

**Before the Independent Hearings Panel
At Wellington City Council**

Under Schedule 1 of the Resource Management Act 1991

In the matter of Hearing submissions and further submissions on the
Proposed Wellington City District Plan

**Statement of supplementary planning evidence of Josh Patterson on behalf of
Wellington City Council**

Date: 23 March 2023

INTRODUCTION:

1 My full name is Josh Patterson. I am employed as Principal Advisor, in the District Planning Team at Wellington City Council (the Council).

2 I have read the respective evidence of:

Stratum Management Limited ID 249

a. Maciej Wiktor Lewandowski for Stratum Management Limited

292 Main Road Limited ID 105

b. Cameron Peter de Leijer for 292 Main Road Limited.

Eldin Family Trust ID 287

c. Benjamin Lamason for Eldