and GRZ-Rx6;
- (g) Amendment to notification preclusion clauses as they relate to the Commercial Zone rules MCZ-R13, TCZ-R11, LCZ-R12, and Mixed Use Zone rule MUZ-R13;
- (h) Recommendations made in regard to the changes sought by Kāinga Ora to various definitions, including but not limited to Rapid Transit Stop⁴; and
- (i) Amendment to rule SUB-RES-R30 to include a preclusion to public and limited notification⁵.

3.2 The remainder of this evidence addresses key matters of particular interest to Kāinga Ora that remain of concern.

4. STATUTORY CONTEXT AND KĀINGA ORA ZONING PRINCIPLES

4.1 As outlined in its original submission, Kāinga Ora sought to ensure that the plan provisions aligned with national planning directions to provide for well-functioning environments that meet the needs of current and future generations.

4.2 The submissions by Kāinga Ora sought amendments to PC(N) to ensure that development opportunities are maximised in locations which are close to public transport and/or employment opportunities and public amenities such as schools, retail and community services. In this way, well-functioning environments are formed to provide for the whole community's social, economic and cultural well-being.

4.3 Key focus areas of the Kāinga Ora submission are the approach proposed by Council to the spatial extents of, and building heights

⁴ The exception to this, is in relation to the proposed definition of "Relevant Residential Zones", where I support the submission of Kāinga Ora to amend this to include reference to the High Density Residential Zone, which is a consequential change arising from the creation of a HRZ chapter.

⁵ Although a consequential change is sought to this rule to also refer to the High Density Residential Zone.

proposed within, walkable catchments; the proposed amendments to the urban zone provisions; and the integration of design principles and outcomes into the guiding provisions to achieve a quality, liveable urban environment. The submission interrogates whether the 'constraints' imposed by the proposed framework are appropriate in delivering a level of development capacity envisaged, and consistent with, the NPS-UD.

Statutory Context

- 4.4 I interpret the broad policy intent of the NPS-UD is to enable growth by requiring local authorities to provide development capacity to meet the diverse demands of communities, address overly restrictive rules, and encourage a quality urban built form. In short, I consider the overarching objective of the NPS-UD is to ensure and enable 'well-functioning urban environments'.
- 4.5 The intensification policies (Policy 3 and 4) of the NPS-UD seek to improve land flexibility in existing urban boundaries through enabling and providing for higher-density development in appropriate locations.
- 4.6 In my opinion enabling planning provisions for targeted (that is, within defined walkable catchments around centres and rapid transit stops) residential development and intensification is a critical component in achieving the compact urban form outcomes envisaged in the NPS-UD. I consider this constitutes a fundamental shift in spatial planning within New Zealand by way of reorientating away from greenfield development / urban expansion towards the redevelopment of brownfield areas within existing and established urban locations that are focussed around centres and transport corridors.
- 4.7 This paradigm shift is transformative in nature and will require a step change in how people perceive intensification and infill development. On this matter, I draw attention to Policy 6(b) of the NPS-UD, which specifically recognises that notable changes to

perceived character and amenity of existing urban environments resulting from the greater enablement of development envisaged by the NPS-UD will occur:

a) May detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and

b) Are not, of themselves, an adverse effect.

4.8 I acknowledge that PC(N) represents a notable ‘shift’ with respect to the permitted baseline and consenting environment for residential development. In addition, I acknowledge that the resulting changes to the existing levels of residential amenity will cause concern.

However, the NPS-UD, in combination with the Resource Management Act, as amended by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**Amendment Act**), sets very clear and directive legislative requirements around both the application of the MDRS and the requirement of territorial authorities to give effect to the requirements of the NPS-UD.

4.9 I consider that acceptance of the relief sought in the Kāinga Ora submissions, including where recommended for refinement within my evidence, will:

- a) Result in a cohesive and fit-for-purpose residential zone framework, that clearly articulates and supports the planned urban built outcome in each residential environment.
- b) Consolidate residential growth and development opportunities within appropriate locations throughout existing urban areas;
- c) Enable infrastructure providers to better plan for future network upgrades / improvements within a more contained urban footprint;

- d) Enable greater opportunities for communities to access amenities, goods and services and employment opportunities within their local neighbourhoods - improving accessibility to active travel modes; and
- e) Provide a rule framework that minimises consenting risks and uncertainty for appropriate development while still providing for quality design outcomes through a framework that encourages innovation.

5. RESIDENTIAL ZONING FRAMEWORK

- 5.1 Kāinga Ora does not support the approach taken within PC(N) of incorporating identified Residential Intensification Precincts within the General Residential Zone (GRZ) as a planning tool to enable focused intensification, and instead seeks separate residential zone chapters to direct and achieve this outcome⁶.
- 5.2 In this regard, the submissions by Kāinga Ora sought the introduction of a specific Medium Density Zone (MRZ), which would apply to the wider residential environment. Within this zone, Kāinga Ora sought a height variation control⁷ to enable additional height and density of urban built form around the LCZ (giving effect to Policy 3(d) of the NPSUD), rather than the use of proposed Residential Intensification Precinct-B (RIP-B).
- 5.3 Kāinga Ora also seeks the introduction of a High Density Residential Zone (HRZ) in locations where development of at least 6 storeys is to be enabled, such as land located within proximity to the Metropolitan Centre, and train stations (giving effect to Policy 3(c) and Town Centre Zones (giving effect to Policy 3(d) of the NPS-UD). Kāinga Ora seeks this zone as a separate chapter, rather than through the proposed Residential Intensification Precinct A (RIP-A).
- 5.4 The reporting officer disagrees with the proposed Kāinga Ora residential framework and considers that the use of a single General

⁶ S122.03, S122.04, S122.09, S122.11, S122.45, S122.106

⁷ S122.09

Residential Zone with precincts is consistent with the National Planning Standards and is the most appropriate approach for the following reasons:⁸

- (a) The introduction of two new zones will increase the complexity of the District Plan;
- (b) The application of Policy 3 of the NPS-UD would need to be split across the two new zones; and
- (c) Consequential amendments across the plan would be required to incorporate the new zone framework and would result in an administrative burden.

5.5 I do not agree with the reporting officer's reasoning. I support the introduction of a distinct zoning framework as I consider that this gives clear effect to the intensification outcomes directed by the NPS-UD.⁹

5.6 In my opinion, the approach proposed in PC(N) provides inadequate direction and transparency with regard to the scale and extent of development to be enabled in Residential Intensification Precinct A and Residential Intensification Precinct B and adds unnecessary complexity to the Plan. In this regard, I do not consider the framework proposed by Council provides clear development outcomes intended for the GRZ, as required by clause 3.35 of the NPS-UD. I therefore consider it to be neither efficient, nor effective, in delivering the outcomes directed by the NPS-UD. Further to this, I do not consider the proposed zone framework to be suitably consistent with the National Planning Standards zone descriptions and outcomes.

Legibility of the framework

5.7 In my opinion, users of the District Plan should be able to readily understand the planning framework that directs the planned urban

⁸ Section 32 Evaluation Report, page 233, paragraph 8.3.4

⁹ Although I do also recommend refinements to the provisions and rules from what was sought in Appendix B and Appendix C of the submission.

built outcome of the zone. I do not consider that the use of precincts overlaid within the GRZ to highlight areas of greater density as taken in PC(N) provides adequate clarity as to the planned outcome for the residential environment in areas where greater intensification is to be enabled. Further, I do not consider PC(N) adequately distinguishes the areas of greater intensification from the underlying residential environment where the MDRS is to apply without amendment.

- 5.8 Having reviewed this issue in closer detail, it is also clear that the use of the GRZ with RIP-A to accommodate high-density residential development also fails to acknowledge that other policies and rules within the GRZ of the Operative District Plan, which were not included in PC(N), also require amendment or deletion to better enable high-density residential activities. For example, GRZ-R10 provides for home businesses with some permitted activity standards applying to a 'site'. However, in an apartment building setting, more than 1 home business could reasonably be expected to be located within a site. Similarly, GRZ-R8 provides for arable farming as a permitted activity in the residential environment, which in my opinion is not a suitable activity to be provided for in a high density residential environment.
- 5.9 I consider that, at its most basic level, the proposed approach does not provide clarity when assessing the residential environment in an E-Plan format, which is essential to all users of the District Plan. The National Planning Standards intentionally released a standardised colour coded zoning palette to help users differentiate, in a spatial sense, where the greatest levels of development and activities are to be enabled. Despite this, the approach taken in PC(N) simply provides a generic residential zone and then requires the user to toggle on the Precinct layer, and navigate a tapestry of precincts, which are named inconspicuously as RIP-A and RIP-B. I do not consider this provides clear direction to the plan user. Instead I consider this approach would negatively impact the usability and effectiveness of the plan and its provisions.

Alternative options to achieve planned outcomes

- 5.10 In forming my opinion, I have given due consideration to the range of spatial layer methods available to identify the residential areas and the enablement of the MDRS and intensification in walkable catchments. In this regard, the NPS-UD, together with the MDRS introduces three main anticipated built environments for residential areas in Kāpiti, linked to their levels of intensification:
- (a) Walkable catchment of Metropolitan Centre Zone (**MCZ**) and/or rapid transit stop (train stations) - building heights at least 6 storey;
 - (b) Adjacent to Town Centre Zone (**TCZ**) and Local Centre Zones (**LCZ**) - building heights commensurate with level of services at centre; and
 - (c) All other residential areas - 11m under the MDRS.
- 5.11 There are three main spatial layer methods for identifying and enabling the different residential environments. The National Planning Standards sets out the intended purpose of each method as follows:¹⁰
- (a) **Zones** spatially identify and manage an area with common environmental characteristics or where environmental outcomes are sought, by bundling compatible activities or effects together, and controlling those that are incompatible;
 - (b) **Precincts** spatially identify and manage an area where additional place-based provisions apply to modify or refine aspects of the policy approach or outcomes anticipated in the underlying zone(s); and
 - (c) **Specific Controls** or specific variation controls spatially identify where a site or area has provisions that are

¹⁰ Table 18, National Planning Standards

different from other spatial layers or district-wide provisions that apply to that site or area (for example where a different maximum height on a particular site applies, or active frontage are identified).

- 5.12 In my opinion, the creation of separate residential zones would more effectively and clearly provide direction to residents, developers and plan-users in terms of the different outcomes that are being sought in each respective residential environment.

Zoning options

- 5.13 The National Planning Standards provide use of the following zones:

General residential zone (GRZ)	Areas used predominantly for residential activities with a mix of building types, and other compatible activities
Medium density residential zone (MRZ)	Areas used predominantly for residential activities with moderate concentration and bulk of buildings, such as detached, semi-detached and terraced housing, low-rise apartments, and other compatible activities
High density residential zone (HRZ)	Areas used predominantly for residential activities with high concentration and bulk of buildings, such as apartments, and other compatible activities.

- 5.14 The MDRS provides for a built form that reflects the National Planning Standard MRZ zone description, being a “moderate concentration and bulk of buildings, such as detached, semi-detached and terraced housing, low-rise apartments”.
- 5.15 I consider this provides a clear fit for residential zones giving effect to the MDRS, and therefore consider that this would be appropriate in Kāpiti. I am mindful, however, that the GRZ under PC(N) also contains the extensive Coastal Qualifying Matter Precinct (approximately 155 hectares of land in the GRZ is affected by this), which restricts development to such an extent that the resulting development outcome in these areas would not accord with the zone description of the MRZ. Therefore, while I agree, in principle, with the Kāinga Ora submission seeking the introduction of a MRZ chapter, I am satisfied that the GRZ could remain a suitable “fit” to accommodate both the restrictive outcomes directed by the Coastal Qualifying Matter Precinct along with the broader MDRS and medium

density outcomes applied across the primary extent of the residential environment.

- 5.16 I do, however, entirely support the creation of a separate HRZ residential zone in locations where the built development outcome is at least 6 storeys.
- 5.17 I consider the zoning of land to be the fundamental mechanism within any District Plan to identify the geographical areas where differing levels of change and growth can be anticipated over time. In this regard, separate GRZ and HRZ residential zones will provide more specific support in directing and implementing the different anticipated environmental outcomes between a medium density and high density planned urban built form.
- 5.18 The separate residential zone framework I recommend is consistent with the approach taken by other Councils across the country. In this regard, I note that the approach taken by Kāpiti Coast District Council is unique among other Tier 1 council's amending their District Plans to give effect to Policy 3(c) of the NPS-UD. Every other Council that is implementing intensification outcomes directed by Policy 3(c) of the NPS-UD has introduced the equivalent of a high density residential zone.

Other methods to enable height in identified locations

- 5.19 In terms of other appropriate methods to enable additional heights within each zone, I consider that the use of specific controls (specifically a Height Variation Control (HVC)), in addition to the primary use of zoning, is an appropriate tool to achieve height increases in identified locations within each respective zone. I address the recommended heights elsewhere in my evidence but note briefly here that I consider it appropriate to apply HVCs to residential areas in the GRZ that are adjacent to LCZ (to enable 14m height), and areas in the HRZ within a 400m walkable catchment of the MCZ (to enable a 36m height).

- 5.20 In this regard, I consider the introduction of the HVC into the relevant zone to be the most appropriate spatial layer method to enable additional heights in identified locations for the following reasons:
- (a) The place-based modification would be to building heights only. All other development standards would remain the same;
 - (b) Only minor changes are required to the objectives and policies to accommodate this, thereby avoiding the need to introduce a range of additional objectives and policies otherwise required for a precinct; and
 - (c) The tool is commonly understood and results in a less complex plan creating efficiencies for the end-user and implementation.

Conclusion

- 5.21 I therefore consider that the amendments proposed in this evidence will provide greater opportunities for residential development and intensification to occur, in a manner that is clear to all plan users.
- 5.22 In my opinion, the GRZ within PC(N), as currently proposed by Council, provides for insufficient housing choice and variety in residential built form to support changing demographics, lifestyles, rising housing costs, future housing demands and population growth in Kāpiti.
- 5.23 I consider the amendments proposed in this evidence will ensure that sufficient land is available to meet short, medium and long-term housings needs.
- 5.24 I also consider the amendments will directly respond to the District Objectives which seek to a variety of housing types and sizes to meet the community's diverse housing needs (DO-Ox2), and will provide a stronger framework to achieve higher density outcomes, as

directed in my recommended revisions to DO-Ox3, UFD-Px, UFD-P1, and UFD-P2.

- 5.25 I have recommended revisions to the GRZ chapter (**Appendix A**) and a proposed HRZ chapter in **Appendix C** of my evidence to reflect these changes. I have based the proposed format and wording of the HRZ chapter on the PC(R) version of the GRZ chapter, including retention of policies and rules where they are relevant to both the GRZ and HRZ.
- 5.26 I have also made necessary adjustments to the overarching objectives and policies to more clearly distinguish and articulate the differing development outcomes that are anticipated in each zone. In my opinion this results in a more clearly stated planned urban built form for each residential environment, which I consider will provide greater alignment with the direction set out at clause 3.35 of the NPS-UD. These changes, where they impact provisions located outside of the proposed HRZ chapter, are included in **Appendix A** of my evidence.
- 5.27 I have prepared a section 32AA assessment as set out in **Appendix B** of my evidence to assess the proposed amendments to the District Plan above.
- 6. ENABLING INTENSIFICATION - NPS-UD POLICY 3(c) AND POLICY 3(d)**
- 6.1 At the outset, and to avoid any ambiguity on the matter, I note that Kāinga Ora does not wish to pursue intensification within areas identified as the Coastal Qualifying Matter Precinct (noting the maps provided in support of the submission by Kāinga Ora do show intensification in these areas). I support this decision, and the discussion below is therefore only in relation to areas *outside* of this precinct.

- 6.2 The Kāinga Ora submissions¹¹ sought that a HRZ be applied to a greater extent than what is proposed in PC(N), with greater building heights available within the walkable catchments.
- 6.3 The submissions of Kāinga Ora sought to ensure that the HRZ is spatially applied in areas within an 800m walkable catchment from the train stations at Paekakariki, Paraparaumu, and Waikanae and the Metropolitan Centre Zone (in accordance with NPSUD Policy 3(c)). The submissions also sought the application of the HRZ within a 400m to 800m distance from the Town Centre Zones (TCZ) and provision of additional height in the GRZ within 400m of Local Centre Zones (LCZ)¹², in response to NPSUD Policy 3(d). I support the Council's implementation of NPS-UD Policy 3(d) insofar as it relates to enabling intensification around LCZ. This discussion therefore is focused only on the high-density zoning outcomes sought in the submissions by Kāinga Ora.

Application of HRZ - Policy 3(c) of the NPS-UD

- 6.4 The evidence of Mr Rae outlines the principles and methodology that have been used to identify the proposed extent of the HRZ walkable catchments specific to Policy 3(c) of the NPS-UD (and includes commentary on where revisions have been made following review of the Section 42a Report).
- 6.5 In my opinion, there is a high degree of commonality between the approach taken by Kāinga Ora in identifying walkable catchments in response to Policy 3(c) to that taken by the Council, being based on the application of an 800m catchment from the MCZ and rapid transit stops. Mr Rae has noted where his recommended catchments differ from the maps incorporated in PC(N). I consider that the reasons outlined in Mr Rae's methodology are based on sound principles, and I support the revised spatial extent of the HRZ, as recommended by Mr Rae's evidence.

¹¹ S122.05, S122.06, S122.12, S122.14, S122.58, S122.106

¹² S122.09, S122.106

Application of HRZ - Policy 3(d) of the NPS-UD

- 6.6 With regard to implementing Policy 3(d), the reporting officer recommends against enabling greater levels of residential intensification around Town Centres, beyond that proposed within PC(N) and small changes within PC(R). The Council determination is that enabling four storey buildings around town centres is commensurate with the level of commercial and community services and that there is little commercially realisable capacity for apartments in these areas.
- 6.7 The national zoning principles of Kāinga Ora intentionally direct high density residential environments around TCZs. This is in recognition that these centres have elevated status in the centres hierarchy and can support (and be supported by) higher levels of residential intensification.
- 6.8 Raumati Beach, Paraparaumu Beach, Waikanae, and the two centres in Ōtaki are classified in the Council's centres hierarchy as Town Centres. The Council has therefore previously satisfied itself and determined that these areas meet the description of Town Centre Zone in the National Planning Standards as they serve suburban catchments and have a higher level of commercial activity and community services than other centres currently identified as Local Centres.
- 6.9 Clause 3.37 of the NPS-UD highlights the significance of Town Centres in the hierarchy, by requiring councils to monitor the extent to which development is occurring in City, Metropolitan, and Town Centre Zones¹³. In my opinion, this affirms that development outcomes for higher order centres (and the residential environment adjacent to these centres) should be maximised. Accordingly, I consider it appropriate to commensurately enable high density residential intensification around the Town Centres.

¹³ Local and Neighbourhood Centres are excluded from this requirement.

- 6.10 However, in recognition that the Town Centres are operating at a reduced level to what might otherwise be attributed to a centre of this status elsewhere, refinements have been made to reduce the spatial extent of some areas within the proposed HRZ where they are adjacent to TCZs from the extent sought in the primary submission by Kāinga Ora. The revised spatial extents are shown in the maps appended to Mr Rae's evidence. In summary, the refinements have resulted in reduced spatial extents of the HRZ around the TCZ of Raumati and the two TCZs in Ōtaki (to 400m, rather than 800m). I support these refinements and consider that the scale and densities enabled in these locations are suitably commensurate with the levels of activities and services within the adjacent TCZ, in accordance with Policy 3(d) of the NPS-UD.
- 6.11 In the case of Paraparaumu Beach, Mr Rae has recommended the application of the HRZ beyond a 400m catchment of the TCZ, as this location has contributing density enablers. These additional enablers are discussed by both Mr Rae and Mr Cullen, but in summary include proximity to high quality public open space and natural amenities, access to public transport connections, accessibility to a range of business activities outside of, but in proximity to the centre, and increased demand for this housing typology in this area of the district. Taking into account the overarching direction provided by Objective 3 of the NPS-UD and guidance by MfE¹⁴, I consider these attributes overlap and support the outcome directed by Policy 3(d), and I therefore support the spatial extent for the HRZ, as recommended by Mr Rae.
- 6.12 Ultimately, I am of the opinion that the application of HRZ around the TCZ is an appropriate response to maximise opportunities for high density residential development and support investment in these key centres within the district.
- 6.13 With specific reference to Ōtaki, as outlined in the evidence of Mr Cullen, enabling high density urban built form within 400m of both

¹⁴ Section 6.5 of the MfE publication *Understanding and implementing intensification provisions for the National Policy Statement on Urban Development*

Ōtaki Town Centres will provide an opportunity for these centres develop further as an employment and services centre to support the surrounding residential activities. In my opinion, this outcome is not inconsistent with the Wellington Regional Growth Framework (2021) (WRGF), which identifies Ōtaki as an “urban renewal area”.¹⁵ I therefore support the Kāinga Ora submission to enable high density residential intensification in this location as I consider that this will support these future urban renewal opportunities. I also do not consider this outcome to be inconsistent with *Te tupu pai*, the Council’s District Growth Strategy (2022), which identifies Ōtaki as a key district centre in the north to service the growing population. *Te tupu pai* also anticipates that the Kāpiti commuter rail network will be extended to Ōtaki, and relatedly recognises that this would provide further opportunity for intensification.¹⁶

- 6.14 I note that the application of the HRZ around the Ōtaki Town Centre will necessitate the relocation of the Marae Tikawā Precinct from the GRZ to the HRZ to ensure potential cultural effects on the Marae are adequately managed. In my opinion, the relocation of this precinct and associated policy and rule framework from the GRZ to the HRZ is consequential, as the effects of development upon the identified cultural values within and adjacent to this precinct will continue to be managed in the revised zone framework. I also note that the submission of Kāinga Ora sought an extension of the Town Centre across the Marae Tikawā Precinct, however I consider it appropriate to retain the residential zoning, as this provides greater control in regard to managing effects upon the identified cultural values within this precinct.
- 6.15 In my opinion, as informed by the evidence of Mr Cullen, the proposed spatial application of the catchments provides increased opportunities for development capacity to be realised in a manner that is in accordance with the direction of the NPS-UD and will assist the district in achieving adequate housing supply in the short,

¹⁵ Wellington Regional Growth Framework, July 2021, page 74.

¹⁶ *Te tupu pai*, the District Growth Strategy (2022) - pages 16, 21, and 23

medium, and long term. This provides a future proofing of these areas to cater for not only the current needs of communities but needs of future generations by laying the foundations for well-functioning urban environments (NPS-UD Objective 1, Policies 1, 2 and 3), with intensification being focused in areas directed by NPS-UD Objective 3.

- 6.16 I therefore support the high-density zoning extents sought in the submissions by Kāinga Ora, as recommended and revised by Mr Rae in the maps attached to his evidence.

7. RESIDENTIAL DEVELOPMENT STANDARDS

Maximum building height in the High Density Residential Zone (relevant to my recommended Rule HRZ-Rx1)

- 7.1 The submission¹⁷ of Kāinga Ora sought an increase in the maximum building height applicable in the HRZ to 22m. The permitted height provided in PC(N) within the RIP-A provides for a maximum height of 20m. While it is acknowledged that this height can accommodate a 6 storey building, it does not, in my opinion, provide an adequate degree of flexibility to ensure a high quality design response and provide for innovation in design. It also does not provide the same opportunities to facilitate a generous floor to ceiling height throughout the building, while providing for resolution of rooftop elements. In my opinion, restricting the height to 20m in the HRZ could limit quality design and living outcomes. Conversely, I consider that the 22m height limit proposed by Kāinga Ora facilitates a generous 6 storey building and enables a well resolved roof form capable of incorporating rooftop plant.
- 7.2 However, I do note that the surrounding commercial zone (TCZ) provides for a maximum height limit of 21m. On that basis, I recommend that the height limit within the HRZ be similarly matched to 21m. In forming this opinion, I am mindful that the

¹⁷ This outcome was sought in the recommended HRZ chapter, included at Appendix 3 of the submission and sought to be implemented through s122.106

topography in Kāpiti, in the locations where HRZ is proposed, is relatively flat and therefore I consider it reasonable to compromise from the 22m sought by Kāinga Ora as the need to work with sloping topography is not a notable design constraint in Kāpiti as some other districts within the region.

- 7.3 I therefore support an increase in height but recommend that this is appropriately set at 21 metres.

Height Variation Control to enable buildings of 36m within 400m of the Metropolitan Centre Zone (relevant to my recommended Rule HRZ-Rx1)

- 7.4 The NPS-UD requires the Council to enable development of *at least 6* storey buildings around the MCZ and rapid transport stops. This is not a maximum, but a minimum, and the NPS-UD anticipates that additional building height may be appropriate. In immediate proximity to the MCZ, I consider it appropriate to enable further intensification within the HRZ.
- 7.5 In this regard, I support the submission¹⁸ by Kāinga Ora, which has sought an increase in the height limit to the HRZ within a 400m walkable catchment of the MCZ. This is to be identified in the Plan as a Height Variation Control. Within the Height Variation Control, Kāinga Ora seeks a height limit of 36m (enabling a 10 storey building with roof form).
- 7.6 In my opinion, it is appropriate that building heights transition from the Paraparaumu MCZ (where Kāinga Ora has separately sought an increase in height to 53m) to an intermediate height of 36m, before integrating with the 21m recommended elsewhere throughout the HRZ. Enabling building heights of approximately 10 storeys within a 400m catchment of the MCZ provides for a clear ‘stepping down’ in the scale and intensity of the planned urban built form from the MCZ out to the residential environment. This is considered an appropriate response to the urban form in the evidence of Mr Rae.

¹⁸ S122.106

7.7 However, for completeness, I do note that a narrow band of Mixed Use Zone sites, which have an enabled height of 21m, interrupts a pure transition between the MCZ and surrounding HRZ. Industrial land to the east of the MCZ, with lower maximum height limits, has a similar buffering effect. Mr Rae notes that the buffering mixed use and industrial land should also be enabled for heights of 36m, however I acknowledge this relief is outside scope of what has been sought in the submissions by Kāinga Ora. While this could be seen as severing any opportunity of achieving a true graduated urban form, I note that these “buffer” areas are relatively narrow and confined in their extent. Ultimately, I consider it remains appropriate to enable additional heights of 10 storeys in the HRZ around the MCZ, as identified by the proposed Height Variation Control on the maps in Mr Rae’s evidence.

7.8 In my opinion, enabling additional height within an identified area around the city centre provides for a level of development that responds to the significance of the centre and at a scale that is supportive of the centre, and responds to current and future degrees of accessibility.

7.9 I have prepared a section 32AA assessment as set out in **Appendix B** of my evidence to assess my proposed amendments.

Height in Relation to Boundary Controls (relevant to my recommended Rule HRZ-Rx1)

7.1 In its submissions,¹⁹ Kāinga Ora sought a more enabling Height in relation to boundary (**HIRB**) standard of 19m + 60° within the first 22m of the site, to incentivise and provide for intensification in the HRZ. This would encourage building form to be located at the front of the site, leaving more space and “openness” at the rear of the site. A second element of the HIRB sought by Kāinga Ora provides for an 8m + 60° control for all other boundaries where they are located further than 22m from the site frontage. In addition, the control sought by Kāinga Ora includes a HIRB of 4m + 60°, consistent with

¹⁹ As detailed in the HRZ chapter provided at Appendix 4 of Kāinga Ora’s primary submission

the MDRS, to manage interface effects with the GRZ and on adjacent sites that contain heritage buildings or sites of significance to Māori.

- 7.2 I support the above amendments sought by Kāinga Ora, insofar as they relate to application within the HRZ where the result will be 4 or more units as I consider greater flexibility to the standard MDRS HIRB is required to enable a development outcome that is consistent with a high-density residential environment.
- 7.3 In this regard, testing undertaken by Mr Rae has demonstrated that the 4m + 60° HIRB proposed by Council will not readily enable an efficient and quality 6 storey development outcome. Conversely, testing of the 19m + 60° within the first 22m by Mr Rae shows that this alternative standard would better enable the delivery of development of at least six storeys and encourage building bulk and outlook to the front of the site / street frontage, which assists in achieving a high-density urban built character. Taller buildings that front the street also assist in framing (enclosing) the street, which I understand is also an appropriate response from an urban design and planned built form standpoint.
- 7.4 Therefore, in my opinion, the more enabling HIRB sought in the Kāinga Ora submissions would encourage an urban streetscape in keeping with the more intensive character anticipated in a high-density residential environment.
- 7.5 Beyond the front of the site, where the 19m + 60° control would apply, the application of the 8m + 60° at the rear of the site would allow for a building on a flat site to be built to a height of 21m at a distance of approximately 8m from the boundary. In my opinion, this secondary standard strikes the balance in assisting with minimising impact over boundaries at the rear of the site, while also providing for some ability to achieve 6 storey development.
- 7.6 Despite the benefits that HIRB provide to the amenity of neighbouring sites, buildings that respond to recession planes can appear visually awkward, particularly larger scale buildings if floors

are stepped back progressively in response to the angled plane (as shown in the testing by Mr Rae). Recession planes can also result in unexpected changes in heights which disrupt the coherence of the street scene, and unbalanced buildings with unusual shapes as designers endeavour to keep the building within the angle of the plane.

- 7.7 It is also my understanding that relying on recession planes for taller buildings is not necessarily an effective way to manage shading, because the angle of the sun is below the height of the building for much of the year. For taller buildings on narrow sites, most sun access will be received via the gaps in the built form rather than over the top of buildings. It is my understanding that an effective way to manage sun access in a high-density context is to ensure a building coverage control applies, which encourages gaps between buildings through which the sunlight can penetrate.
- 7.8 I note that building coverage will be limited to 50% in the HRZ, meaning that a building cannot be constructed across the entirety of the site, and development will also be subject to meeting other density standards such as landscaping, open space, outlook controls and setback. In my opinion, this building coverage standard works in concert with the HIRB by ensuring that a notable degree of openness remains within the site. The approach sought by Kāinga Ora would facilitate the building of density at the front of the site next to the street, and to promote greater open space at the rear, to ensure some certainty around shared amenity and sunlight access within the block.
- 7.9 In my opinion, the proposed revisions to the standards are considered to be the most effective and efficient option for achieving the overarching issue being: how to give effect to Policy 3 of the NPS-UD while achieving quality built environment outcomes, including addressing issues relating to:

(a) Enabling more intensive development where it achieves the planned urban built environment within the high density residential zone; and

(b) Providing for the amenity of residents on-site, and for people on adjoining sites and on the street.

7.10 I have prepared a section 32AA assessment as set out in **Appendix B** of my evidence to assess my proposed amendments.

8. NOTIFICATION PRECLUSIONS

8.1 The submissions²⁰ by Kāinga Ora sought a number of amendments to the notification clauses within the commercial zones and residential zones²¹. I note the changes recommended in the Section 42a Report as they relate to the commercial chapter, and support these.

8.2 Below I discuss changes sought by Kāinga Ora to the non-notification clauses as they apply within the residential zone framework, which have not been recommended in the Section 42A Report and where I support the submissions of Kāinga Ora. The area where I support the submission and recommend change relates to the preclusion of *limited notification* where there is non-compliance with the following development standards:

- (a) Outdoor living space;²²
- (b) Outlook Space;²³
- (c) Windows to street;²⁴ and
- (d) Landscaped area.²⁵

²⁰ S122.116, S122.126, S122.137, S122.150.

²¹ Non-notification clauses were sought in the residential rules in appendices 2 and 3 of the primary submission but have not been captured as individual submission points by the Council.

²² Relevant to GRZ-Rx1 standards 6 and 7 and HRZ-R1 Standards 6 and 7.

²³ Relevant to GRZ-Rx1 standard 8 and HRZ-R1 Standard 8.

²⁴ Relevant to GRZ-Rx1 standard 9 and HRZ-R1 Standard 9.

²⁵ Relevant to GRZ-Rx1 standard 10 and HRZ-R1 Standard 10.

- 8.3 The relevant rule (GRZ-Rx5) within PC(N) includes a general notification preclusion statement for public notification for non-compliance with any of the density standards, consistent with Clause 5 to Schedule 3A of the RMA. However, in my opinion, it is also appropriate to extend the preclusion to limited notification in relation to non-compliance with standards that manage onsite amenity (e.g. open space, and outlook areas) and those managing site design outcomes or streetscape controls (e.g. window glazing and landscaped areas).
- 8.4 The assessment for any breach to these standards is specific to onsite amenity considerations, or how a proposal achieves a positive interface with the street and enhances opportunities for passive surveillance. In my opinion, building activities which breach these standards will not have an adverse effect on adjoining sites that would warrant notification and the rule framework should streamline the notification preclusion accordingly.
- 8.5 When looking more holistically, residential development proposals often trigger consent in relation to a range of matters (for example the number of units, open space, earthworks, and accessway infringements). Where a proposal breaches *any* rule that does not include a non-notification clause, then the *whole* proposal is subjected to an assessment of affected parties. This assessment is not confined to matters that do not benefit from a notification preclusion. Without the extension of the notification preclusion, a cursory non-compliance with landscaping or outdoor living space would have the effect of removing any notification preclusion that may have otherwise applied for the purpose of limited notification - such as that which applies under GRZ-Rx6 (development of 4 or more units). I therefore recommend amendments to GRZ-Rx5 (and these are carried through to my proposed HRZ-Rx5), and consider that without these amendments, simple non-compliances would have the effect of nullifying notification preclusions for consents that should otherwise appropriately benefit from this tool.

- 8.6 Putting this into context, I agree that the notification preclusion tool requires careful use to ensure parties are not inappropriately disadvantaged. However, in my opinion the current framework for the use of this tool in the residential chapter does not strike the right balance between ensuring effects are appropriately considered upon potentially affected parties, while meaningfully enabling development and streamlining the resource consent process. I agree that any infringements to development controls that manage off-site effects upon neighbours (e.g. height, building coverage, height in relation to boundary, and setbacks) should be subject to the normal assessment of affected parties. Conversely, where infringements relate to development controls managing design outcomes of onsite amenity, it is my opinion that these should be precluded from limited notification.
- 8.7 In my opinion, additional and considered utilisation of this tool, as discussed above, would provide certainty and efficiency of decision making.
- 8.8 The changes recommended above have been provided in **Appendix A** in relation to the GRZ relevant rules and this is also carried through into the relevant rule within the HRZ chapter in **Appendix C**.
- 8.9 I have prepared a section 32AA assessment as set out in **Appendix B** of my evidence to assess my proposed amendments.

Commercial activities in the HRZ at the ground floor of apartment buildings

- 8.10 The submission by Kāinga Ora sought a new Restricted Discretionary Activity (RDA) rule within the HRZ, to provide an enabling consent pathway for commercial activities located at the ground floor of apartment buildings²⁶. I support this submission.

²⁶ This rule was sought in the residential rules in Appendix 3 of the primary submission but has not been captured as individual submission point by the Council. This aspect of the submission has, however, been noted at Para 232 (c)(x) of the s42A report.

- 8.11 The HRZ planned urban built environment is anticipated to transition to one that has an intensive urban character. As outlined in the evidence of Mr Cullen and Mr Rae, providing for a broad range of small-scale commercial offerings at the ground level of apartments within the anticipated HRZ urban context could result in the following benefits:
- (a) Commercial activity at the ground floor of apartments is an optimal way to avoid the privacy and amenity issues associated with residential at ground floor;
 - (b) Commercial activities, scattered throughout the urban residential environment, can provide meeting locations for residents and others in the neighbourhood, and can assist with live/work opportunities and the supply of daily needs; and
 - (c) Activity at the street, as facilitated by small commercial tenancies, improves safety and surveillance, which improves walkability.
- 8.12 In short, it is clear to me that the outcomes sought by the submission of Kāinga Ora could result in a positive and vibrant urban living environment, which will support a walkable neighbourhood and provides for the health and wellbeing of the community.
- 8.13 In my opinion, the Operative District Plan settings that currently provide for small-scale activities throughout the GRZ (such as home-based business, visitor accommodation, and home-based child care services) as a Permitted Activity²⁷ are appropriate and should be carried across to the HRZ. However, I consider that an additional rule, with an RDA threshold which provides clear direction as to the scale of activity and setting in which it can operate, is also appropriate in the HRZ, recognising the benefits such activities can bring.

²⁷ GRZ-R10

- 8.14 The proposed RDA rule clearly outlines operating limits, and in doing so it provides direction as to the scale of activity that is appropriate in this context. It also retains the ability for Council to assess the impact of the activity upon the community in which it is proposed to be located through the consent process. This response continues to recognise the benefits of appropriate non-residential activities in the HRZ that support place making.
- 8.15 In my opinion, the proposed RDA rule provides a more appropriate consent pathway for appropriately scaled commercial activities in the HRZ urban environment compared to otherwise defaulting to a Discretionary Activity or Non-Complying Activity, as provided under Rule GRZ-R20 or a Non-Complying Activity under Rule GRZ-R24 or GRZ-R25.
- 8.16 For completeness, I do not consider this change to be inconsistent with DO-O16 (the District Objective for Centres), and the policies in the BA - Business Activities chapter, in particular BA-P2.
- 8.17 This proposed new rule is set out in the HRZ chapter in **Appendix C** of my evidence.
- 8.18 I have prepared a section 32AA assessment as set out in **Appendix B** of my evidence to assess my proposed changes.
- 9. EXPANDING SPATIAL EXTENT OF THE TOWN CENTRE ZONES IN ŌTAKI AND CONSEQUENTIAL CHANGES**
- 9.1 The Kāinga Ora primary submission sought the spatial expansion of the two Ōtaki Town Centres, in particular, the spatial expansion of the Ōtaki Main Street to the east and west, and the expansion of the Ōtaki Railway Town Centre to the north, west and south.
- 9.2 As noted elsewhere in this evidence, *Te tupu pai* identifies Ōtaki as a key district centre in the north to service the growing population²⁸. *Te tupu pai* recognises both Ōtaki town centres for future intensification, noting that the Ōtaki railway is expected to become

²⁸ Te tupu pai, page 36

a rapid transit stop in the future and that this would provide further opportunity for both centre and residential area intensification²⁹. I note that policy 2 of the NPS-UD includes a requirement for Council to provide at least sufficient development capacity for business land over the short, medium and long term. There is no clear information available to establish whether adequate business land is available to meet this requirement. Mr Cullen's evidence therefore recommends the expansion of the two Ōtaki TCZ to support the long-term demand for business land and to support the signalled growth of Ōtaki as a district centre.

- 9.3 In this regard, Mr Cullen notes that both existing centres provide a broad resource for existing residents and that Ōtaki offers an ideal opportunity for density by virtue of having a 'two-amenity' focus, being the Railway Town Centre and then the Main Street further away. This provides an improved opportunity for the residential areas in between the Centres to be activated, and similarly for the Town Centres to be further activated as an employment and services centre to support the surrounding residential catchment.
- 9.4 As noted by Mr Rae, the sites which he has recommended be included in the spatial expansion generally contain a range of existing activities that are more appropriately located within a TCZ, given the nature of commercial and community activities occurring in the area on which the sites are located.
- 9.5 I have noted earlier in this evidence that I consider it appropriate to revise and reduce the extent of the expansion sought in the submission by Kāinga Ora so that it does not extend the Ōtaki Main Street TCZ further into the Marae Tikawā Precinct. I instead consider this is best retained as residential land, and subject to the management regime within the Marae Tikawā Precinct provisions in the recommended HRZ (which have been carried through from the GRZ). This aligns with the walkable catchment methodology

²⁹ Te tupu pai, page 44

proposed by Kāinga Ora, while also acknowledging that primarily residential activities occur on the Marae site and neighbouring sites.

10. INCREASED MAXIMUM HEIGHT IN METROPOLITAN CENTRE

- 10.1 Consistent with its zoning principles, the Kāinga Ora submission sought an increase in the maximum height in the Metropolitan Centre Zone from 40 metres to 53 metres.³⁰ This height is consistent with that being sought by Kāinga Ora across all Metropolitan Centre Zones in the Wellington region, and that being recommended by Council in Porirua City.
- 10.2 I support the submission, as I consider an increase in heights would more appropriately align the Paraparaumu centre with its regional comparators.
- 10.3 While I acknowledge that there is currently limited demand for development at this scale, in my opinion, enabling additional height in the MCZ will help provide further opportunities and incentivisation for additional living accommodation and employment activities that can support the primary centre of the district at a future time when such demand may emerge.
- 10.4 I note concern is often expressed regarding the potential for the ‘one-off sore thumb’ from taller buildings locating within the current environment. In many respects, that is an inevitable outcome of a centre that is transitioning from a lower intensity urban form to a higher intensity. Incremental and more modest increases to the height standards through successive District Plan reviews may avoid the ‘sore thumb’ scenario, but in my opinion that would be at the cost of land being used inefficiently and in a way that locks in that inefficiency until buildings are demolished and rebuilt. In any area where intensification is proposed, there will always be that first tall building that will be more obvious until, in time, others develop around it.

³⁰ S122.145, S122.47, S122.50

10.5 At the same time, I support a planning approach that requires oversight of the design of buildings to ensure that the streetscape is activated, blank walls are minimised, and provide a positive visual contribution to the amenity values of the city. I consider the amendments I have recommended to the relevant policy and rule framework provides this necessary direction.

10.6 I have recommended changes to reflect this increase in height in **Appendix A** of my evidence.

10.7 I have prepared a section 32AA assessment as set out in **Appendix B** of my evidence to assess my proposed amendments.

11. ROLE AND STATUS OF DESIGN GUIDES

11.1 Kāinga Ora made a number of submissions³¹ that have sought to clarify the role and status of the design guides. These submissions are consistent with the approach Kāinga Ora takes to this issue both nationally and regionally.

11.2 Kāinga Ora agrees that high quality design is important to successfully achieve a well-functioning urban environment, and to support walkable living environments. However, there is a difference of opinion when determining the most efficient and appropriate method to achieve this.

11.3 I support the use of design guidance. However, it is my opinion that the status and role of such guidance needs to be clear. In my view, it is inappropriate to require *consistency* with the Design Guidelines as a matter for consideration as part of actual policy or rules.

11.4 In my opinion, the outcomes required to achieve a high quality urban environment should be clearly expressed directly within the provisions of the Plan. I consider that this is the most efficient way to clearly convey expected design outcomes, which can then be

³¹ S122.17-S122.21, S122.109, S122.111, S122.112, S122.116, S122.120, S122.121, S122.123, S122.124, S122.125, S122.126, S122.136, S122.137, S122.138, S122.142, S122.144, S122.145, S122.150, S122.151, S122.163, S122.163

reconciled with the planned urban form of the zone. It also reduces complexity of plan implementation by having the critical outcomes expressed within the single document.

- 11.5 In this regard, I have recommended that the key design outcomes be articulated directly into policies³² and strengthened the matters of discretion within the relevant rules.³³ The design outcomes, as expressed through the policies, have been informed by discussions with Mr Rae. These revised policies and assessment matters are set out in **Appendix A** of my evidence.
- 11.6 In considering whether there is specific direction in higher order documents on this issue, I note that Policy 67(a) of Plan Change 1 to the Wellington Regional Policy Statement (**RPS**) supports non-regulatory measures such as urban design guidance to contribute to the qualities and characteristics of a well-functioning urban environment. This is consistent with the operative RPS, which also anticipates design guidance to be a non-regulatory method.
- 11.7 Policy 54 to the RPS requires district plans to have particular regard to achieving the region's urban design principles, as set out in Appendix Two to the RPS. Policy 54 is part of a suite of policies intended to implement RPS Objective 22 (compact well designed and sustainable regional form). In my opinion, the proposed amendments to the policies and matters of discretion directing design outcomes give full effect to this.
- 11.8 Ultimately, if there are critical outcomes that the Design Guidelines are trying to achieve, then these matters should be referred to in the guiding provisions in the District Plan. The extent to which a proposal then achieves those outcomes can be measured against the Design Guideline itself, in reference to the relevant matters of discretion. This approach also ensures that key built form and amenity outcomes being sought within the zones are clearly

³² GRZ-Px6, HRZ-Px6, MCZ-P8, TCZ-P6, LCZ-P6 and MUZ-P6

³³ GRZ-R6, HRZ-R6, MCZ-R13, TCZ-R11, LCZ-R12, MUZ-R13

identified rather than being embedded within a lengthy design guide.

- 11.9 In my opinion, this approach ensures that the matters for discretion required under section 77B(4) of the RMA are clearly set-out and provides clarity and certainty for plan users, rather than elevating an entire design 'guide' as a matter of discretion.
- 11.10 From a practice and implementation perspective, I have extensive experience applying statutory design guides to development proposals, particularly in Wellington City and non-statutory design guidance elsewhere. In my experience, while the statutory guidance at Wellington City is without question beneficial, it is also complex, and at times at cross-purposes with the development standards set out in the District Plan.
- 11.11 In my opinion, a further benefit of this approach is that refinements to the design guidance can be made where monitoring of the effectiveness of design outcomes demonstrates some shortcomings "on-the-ground". An example of this is the widespread change in the requirements for developments to incorporate onsite water detention and the resulting proliferation of above ground tanks, often with insufficient screening and/or resolution into the site planning. In instances such as this, the design guidelines can be updated and amended accordingly to best practice without having to go through a lengthy RMA Schedule 1 process. In this regard, the ability to update guidance in an agile and efficient manner to ensure it can respond to emerging design based issues is, in my opinion, a clear benefit when considered against the potential scale of change that will be enabled across the urban environment of Tier 1 plans.
- 11.12 Were the Commissioners minded to maintain Design Guidelines as part of the statutory plan, as recommended with the Section 42A report and PC(R), I am of the view that any reference to development design being *consistent* with the Design Guidance should be reframed to one that *fulfils the intent of the Design Guidance*. In my experience, terms such as "consistent" have the

effect of reducing the intended flexibility of the guide to one that is more akin to a compliance criterion, which is not the intention.

- 11.13 Notwithstanding the above, I remain of the view the Design Guides are better placed as a tool in the assessment of matters of discretion associated with development within the residential and commercial zones.
- 11.14 I have recommended a number of amendments to the policy sections of the relevant chapters in **Appendix A** of my evidence to reflect the Kāinga Ora position, as informed by Mr Rae. I have also recommended amendments to the relevant rule-based matters of discretion, to more clearly articulate the outcomes being sought.
- 11.15 I have prepared a section 32AA assessment as set out in **Appendix B** of my evidence.

12. SUBDIVISION

Minimum Allotment Size and Shape Factor for Vacant Lots

- 12.1 The submission³⁴ by Kāinga Ora sought to remove the proposed minimum vacant lot size for subdivision in the residential zone, leaving the shape factor to be the sole controlling factor. The submission also sought to amend the shape control factor to 8m x 15m.
- 12.2 Regarding the removal of the minimum vacant lot size, the Section 42a Report rejected this on the basis that it may result in the creation of vacant allotments that are not of sufficient size to accommodate 3 units on the site in accordance with the intensification levels enabled by the MDRS.
- 12.3 The changes brought about by the Amendment Act requires that density reflects the minimum required to accommodate the level of development permitted under the MDRS. While the density standards provide for 3 residential units per site, I consider that the anticipated outcome of the Amendment Act is that any minimum lot

³⁴ S122.78, S122.80

size, shape size or other size-related subdivision requirement must be able to accommodate a single “typical” dwelling in compliance with the MDRS. Any size -related subdivision requirement must therefore reflect the minimum required to accommodate the level of development permitted under the MDRS. I therefore consider it inappropriate and unnecessary to require a shape or size-related subdivision requirement in excess of that minimum.

- 12.4 The recommended rule framework for subdivision of a residential site in PC2(R) requires a minimum lot size of 420m², in addition to achieving compliance with the shape factor.
- 12.5 Recognising the reporting officers’ concerns that the removal of the minimum lot size may lead to the creation of vacant allotments that are not of a sufficient size to accommodate an appropriately sized unit, I have considered whether the 8m x 15m sought by Kāinga Ora would result in this outcome. In this process, I have noted that architectural testing (by Tauranga City Council³⁵), has recently been undertaken on a 8m x 15m shape factor to support their IPI. This testing concluded that this dimension will be capable of accommodating a dwelling in compliance with the MDRS of building height, height in relation to boundary, setbacks, building coverage, outdoor living space, outlook space, windows to street and landscaping.
- 12.6 While the density standards provide sufficient building height to enable a three-storey building to be constructed on a permitted basis, a more realistic approach was taken in the Tauranga testing to determine what constitutes a “typical” dwelling under the MDRS. The 8m x 15m shape factor enabled a two storey, two bedroom/bathroom dwelling of 94m² to be built on a 120m² site. This rationale recognises the majority of existing housing in suburban residential areas is free standing, with three or more bedrooms. The architectural testing does not incorporate any onsite car parking.

³⁵ s32-eval-report-vol8.pdf (tauranga.govt.nz) – see Appendix 5 (C:\Revit_local\T703 TCC PLAN CHANGE 33_h_vandermerwe.pdf (tauranga.govt.nz)).

- 12.7 Having satisfied myself that the 8m x 15m shape factor can accommodate a “typical” dwelling in compliance with the MDRS, I consider that the 8m x 15m rectangle is the most appropriate to accommodate the site development and there is no need for further minimum size control. I note that the shape factor needs to be unhindered by constraints dedicated to other purposes such as access or services. In my opinion, the application of a 8m x 15m shape factor alone is sufficient to ensure vacant lots created through subdivision are usable, and support the integrated, liveable and sustainable communities envisaged by the policy framework.
- 12.8 I therefore support the submissions of Kāinga Ora with regard to the removal of the minimum lot size control and amendment of the shape factor to 8m x 15m.
- 12.9 I have recommended wording changes to Standard SUB-RES-Table x1, as set out in **Appendix A** of my evidence.
- 12.10 I have prepared a section 32AA assessment as set out in **Appendix B** of my evidence to assess my proposed amendments.

13. CONCLUSIONS

- 13.1 The national direction contained in the NPS-UD requires the Council to provide for well-functioning urban environments which are able to develop and change over time. This national direction seeks to specifically acknowledge that urban environments need to provide sufficient opportunities for the development of housing and business land to meet demand and provide for a range of dwelling types across different locations that will meet the needs of people and communities as well as future generations.
- 13.2 In my opinion, the underlying principles that have informed the proposed changes set out in the Kāinga Ora submissions for PC2 will better align the policies with the NPS-UD and the purpose and principles of the RMA as amended by the Amendment Act.

- 13.3 In conclusion, I am of the opinion that the amendments sought by Kāinga Ora (as outlined in this evidence) are appropriate and will assist in striking the balance controlling the effects of development and enabling opportunities to facilitate the outcomes of the District Plan and PC2.
- 13.4 I consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents including the NPS-UD.



Karen Tracy Williams
10 March 2023

Appendix A – Recommended Changes

Text convention	Description
PC(N) – PC2 as notified	
Black text	Operative District Plan text not amended by PC(N).
<u>Black text underlined</u>	Text added to the District Plan by PC(N).
Black text struck through	Text removed from the District Plan by PC(N).
PC(R1) – Amendments recommended in the Council Officers’ Planning Evidence	
<u>Red text underlined</u>	Text to be added to the District Plan because of recommendations in the Council Officers’ Planning Evidence
Red text struck through	Operative District Plan text to be removed because of recommendations in the Council Officers’ Planning Evidence.
Red text underlined and double struck through	Text added to the District Plan by PC(N) but removed because of recommendations in the Council Officers’ Planning Evidence.
Changes sought by Kāinga Ora following review of s42A report. Consequential amendments may be required to numbering.	
<u>Blue text underlined</u>	Text to be added following review of recommendations in the Council Officers’ Planning Evidence
Blue text struck through	Text to be removed following review of recommendations in the Council Officers’ Planning Evidence

DO - District Objectives Chapter

DO-Ox3	<u>Residential Intensification Precincts Residential Zones</u>
<p><u>Residential Intensification Precincts Residential Zones</u> provide for higher density housing types and sizes that respond to:</p> <ol style="list-style-type: none"> 1. <u>Housing needs and demand;</u> 2. <u>The proximity of the area to the Metropolitan Centre Zone, Town Centre Zone or Local Centre Zone;</u> 3. <u>Accessibility to and from the area by active or public transport; and</u> 4. <u>The neighbourhood’s planned urban built character, including:</u> <ol style="list-style-type: none"> a. <u>buildings up to of at least 6-storeys within Residential Intensification Precinct A the High Density Residential Zone (with greater height being enabled in proximity to the Metropolitan Centre Zone); and</u> b. <u>buildings up to 4-storeys within Residential Intensification Precinct B the General Residential Zone.</u> 	
<p><u>Explanation</u></p> <p>This objective gives effect to policy 3 of the National Policy Statement on Urban Development 2020 (the NPS-UD). Policy 3 of the NPS-UD requires that district plans enable increased <i>building heights</i> and density of urban form within:</p> <ul style="list-style-type: none"> • <u>The Metropolitan Centre Zone;</u> • <u>Within a walkable catchment of the Metropolitan Centre Zone;</u> 	

- Within a walkable catchment of rapid transit stops (which in the Kāpiti context means the train stations as Paekākāriki, Paraparaumu and Waikanae); and
- Within and adjacent to the *Town Centre Zone* and *Local Centre Zone*.

Residential Intensification Precincts-The High Density Residential Zone and Height Variation Control Areas within both Residential Zones provide for increased *building height* and density within the parts of the General Residential Zone that are located within in the areas to which policy 3 of the NPS-UD applies.

DO-O11

Character and Amenity Values

To maintain and enhance ~~recognise the unique character and amenity values of the District's distinct communities, while providing~~ provide for the character and amenity values of the District's urban environment to develop and change over time in response to the diverse and changing needs of people, communities and future generations ~~resulting in so that residents and visitors enjoy:~~

1. ~~relaxed, unique and distinct village identities and predominantly low-density residential areas characterised by~~ the presence of mature vegetation, a variety of built forms and building densities, the retention of landforms, and the recognition of unique community identities;
2. vibrant, lively metropolitan and town centres supported by higher density residential and mixed use areas;
3. ~~neighbourhood-local~~ centres, village communities and employment areas characterised by high levels of amenity, accessibility and convenience;
4. productive rural areas, characterised by openness, natural landforms, areas and corridors of indigenous vegetation, and primary production activities; and
5. well managed interfaces between different types of land use areas (e.g. between living, working and rural areas) and between potentially conflicting land uses, so as to minimise adverse effects.

[...]

DO-O12

Housing Choice and Affordability

To meet diverse community needs by increasing the amount of housing that:

1. is of densities, locations, types, attributes, size and tenure that meets the social and economic wellbeing needs of households in suitable urban and rural locations;
2. is affordable and adequate for lower income households; and
3. can respond to the changing needs of residents, regardless of age, mobility, health or lifestyle preference;

~~while enhancing the amenity of living environments and contributing to the sustainability of communities and compatibility with the goals of environmental sustainability, in particular resource, water and energy efficiency.~~

DO-O16

Centres

To have vibrant, safe and economically sustainable *centres* that function as key employment and economic nodes and as a focus for social and community life, as public transport and local service hubs, and as places for living, entertainment and recreation that:

1. provide the primary focus for *commercial* (excluding *industrial*), *retail* and community activities within the District;
2. support community cohesion and a sense of place;
3. reinforce a compact, well designed and sustainable District and regional form, through promoting and reinforcing a close proximity and good accessibility between living, business and employment areas;
4. encourage economic opportunities and *business activities* in a manner which promotes:
 - a. the *Paraparaumu Sub-Regional Centre* as the principal commercial, retail, cultural, civic and tourist centre for the District, to be developed in a manner that:
 - i. achieves an integrated and compact *Metropolitan Centre Zone*, linking all Precincts through a well-connected pedestrian and *transport networks* offering a choice of efficient routes and a quality built environment;
 - ii. provides for a broad range of mutually compatible activities that are integrated with pedestrian and public transport;
 - iii. is supported by opportunities for ~~medium~~ higher density residential living;
 - iv. consolidates community activities within Precinct B; and
 - v. provides for *commercial* (excluding *industrial*) and *retail activities* in Precincts A1, A2 and C, with some restrictions on the scale and nature of *retail activities* in Precinct C
 - b. the District's *town centres* at a scale and form that provides the urban focus for the commercial (excluding *industrial*), tourism, education, entertainment, community and civic activities as well as opportunities for ~~medium~~ higher density residential living, where these meet the needs of the surrounding township community; and
 - c. District's *local centres* to provide for *commercial activities* (excluding *industrial activities*), within a residential context, to primarily serve the local convenience, community and commercial needs of the surrounding residential community.
5. provide for higher density urban built character and high-quality development, including:
 - a. buildings up to 15-12-storeys within the Metropolitan Centre Zone;
 - b. buildings up to of at least 6-storeys within:
 - i. the Town Centre Zone;
 - ii. the Ihakara Street West, Ihakara Street East and Kapiti Road precincts of the Mixed Use Zone;
 - iii. the Local Centre Zone at Paekākāriki; and
 - c. buildings up to 4-storeys within the Local Centre Zone

UFD - Urban Form and Development Chapter

UFD-Px	Urban Built Form
<p><u>Provide for heights and densities of urban built form that enable more people to live in, and more businesses and community services to be located in, the District's urban environments, by:</u></p> <ol style="list-style-type: none"> 1. <u>enabling the greatest building heights and densities in the Metropolitan Centre Zone, including buildings up to 12-storeys;</u> 2. <u>enabling greater building heights and densities within a walkable catchment of the Metropolitan Centre Zone, including buildings of at least 6 storeys and up to 10-storeys;</u> 3. <u>enabling greater building heights and densities within a walkable catchment of and the train stations at Paekākāriki, Paraparaumu and Waikanae, including buildings up to of at least 6-storeys;</u> 4. <u>enabling greater building heights and densities within and adjacent to the Town Centre Zone, including buildings up to 6-storeys;</u> 5. <u>enabling increased building heights and densities within and adjacent to the Local Centre Zone, including buildings up to 4-storeys;</u> 6. <u>enabling increased building heights and densities adjacent to the Town Centre Zone and Local Centre Zone, including buildings up to 4-storeys; and</u> 	

6. enabling a variety of *building* heights and densities in the General Residential Zone, including *buildings up to 3 storeys*; and
7. enabling greater development outcomes in the High Density Residential Zone;

while ~~recognising it may be appropriate to be less enabling of *development* to accommodate an identified qualifying matter avoiding inappropriate buildings, activities, heights and densities within qualifying matter areas.~~

UFD-P1	Growth Management
<p>New urban <i>development</i> for <i>residential activities</i> will only be located within existing urban areas, and identified growth areas, and areas that can be efficiently serviced and integrated with existing urban areas, and will be undertaken in a manner which:</p> <ol style="list-style-type: none"> 1. supports the District's consolidated urban form; 2. maintains the integrity of the urban edge north of Waikanae and Ōtaki; 3. manages residential densities by: <ol style="list-style-type: none"> a. enabling <i>medium density housing</i> and focused <i>infill</i> housing in identified precinct areas that are close to <i>centres</i>, public <i>open spaces</i>, and public transport nodes; b. retaining a predominantly low residential density in the <i>Residential Zones</i>; c. avoiding any significant adverse effects of <i>subdivision</i> and <i>development</i> in special character areas identified in GRZ-P3; <u>a. providing for a variety of housing types and densities in the General Residential Zone, and a greater intensity of development in the High Density Residential Zone;</u> <u>b. enabling increased housing densities:</u> <ol style="list-style-type: none"> <u>i. in, and within a walkable catchment of the <i>Metropolitan Centre Zone</i>;</u> <u>ii. within a walkable catchment of the train stations at Paekākāriki, Paraparaumu and Waikanae; and</u> <u>iii. in and adjacent to the <i>Town Centre Zone</i> and <i>Local Centre Zone</i>;</u> 4. avoids urban expansion that would compromise the distinctiveness of existing settlements and unique character values in the rural <i>environment</i> between and around settlements; 5. can be sustained within and makes efficient use of existing capacity of public services and strategic infrastructure (including additional infrastructure), or is integrated with the planned capacity of public services and infrastructure and the likely availability of additional infrastructure; and 6. promotes the efficient use of energy and water; <u>7. manages reverse sensitivity effects on existing lawfully established non-residential activities.</u> 	

UFD-P4	Residential Density and Built Form
<p>The density of <i>subdivision</i> and <i>development</i> will be managed through an zone based area specific provisions approach to achieve an appropriate range of housing types, <u>density and built form</u> across the District, as set out below:</p> <ol style="list-style-type: none"> 1. the highest densities, including apartments as part of mixed use developments, will be located within and in immediate proximity to <i>centres</i>; 2. <i>medium density housing</i> will be limited to specific precinct areas within walking distance of <i>centres</i> <u>higher density development, including multi-storey apartments, will be provided for within a walkable catchment of the <i>Metropolitan Centre Zone</i>, train stations at Paekākāriki, Paraparaumu and Waikanae, and adjacent to the <i>Town Centre Zone</i> and <i>Local Centre Zone</i>;</u> 3. <i>focused infill</i> will be encouraged in specific areas where there is good access to <i>shops</i> and <i>services</i> <u>a variety of densities will be provided for in the General Residential Zone;</u> 	

- ~~4. within the *Neighbourhood Development Areas* identified in the Ngārara Development Area Structure Plan in Appendix 7, the provision of affordable housing will be encouraged at appropriate locations with good access to shops and services; and~~
- ~~5. traditional low density residential *subdivision* will be allowed within the *general residential area*;~~
- ~~6. overall existing low densities will be maintained in special character areas identified in GRZ-P3;~~
- ~~7. especially low densities will be applied in Low Density Housing Precinct areas (identified on the District Plan Maps) as transitions between rural and urban environments); and~~
- ~~8. in areas where *infrastructure* constraints exist (such as water, wastewater or roading), densities will reflect those constraints residential densities will be integrated with existing or planned infrastructure capacity.~~

UFD-P13	Zoning Framework
<p><i>Subdivision</i>, use and <i>development</i> in the <i>Residential Zones</i> will be managed through the following zoning framework:</p> <ol style="list-style-type: none"> 1. General Residential Zone, including the following precincts: <ol style="list-style-type: none"> a. Medium Density Housing (also located within various <i>Centres Zones</i>) <u>Residential Intensification Precincts;</u> b. Focused Infill <u>Coastal Qualifying Matter Precinct;</u> c. Waikanae Garden <u>Precinct;</u> d. Low Density (at Ōtaki, County Road Ōtaki, Paraparaumu and Manu Grove Low Density Housing) County Road Ōtaki <u>Precinct;</u> e. Pekawu; f. Ferndale Area; g. Panorama Drive; h. Waikanae Golf; i. The Drive Extension; e. j. Beach Residential <u>Precinct;</u> f. Marae Takiwā <u>Precinct;</u> 2. <u>High Density Residential Zone, including the following precinct:</u> <ol style="list-style-type: none"> a. <u>Marae Takiwā Precinct</u> 3. Ngārara Development Area; and 4. Waikanae North Development Area. 	

PK – Papakāinga Chapter

[...]

The Objectives and Policies contained within this Chapter apply to *papakāinga* throughout the *District*. The rules that provide for *papakāinga* are located within the relevant Zone Chapters. The Zones where *papakāinga* are provided for are:

- The General Residential Zone;
- The High Density Residential Zone;
- The General Rural Zone;
- The Rural Production Zone;

- The Rural Lifestyle Zone;
- The Future Urban Zone;~~and~~
- The Metropolitan Centre Zone;
- The Town Centre Zone;
- The Local Centre Zone; and
- The Mixed Use Zone.

GRZ – General Residential Zone Chapter

Introduction

The General Residential Zones of the Kāpiti Coast ~~are~~is the urban areas where residential activities are the primary activity and is the most widespread residential zone in the District. The General Residential Zones ~~generally have a low density and detached built form, however there are areas where other built residential forms provides~~ for a range of housing densities and built forms, including higher medium density and non-traditional (i.e. shared housing) residential developments and papakāinga are provided for. High-rise development is provided for in the High Density Residential Zone.

There is an ongoing need to manage other land use activities that produce effects which adversely affect the quality of the General Residential Zones. A high level of residential amenity and a low level of nuisance effects ~~are~~is sought within the General Residential Zones. There are some activities (for example, churches, dairies, and some community facilities) that are able to co-exist with residential activities and that contribute to a walkable, high-amenity, resilient local community, which need to be enabled in appropriate circumstances.

The following issues are covered in this Chapter:

- housing choice
- residential amenity
- local character
- management of development densities
- non-residential activities in the General Residential Zones.

This Chapter contains policies, rules and standards relating specifically to the General Residential Zone. Policies, rules and standards relating to the High Density Residential Zone are located within the High Density Residential Zone Chapter. Policies, rules and standards relating to the other Residential Zones (the Ngārara Development Area and Precincts 1, 2, 4 and 5 of the Waikanae North Development Area) are located within the Development Area chapters.

District-wide policies that set out Council's approach to managing urban development and residential activities in all areas and zones across the District are set out in the Strategic ~~Direction~~ chapters. Rules and standards relating to residential activities in other zones are located in the relevant area-specific chapters (e.g. Commercial Mixed Use Zones, Rural Zones).

Many areas in the General Residential Zone are characterised by special features as shown on the District Plan. Chapters relating to special features (e.g. Natural Hazards, Historic Heritage, and Natural Environment Values) also contain relevant provisions applying to the General Residential Zones.

General Residential Zone

The General Residential Zone contributes to the development of a well-functioning urban environment by enabling a variety of housing types and sizes that will provide a greater diversity of housing options for the city. ~~The provisions of this zone incorporate the Medium Density Residential Standards (the MDRS) and give effect to Policy 3 of the National Policy Statement on Urban Development 2020 (the NPS-UD).~~

A mix of housing densities are provided for throughout the Zone, with higher densities enabled in areas that are well served by ~~public transport~~ or are close to a range of commercial activities and community services. ~~The general built outcome will reflect a moderate concentration and bulk of buildings.~~ Housing types anticipated in the Zone include detached housing, semi-detached housing, terrace housing, and low-rise apartments, ~~and in some areas mid-rise apartments, with private open space and landscaped areas.~~ The development of papakāinga is also provided for within the Zone. The Zone does not promote one form of housing over another but instead provides flexibility to meet the community's diverse housing needs while recognising that there are parts of the Zone where the permitted development height and density may be modified or limited by qualifying matters.

It is anticipated that the form, appearance and amenity of neighbourhoods within the Zone will change over time. ~~Where appropriate, Ddesign guidelines help manage this change by promoting a high standard of urban design and encouraging new development to contribute positively to the changing character of the Zone.~~ The following precincts are used to recognise or provide for a range of specific matters throughout the Zone:

Residential Intensification Precincts

~~The Zone supports a higher density of development in areas that are close to rapid transit stops, the Metropolitan Centre Zone, the Town Centre Zone and the Local Centre Zone. These are areas that are well served by public transport or are accessible to a range of existing or planned commercial activities and community services. Higher density development is provided for in the following intensification precincts:~~

Residential Intensification Precinct A

~~This Precinct encompasses the part of the Zone that is located within a walkable catchment of the edge of the Metropolitan Centre Zone, and the train stations at Paekākāriki, Paraparaumu and Waikanae. The precinct enables the development of buildings up to and including 6 storeys in height. This precinct gives effect to policy 3(e) of the NPS-UD.~~

Residential Intensification Precinct B

~~This precinct encompasses the part of the Zone that is adjacent to the Town Centre Zone and the Local Centre Zone. The precinct enables the development of buildings up to and including 4 storeys in height. This precinct gives effect to policy 3(d) of the NPSUD.~~

Coastal Qualifying Matter Precinct

~~The Coastal Qualifying Matter Precinct covers parts of the Zone near to the coast that have been identified as being potentially susceptible to coastal erosion hazard (as well as land identified as being potentially susceptible to coastal inundation hazard at Peka Peka Beach). The purpose of this precinct is to identify the area within which the level of subdivision and development otherwise required by the Medium Density Residential Standards and policy 3 of the NPS-UD will not be enabled until the management of coastal hazards is addressed through a future coastal environment plan change. The precinct and the provisions associated with it will be reviewed as part of this future plan change process.~~

Marae Takiwā Precinct

~~The purpose of the Marae Takiwā Precinct is to recognise that the cultural and traditional practices that occur at marae are likely to be sensitive to the effects of surrounding development. The precinct seeks to manage these effects by providing for a lower level of development to occur adjacent to marae as a permitted activity. Where development breaches permitted activity standards, it must avoid, remedy or mitigate adverse effects on~~

the cultural values and tikanga Māori associated with the marae, and the use and function of the marae.

[...]

GRZ-Px6	<u>Residential Intensification Precincts Achieving quality design outcomes</u>
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Provide for higher density housing within Residential Intensification Precincts, including:

1. within Residential Intensification Precinct A, residential *buildings* up to 6 storeys; and
2. within Residential Intensification Precinct B, residential *buildings* up to 4 storeys;

where *development* meets the requirements of is consistent with the relevant matters in the Residential Design Guide in Appendix x1.

Provide for residential intensification of a site where it can be demonstrated that the development achieves positive urban design outcomes and living environments, taking into consideration the following design objectives, development type, and the planned urban built environment of the General Residential Zone:

1. Ensure the building location, form and appearance is comprehensively designed with the landscape and is compatible with the planned urban built character of the zone.
2. Achieve a positive frontage that engages and interacts with the street with a focus on human activity and scale.
3. Achieve visual interest and aesthetic coherence using architectural and landscape design techniques.
4. Minimise the impact of driveways, manoeuvring and parking areas on the quality of the site and street, while ensuring safety.
5. Integrate building form and open space design to achieve high amenity, safe and functional outcomes for residents in both private and communal spaces, while respectful of neighbouring sites.
6. Achieve reasonable sunlight, daylight, and outlook for all residential units and associated outdoor spaces where possible, while minimising overlooking of neighbouring living and private outdoor spaces.
7. Provide reasonable internal visual privacy for all units through well considered location of elements, rather than relying on window coverings.
8. Achieve quality, legible, safe and efficient circulation.
9. Provide for servicing that is suitably generous, convenient, and visually discreet.

GRZ-Px8	<u>Marae Takiwā Precinct</u>
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Within the Marae Takiwā Precinct, *subdivision, use and development* will avoid, remedy or mitigate adverse *effects* on the cultural values and *tikanga Māori* associated with the marae, and the use and function of the marae, including by:

1. Seeking to avoid *buildings* that overlook the marae;
 2. Seeking to avoid *buildings* and *structures* that further obstruct views from the marae to the Tararua Range;
 3. Recognising that *activities* adjacent to a marae may be sensitive to the *effects* of activities that occur on a marae, by mitigating these *effects* through the design of the *development*;
- while providing for residential *buildings* up to 2 storeys.

GRZ-P9	<i>Residential Activities (excluding visitor accommodation other than temporary residential rental accommodation)</i>
<p><i>Residential activities</i> will be recognised and provided for as the principal use in the <u>General Residential Zones</u>, while ensuring that the <i>effects</i> of <i>subdivision</i>, use and <i>development</i> is in accordance with the following principles:</p> <ol style="list-style-type: none"> 1. adverse <i>effects</i> on natural systems will be avoided, remedied or mitigated; 2. new built <i>development</i> will relate to local built identity, character values and the density of the surrounding residential environment be compatible with <u>responds to</u> the planned <u>built character urban form</u> of the <i>Zone</i>; 3. transport choice, and efficiency <u>and accessibility to active or public transport</u> will be maximised; 4. housing types which meet the need of households will be provided for; 5. the number of residential units per allotment will be limited <u>the functional and operational requirements of different types of housing are recognised</u>; and 6. a limited number of <i>accessory buildings</i> and <i>buildings</i> which are <i>ancillary</i> to <i>residential activities</i> will be provided for. 	

GRZ-P10	Residential Amenity
<p><i>Subdivision</i>, use and <i>development</i> in the Residential Zones will be required to achieve a high level of on-site amenity for residents and neighbours in accordance with the following principles:</p> <ol style="list-style-type: none"> 1. <i>building size</i> and <i>footprint</i> will be proportional to the size of the <i>allotment</i>; 2. <i>usable and easily accessible private outdoor living spaces</i> will be provided; 3. <i>buildings and structures</i> will be designed and located to maximise sunlight access, privacy and amenity for the site and adjoining <i>allotments</i>; 4. <i>buildings and structures</i> will be designed and located to minimise visual impact and to ensure they are of a scale which is consistent with the area's urban form compatible with <u>to respond to</u> the planned built character <u>form</u> of the <i>Zone</i>; 5. appropriate separation distances will be maintained between <i>buildings</i>; 6. <i>yards</i> will be provided to achieve appropriate <i>building</i> setbacks from neighbouring areas, the street and the coast; 7. hard and impermeable surfaces will be offset by permeable areas on individual <i>allotments</i>; 8. unreasonable and excessive <i>noise</i>, odour, smoke, <i>dust</i>, light, glare and vibration will be avoided; 9. <i>non-residential buildings</i> will be of a form and scale which is compatible with the surrounding residential <i>environment</i>; and 10. service areas for <i>non-residential activities</i> will be screened, and planting and <i>landscaping</i> will be provided. 	

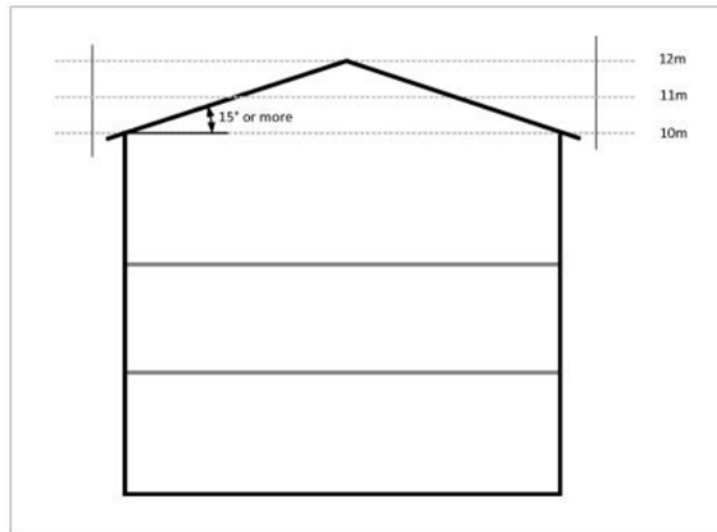
GRZ-P12	Landscaping
<p><i>Landscaping</i> will be required for non-residential activities and intensive residential development in the Residential Zones to enhance residential amenity, while promoting <i>water</i> conservation and biodiversity and allowing for the natural infiltration of surface <i>waters</i> through permeable treatments. Landscaping will <u>is encouraged to</u> be located and designed in accordance with the following principles:</p> <ol style="list-style-type: none"> 1. the visual impact of large <i>buildings</i> will be reduced by appropriate screening and planting; 2. service areas, loading areas and <i>outdoor storage</i> areas will be screened; 3. on-site <i>outdoor living spaces</i> will be defined and enhanced by <i>landscaping</i>; 4. <i>sunlight</i> access and passive surveillance to adjoining areas will not be unreasonably restricted; 5. public <i>infrastructure</i> and services will not be damaged or blocked; 6. planting of locally <i>indigenous vegetation</i> will be encouraged; and 	

7. permeable surfaces will be provided for the natural infiltration of surface waters.

GRZ-R4	Shared and group accommodation and supported living accommodation.
Permitted Activity	<p>Standards</p> <p>Number of residents and <i>residential units</i></p> <ol style="list-style-type: none"> 1. No more than 6 residents shall be accommodated at any time. 2. No more than one <i>residential unit</i> shall be provided. <p>Buildings</p> <ol style="list-style-type: none"> 3. Any building (excluding minor buildings) used for the purposes of shared and group accommodation or supported living accommodation must comply with the standards in GRZ-R6 excluding standard 2 1 a) i., GRZ-Rx1, GRZ-Rx2 or GRZ-Rx3.

GRZ-Rx1	<p>New buildings and structures, and any minor works, additions or alterations to any building or structure.</p> <p>The following are excluded from this rule:</p> <ul style="list-style-type: none"> • Buildings and structures within the Coastal Qualifying Matter Precinct (refer rule GRZ-R6) • Buildings and structures within any Residential Intensification Precinct (refer rule GRZ-Rx2) • Buildings and structures within the Marae Takiwā Precinct (refer rule GRZRx3) • Papakāinga (refer rules GRZ-Rx4 or GRZ-Rx9) • Minor Buildings <p>[s80H(1)(a)(i) note: this rule incorporates the density standards in Part 2 of Schedule 3A of the Act. This note does not form part of the IPI and will be removed when the IPI becomes operative.]</p> <p>[s86E note: this rule has immediate legal effect in accordance with section 86BA of the RMA, except that:</p> <ul style="list-style-type: none"> • This rule does not have immediate legal effect in any qualifying matter area; • This rule does not have immediate legal effect in any area of new General Residential Zone proposed as part of this Plan Change.]
Permitted Activity	<p>Standards</p> <p>Number of <i>residential units per site</i></p> <ol style="list-style-type: none"> 1. <u>There must be no more than 3 <i>residential units per site</i>.</u> <p><u>This standard does not apply to minor works, additions, or alterations to buildings and structures that do not increase the number of residential units.</u></p> <p><u>Height</u></p> <ol style="list-style-type: none"> 2. Buildings and structures must not exceed <u>a height of:</u> <ol style="list-style-type: none"> a. 11 metres in height; or b. 14 metres where identified on the Planning Maps as a Height Variation Control <p><u>2.</u></p> <p><u>Except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this <i>height</i> by 1 metre.</u></p>

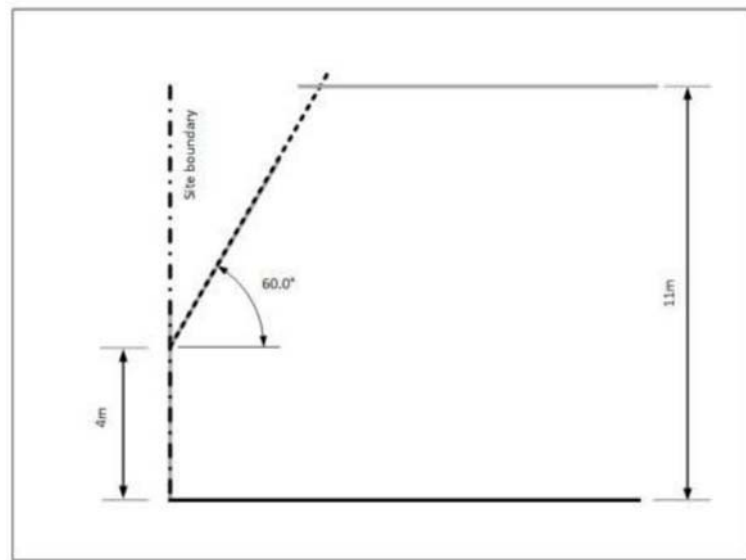
where the entire roof slopes 15° or more, as shown on the following diagram:



GRZ-Diagram x1 – Building height

Height in relation to boundary

3. Buildings and structures must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown on the following diagram. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.



GRZ-Diagram x2 – Height in relation to boundary

This standard does not apply to:

- a. a boundary with a road;
- b. existing or proposed internal boundaries within a site;
- c. site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

Setbacks

4. Buildings and structures must be set back from the relevant boundary by the minimum depth listed in the yards table below:

GRZ-Table x – Yard setbacks	
<u>Yard</u>	<u>Minimum depth</u>
<u>Front</u>	<u>1.5 metres</u>
<u>Side</u>	<u>1 metre</u>
<u>Rear</u>	<u>1 metre (excluded on corner sites)</u>

This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

Building coverage

5. The maximum building coverage must not exceed 50% of the net site area.

Outdoor living space (per unit)

6. A residential unit at ground floor level must have an outdoor living space that is at least 20m² and that comprises ground floor, balcony, patio, or roof terrace space that:

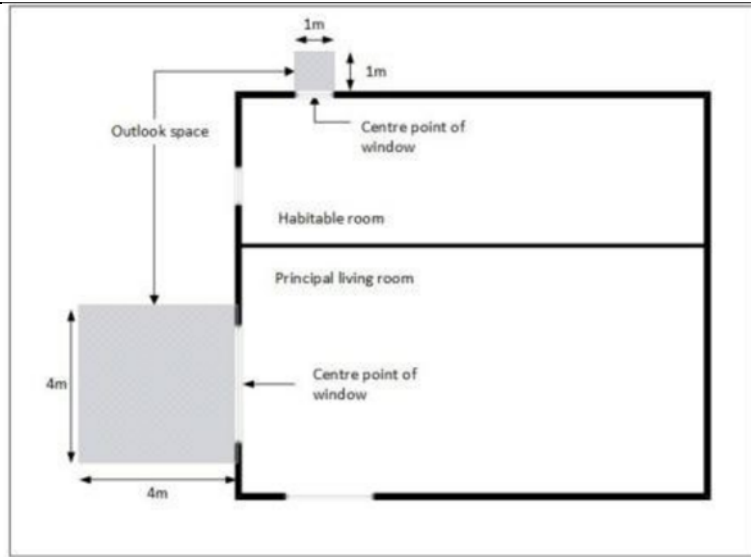
- a. Where located at ground level, has no dimension less than 3 metres; and
- b. where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8 metres; and
- c. is accessible from the residential unit; and
- d. may be:
 - i. grouped cumulatively by area in 1 communally accessible location; or
 - ii. located directly adjacent to the unit; and
- e. is free of buildings, parking spaces, and servicing and manoeuvring areas.

7. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:

- a. is at least 8m² and has a minimum dimension of 1.8 metres; and
- b. is accessible from the residential unit; and
- c. may be:
 - i. grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
 - ii. located directly adjacent to the unit.

Outlook space (per unit)

8. An outlook space must be provided for each residential unit as specified in this standard:
 - a. An outlook space must be provided from habitable room windows as shown in the diagram below:



GRX-Diagram x3 – Outlook space

- b. The minimum dimensions for a required outlook space are as follows:
- i. a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
 - ii. all other *habitable rooms* must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
- c. The width of the outlook space is measured from the centre point of the largest window on the *building* face to which it applies.
- d. Outlook spaces may be over *driveways* and footpaths within the *site* or over a public street or other public open space.
- e. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey *building*.
- f. Outlook spaces may be under or over a balcony.
- g. Outlook spaces required from different rooms within the same *building* may overlap.
- h. Outlook spaces must:
- i. be clear and unobstructed by *buildings*; and
 - ii. not extend over an outlook space or *outdoor living* space required by another dwelling.

Windows to street

9. Any *residential unit* facing the street must have a minimum of 20% of the street-facing *façade* in glazing. This can be in the form of windows or doors.

Landscaped area

10. A *residential unit* at ground floor level must have a landscaped area of a minimum of 20% of a developed *site* with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.
11. The landscaped area may be located on any part of the *development site*, and does not need to be associated with each *residential unit*.

GRZ-Rx2

~~New buildings and structures, and any minor works, additions or alterations to any building or structure within a Residential Intensification Precinct.~~

The following are excluded from this rule:

- ~~Papakāinga (refer rules GRZ-Rx4 or GRZ-Rx9)~~
- ~~Minor Buildings~~

Measurement criteria apply to some activities under this rule.

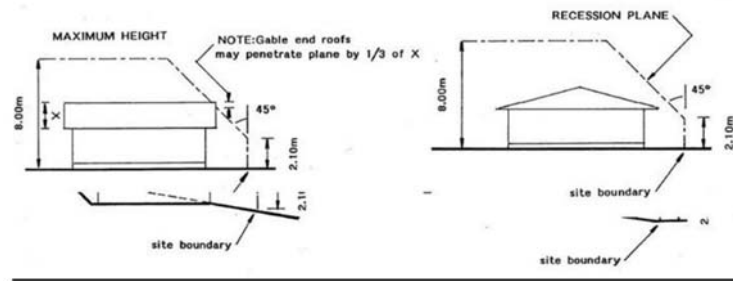
	<p>[s86E note: this rule has immediate legal effect in accordance with s86BA of the RMA, except that:</p> <ul style="list-style-type: none"> • This rule does not have immediate legal effect in any <i>qualifying matter area</i>; • This rule does not have immediate legal effect in any area of new General Residential Zone proposed as part of this Plan Change; • Standard 2 under this Rule does not have immediate legal effect. Clause 11 of Schedule 3A of the RMA (which relates to building height) has immediate legal effect in place of standard 2.]
<p><u>Permitted Activity</u></p>	<p><u>Standards</u></p> <p>1. Compliance with the standards set out under rule GRZ-Rx1, except for standard 2.</p> <p><u>Height</u></p> <p>1. Buildings and Structures must not exceed:</p> <ul style="list-style-type: none"> a. 20 metres in height, where located in Residential Intensification Precinct A; b. 14 metres in height, where located in Residential Intensification Precinct B. <p>Measurement criteria:</p> <p>Height must be measured using the height measurement criteria.</p>

<p><u>GRZ-Rx3</u></p>	<p>New buildings and structures, and any minor works, additions or alterations to any building or structure within the Marae Takiwā Precinct.</p> <p>The following are excluded from this rule:</p> <ul style="list-style-type: none"> • Papakāinga (refer rules GRZ-Rx4 or GRZ-Rx9) • Minor Buildings <p>Measurement criteria apply to some activities under this rule.</p>
<p><u>Permitted Activity</u></p>	<p><u>Standards</u></p> <p>1. Compliance with the standards set out under rule GRZ-Rx1 except for:</p> <ul style="list-style-type: none"> a. Standard 1; b. Standard 2; and c. For boundaries with Raukawa Marae at 19 Raukawa Street, 23 Raukawa Street, 88 Mill Road, 90 Mill Road and 94 Mill Road, standard 3. <p><u>Number of residential units per site</u></p> <p>2. There must be no more than 1 residential unit per site.</p> <p><u>Height</u></p> <p>3. Buildings and structures must not exceed 8 metres in height.</p> <p>Measurement criteria:</p> <p>Height must be measured using the height measurement criteria.</p> <p><u>Height in relation to boundary</u></p>

4. For boundaries with Raukawa Marae at 19 Raukawa Street, 23 Raukawa Street, 88 Mill Road, 90 Mill Road and 94 Mill Road, any building or structure must fit within a height in relation to boundary envelope which is made up of recession planes which commence at a point 2.1 metres above the original ground level at the site boundary and inclines inwards at an angle of 45 degrees.

Measurement Criteria:

- a. The height in relation to boundary envelope must be measured from a point above the original ground level at the boundary (including restrictive covenant areas of cross lease properties).
- b. Residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aeriels are excluded from the height in relation to boundary
- c. Where there is a right-of-way or an access strip/leg adjoining the allotment boundary, the height in relation to boundary envelope shall be measured from a point 2.1 metres above a point midway across the right-of-way or access strip/leg.



d.

Note: Any solar panel erected on, or anchored to, a building is exempt from the standard above where it does not breach the maximum permitted height in relation to boundary envelope by more than 1 metre (measured vertically) (see ENGY-R2).

GRZ-Rx4	<i>Papakāinga on land held under Te Ture Whenua Māori Act 1993.</i>
<u>Permitted Activity</u>	<u>Standards</u>
	<ol style="list-style-type: none"> 1. <u>Buildings and structures (excluding minor buildings) must comply with the following Standards:</u> <ol style="list-style-type: none"> a. <u>Standards 2, 3, 4 and 5 set out under rule GRZ-Rx1; or</u> b. <u>where the papakāinga is in a Residential Intensification Precinct, Standards 3, 4 and 5 set out under rule GRZ-Rx1 and Standard 2 set out under rule GRZ-Rx2; or</u> c. <u>where the papakāinga is in the Coastal Qualifying Matter Precinct, Standards 4, 6, 7 and 10 set out under rule GRZ-R6.</u> 2. <u>The gross floor area of all commercial activities must not exceed the lesser of 20% of the area of the subject site, or 500m².</u>
Note: refer to chapter PK – Papakāinga for Objectives and Policies specific to <i>papakāinga</i> .	

<p>GRZ-Rx5</p>	<p><u>New buildings and structures, and any minor works, additions or alterations to any building or structure, that do not comply with one or more of the standards under rules GRZ-Rx1 or GRZ-Rx2, except for standard 1 under rule GRZ-Rx1.4.</u></p> <p><u>The following are excluded from this rule:</u></p> <ul style="list-style-type: none"> <u>Papakāinga</u> <p>Notification Public notification of an application for <i>resource consent</i> under this Rule is precluded. <u>Limited notification of an application for <i>resource consent</i> under this Rule is precluded where the application results in a breach to standards 6 to 10 of GRZ-Rx1.</u></p>
<p><u>Restricted Discretionary Activity</u></p>	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. The relevant matters contained in the Residential Design Guide in Appendix x1. The matters contained in the <u>Land Development Minimum Requirements.</u> Consideration of the <u>effects</u> of the standard not met. 4. Cumulative effects. The imposition of <u>financial contributions</u> in accordance with the Financial Contributions Chapter.

<p>GRZ-Rx6</p>	<p><u>New buildings and structures, and any minor works, additions or alterations to any building or structure, that comply with all of the standards under rules GRZ-Rx1 or GRZ-Rx2, except for standard GRZ-Rx1.4 do not comply with standard 1 under rule GRZ-Rx1.</u></p> <p><u>The following are excluded from this rule:</u></p> <ul style="list-style-type: none"> <u>Papakāinga</u> <p>Notification Public and limited notification of an application for resource consent under this Rule is precluded.</p>
<p><u>Restricted Discretionary Activity</u></p>	<p>Matters of Discretion</p> <ol style="list-style-type: none"> The matters contained in the Residential Design Guide in Appendix x1. The extent to which the development, building design, siting and external appearance achieves an Urban Design outcome that: <ol style="list-style-type: none"> Responds to the planned urban built form of the zone; Contributes to attractive and safe streets and public open spaces, and provides safe pedestrian access to buildings from the street; Achieves quality onsite living environments The extent to which residential units:

		<ul style="list-style-type: none"> a. <u>Orientate and locate windows to maximise privacy and encourage natural cross ventilation within the dwelling</u> b. <u>Maximise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space</u> c. <u>Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate.</u> d. <u>Provide the necessary waste collection and recycling facilities in locations conveniently accessible and screens from streets and public open spaces.</u> <ol style="list-style-type: none"> 4. <u>The extent to which the activity may adversely impact on traffic generation, road safety, and access.</u> 5. <u>The matters contained in the <i>Land Development Minimum Requirements</i>.</u> 6. <u>Site layout.</u> 7. <u>Building density, form and appearance.</u> 8. <u>Streetscape.</u> 9. <u>Landscaping.</u> 10. <u>Reverse sensitivity.</u> 11. <u>Transport effects.</u> 12. <u>Where the site is located adjacent to a Place and Area of Significance to Māori identified in Schedule 9 effects on cultural values.</u> 13. <u>Where the site is located adjacent to a site containing a <i>historic heritage feature</i>, effects on historic heritage values.</u> 14. <u>Cumulative effects.</u> 15. <u>The imposition of <i>financial contributions</i> in accordance with the Financial Contributions Chapter</u>
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GRZ-P16	Supported Living and Older Persons Accommodation
<p>The <i>development of supported living accommodation</i> will be provided for in a range of forms, including units, <i>minor residential units</i>, complexes, shared accommodation, rest homes and retirement accommodation, where it is located within the Residential Zones and integrated with the surrounding environment to meet the particular needs and characteristics of older persons. <i>Supported living accommodation</i> includes accommodation specifically designed for older persons that is suitable for the particular needs and characteristics of older persons.</p> <p><i>Supported living accommodation</i> will be undertaken in accordance with the following principles:</p> <ol style="list-style-type: none"> 1. on-site pedestrian movement and use of <i>open space</i> by residents will not be unduly restricted by the slope of the <i>land</i>; 2. design and development to promote interaction with surrounding communities, without compromising privacy and safety; 3. the scale and design of <i>development</i> will reflect be consistent with the <u>planned</u> residential nature and character of the location, and ensure access through the <i>subject site</i> by the public and residents, including the provision of public <i>legal roads</i> and pedestrian accessways consistent with residential scale blocks; and 4. where practicable, the <i>development</i> will be located within walking distance of essential facilities such as local <i>shops</i>, health and community services and public transport networks. 	

MCZ – Metropolitan Centre Zone

MCZ-P2	Metropolitan Centre Zone Precincts
<p><i>Subdivision, use and development</i> in the <i>Metropolitan Centre Zone</i> will be undertaken in accordance with the <i>Metropolitan Centre Zone</i> Structure Plan in Appendix 19 and the principles in the Centres Design Principles in Appendix 20 <u>consistent with the relevant matters in the Centres Design Guide in Appendix x2</u>, in a manner that reinforces the following specific management principles for each precinct:</p> <p>[...]</p>	

MCZ-P7	Mixed Use Activities in Centres
<p>Mixed use development, including <i>residential activities</i>, will be enabled in <i>centres</i> to enhance the viability and vitality of the <i>centre</i> where a high level of amenity for residents, businesses and visitors is achieved in accordance with the principles in Appendix 20 Centres Design Principles <u>through development that is consistent with the relevant matters in the Centres Design Guide in Appendix x2</u>.</p>	

MCZ-P8	Urban form and design of centres
<p><i>Subdivision, use and development</i> in <i>centres</i> must be undertaken in a manner that achieves efficient integration with necessary <i>infrastructure</i>, reinforces the District's consolidated urban form and sense of place, and provides for a <u>high</u> quality interface between built form and public space. To achieve this, the principles in the Centres Design Principles in Appendix 20 Centres Design Guide in Appendix x2 will be applied.</p> <p>A higher density of urban built form will be enabled in the <i>Metropolitan Centre Zone</i>, <u>including buildings up to 12 storeys</u>.</p> <p><u>Development shall be undertaken in a manner that achieves a quality built form, taking into consideration the following design objectives and the planned urban built environment of the zone</u></p>	

1. Buildings are well-designed and contribute to a high-quality vibrant public realm through visual interest and aesthetic coherence achieved through façade design, materials, and active edges;
2. Buildings abut the street edge and define and enclose the streets, and define the edges of open space.
3. Street corners are legible and enhanced through architectural treatment and form and maximised activity;
4. Pedestrian amenity is maximised through good permeability and activation, which contributes to safety and walkability;
5. Servicing and parking are subservient to the built form to maximise an attractive and active pedestrian interface at the street edge;
6. Servicing plant is integrated within the architectural design, to avoid an ‘add on’ appearance and ensure a well-designed top to buildings;
7. Residential activity is provided with a good quality living environment, including access to reasonable privacy, outlook, and sun access;
8. Development responds to the positive contextual elements (existing and potential) including neighbouring buildings, elements such as trees and crossing points in the street.

MCZ-R13	<p>New <i>buildings and structures and additions and alterations</i> to existing <i>buildings and structures</i> where one or more of the <i>permitted activity</i> standards in MCZ-R7 or one or more of the controlled activity standards in MCZ-R11 are not met.</p> <p>Excludes:</p> <ul style="list-style-type: none"> • <i>Papakāinga (refer to rule MCZ-Rx3)</i> • <i>New minor buildings and additions and alterations to existing minor buildings.</i> <p><u>Measurement criteria apply to activities under this rule.</u></p> <p>Notification <u>Public notification of an application for <i>resource consent</i> under this rule is precluded for non-compliance with the following standards:</u></p> <ul style="list-style-type: none"> • <u>Standards 2, 3, 4, 5 or 16 under rule MCZ-R7.</u>
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Restricted Discretionary Activity	<p>Standards</p> <ol style="list-style-type: none"> 1. For <i>active retail frontages</i> in Precinct A, the distance between pedestrian entrances must not exceed 18 metres. <p><u>Height</u></p> <ol style="list-style-type: none"> 2. <i>Buildings and structures</i> must not exceed <u>53 40</u> metres in <u>height</u>. 	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. Location, layout, size and design of the proposed development, <u>and whether the building’s height, bulk, form and scale is appropriately located on site having regard to the planned urban built environment of the metropolitan centre zone.</u> 2. Consideration of the standard(s) not met.
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	<p><u>Measurement criteria:</u> <u>Height must be measured using the height measurement criteria.</u></p>	<ol style="list-style-type: none"> 3. Visual, character, amenity, historic heritage and streetscape effects. 4. The extent of consistency with the Crime Prevention Through Environmental Design Guidelines in Appendix 6, Council's Centres Design Guide in Appendix x2 and the Land Development Minimum Requirements Subdivision and Development Principles and Requirements 2012 and the Centres Design Principles in Appendix 20. 5. Effects on landform and landscape. 6. Traffic and transport effects. 7. Design and appearance of buildings in so far as it affects the existing and future amenity values of public streets and spaces used by significant numbers of people, having regard to: <ol style="list-style-type: none"> a) the contribution that the building makes to the attractiveness pleasantness and enclosure of the public space; b) the maintenance or enhancement of amenity for pedestrians using the public space or street; c) the provision of convenient and direct access between the street and building for people of all ages and abilities; d) the need to ensure an appropriate level of natural light, outlook and ventilation for any habitable spaces; and e) measures adopted for limiting the adverse visual effects of any blank walls along the frontage of the public space. 8. Location and design of parking, traffic circulation areas, loading and access. 9. Public safety. 10. Context and surroundings. 11. Cumulative effects. 12. Whether any nuisance effects are created.
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		13. The consistency with the relevant objectives and policies.	
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TCZ – Town Centre Zone

TCZ-P5	Mixed Use Activities in Centres
<p>Mixed use development, including <i>residential activities</i>, will be enabled in <i>centres</i> to enhance the viability and vitality of the <i>centre</i> where a high level of amenity for residents, businesses and visitors is achieved. in accordance with the principles in Appendix 20 Centres Design Principles through development that is consistent with the relevant matters in the Centres Design Guide in Appendix x2.</p>	

TCZ-P6	Urban form and design of centres
<p><i>Subdivision, use and development in centres</i> must be undertaken in a manner that achieves efficient integration with necessary <i>infrastructure</i>, reinforces the District's consolidated urban form and sense of place, and provides for a high good quality interface between built form and public space. <u>To achieve this, the principles in the Centres Design Principles in Appendix 20 Centres Design Guide in Appendix x2 will be applied.</u></p>	
<p><u>A higher density of urban built form will be enabled in the <i>Town Centre Zone</i>, including <i>buildings up to 6-storeys</i>.</u></p>	
<p><u>Development shall be undertaken in a manner that achieves a quality built form, taking into consideration the following design objectives, development type, and the planned urban built environment of the zone:</u></p>	
<ol style="list-style-type: none"> 1. <u>Maximise the potential of the site with retail and commercial or community activities at ground floor and residential activities above;</u> 2. <u>Buildings are well-designed and contribute to a high-quality vibrant public realm through visual interest and aesthetic coherence achieved through façade design, materials, and active edges in response to the context;</u> 3. <u>Buildings generally abut the street edge however open spaces or courtyards are encouraged to create intimate or local meeting places;</u> 4. <u>Building form and detailing assist with legibility for the immediate area;</u> 5. <u>Pedestrian amenity is maximised through good permeability and activation, which contributes to safety and walkability;</u> 6. <u>Servicing and parking are subservient to the built form to maximise an attractive and active pedestrian interface at the street edge;</u> 7. <u>Servicing plant is integrated within the architectural design, to avoid an 'add on' appearance and ensure a well-designed top to buildings;</u> 8. <u>Residential activity is provided with a good quality living environment including access to reasonable privacy, outlook and sun access.</u> 9. <u>Provide reasonable internal visual privacy for all units through well considered location of elements, rather than relying on window coverings.</u> 	

TCZ-R10	<i>Retail activities</i> that do not comply with one or more of the <i>permitted activity</i> standards.	
Restricted Discretionary Activity	Standards	Matters of Discretion
	<ol style="list-style-type: none"> 1. <i>Retail activities</i> in the following <i>zones</i> shall have a ground level <i>retail floor space</i> less than: <ol style="list-style-type: none"> a. 1000m² in the Raumati Beach Town Centre Zone; 	<ol style="list-style-type: none"> 1. Location, layout, size and design of the proposed <i>development</i>. 2. Consideration of the standard(s) not met. 3. The extent of consistency with the Crime Prevention Through Environmental Design Guidelines in Appendix 6, <u>Council's Centres Design Guide in Appendix x2 and the Land Development Minimum Requirements</u> Subdivision and

	<p>b. 1000m² in the Ōtaki Main Street <i>Town Centre Zone</i>;</p> <p>c. 2000m² in the Paraparaumu Beach <i>Town Centre Zone</i>.</p> <p>2. <i>Supermarkets</i> in the Waikanae Town Centre Zone and Ōtaki Rail Town Centre Zone.</p>	<p>Development Principles and Requirements 2012 and the <i>Centres Design Principles</i> in Appendix 20.</p> <ol style="list-style-type: none"> 4. Visual, character, amenity and streetscape <i>effects</i>. 5. Traffic and transport <i>effects</i>. 6. Location and design of parking, traffic circulation areas, loading and access. 7. Public safety. 8. Context and surroundings. 9. Cumulative <i>effects</i>. 10. Whether any <i>nuisance effects</i> are created. 11. The consistency with the relevant objectives and policies. 12. Economic <i>effects</i> including <i>effects</i> on the vitality of <i>centres</i>.
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<p>TCZ-R11</p>	<p>New <i>buildings and structures and additions and alterations</i> to existing <i>buildings and structures</i> where one or more of the <i>permitted activity</i> standards is not met.</p> <p>Excludes:</p> <ul style="list-style-type: none"> • <i>Papakāinga</i> (refer rule TCZ-Rx3) • <i>Buildings and structures</i> within the Marae Takiwā Precinct (refer rule TCZ-Rx4) • New <i>minor buildings and additions and alterations</i> to existing <i>minor buildings</i>. <p><u>Height measurement criteria</u> apply to activities under this rule.</p> <p>Notification Public notification of an application for <i>resource consent</i> under this rule is precluded for non-compliance with the following standards:</p> <ul style="list-style-type: none"> • <u>Standards 2, 3, 4, 5, 6 or 13 under rule TCZ-R6.</u> 	
<p>Restricted Discretionary Activity</p>	<p>Standards</p> <ol style="list-style-type: none"> 1. For <i>active retail frontages</i> the distance between pedestrian entrances must not exceed 18 metres. <p><u>Height</u></p> <ol style="list-style-type: none"> 2. <u><i>Buildings and structures</i> must not exceed 21 metres in <i>height</i>.</u> <p><u>Measurement criteria:</u> <u>Height must be measured using the <i>height measurement criteria</i>.</u></p>	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. Location, layout, size and design of the proposed <i>development</i> <u>and whether the building's height, bulk, form and scale is appropriately located on site having regard to the planned urban built environment of the zone.</u> 2. Consideration of the standard(s) not met. 3. Visual, character, amenity, <i>historic heritage</i>, streetscape and stream <i>effects</i>. 4. The extent of consistency with the Crime Prevention Through Environmental Design Guidelines in Appendix 6, Council's <u>Centres Design Guide in Appendix x2 and the Land Development Minimum Requirements Subdivision and Development</u>

		<p>Principles and Requirements 2012 and the Centres Design Principles in Appendix-20.</p> <ol style="list-style-type: none"> 5. <i>Effects</i> on landform and landscape. 6. Traffic and transport <i>effects</i>. 7. Design and appearance of <i>buildings</i> <u>in so far as it affects the existing and future amenity values of public streets and spaces used by significant numbers of people, having regard to:</u> <ol style="list-style-type: none"> a) <u>the contribution that the building makes to the attractiveness pleasantness and enclosure of the public space;</u> b) <u>the maintenance or enhancement of amenity for pedestrians using the public space or street;</u> c) <u>the provision of convenient and direct access between the street and building for people of all ages and abilities;</u> d) <u>the need to ensure an appropriate level of natural light, outlook and ventilation for any habitable spaces;</u> and e) <u>measures adopted for limiting the adverse visual effects of any blank walls along the frontage of the public space.</u> 7. Location and design of parking, traffic circulation areas, loading and access. 8. Public safety. 9. Context and surroundings. 10. Cumulative <i>effects</i>. 11. Whether any <i>nuisance effects</i> are created. 12. The consistency with the relevant objectives and policies.
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TCZ-R13	<i>Development</i> which is undertaken in accordance with the Development Incentives Guidelines set out in Appendix 1.	
Restricted Discretionary Activity	<p>Standards</p> <ol style="list-style-type: none"> 1. The amount of <i>development</i> proposed must not exceed or proceed earlier than the stipulations in the guideline. 	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. The scale of biodiversity, energy or <i>water</i> quality benefits created by the proposal. 2. Layout, size, design and location of proposed <i>buildings</i> (excluding <i>minor buildings</i>). 3. Visual, character and amenity <i>effects</i>. 4. Ecological or biodiversity <i>effects</i>. 5. Traffic and transport <i>effects</i>. 6. Proposed mitigation, remediation or ongoing management measures. 7. <i>Effect</i> on natural character values. 8. Cumulative <i>effects</i>.

		9. The Centres Design Principles in Appendix 20 Centres Design Guide in Appendix x2.
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LCZ - Local Centre Zone Chapter

LCZ-P5	Mixed Use Activities in Centres
<p>Mixed use development, including <i>residential activities</i>, will be enabled in <i>centres</i> to enhance the viability and vitality of the <i>centre</i> where a high level of amenity for residents, businesses and visitors is achieved in accordance with the principles in Appendix 20 Centres Design Principles through development that is consistent with the relevant matters in the Centres Design Guide in Appendix x2.</p>	

LCZ-P6	Urban form and design of centres
<p><i>Subdivision</i>, use and <i>development</i> in <i>centres</i> must be undertaken in a manner that achieves efficient integration with necessary <i>infrastructure</i>, reinforces the District's consolidated urban form and sense of place, and provides for a high good quality interface between built form and public space. To achieve this, the principles in the Centres Design Principles in Appendix 20 Centres Design Guide in Appendix x2 will be applied.</p> <p>A higher density of urban built form will be enabled in the <i>Local Centre Zone</i> including:</p> <ol style="list-style-type: none"> 1. <u><i>buildings</i> up to 4-storeys within the <i>Local Centre Zone</i>; or</u> 2. <u><i>buildings</i> up to 6-storeys within the <i>Local Centre Zone</i> at Paekākāriki.</u> <p><u>Development shall be undertaken in a manner that achieves a quality built form, taking into consideration the following design objectives, development type, and the planned urban built environment of the zone:</u></p> <ol style="list-style-type: none"> 1. <u>Maximise the potential of the site with small scale retail and commercial or community activities at ground floor and residential activities and professional services above;</u> 2. <u>Buildings are well-designed and contribute to a high-quality vibrant public realm through visual interest and aesthetic coherence achieved through façade design, materials, and active edges in response to the context;</u> 3. <u>Buildings generally abut the street edge however open spaces or courtyards are encouraged to create intimate or local meeting places;</u> 4. <u>Building form and detailing assist with legibility for the immediate area;</u> 5. <u>Pedestrian amenity is maximised through good permeability and activation, which contributes to safety and walkability;</u> 6. <u>Servicing and parking are subservient to the built form to maximise an attractive and active pedestrian interface at the street edge;</u> 7. <u>Servicing plant is integrated within the architectural design, to avoid an 'add on' appearance and ensure a well-designed top to buildings;</u> 8. <u>Residential activity is provided with a good quality living environment including access to reasonable privacy, outlook and sun access.</u> 9. <u>Provide reasonable internal visual privacy for all units through well considered location of elements, rather than relying on window coverings.</u> 	

<p>LCZ-R12</p>	<p>New <i>buildings</i> and <i>structures</i> and <i>additions</i> and <i>alterations</i> to existing <i>buildings</i> in the Local Centre Zone (except in Paekākāriki) where one <u>or more</u> of the following <i>permitted activity</i> standards is not met:</p> <ol style="list-style-type: none"> 1. active retail frontages; 2. height in relation to boundary envelope; 3. landscaping; 4. lighting; 5. verandahs; 6. buildings adjoining Residential Zones; 7. building setback; 8. pedestrian pathways; and 9. vehicle entrances. <p>Excludes:</p> <ul style="list-style-type: none"> • Papakāinga (refer to rule LCZ-Rx3) • New minor buildings and additions and alterations to existing minor buildings. <p><u>Measurement criteria</u> apply to activities under this rule.</p> <p>Notification <u>Public notification of an application for resource consent under this rule is precluded for non-compliance with the following standards:</u></p> <ul style="list-style-type: none"> • <u>Standards 2, 3, 4, 5, 6 or 13 under rule LCZ-R6.</u> 	
<p>Restricted Discretionary Activity</p>	<p>Standards</p> <ol style="list-style-type: none"> 1. For <i>active retail frontages</i> the distance between pedestrian entrances must not exceed 18 metres. <p><u>Height</u></p> <ol style="list-style-type: none"> 2. <u>Buildings and structures</u> must not exceed 15 metres in <u>height</u>; except that 3. <u>Buildings and structures</u> within the <u>Local Centre Zone</u> at Paekākāriki must not exceed 21 metres in <u>height</u>. <p><u>Measurement criteria:</u> <u>Height</u> must be measured using the <u>height measurement criteria</u>.</p>	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. Location, layout, size and design of the proposed <i>development</i> <u>and whether the building's height, bulk, form and scale is appropriately located on site having regard to the planned urban built environment of the zone.</u> 2. <u>Consideration of the standard(s) not met.</u> 3. Visual, character, amenity, <i>historic heritage</i>, streetscape and stream <i>effects</i>. 4. The extent of consistency with the Crime Prevention Through Environmental Design Guidelines in Appendix 6, Council's <u>Centres Design Guide in Appendix x2</u> and the <u>Land Development Minimum Requirements Subdivision and Development Principles and Requirements 2012</u> and the <u>Centres Design Principles in Appendix 20.</u> 5. <i>Effects</i> on landform and landscape. 6. Traffic and transport <i>effects</i>. 8. Design and appearance of <i>buildings</i> <u>in so far as it affects the existing and future amenity values of public streets and spaces used by significant numbers of people, having regard to:</u> a) <u>the contribution that the building makes to the attractiveness</u>

		<p>pleasantness and enclosure of the public space;</p> <p>b) the maintenance or enhancement of amenity for pedestrians using the public space or street;</p> <p>c) the provision of convenient and direct access between the street and building for people of all ages and abilities;</p> <p>d) the need to ensure an appropriate level of natural light, outlook and ventilation for any habitable spaces; and</p> <p>e) measures adopted for limiting the adverse visual effects of any blank walls along the frontage of the public space.</p> <p>7. Location and design of parking, traffic circulation areas, loading and access.</p> <p>8. Public safety.</p> <p>9. Context and surroundings.</p> <p>10. Cumulative <i>effects</i>.</p> <p>11. Whether any <i>nuisance effects</i> are created.</p> <p>12. The consistency with the relevant objectives and policies.</p>
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MUZ - Mixed Use Zone Chapter

MUZ-P6	Mixed Use Activities in Centres
<p>Mixed use development, including <i>residential activities</i>, will be enabled in <i>centres</i> to enhance the viability and vitality of the <i>centre</i> where a high level of amenity for residents, businesses and visitors is achieved in accordance with the principles in Appendix 20 Centres Design Principles through development that is consistent with the Centres Design Guide in Appendix x2.</p>	

MUZ-P7	Urban form and design of centres
<p><i>Subdivision</i>, use and <i>development</i> in <i>centres</i> must be undertaken in a manner that achieves efficient integration with necessary <i>infrastructure</i>, reinforces the District's consolidated urban form and sense of place, and provides for a high good quality interface between built form and public space. To achieve this, the principles in the Centres Design Principles in Appendix 20 Centres Design Guide in Appendix x2 will be applied.</p> <p>A higher density of urban built form will be enabled in the Mixed Use Zone including:</p> <ol style="list-style-type: none"> 1. <u><i>buildings</i> up to 6-storeys within the Ihakara Street West, Ihakara Street East and Kapiti Road precincts of the Mixed Use Zone; or</u> 2. <u><i>buildings</i> up to 3-storeys within the Paraparaumu North Gateway Precinct of the Mixed Use Zone.</u> <p><u>Development shall be undertaken in a manner that achieves a quality built form, taking into consideration the following design objectives, development type, and the planned urban built environment of the zone.</u></p> <ol style="list-style-type: none"> 1. <u>Maximise built form on the site for one use, or a mix of uses;</u> 2. <u>Buildings generally about the street, however variation in building alignment and form along the street is anticipated depending on the onsite activity(ies);</u> 	

3. Buildings front the street with clear pedestrian entrances from the street footpath, with an active edge for at least the entry acknowledging the function of the activity;
4. Minimise the impact of vehicle access, parking and manoeuvring on the public realm with an integrated design including trees and shrubs, acknowledging any functional requirement of the activity. The built form has visual prominence over car parking.
5. Rubbish areas and plant are effectively screened from the public realm and neighbouring residential activities.
6. Achieve a coherent building design with an integrated building top and roof design and at least articulated simply with robust materials.
7. Residential activity is provided with a good quality living environment including access to reasonable privacy, outlook and sun access.
8. Provide reasonable internal visual privacy for all units through well considered location of elements, rather than relying on window coverings.

MUZ-R11	<i>Retail activities</i> in the Paraparaumu North Gateway Precinct that do not meet the <i>permitted activity</i> standards.	
Restricted Discretionary Activity	<p>Standards</p> <ol style="list-style-type: none"> 1. <i>Retail activities</i> must be limited to <i>yard based retail</i> activities and have a maximum <i>retail floor space</i> of 300m² per total <i>site</i> area. 	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. Location, layout, size and design of the proposed <i>development</i>. 2. The extent of consistency with the Crime Prevention through Environmental Design Guidelines in Appendix 6, <i>Council's Subdivision and Development Principles and Requirements, 2012 Land Development Minimum Requirements and the Centres Design Guide in Appendix 20 Centres Design Guide in Appendix x2.</i> 3. Economic <i>effects</i> including <i>effects</i> on the vitality of <i>centres</i>. 4. Visual, character and amenity <i>effects</i>. 5. Traffic and transport <i>effects</i>. 6. Location and design of parking, <i>traffic</i> circulation areas, loading and access. 7. Context and surroundings. 8. Cumulative <i>effects</i>. 9. Whether any <i>nuisance effects</i> are created. 10. The consistency with the relevant objectives and policies.

MUZ-R13	<p>New <i>buildings</i> and <i>structures</i> and <i>additions</i> and <i>alterations</i> to existing <i>buildings</i> and <i>structures</i> where one or more of the <i>permitted activity</i> standards in MUZ-R6 is not met.</p> <p>Excludes:</p> <ul style="list-style-type: none"> • <i>Papakāinga</i> (refer to rule MUZ-Rx3)
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	<ul style="list-style-type: none"> • New <i>minor buildings and additions and alterations</i> to existing <i>minor buildings</i>. <p><u>Measurement criteria apply to activities under this rule.</u></p> <p>Notification <u>Public notification of an application for <i>resource consent</i> under this rule is precluded for non-compliance with the following standards:</u></p> <ul style="list-style-type: none"> • <u>Standards 2, 3, 4, 5 or 10 under rule MUZ-R6.</u> 	
Restricted Discretionary Activity	<p>Standards</p> <p><u>Height</u></p> <p>1. <u><i>Buildings and structures must not exceed 21 metres in height;</i></u></p> <p><u>Measurement criteria:</u> <u>Height must be measured using the <i>height measurement criteria</i>.</u></p>	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. Location, layout, size and design of proposed <i>development and whether the building's height, bulk, form and scale is appropriately located on site having regard to the planned urban built environment of the zone.</i> 2. Consideration of the <i>permitted activity standard not met.</i> 3. Visual, character, amenity, <i>historic heritage</i>, streetscape and stream effects. 4. The extent of consistency with the <i>Crime Prevention Through Environmental Design Guidelines in Appendix 6, Council's Centres Design Guide in Appendix x2 and the Land Development Minimum Requirements Subdivision and Development Principles and Requirements 2012</i> and the <i>Centres Design Principles</i> in Appendix 20. 5. <i>Effects</i> on landform and landscape. 6. Traffic and transport <i>effects</i>. 9. Design and appearance of <i>buildings in so far as it affects the existing and future amenity values of public streets and spaces used by significant numbers of people, having regard to:</i> <ol style="list-style-type: none"> a) <i>the contribution that the building makes to the attractiveness pleasantness and enclosure of the public space;</i> b) <i>the maintenance or enhancement of amenity for pedestrians using the public space or street;</i> c) <i>the provision of convenient and direct access between the street and building for people of all ages and abilities;</i> d) <i>the need to ensure an appropriate level of natural light, outlook and ventilation for any habitable spaces; and</i> e) <i>measures adopted for limiting the adverse visual effects of any blank</i>

		<p>walls along the frontage of the public space.</p> <ol style="list-style-type: none"> 7. Location and design of parking, traffic circulation areas, loading and access. 8. Public safety. 9. Context and surroundings. 10. Cumulative <i>effects</i>. 11. Any <i>nuisance effects</i>. 12. The consistency with the relevant objectives and policies.
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SUB-DW - District Wide Subdivision Chapters

<p>SUB-DW-Rx1</p>	<p><i>Subdivision of land creating new allotments in the General Residential Zone and High Density Residential Zone that complies with all controlled activity standards under rule SUB-RES-Rx1.</i></p> <p>Notification Public and limited notification of an application for resource consent under this rule is precluded.</p>	
<p>Controlled Activity</p>	<p>Standards</p> <p><u>Hydraulic neutrality</u></p> <ol style="list-style-type: none"> 1. <u>Stormwater systems must be designed to ensure that the stormwater runoff from all new impermeable surfaces will be disposed of or stored on-site and released at a rate that does not exceed the peak stormwater runoff when compared to the pre-development situation for the 50%, 20%, 10% and 1% Annual Exceedance Probability flood events.</u> 2. <u>Existing waterways waterbodies and stormwater detention areas must be retained, and be enhanced with plantings to create attractive features.</u> <p>Note: <u>Any stormwater discharge may need to meet threshold limits for the receiving waters under Council's network discharge consent or under the National Policy Statement for Freshwater Management.</u></p> <p>[...]</p>	<p>Matters of Control</p> <ol style="list-style-type: none"> 1. <u>Those matters listed under rule SUB-RES-R26 SUB-RES-Rx1 in the Subdivision in Residential Zones chapter;</u> 2. <u>The degree of compliance with Council's Land Development Minimum Requirements;</u> <p>Stormwater</p> <ol style="list-style-type: none"> 3. <u>The provision of grassed swales to direct road-run-off (instead of concrete kerb and channel) where grassed swales would be functional and in keeping with the surrounding environment.</u>

SUB-RES – Subdivision in Residential Zones

<p>SUB-RES-Rx1</p>	<p>Except as provided for under Rule SUB-RES-R25 or SUB-RES-R26, <u>subdivision of land within the General Residential Zone and the High Density Residential Zone.</u></p> <p>The following are excluded from this rule:</p> <ul style="list-style-type: none"> • <u>Subdivision of land in the Coastal Qualifying Matter Precinct.</u> <p>Notification Public and limited notification of an application for <i>resource consent</i> under this rule is precluded.</p>	
<p>Controlled Activity</p>	<p>Standards</p> <ol style="list-style-type: none"> 1. <u>Where the parent allotment contains an existing residential unit:</u> <ol style="list-style-type: none"> a. <u>the subdivision must not increase the degree of any non-compliance with Rules GRZ-Rx1, GRZ-Rx2 or GRZ-Rx3; or</u> b. <u>the subdivision must comply with an approved land use resource consent.</u> 2. <u>Where the parent allotment does not contain an existing residential unit:</u> <ol style="list-style-type: none"> a. <u>it must be demonstrated that it is practicable to construct residential units on the parent allotment that comply with Rules GRZ-Rx1, HRZ-Rx1, or HRZ-Rx2 GRZ-Rx2 or GRZ-Rx3; or</u> b. <u>the subdivision must comply with an approved land use resource consent.</u> 3. <u>Each allotment must have legal and physical access to a legal road.</u> 4. <u>Each vacant allotment must have a flood free building area above the estimated 1% Annual Exceedance Probability flood event.</u> <p>Minimum allotment size and shape factor</p> <ol style="list-style-type: none"> 5. <u>Compliance with SUB-RES-Table x1.</u> 	<p>Matters of Control</p> <ol style="list-style-type: none"> 1. <u>The design and layout of the subdivision (excluding allotment size, shape, or other size-related subdivision requirements) and any associated earthworks.</u> 2. <u>The imposition of conditions to manage character and amenity effects.</u> 3. <u>The design and location of reserves and esplanade reserves.</u> 4. <u>The imposition of conditions in accordance with Council's Land Development Minimum Requirements.</u> 5. <u>The imposition of financial contributions in accordance the Financial Contributions chapter.</u> <p>Note: Other contributions may be applicable under the provisions of the Local Government Act 2002.</p> <ol style="list-style-type: none"> 6. <u>Vehicle access points onto legal road including the State Highway network and any transport effects.</u> 7. <u>Any legal mechanisms required for legal access.</u> 8. <u>The location of any associated building area(s) relative to any identified natural hazards, natural wetland, historic heritage feature, place or area of significance to Māori, notable tree, ecological site, key indigenous tree, rare and threatened vegetation species, geological feature, outstanding natural feature and landscape or area of high natural character.</u> 9. The imposition of conditions in accordance with sections 108

Infrastructure, access and services

6. Access, water supply, wastewater and stormwater drainage systems, and underground power and telecommunications must be provided in accordance with the Council's Land Development Minimum Requirements.
7. The maximum number of allotments gaining legal and physical ~~access~~ vehicle access by rights of way shall be 6.
8. Access to all allotments must comply with the standards in the Transport chapter.
9. Within the General Residential Zone at Te Horo Beach, a firefighting water supply must be provided which complies with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.

Advice Note: Applicants should consult with Fire and Emergency New Zealand on a specific method of complying with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008, as part of preparing an application.

Wastewater disposal – non-sewered allotments

10. Any subdivision occurring on land that is not serviced by an existing community sewerage scheme must provide evidence from a suitably qualified and experienced person that on-site domestic wastewater disposal is suitable for each allotment in accordance with AS/NZS 1547:2012 "On-site Domestic Wastewater Management."

Note: attention is drawn to the requirements for on-site domestic wastewater disposal enforced by the Regional Council.

County Road Ōtaki Precinct

and 220 of the Resource Management Act 1991.

Note: Where consent is required under other rules in the Plan which are associated with an activity considered under this rule, additional matters of control may also apply. Other rules in the Plan may also affect the activity status of subdivision under this rule.

	<p>11. For <i>land</i> in the County Road Ōtaki Precinct:</p> <ol style="list-style-type: none"> a. the protection of <u>ecological site (K212)</u> shall be secured via an encumbrance on the <u>new allotments within which K212 is located;</u> and b. <u>an integrated traffic assessment must be undertaken for all subdivisions creating more than six allotments with vehicle access only onto County Road.</u> <p><u>Esplanades</u></p> <p>12. The <u>Esplanade Reserve and Esplanade Strip</u> provisions of SUB-DW-Table 1 must be complied with.</p> <p><u>Financial Contributions</u></p> <p>13. <u>Compliance with FC-Table 1.</u></p>	
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SUB-RES-R30	<p>Any <i>subdivision of land</i> in the General Residential Zone <u>and High Density Residential Zone</u> which is not a controlled activity under SUB-RES-R25 or SUB-RES-Rx1. at Raumati, Paraparaumu, Waikanae and Ōtaki (excluding land within any precinct identified in UFD-P13 where the land to be subdivided is less than 3,000m² in area and it:</p> <ol style="list-style-type: none"> 1. is not a controlled activity under SUB-RES-R25, or SUB-RES-R26 or SUB-RES-Rx1; 2. meets all standards under SUB-RES-R27 except standard (3)2; 3. has a minimum allotment area of 450m²; and 4. each allotment can accommodate a 15m diameter circle. <p>The following are excluded from this rule:</p> <ul style="list-style-type: none"> • <u>Subdivision of land in the Coastal Qualifying Matter Precinct.</u> <p><u>Notification</u> Public and limited notification of an application for <i>resource consent</i> under this rule is <u>precluded.</u></p>	
Discretionary Activity		

<u>SUB-RES- Table x1 – Minimum allotment size and shape factor</u>	<u>Allotment type</u>	<u>Minimum allotment area</u>	<u>Minimum average allotment area for the entire subdivision</u>	<u>Minimum allotment shape factor</u>
	<p>An <u>allotment</u> that contains a <u>residential unit</u>, or has an approved land use <u>resource consent</u> for a <u>residential unit</u>, or it can be demonstrated that it is practicable to construct <u>residential units</u> within the <u>allotment</u> that comply with Rules <u>GRZ-Rx1</u>, <u>HRZ-Rx1</u>, or <u>HRZ-Rx2</u> <u>GRZ-Rx2</u> or <u>GRZ-Rx3</u></p>	<p>No minimum <u>allotment area</u></p>	<p>No minimum <u>average allotment area</u></p>	<p>No minimum <u>allotment shape factor</u></p>
	<p><u>Vacant allotment</u> (excluding <u>access sites</u>) created through subdivision in the <u>General Residential Zone</u> and <u>High Density Residential Zone</u></p>	<p>450m² <u>420m²</u> (inclusive of <u>access</u>)</p>	<p>No minimum <u>average allotment area</u></p>	<p><u>Must be capable of accommodating a 13 metre diameter circle.</u></p> <p><u>Shall accommodate a shape factor comprising a rectangle of 8m x 15m;</u></p> <p><u>This shape factor shall be located outside of:</u></p> <ul style="list-style-type: none"> i. <u>Any existing or proposed easement areas required for access or services purposes;</u> ii. <u>Network Utilities.</u>

				including private and public lines.
	[...]			

SUB-WORK – Subdivision in Working Zones Chapter

Amend rule SUB-WORK-R36 in the SUB-WORK Subdivision in Working Zones Chapter as follows:

Delete reference to the Centres Design Guide in Appendix x2 within point 7 under the listed Matters of Control, as follows:

7. The extent of consistency with ~~Council's Subdivision and Development Principles and Requirements 2012~~ [Land Development Minimum Requirements and the Centres Design Principles in Appendix 20 Centres Design Guide in Appendix x2.](#)

Amend following rules as follows

- **SUB-WORK-R37 in the SUB-WORK Subdivision in Working Zones Chapter**
- **SUB-WORK-R39 in the SUB-WORK Subdivision in Working Zones Chapter**
- **SUB-WORK-R39 in the SUB-WORK Subdivision in Working Zones Chapter**

Delete reference to the Centres Design Guide in Appendix x2 within point 7 under the listed Matters of Control, as follows:

7. ~~Council's Subdivision and Development Principles and Requirements 2012~~ [Land Development Minimum Requirements and the Centres Design Principles in Appendix 20 Centres Design Guide in Appendix x2.](#)

Amend following rules as follows

- **SUB-WORK-R40 in the SUB-WORK Subdivision in Working Zones Chapter**
- **SUB-WORK-R43 in the SUB-WORK Subdivision in Working Zones Chapter**
- **SUB-WORK-R44 in the SUB-WORK Subdivision in Working Zones Chapter**

Delete reference to the Centres Design Guide in Appendix x2 within point 7 under the listed Matters of Discretion, as follows:

7. The extent of consistency with ~~Council's Subdivision and Development Principles and Requirements 2012~~ [Land Development Minimum Requirements and the Centres Design Principles in Appendix 20 Centres Design Guide in Appendix x2.](#)

Amend rule SUB-WORK-R41 in the SUB-WORK Subdivision in Working Zones Chapter

Delete reference to the Centres Design Guide in Appendix x2 within point 7 under the listed Matters of Discretion, as follows:

7. ~~Council's Subdivision and Development Principles and Requirements 2012~~ [Land Development Minimum Requirements and the Centres Design Principles in Appendix 20 Centres Design Guide in Appendix x2.](#)

Other proposed consequential or supporting amendments

Amend Part 1 – Introduction and General Provisions / How the Plan Works / General Approach

8. APPLICATIONS REQUIRING A DESIGN STATEMENT

Resource consent applications for restricted discretionary activities where the Residential Design Guide in Appendix x1 or Centres Design Guide in Appendix x2 are identified as a matter of discretion, or for discretionary or non-complying activities where the Design Guides are relevant to the activity, must include a Design Statement. The information required to be included in a Design Statement is identified in the Design Guides.

Amend Part 1 – Introduction and General Provisions / Interpretation / Definitions

RELEVANT RESIDENTIAL ZONE means the General Residential Zone and the High Density Residential Zone

Proposed amendments to the District Plan Appendices

Amend Part 4 - Appendices

~~Add a new appendix APPx1 – Residential Design Guide (after appendix APP1), as contained in Appendix B of this IPI.~~

~~Add a new appendix APPx2 – Centres Design Guide (after appendix APPx1), as contained in Appendix C of this IPI.~~

Appendix B – Section 32AA assessment

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

Table 1: Introduction of a High Density Residential Zone and consequential changes to the District Objectives

Efficiency	<ul style="list-style-type: none"> • Separating the residential zone framework and introducing a HRZ, is consistent 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 use of a separate HRZ is consistent with the approaches proposed in all other Tier 1 authorities implementing the NPS-UD. • The proposed revisions to the residential zone framework utilise elements of the existing GRZ and Operative District Plan provisions, thereby minimising the degree of widespread change and providing for efficient integration with the remainder of the District Plan. • Separate residential zones provide for improved interpretation and implementation of the NPS-UD and the District Plan.
Effectiveness	<ul style="list-style-type: none"> • Providing a residential zone framework with two distinct zones means the issues relevant to development in each zone are clearer and more refined thereby improving the effectiveness in delivering the intended urban built outcomes for the differing residential environments. • Providing for high density walkable catchments in a HRZ is an effective means of giving effect to higher order documents, particularly the NPS-UD. • 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. • The use of separate residential zones removes distortion resulting from a single zone approach which, through use of intensification precincts, introduces large differentials in the outcomes that can be achieved in each precinct in the underlying GRZ. • Having a residential zone framework that is more clearly expressed spatially enhances the legibility of the underlying planned outcome across the district. • There are plan integrity issues with the proposed use of residential intensification precincts as these will likely result in large differentials in outcomes from the underlying GRZ. 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 walkable catchments. • The proposed consequential amendments to the District Objectives will ensure the District Plan appropriately provides for high density

	residential development, rather than it getting bundled with all residential activities.
Benefits	<ul style="list-style-type: none"> • The use of a HRZ is consistent with the direction provided by the NPS-UD, and will clearly signal where the greatest level of intensification is anticipated and directed to within the District. • Separate zones align with the National Planning Standards descriptions for zone outcomes. • A separate residential zone framework increases the ease of consenting, increasing the propensity of uptake. • The use of separate residential zones removes distortion resulting from a single zone approach which, through use of intensification precincts, introduces large differentials in the outcomes that can be achieved in each precinct in the underlying GRZ. • A separate zone framework means that the provisions are more focussed in directing and achieving the planned urban built outcomes relevant to each respective residential environment. • The new HRZ will be able to be achieved based on existing GRZ chapter, amended to cater for high density residential development.
Costs	<ul style="list-style-type: none"> • Administrative costs associated with consequential changes to the Operative District Plan. It is noted the Kāinga Ora have provided proposed wording of the High Density Residential Zone chapter, which will assist in reducing costs to Council related to the drafting of the chapter.
Risk of acting or not acting	<ul style="list-style-type: none"> • I consider that the appropriateness of adopting the relief sought must be considered in the context of the direction set out in higher order policy documents, in particular the NPS-UD and the National Planning Standards. The NPS-UD directs Council to clearly signal where the greatest level of intensification is anticipated and directed to. I am of the opinion that the relief sought by Kāinga Ora will be more in line with outcomes expressed in the NPS-UD. • The risk of not acting is that intensification or redevelopment opportunities are not taken up or are unnecessarily prevented from occurring due to the complexity of navigating the rule framework and maps in the District Plan, as proposed by PC(N). • It could result in an ad hoc uptake of high density housing, reducing outcomes intended through Policy 1 of the NPS-UD.
Decision about more appropriate action	<ul style="list-style-type: none"> • The recommended spatial amendments by Kāinga Ora are therefore considered to be more appropriate in achieving the purpose of the RMA than PC(N).

Table 2: Changes to building heights – in the HRZ within 400m of Metropolitan Centre

<p>Effectiveness and efficiency</p>	<ul style="list-style-type: none"> • The recommended amendments to the building heights in proximity to the MCZ will deliver on the strategic objectives to achieve a range of intensity of built form in proximity to the city centre and to facilitate the compact growth of the city. • Concentrating development in areas with the greatest degree of accessibility to services may increase uptake in housing development opportunities. • Concentrating development of 10 storeys adjacent to the MCZ means greater market exposure for businesses with an increased populous in close proximity to city centre businesses. • The proposed Height Variation Control is an effective and well understood tool. • The methodology used to inform the spatial extent of the height variation control is consistent with that applied elsewhere in the Wellington region.
<p>Costs/Benefits</p>	<ul style="list-style-type: none"> • Providing 10 storeys in proximity to MCZ shows a strong response to the significance of the Paraparaumu centre as a focal point (both currently and planned) for employment, the centre of public transport connectivity, accessibility to public open space and active transport. • The increases in height will facilitate more housing choice and design flexibility. It will provide greater certainty to investors and developers. • The location of 10 storey areas reflects a symbiotic relationship between the adjoining MCZ and the residential environment. Interface issues between the two zones are better addressed through a more comparable height differential (representing a proportionally better response to building heights of 53m proposed in the MCZ). • Providing for an area up to 10 storeys may improve uptake of development opportunities. • The additional heights will result in a greater degree of change to the character of the existing residential environment; although this is tempered noting that 6-storeys is enabled beyond these areas anyway. • An increase in building height is likely to result in reduced sunlight access, privacy, overshadowing, and increase in building dominance. • The transitional effects of developing to this form are likely for a longer period as established sites become feasible to be developed and those who do develop do so alongside established (lower density) sites. • Further intensification and increased height opportunities around sites of cultural significance may impact upon relationship to those sites.
<p>Risk of acting or not acting</p>	<ul style="list-style-type: none"> • I consider that the appropriateness of adopting the relief sought must be considered in the context of the direction set out in higher order policy documents and in particular the 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.

	<ul style="list-style-type: none"> • The risk of not acting is that intensification or redevelopment opportunities are not taken up or are unnecessarily prevented from occurring. In particular, failing to sufficiently-realise intensification opportunities now will frustrate future intensification initiatives in the long term as populations increase due to the inefficient use of the limited land supply resource.
Decision about more appropriate action	<ul style="list-style-type: none"> • This option is recommended as it provides for a level of development that responds to the significance of the city centre. This is seen to be the most appropriate means to address the intensification direction of the NPS-UD, having regard to the range of factors including urban form, accessibility, demand while having regard to the effect on the city centre and surrounds. • The recommended amendments as set out in my evidence are therefore considered to be more appropriate in achieving the purpose of the RMA than PC2(N).

Table 3: Amendment to HIRB standard as it applies in the High Density Residential Zone

Effectiveness and efficiency	<ul style="list-style-type: none"> • The recommended amendments to the Height in Relation to Boundary (HIRB) control will more effectively deliver on the chapter's objectives to achieve a quality built form that it is of an intensity, scale and design that is consistent with the planned urban built form of the HRZ. • Limiting application of the greater HIRB to developments involving 4 or more residential units on the site will provide an incentive for developments to provide intensive housing. • Adapting the existing design controls enabled by MDRS means that consenting is improved and better responds to associated effects. More lenient HIRB controls will further improve this, with many of the controls acting as an incentive to better realise opportunities for intensification. • The presence of a 50% building coverage control will ensure that the residential areas continue to function as good living environments as the urban built form intensifies. • The result of modifying the HIRB means the standards are better able to respond to the intensification directions in Policy 3 of the NPS-UD. This improves overall effectiveness of applying associated provisions and the ability to develop to a higher form of residential living.
Costs/Benefits	<ul style="list-style-type: none"> • The recommended amendments enable greater intensity and development to occur within the HRZ. This will have the benefit of encouraging redevelopment and intensification to support the outcomes expressed in both PC(N) and the NPS-UD. • Modifications to HIRB density standards will improve the chances of delivery of an intensified urban form in a way that supports improved urban design outcomes (e.g, perimeter block development, greater street interface, greater privacy and amenity of outdoor living areas). • It will provide greater certainty and incentive to investors and developers.

	<ul style="list-style-type: none"> 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 acting	<ul style="list-style-type: none"> I consider that the appropriateness of adopting the relief sought must be considered in the context of the direction set out in higher order policy documents and in particular the 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 residential environments, which may lead to transitory effects as existing areas are redeveloped.
Decision about more appropriate action	<ul style="list-style-type: none"> The amendments are recommended since more lenient and new related provisions enable a balanced outcome between enablement and quality urban environments that provides for current and future generations. The recommended amendments as set out in my evidence are therefore considered to be more appropriate in achieving the purpose of the RMA than the notified version of PC(N) or the proposed changes set out in the section 42A report.

Table 4: Design Guides as non-statutory documents and consequential changes to GRZ-Px6/GRZ-R6, MCZ-P8/MCZ-R13, TCZ-P6/TCZ-R11, LCZ-P6/LCZ-R12, MUZ-P6/MUZ-R13, New HRZ-Px6/HRZ-R6

Effectiveness and efficiency	<ul style="list-style-type: none"> Removing the requirement that development is <i>consistent</i> with the design guides removes ambiguity around compliance with guidance. The use of the Design Guide and Standards as non-statutory guides, rather than having direct reference to them in the policies and assessment criteria of the District Plan, will ensure that the policies and criteria focuses on the actual outcomes that the PDP is seeking to achieve, with the use of the guide as a tool to meet the outcomes expressed. Having the design objectives clearly articulated within policies and the matters of discretion provides a more effective “line of sight” to the critical outcomes. Having design guidance as a non-statutory tool will enable them to be updated and revised, to efficiently respond to any emerging design-based shortcomings
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Costs/Benefits	<ul style="list-style-type: none"> • The recommended amendments will simplify the District Plan to the extent that the rules can clearly focus on the ensuring that outcomes of the chapter are achieved. • It will also enable changes to be made to the Design Guides, as design philosophy and requirements change, without the need for a full statutory review process. • Cost savings in needing to go through a Schedule 1 process to amend the design guide. • Design guidance outside of the plan has lesser weighting, so there could be a perception that it has less of a role to play. This is resolved, in part, by ensuring that the policy framework clearly articulates the critical design outcomes.
Risk of acting or not acting	<ul style="list-style-type: none"> • I consider that the appropriateness of adopting the relief sought must be considered in the context of the direction set out in higher order policy documents and in particular the 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.
Decision about more appropriate action	<ul style="list-style-type: none"> • The recommended amendments as set out in my evidence are therefore considered to be more appropriate in achieving the purpose of the RMA than the notified version of PC(N) or the proposed changes set out in the section 42A report.

Table 5: Increased use of notification preclusion clauses

Effectiveness and efficiency	<ul style="list-style-type: none"> • The recommended amendments, to extend the notification preclusion for limited notification in the residential zones in relation to standards that manage onsite amenity and streetscape effects, will streamline the consenting process. • The recommended amendments will reduce consenting timeframes and costs and increase project certainty for Plan users.
Costs/Benefits	<ul style="list-style-type: none"> • The recommended amendments enable intensity and development to occur without the risk of limited or public notification. This will have the benefit of encouraging redevelopment and intensification to support the outcomes expressed in both PC2 and the NPS-UD. • Notification preclusions reduce potential financial ‘risks’ associated with appeals to notified resource consent processes, and provide a clear

	<p>consenting pathway for development that is otherwise-consistent with the requirements of the Plan.</p> <ul style="list-style-type: none"> • The scope of notification preclusions proposed by Kāinga Ora seek to encourage development consistent with the stated purpose and planned character of the Residential Zones. • The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions or those recommended in the S42A Report. However, there will be benefits from more efficient plan administration.
Risk of acting or not acting	<ul style="list-style-type: none"> • The risk of not acting is that intensification or redevelopment opportunities are not taken up or are unnecessarily prevented from occurring.
Decision about more appropriate action	<ul style="list-style-type: none"> • The recommended amendments as set out in my evidence are therefore considered to be more appropriate in achieving the purpose of the RMA than the PC(N) or the proposed changes set out in PC(R).

Table 6: Small-scale commercial activities in the High Density Residential Zone

Effectiveness and efficiency	<ul style="list-style-type: none"> • The proposed changes will provide an enabling consent pathway for commercial activities in the HRZ on the ground floor of apartment buildings. • The proposed changes will ensure a reasonable level of amenity is afforded to residents in the surrounding area, enhancing the walkability of the urban residential environment, which will contribute to a well-functioning urban environment.
Costs/Benefits	<ul style="list-style-type: none"> • The recommended amendments will introduce a new rule, which is simple and effective. • The proposed rule will continue to implement the objectives and policies of PC(N) (as they apply to the HRZ). • The proposed changes will enhance the vitality and walkability of neighbourhoods, and create greater activation at the street edge, improving the health and safety of people and communities. • The proposed change requires amendment to the existing rule framework, but costs associated with this are negligible. • The proposed changes could impact the amenity of some people.
Risk of acting or not acting	<ul style="list-style-type: none"> • I am of the opinion that the relief sought by Kāinga Ora will contribute to achieving a well-functioning urban environment, consistent with Objective 1 of the NPS-UD. • The risk of not acting is that ground floors of apartments are not well activated and do not create a positive interface with the public realm. • Risk of acting is that a proliferation of such activities could undermine the vitality of centres. The evidence of Mr Cullen outlines why this is unlikely.

Decision about more appropriate action	<ul style="list-style-type: none"> The recommended amendments as set out in my evidence are therefore considered to be more appropriate in achieving the purpose of the RMA than PC(N).
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Table 7: Subdivision – Removal of minimum vacant lot size and amendment to shape factor

Effectiveness and efficiency	<ul style="list-style-type: none"> The proposed minimum dimension control for vacant lots in Residential Zones and removal of minimum vacant lot size will ensure that a suitable vacant lot enables a future building constructed in accordance with the MDRS, while ensuring the minimum degree of control is otherwise provided. The approach is a simplified control, while ensuring resulting lots will continue to be able to be developed in accordance with the MDRS. This approach is a more efficient tool while ensuring patterns of development remain compatible with the role, function and predominant planned character of the residential environment.
Costs/Benefits	<ul style="list-style-type: none"> The recommended amendments will simplify PC(N) to the extent that the rules can clearly focus on the ensuring that outcomes of the subdivision chapter are achieved. Most subdivision will require a resource consent regardless, so costs arising from the proposed changes are likely to be similar. The proposed changes will still ensure that development providing the amenity outcomes as set out by the MDRS are achieved.
Risk of acting or not acting	<ul style="list-style-type: none"> I consider that the appropriateness of adopting the relief sought must be considered in the context of the direction set out in higher order policy documents and the amendments through the RMA-EHS. 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 NPSUD. The risk of not acting is that the rule framework remains unnecessarily restrictive and complex.
Decision about more appropriate action	<ul style="list-style-type: none"> The recommended amendments as set out in my evidence are therefore considered to be more appropriate in achieving the purpose of the RMA than PC(N) or the proposed changes set out in the section 42A report.

Table 8: Town Centre Zone expansion

Effectiveness and efficiency	<ul style="list-style-type: none"> Expanding the TCZ in Ōtaki through PC2 will assist in implementing the strategic vision of <i>Te tupu pai</i> in developing Ōtaki as the district's northern centre.
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Costs/Benefits	<ul style="list-style-type: none"> • The proposed change has a greater chance of accommodating a broader range of activities, which would provide greater benefit and amenity to residents in the surrounding HRZ. • Further intensification and increased height opportunities around sites of cultural significance may impact upon relationship to those sites, however is anticipated to be appropriately managed through the precinct controls. • The area is subject to a range of natural hazards, which may restrict redevelopment opportunity in some areas.
Risk of acting or not acting	<ul style="list-style-type: none"> • I consider that the appropriateness of adopting the relief sought must be considered in the context of the direction set out in higher order policy documents and in particular the 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.
Decision about more appropriate action	<ul style="list-style-type: none"> • The recommended amendments as set out in my evidence are therefore considered to be more appropriate in achieving the purpose of the RMA than PC(N) or the proposed changes set out in the section 42A report

Table 9: Increase in height – Metropolitan Centre Zone

Effectiveness and efficiency	<ul style="list-style-type: none"> • The recommended amendments to enable building heights of 53m in the Metropolitan Centre Zone will more effectively deliver on the centre attracting investment and development opportunities as the district grows and develops and sets the Plan up to be more effectively future focused. • The increased heights are consistent with those being applied in the neighbouring jurisdiction of Porirua City, which creates some regional consistency.
Costs/Benefits	<ul style="list-style-type: none"> • Enables greater opportunity for greater investment and development opportunities to be realised, which will support the vibrancy and vitality of the district's primary centre. • Increased building heights will provide additional development capacity for business and commercial activities in those locations. • Promotes infrastructure efficiency.
Risk of acting or not acting	<ul style="list-style-type: none"> • I consider that the appropriateness of adopting the relief sought must be considered in the context of the direction set out in higher order policy documents and in particular the NPS-UD.

	<ul style="list-style-type: none"> • 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.
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 PC(N) or the proposed changes set out in the section 42A report.

Appendix C – High Density Residential Zone Chapter

High Density Residential Zone

The High Density Residential Zone provides opportunities for the development of high density, multi-storey housing within a walkable catchment of identified train stations and commercial centres. Building heights in the High Density Residential Zone are generally enabled to 6 storeys, except near the Metropolitan Centre Zone, where greater building heights are enabled in response to the scale and primacy of this zone.

Development at higher densities will provide an efficient use of land and infrastructure, increase the capacity of housing and ensure that residents have convenient access to amenities, employment, education facilities, retail and entertainment opportunities, public open space and public transport. This will promote walking and cycling neighbourhoods that are connected to and contribute to the vitality of centres.

The development of papakāinga is also provided for within the Zone.

It is anticipated that the form, appearance and amenity of neighbourhoods within the Zone will change over time as existing housing stock is redeveloped with more intensive typologies and densities. Development within the zone is expected to achieve quality urban design outcomes and manage transitions in building bulk and scale.

Within the High Density Residential Zone is the Marae Takiwā Precinct, which recognises and provides for cultural values as set out below:

Marae Takiwā Precinct

The purpose of the Marae Takiwā Precinct is to recognise that the cultural and traditional practices that occur at marae are likely to be sensitive to the effects of surrounding development. The precinct seeks to manage these effects by providing for a lower level of development to occur adjacent to marae as a permitted activity. Where development breaches permitted activity standards, it must avoid, remedy or mitigate adverse effects on the cultural values and tikanga Māori associated with the marae, and the use and function of the marae.

Strategic Context

The Primary Objectives that this chapter implements are:

- [DO-O1 – Tāngata Whenua;](#)
- [DO-O3 – Development Management;](#)
- [DO-Ox1 – Well-functioning Urban Environments;](#)
- [DO-Ox2 – Housing in Relevant Residential Zones;](#)
- [DO-Ox3 – Residential Zones;](#)
- [DO-O11 – Character and Amenity Values;](#)
- [DO-O12 – Housing Choice and Affordability;](#)
- [DO-O13 – Infrastructure;](#)
- [DO-O14 – Access and Transport;](#)
- [DO-O17 – Open Spaces / Active Communities; and](#)
- [DO-O19 – Housing Bottom Lines.](#)

DO-O1	Tāngata Whenua
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To work in partnership with the tangata whenua of the District in order to maintain kaitiakitanga of the District’s resources and ensure that decisions affecting the natural environment in the District are made in accordance with the principles of Te Tiriti o Waitangi (Treaty of Waitangi).

DO-O3	Development Management
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To maintain a consolidated urban form within existing urban areas and a limited number of identified growth areas, and to provide for the development of new urban areas where these can be efficiently serviced and integrated with existing townships, delivering:

1. urban areas which maximise the efficient end use of energy and integration with infrastructure;
2. a variety of living and working areas in a manner which reinforces the function and vitality of centres;
3. an urban environment that enables more people to live in, and more businesses and community services to be located in, parts of the urban environment:
 - a. that are in or near a Centre Zone or other area with many employment opportunities;
or
 - b. that are well serviced by existing or planned public or active transport; or
 - c. where there is high demand for housing or for business land relative to other areas within the urban environment;

while recognising that it may be appropriate to be less enabling of development to accommodate an identified qualifying matter;

4. resilient communities where development does not result in an increase in risk to life or severity of damage to property from natural hazard events;
5. higher residential densities in locations that are close to centres and public open spaces, with good access to public transport, particularly rapid transit;
6. management of development in areas of special character or amenity in a manner that has regard to those special values;
7. sustainable natural processes including freshwater systems, areas characterised by the productive potential of the land, ecological integrity, identified landscapes and features, and other places of significant natural amenity;
8. an adequate supply of housing and areas for business/employment to meet the needs of the District's anticipated population which is provided at a rate and in a manner that can be sustained within the finite carrying capacity of the District;
9. management of the location and effects of potentially incompatible land uses including any interface between such uses; and
10. urban environments that support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change.

DO-Ox1 | **Well-functioning Urban Environments**

A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

DO-Ox2 | **Housing in Relevant Residential Zones**

Relevant residential zones provide for a variety of housing types and sizes that respond to:

1. Housing needs and demand; and
2. The neighbourhood's planned urban built character, including 3-storey buildings.

DO-Ox3 | **Residential Zones**

Residential Zones provide for higher density housing types and sizes that respond to:

1. Housing needs and demand;
2. The proximity of the area to the Metropolitan Centre Zone, Town Centre Zone or Local Centre Zone;
3. Accessibility to and from the area by active or public transport; and
4. The neighbourhood's planned urban built character, including:
 - a. Buildings of at least 6-storeys within the High Density Residential Zone (with greater height being enabled in proximity to the Metropolitan Centre Zone); and
 - b. buildings up to 4-storeys within the General Residential Zone.

DO-O11 | **Character and Amenity Values**

To provide for the character and amenity values of the District's urban environment to develop and change over time in response to the diverse and changing needs of people, communities and future generations.

DO-O12 | **Housing Choice and Affordability**

<u>To meet diverse community needs by increasing the amount of housing that:</u>	
<ol style="list-style-type: none"> <u>1. is of densities, locations, types, attributes and size that meets the social and economic wellbeing needs of households in suitable urban and rural locations;</u> <u>2. is affordable and adequate for lower income households; and</u> <u>3. can respond to the changing needs of residents, regardless of age, mobility, health or lifestyle preference.</u> 	
<u>DO-O13</u>	<u>Infrastructure</u>
<u>To recognise the importance and national, regional and local benefits of infrastructure and ensure the efficient development, maintenance and operation of an adequate level of social and physical infrastructure and services throughout the District that:</u>	
<ol style="list-style-type: none"> <u>1. meets the needs of the community and the region; and</u> <u>2. builds stronger community resilience, while avoiding, remedying or mitigating adverse effects on the environment.</u> 	
<u>DO-O14</u>	<u>Access and Transport</u>
<u>To ensure that the transport system in the District:</u>	
<ol style="list-style-type: none"> <u>1. integrates with land use and urban form and maximises accessibility;</u> <u>2. improves the efficiency of travel and maximises mode choice to enable people to act sustainably as well as improving the resilience and health of communities;</u> <u>3. contributes to a strong economy;</u> <u>4. avoids, remedies or mitigates adverse effects on land uses;</u> <u>5. does not have its function and operation unreasonably compromised by other activities;</u> <u>6. is safe, fit for purpose, cost effective and provides good connectivity for all communities; and</u> <u>7. provides for the integrated movement of people, goods and services.</u> 	
<u>DO-O17</u>	<u>Open Spaces / Active Communities</u>
<u>To have a rich and diverse network of open space areas that:</u>	
<ol style="list-style-type: none"> <u>1. is developed, used and maintained in a manner that does not give rise to significant adverse effects on the natural and physical environment;</u> <u>2. protects the District's cultural, ecological and amenity values, while allowing for the enhancement of the quality of open space areas;</u> <u>3. supports the identity, health, cohesion and resilience of the District's communities; and</u> <u>4. ensures that the present and future recreational and open space needs of the District are met.</u> 	
<u>DO-O19</u>	<u>Housing Bottom Lines</u>
<u>To achieve sufficient development capacity as required by the National Policy Statement on Urban Development 2020 by meeting housing bottom lines of:</u>	
<ol style="list-style-type: none"> <u>1. 6,123 additional residential units over the short-medium term (2021 – 2031); and</u> <u>2. 10,063 additional residential units over the long term (2031-2051).</u> 	
<u>Policies</u>	
<u>HRZ-Px3</u>	<u>Medium Density Residential Standards – Policy 3</u>
<u>Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.</u>	
<u>HRZ-Px4</u>	<u>Medium Density Residential Standards – Policy 4</u>
<u>Enable housing to be designed to meet the day-to-day needs of residents.</u>	
<u>HRZ-Px5</u>	<u>Medium Density Residential Standards – Policy 5</u>
<u>Provide for more intensive housing developments and encouraging best practice urban design outcomes.</u>	
<u>HRZ-Px6</u>	<u>Achieving positive urban design outcomes</u>
<u>Provide for residential intensification of a site where it can be demonstrated that the development achieves positive urban design outcomes and living environments, taking into consideration the following design objectives, development type, and the planned urban built environment of the High Density Residential Zone:</u>	

	<ol style="list-style-type: none"> 1. <u>Ensure the building location, form and appearance is comprehensively designed with the landscape and is compatible with the planned high density urban built character of the zone.</u> 2. <u>Achieve a positive frontage that engages and interacts with the street with a focus on human activity and scale.</u> 3. <u>Achieve visual interest and aesthetic coherence using architectural and landscape design techniques.</u> 4. <u>Minimise the impact of driveways, manoeuvring and parking areas on the quality of the site and street, while ensuring safety.</u> 5. <u>Integrate building form and open space design to achieve safe and functional outcomes for residents in both private and communal spaces, while respectful of neighbouring sites.</u> 6. <u>Achieve reasonable sunlight, daylight, and outlook for all residential units and associated outdoor spaces where possible, while minimising overlooking of neighbouring living and private outdoor spaces.</u> 7. <u>Provide reasonable internal visual privacy for all units through well considered location of elements, rather than relying on window coverings.</u> 8. <u>Achieve legible, safe and efficient circulation.</u> 9. <u>Provide for servicing that is suitably generous, convenient, and visually discreet.</u>
<u>HRZ-Px7</u>	<u>Marae Takiwā Precinct</u>
<p><u>Within the Marae Takiwā Precinct, subdivision, use and development will avoid, remedy or mitigate adverse effects on the cultural values and tikanga Māori associated with the marae, and the use and function of the marae, including by:</u></p> <ol style="list-style-type: none"> 1. <u>Seeking to avoid buildings that overlook the marae;</u> 2. <u>Seeking to avoid buildings and structures that further obstruct views from the marae to the Tararua Range;</u> 3. <u>Recognising that activities adjacent to a marae may be sensitive to the effects of activities that occur on a marae, by mitigating these effects through the design of the development;</u> <p><u>while providing for residential buildings up to 2-storeys.</u></p>	
<u>HRZ-Px8</u>	<u>High Density Urban Form</u>
<p><u>Enable the development of high density residential environments with a built form outcome that:</u></p> <ol style="list-style-type: none"> 1. <u>Is responsive to the degree of accessibility to services and facilities, public open space and multimodal and transport corridors;</u> 2. <u>Is responsive to housing demand;</u> 3. <u>Is of a scale, form and typology that is of a greater intensity than provided for in the General Residential Zone, including buildings of at least 6 storeys.</u> 	
<u>HRZ-P9</u>	<u>Residential Activities (excluding visitor accommodation other than temporary residential rental accommodation)</u>
<p><u>Residential activities will be recognised and provided for as the principal use in the High Density Residential Zone, while ensuring that the effects of subdivision, use and development is in accordance with the following principles:</u></p> <ol style="list-style-type: none"> 1. <u>adverse effects on natural systems will be avoided, remedied or mitigated;</u> 2. <u>new built development will respond to the planned urban form of the Zone;</u> 3. <u>transport choice, efficiency and accessibility to active or public transport will be maximised;</u> 4. <u>housing types which meet the need of multiple households on a site will be provided for;</u> 5. <u>the functional and operational requirements of different types of housing are recognized.</u> 	
<u>HRZ-P10</u>	<u>Residential Amenity</u>
<p><u>Subdivision, use and development will be required to achieve on-site amenity for residents in accordance with the following principles:</u></p> <ol style="list-style-type: none"> 1. <u>the bulk, scale and site layout of buildings will:</u> <ul style="list-style-type: none"> - <u>provide for adequate daylight access</u> - <u>provide outlook with privacy separation;</u> 2. <u>usable and easily accessible private outdoor living spaces will be provided;</u> 3. <u>buildings and structures will be designed and located to respond to the planned urban form of the Zone;</u> 	

	<ol style="list-style-type: none"> 4. <u>yards will be provided to achieve appropriate building setbacks from neighbouring areas and the street;</u> 5. <u>hard and impermeable surfaces will be offset by permeable areas on individual allotments;</u> 6. <u>unreasonable and excessive noise, odour, smoke, dust, light, glare and vibration will be avoided;</u> 7. <u>non-residential buildings will be of a form and scale which is compatible with the surrounding residential environment; and</u> 8. <u>service areas for non-residential activities will be screened, and planting and landscaping will be provided.</u>
HRZ-P11	<u>Residential Streetscape</u>
<p><u>Development, use and subdivision will enhance the amenity, functionality and safety of the streetscape. To achieve a positive relationship between development and the street, development will be undertaken in accordance with the following principles:</u></p> <ol style="list-style-type: none"> 1. <u>direct pedestrian access will be provided from the street to the front entrance of the primary residential building, where practicable;</u> 2. <u>the safety of road users, including pedestrians and cyclists, will not be adversely affected; and</u> 3. <u>on-site vehicle manoeuvring will be provided for rear allotments, allotments with significant sloping driveways and on strategic arterial routes.</u> 4. <u>adverse effects on the amenity and safety of people using public spaces will be minimized.</u> 	
HRZ-P12	<u>Landscaping</u>
<p><u>Landscaping will be located and designed in accordance with the following principles:</u></p> <ol style="list-style-type: none"> 1. <u>enhance residential amenity</u> 2. <u>service areas, loading areas and outdoor storage areas will be screened;</u> 3. <u>on-site outdoor living spaces will be defined and enhanced by landscaping;</u> 4. <u>sunlight access and passive surveillance to adjoining areas will not be unreasonably restricted;</u> 5. <u>planting of locally indigenous vegetation will be encouraged; and</u> 6. <u>permeable surfaces will be provided for the natural infiltration of surface waters.</u> 	
HRZ-P13	<u>Energy Efficiency</u>
<p><u>Where practicable, development and subdivision will be designed to minimise energy consumption by maximising sunlight access, and incorporating passive ventilation. Specifically, development will be undertaken in accordance with the following principles:</u></p> <ol style="list-style-type: none"> 1. <u>good sunlight access should be prioritised to main living areas, habitable rooms (including rooms used for hospital recovery) and the private open space associated with living areas; and</u> 2. <u>the potential for natural cross-ventilation will be maximised to enable cooling breezes to reduce internal temperatures in the summer months.</u> 	
HRZ-P14	<u>Supported Living and Older Persons Accommodation</u>
<p><u>Supported living accommodation will be undertaken in accordance with the following principles:</u></p> <ol style="list-style-type: none"> 1. <u>on-site pedestrian movement and use of open space by residents will not be unduly restricted by the slope of the land;</u> 2. <u>design and development to promote interaction with surrounding communities, without compromising privacy and safety;</u> 3. <u>the scale and design of development will be consistent with the planned residential nature and character of the location, and ensure access through the subject site by the public and residents, including the provision of public legal roads and pedestrian accessways consistent with residential scale blocks; and</u> 4. <u>where practicable, the development will be located within walking distance of essential facilities such as local shops, health and community services and public transport networks.</u> 	
HRZ-P15	<u>Shared and Group Accommodation</u>
<p><u>Shared and group accommodation will be undertaken in accordance with the following principles.</u></p>	

The development should be:

1. located within walking distance of essential facilities such as local shops, health and community services and public transport networks;
2. located where on-site pedestrian movement of residents is not unduly restricted by the slope of the land;
3. located and designed to promote interaction with other sections of the community, without compromising privacy and safety;
4. of a scale and appearance that reflects the planned urban built form of the surrounding neighbourhood; and
5. of a scale and design which ensures access through the subject site by the public and residents, including the provision of public legal road and pedestrian accessways consistent with residential-scale blocks.

HRZ-P16 Home Business

The opportunity to undertake home-based employment will be provided for in a manner which avoids, remedies or mitigates adverse effects on the amenity values of the Residential Zones and the primacy and vitality of centres.

HRZ-P17 Non-Residential Activities

Non-residential activities will be allowed where activities are compatible with residential activities. In determining whether or not the scale of effects of non-residential activities is appropriate, particular regard shall be given to:

1. the appropriateness of the scale, size and intensity of the proposed buildings and activities and visual or landscape mitigation proposed;
2. the effects generated by the buildings and activities on the safety and efficiency of the local transport network, including the extent to which the activities make efficient use of the transport network by minimising the need to travel;
3. the appropriateness – in the design and amount – of proposed access and car parking for staff, customers, visitors and service/delivery vehicles;
4. the hours of operation, including the timing and frequency of delivery/service vehicles;
5. the effects on residential character and the planned urban form of the surrounding environment;
6. nuisance effects (including noise, odour, light, glare, smoke and dust) produced on-site;
7. whether or not any proposed signage on the subject site is associated with the activity, visually distracting to motorists or dominating or detracting from the planned character of the surrounding environment;
8. whether the activities adversely affect the vitality of centres;
9. whether the activity provides goods and services to meet the daily needs of the local neighbourhood; and
10. any cumulative effects.

Rules

HRZ-R1 Any activity that is a permitted activity under the rules in this chapter.

HRZ-R2 Any residential activity which is not specified as a permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited activity in the rules in this chapter.

Permitted Activity **Standards**
1. The activity complies with all permitted activity standards in this chapter.

HRZ-R3 Fences and Walls

Permitted Activity **Standards**
Height (measured above original ground level)

-

	<p>1. <u>The maximum height of any fence or wall on a boundary shall be 2 metres, except:</u></p> <ol style="list-style-type: none"> a. <u>in the front yard, where the maximum height shall be 1.8 metres;</u> b. <u>along any boundary which adjoins any Natural Open Space or Open Space Zone (excluding the Private Recreation and Leisure Precinct), esplanade or any access strip, where the maximum height shall be 1.8 metres.</u> <p>2. <u>For the purposes of calculating maximum height under standard (1) above where a fence is erected atop a retaining wall, the height shall be the combined distance measured vertically from the base of the retaining wall to the top of the fence.</u></p> <div data-bbox="392 647 1294 1055" style="text-align: center;"> <p>The diagram illustrates a cross-section of a fence and retaining wall. The retaining wall is shown as a series of horizontal blocks with vertical joints. On top of the retaining wall, a fence is constructed. A vertical double-headed arrow on the right side of the diagram indicates the measurement of the total height from the base of the retaining wall to the top of the fence. The word 'fence' is written inside the top section, and 'retaining wall' is written inside the middle section.</p> </div> <p><u>Note: For the avoidance of doubt, the standards for fences and walls do not apply to seawalls that are constructed for natural hazard mitigation purposes. In addition, any wall used as an internal partition or external surface of any building shall be excluded from this rule.</u></p>
<u>HRZ-R4</u>	<u>Shared and group accommodation and supported living accommodation.</u>
<u>Permitted Activity</u>	<p><u>Standards</u></p> <p><u>Number of residents and residential units</u></p> <ol style="list-style-type: none"> 1. <u>No more than 10 residents shall be accommodated at any time.</u>
<u>HRZ-R5</u>	<u>Outdoor storage associated with non-residential activities.</u>
<u>Permitted Activity</u>	<p><u>Standards</u></p> <p><u>Location</u></p> <ol style="list-style-type: none"> 1. <u>Outdoor storage must not be located in any front yard or any coastal yard.</u> <p><u>Screening</u></p> <ol style="list-style-type: none"> 2. <u>Outdoor storage must be screened from neighbours and any legal road by landscaping or a fence or wall to a maximum height of 2 metres (measured above original ground level). Outdoor storage must not exceed the height of the screening.</u> <p><u>Maximum area</u></p> <ol style="list-style-type: none"> 3. <u>Outdoor storage (including screening or landscaping) must not exceed a total area of 25m².</u>
<u>HRZ-Rx1</u>	<p><u>New buildings and structures, and any minor works, additions or alterations to any building or structure.</u></p> <p><u>The following are excluded from this rule:</u></p>

	<ul style="list-style-type: none"> • Buildings and structures within the Marae Takiwā Precinct (refer rule HRZRx2) • Papakāinga (refer rules HRZ-Rx4 or HRZ-Rx9) • Minor Buildings 						
<p>Permitted Activity</p>	<p>Standards</p> <p>Number of residential units per site</p> <p>1. There must be no more than 3 residential units per site.</p> <p>This standard does not apply to minor works, additions, or alterations to buildings and structures that do not increase the number of residential units.</p> <p>Height</p> <p>2. Buildings and structures must not exceed a height of:</p> <p>a. 21 metres; or</p> <p>b. 36 metres where identified on the Planning Maps as a Height Variation Control</p> <p>Height in relation to boundary</p> <p>3. a. Where no more than 3 residential units occupy the site:</p> <p>i. Buildings and structures must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries</p> <p>b. Where four or more units occupy the site:</p> <p>i. Buildings and structures must not project beyond a 60° recession plane measured from a point 19m vertically above ground level along the first 22m of the side boundary as measured from the road frontage.</p> <p>ii. 60° recession plane measured from a point 8m vertically above ground level along all other boundaries</p> <p>iii. Except no part of any building or structure may project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along any boundary that adjoins a site:</p> <p>a. in the General Residential Zone;</p> <p>b. containing a scheduled historic heritage building or structure or an area scheduled as waahi tapu and other places and areas of significance to Māori:</p> <p>Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.</p> <p>This standard does not apply to:</p> <p>a. a boundary with a road;</p> <p>b. existing or proposed internal boundaries within a site;</p> <p>c. site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</p> <p>Setbacks</p> <p>4. Buildings and structures must be set back from the relevant boundary by the minimum depth listed in the yards table below:</p> <table border="1" data-bbox="486 1944 1412 2045"> <tr> <th colspan="2">HRZ-Table x – Yard setbacks</th> </tr> <tr> <th>Yard</th> <th>Minimum depth</th> </tr> <tr> <td> </td> <td> </td> </tr> </table>	HRZ-Table x – Yard setbacks		Yard	Minimum depth		
HRZ-Table x – Yard setbacks							
Yard	Minimum depth						

Front	1.5 metres
Site	1 metre
Rear	1 metre (excluded on corner sites)

This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

Building coverage

5. The maximum building coverage must not exceed 50% of the net site area.

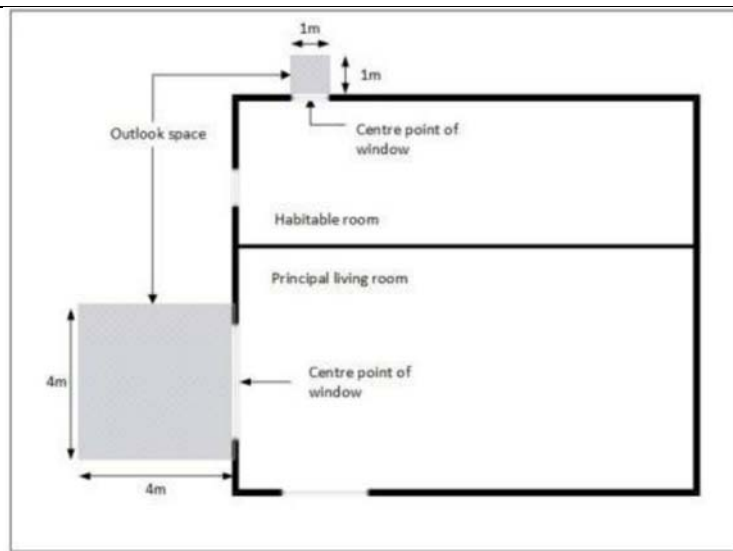
Outdoor living space (per unit)

6. A residential unit at ground floor level must have an outdoor living space that is at least 20m² and that comprises ground floor, balcony, patio, or roof terrace space that:
 - i. Where located at ground level, has no dimension less than 3 metres; and
 - ii. where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8 metres; and
 - iii. is accessible from the residential unit; and
 - iv. may be:
 - i. grouped cumulatively by area in 1 communally accessible location;
or
 - ii. located directly adjacent to the unit; and
 - v. is free of buildings, parking spaces, and servicing and manoeuvring areas.

7. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:
 - i. is at least 8m² and has a minimum dimension of 1.8 metres; and
 - ii. is accessible from the residential unit; and
 - iii. may be:
 - i. grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
 - ii. located directly adjacent to the unit.

Outlook space (per unit)

8. An outlook space must be provided for each residential unit as specified in this standard:
 - i. An outlook space must be provided from habitable room windows as shown in the diagram below:



HRX-Diagram x2 – Outlook space

- ii. The minimum dimensions for a required outlook space are as follows:
 - i. a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
 - ii. all other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
- iii. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
- iv. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
- v. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.
- vi. Outlook spaces may be under or over a balcony.
- vii. Outlook spaces required from different rooms within the same building may overlap.
- viii. Outlook spaces must:
 - i. be clear and unobstructed by buildings; and
 - ii. not extend over an outlook space or outdoor living space required by another dwelling.

Windows to street

- 9. Any residential unit facing the street must have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors.

Landscaped area

- 10. A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.
- 11. The landscaped area may be located on any part of the development site, and does not need to be associated with each residential unit.

HRZ-Rx2

New buildings and structures, and any minor works, additions or alterations to any building or structure within the Marae Takiwā Precinct.

The following are excluded from this rule:

- Papakāinga (refer rules HRZ-Rx4 or HRZ-Rx9)
- Minor Buildings

	<p><u>Measurement criteria apply to some activities under this rule.</u></p>
<p><u>Permitted Activity</u></p>	<p>Standards</p> <ol style="list-style-type: none"> 1. <u>Compliance with the standards set out under rule HRZ-Rx1 except for:</u> <ol style="list-style-type: none"> a. <u>Standard 1;</u> b. <u>Standard 2; and</u> c. <u>For boundaries with Raukawa Marae at 19 Raukawa Street, 23 Raukawa Street, 88 Mill Road, 90 Mill Road and 94 Mill Road, standard 3.</u> <p><u>Number of residential units per site</u></p> <ol style="list-style-type: none"> 2. <u>There must be no more than 1 residential unit per site.</u> <p><u>Height</u></p> <ol style="list-style-type: none"> 3. <u>Buildings and structures must not exceed 8 metres in height.</u> <p><u>Measurement criteria:</u></p> <p><u>Height must be measured using the height measurement criteria.</u></p> <p><u>Height in relation to boundary</u></p> <ol style="list-style-type: none"> 4. <u>For boundaries with Raukawa Marae at 19 Raukawa Street, 23 Raukawa Street, 88 Mill Road, 90 Mill Road and 94 Mill Road, any building or structure must fit within a height in relation to boundary envelope which is made up of recession planes which commence at a point 2.1 metres above the original ground level at the site boundary and inclines inwards at an angle of 45 degrees.</u> <p><u>Measurement Criteria:</u></p> <ol style="list-style-type: none"> a. <u>The height in relation to boundary envelope must be measured from a point above the original ground level at the boundary (including restrictive covenant areas of cross lease properties).</u> b. <u>Residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aerials are excluded from the height in relation to boundary</u> c. <u>Where there is a right-of-way or an access strip/leg adjoining the allotment boundary, the height in relation to boundary envelope shall be measured from a point 2.1 metres above a point midway across the right-of-way or access strip/leg.</u> <div data-bbox="584 1420 1433 1751" data-label="Diagram"> </div> <ol style="list-style-type: none"> d. <p>Note: <u>Any solar panel erected on, or anchored to, a building is exempt from the standard above where it does not breach the maximum permitted height in relation to boundary envelope by more than 1 metre (measured vertically) (see ENGY-R2).</u></p>
<p>HRZ-R6</p>	<p><u>Relocation of any building excluding minor buildings.</u></p>
<p><u>Permitted Activity</u></p>	<p>Standards</p> <ol style="list-style-type: none"> 1. <u>Any relocated building must be able to comply with the permitted activity standards for buildings set out under Rule HRZ-Rx1 or HRZ-Rx2.</u>
<p>HRZ-R7</p>	<p><u>Home business and home craft occupations</u></p>

	<u>Qualifying criteria apply to activities under this rule.</u>	
<u>Permitted Activity</u>	<p>Standards</p> <ol style="list-style-type: none"> 1. <u>Home businesses and home craft occupations must:</u> <ol style="list-style-type: none"> a. <u>be carried out within a lawfully established residential building (excluding minor buildings) or an associated accessory building that meets the permitted activity standards in Rule HRZ-Rx1 or HRZ-Rx2.</u> b. <u>not involve the use of any source of motor power other than electric motors of not more than 0.56kw;</u> c. <u>not have more than one non-resident person working in the residential unit at any one time; and</u> d. <u>not have any deliveries related to the activity made to or from the residential unit between the hours of 7pm and 7am.</u> 2. <u>The total floor area used for home businesses or home craft occupations must not exceed 40m² per residential unit.</u> 3. <u>In addition to Standards (1) and (2) above, for any home businesses:</u> <ol style="list-style-type: none"> a. <u>any retailing must be an ancillary activity to the home business;</u> b. <u>no goods on display shall be visible from outside the building in which the home business is undertaken; and</u> c. <u>the maximum retail floor space or sales area must not exceed 10m² per residential unit.</u> <p><u>Qualifying Criteria:</u> <u>Home businesses and home craft occupations are performed entirely within a residential building or accessory building. Home businesses and home craft occupations shall not include any activity involving any panel beating, spray painting, motor vehicle repairs, fibre glassing, heavy trade vehicles, sheet metal work, wrecking of motor vehicles, bottle or scrap metal storage, rubbish collection service (except that empty, clean drums may be stored in a suitably screened area), wrought iron work or manufacture, motor body building, fish processing, breeding or boarding of dogs or cats, visitor accommodation or any process which involves repetitive use of power tools, drills or hammering or any business activity, trade, craft or profession which creates a nuisance effect at or beyond the boundary of the property on which the activity is occurring, and does not include temporary residential rental accommodation.</u></p>	
<u>HRZ-Rx4</u>	<u>Papakāinga on land held under Te Ture Whenua Māori Act 1993.</u>	
<u>Permitted Activity</u>	<p>Standards</p> <ol style="list-style-type: none"> 1. <u>Buildings and structures (excluding minor buildings) must comply with the following Standards:</u> <ol style="list-style-type: none"> a. <u>Standards 2, 3, 4 and 5 set out under rule HRZ-Rx1</u> 2. <u>The gross floor area of all commercial activities must not exceed the lesser of 20% of the area of the subject site, or 500m².</u> 	
<u>HRZ-R8</u>	<u>Visitor accommodation, excluding temporary residential rental accommodation and excluding the use of land for accommodating five or less visitors, subject to a tariff being paid.</u>	
<u>Controlled Activity</u>	<p>Standards</p> <ol style="list-style-type: none"> 1. <u>Any building (excluding minor buildings) associated with the activity must comply with the permitted activity standards under HRZ-Rx1.</u> 2. <u>The activity must not receive any delivery between the hours of 7pm and 7am.</u> 	<p>Matters of Control</p> <ol style="list-style-type: none"> 1. <u>Transport effects.</u> 2. <u>Landscaping.</u> 3. <u>Noise effects.</u> 4. <u>Layout, size, design and location of any proposed buildings (excluding minor buildings) associated with the activity.</u> 5. <u>The imposition of conditions to manage visual, character and amenity effects.</u> 6. <u>Any positive effects to be derived from the activity.</u>

		<p>7. Cumulative effects.</p> <p>8. The imposition of financial contributions in accordance with the Financial Contributions Chapter of this Plan.</p> <p>Note: Other contributions may be applicable under the provisions of the Local Government Act 2002.</p>
HRZ-R9	<p>Any activity which is listed as a permitted activity or a controlled activity and does not comply with one of more of the associated standards, unless otherwise specifically stated.</p>	
Restricted Discretionary Activity		<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. Consideration of the effects of the standard not met. 2. Measures to avoid, remedy or mitigate adverse effects. 3. Cumulative effects.
HRZ-Rx5	<p>New buildings and structures, and any minor works, additions or alterations to any building or structure, that do not comply with one or more of the standards under rule HRZ-Rx1, except for standard 1 under rule HRZ-Rx1.</p> <p>The following are excluded from this rule:</p> <ul style="list-style-type: none"> • Papakāinga <p>Notification</p> <p>Public notification of an application for resource consent under this Rule is precluded. Limited notification is precluded where the application results in a breach to any of the standards 6 to 10 of HRZ-Rx1.</p>	
Restricted Discretionary Activity		<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. The matters contained in the Land Development Minimum Requirements. 2. Consideration of the effects of the standard not met. 3. Where the site is located adjacent to a Place and Area of Significance to Māori identified in Schedule 9 effects on cultural values. 4. Where the site is located adjacent to a site containing a historic heritage feature, effects on historic heritage values. 5. The imposition of financial contributions in accordance with the Financial Contributions Chapter.
HRZ-Rx6	<p>New buildings and structures, and any minor works, additions or alterations to any building or structure, that do not comply with standard 1 under rule HRZ-Rx1.</p> <p>The following are excluded from this rule:</p> <ul style="list-style-type: none"> • Papakāinga <p>Notification</p> <p>Public and limited notification of an application for resource consent under this Rule is precluded.</p>	
Restricted Discretionary Activity		<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. The extent to which the development, building design, siting and external appearance achieves an outcome that:

		<ol style="list-style-type: none"> a. <u>Responds to the planned urban built form of the zone;</u> b. <u>Contributes to attractive and safe streets and public open spaces, and provides safe pedestrian access to buildings from the street;</u> c. <u>Achieves onsite living environments, including landscaping, which support resident amenity and liveability.</u> <ol style="list-style-type: none"> 2. <u>The extent to which residential units:</u> <ol style="list-style-type: none"> a. <u>Orientate and locate windows to maximise privacy and encourage natural cross ventilation within the dwelling</u> b. <u>Maximise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space</u> c. <u>Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate.</u> d. <u>Provide the necessary waste collection and recycling facilities in locations conveniently accessible and screens from streets and public open spaces.</u> 3. <u>The extent to which the activity may adversely impact on traffic generation, road safety, and access.</u> 4. <u>The matters contained in the Land Development Minimum Requirements.</u> 5. <u>The imposition of financial contributions in accordance with the Financial Contributions Chapter</u>
<u>HRZ-Rx7</u>	<p><u>New buildings and structures, and any minor works, additions or alterations to any building or structure, within the Marae Takiwā Precinct that do not comply with one or more of the standards under rule HRZ-Rx2.</u></p> <p><u>The following are excluded from this rule:</u></p> <ul style="list-style-type: none"> • <u>Papakāinga</u> <p><u>Notification</u></p> <p><u>Public notification of an application for resource consent under this Rule is precluded.</u></p>	
<u>Restricted Discretionary Activity</u>		<p><u>Matters of Discretion</u></p> <ol style="list-style-type: none"> 1. <u>The matters of discretion listed under rule HRZ-Rx6.</u> 2. <u>Effects on cultural values and tikanga Māori.</u> 3. <u>Effects on the use and function of the marae.</u>
<p><u>Notes:</u></p> <ol style="list-style-type: none"> 1. <u>For resource consent applications under this rule, the owners and occupiers of the relevant marae will be considered an affected person in accordance with section 95E of the Act and notified of the application, where written approval is not provided.</u> 2. <u>For resource consent applications under this rule, the Council will seek advice from the relevant iwi authority and will rely on this advice. The matters that Council will seek advice from iwi authorities on include the cultural values and tikanga Māori associated with the marae.</u> 		

HRZ-Rx8	Papakāinga on general title land.	
Restricted Discretionary Activity	Standards <ol style="list-style-type: none"> <u>The applicant is a member of Ngāti Toa Rangatira, Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga), or Te Āti Awa ki Whakarongotai.</u> <u>Compliance with the Standards set out under rule HRZ-Rx4.</u> 	Matters of Discretion <ol style="list-style-type: none"> <u>Whether the applicant has demonstrated their whakapapa or ancestral connection to the land;</u> <u>Evidence of appropriate legal mechanism(s) to ensure that land is maintained in Māori ownership.</u> <u>The matters contained in the Land Development Minimum Requirements.</u>
HRZ-Rx9	Papakāinga on land held under Te Ture Whenua Māori Act 1993 or on general title land that do not comply with one or more of the Standards set out under Rules HRZ-Rx4 or HRZ-Rx8.	
	Notification Public notification of an application for resource consent under this Rule is precluded.	
Restricted Discretionary Activity	Standards <p>For papakāinga on general title land, the applicant is a member of <u>Ngāti Toa Rangatira, Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga), or Te Āti Awa ki Whakarongotai.</u></p>	Matters of Discretion <ol style="list-style-type: none"> <u>Consideration of the effects of the standard not met.</u> <u>Measures to avoid, remedy or mitigate adverse effects.</u> <u>The matters contained in the Land Development Minimum Requirements.</u> <u>For papakāinga on general title land:</u> <ol style="list-style-type: none"> <u>Whether the applicant has demonstrated their whakapapa or ancestral connection to the land;</u> <u>Evidence of appropriate legal mechanism(s) to ensure that land is maintained in Māori ownership.</u>
Notes: <ol style="list-style-type: none"> <u>Refer to chapter PK – Papakāinga for Objectives and Policies specific to papakāinga.</u> <u>For resource consent applications under this rule, the Council will seek advice from the relevant iwi authority (Ngāti Toa Rangatira, Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga), or Te Āti Awa ki Whakarongotai) and will rely on this advice. The matters that Council will seek advice from iwi authorities on include:</u> <ol style="list-style-type: none"> <u>where the papakāinga is on general title land, whether the applicant has demonstrated a whakapapa or ancestral connection to the land;</u> <u>any other matter related to tikanga Māori.</u> 		
HRZ-Rx10	Commercial activities	
Restricted Discretionary Activity	Standards <ol style="list-style-type: none"> <u>The commercial activity is limited to the ground floor of apartment building.</u> <u>The gross floor area of the commercial activity/activities shall not exceed 200m².</u> <u>Hours of operation shall be limited to:</u> <ol style="list-style-type: none"> <u>7:00am to 9:00pm Monday to Friday</u> 	Matters of Discretion <ol style="list-style-type: none"> <u>The extent to which the intensity and scale of the activity may adversely impact on the amenity of the surrounding neighbourhood.</u> <u>Whether the business is compatible with the character of the surrounding neighbourhood, or whether it would be better located in a Centre.</u> <u>Effect on amenity values of nearby residential properties, especially hours</u>

	<p>b) <u>8:00am to 7:00pm Saturday, Sunday, and public holidays.</u></p> <p>4. <u>Where any building in which the activity is undertaken adjoins or is within 2 metres of any road boundary, at least 75% of the ground floor elevation(s) of the building that front onto the road boundary shall be active retail frontage including pedestrian entrances and clear glass for the display of goods.</u></p> <p>5. <u>The activity shall have road frontage to a Strategic Arterial Route (excluding any State Highway), a Major Community Connector Route, or Local Community Connector Route (as identified in District Plan Maps and TR-Table 7 - Transport Network Hierarchy).</u></p>	<p><u>and days of operation, noise, and privacy impacts.</u></p> <p>4. <u>The extent to which the activity may adversely impact on traffic generation, road safety, onsite and street parking, and access.</u></p> <p>5. <u>Any positive effects to be derived from the activity.</u></p> <p>6. <u>Cumulative effects.</u></p> <p>7. <u>The imposition of financial contributions in accordance with the Financial Contributions chapter of this Plan.</u></p> <p><u>Note: Other contributions may be applicable under the provisions of the Local Government Act 2002.</u></p>
HRZ-R10	<u>Any activity which is listed as a restricted discretionary activity and does not comply with one of more of the associated standards, unless otherwise specifically stated.</u>	
<u>Discretionary Activity</u>		
HRZ-R11	<u>Any building, minor works, and any additions or alterations to any building, which does not comply with one or more of the permitted activity standards under HRZ-R6</u>	
<u>Discretionary Activity</u>		
HRZ-R12	<u>Shared or group accommodation or supported living accommodation which does not comply with one or more permitted activity standards under HRZ-R4.</u>	
<u>Discretionary Activity</u>		
HRZ-R13	<u>Visitor accommodation, excluding Temporary Residential Rental Accommodation and excluding the use of land for accommodating five or less visitors subject to a tariff being paid, which does not comply with one or more of the controlled activity standards under HRZ-R11.</u>	
<u>Discretionary Activity</u>		
HRZ-R14	<u>Any home business or home craft occupation that complies with Standard 3 of HRZ-R10 but does not comply with one or more of the other permitted activity standards under HRZ-R10.</u>	
<u>Discretionary Activity</u>		
HRZ-R15	<u>Any commercial activity that does not comply with one or more of the restricted discretionary standards under HRZ-R14.</u>	
<u>Discretionary Activity</u>		

<u>HRZ-R16</u>	<u>Any commercial, industrial or retail activity that is not listed as a permitted, controlled, restricted discretionary or discretionary activity.</u>
<u>Non-Complying Activity</u>	
<u>HRZ-R17</u>	<u>Offensive trades</u>
<u>Non-Complying Activity</u>	
<u>HRZ-R18</u>	<u>Boarding or housing of animals for commercial gain</u>
<u>Non-Complying Activity</u>	
<u>HRZ-R19</u>	<u>The keeping of goats, pigs, deer, roosters, or more than 12 pigeons or doves.</u>
<u>Non-Complying Activity</u>	
<u>HRZ-R20</u>	<u>Car wrecking indoors and outdoors and the storage of wrecked or unroadworthy vehicles not within an enclosed building (excluding minor buildings).</u>
<u>Non-Complying Activity</u>	
<u>HRZ-R21</u>	<u>The parking or placing of any motor vehicle, boat, caravan or material for the purposes of sale or lease within road or Council reserve other than specified areas by resolution of Council.</u>
<u>Non-Complying Activity</u>	
<u>HRZ-R23</u>	<u>Commercial panelbeating and spraypainting</u>
<u>Prohibited Activity</u>	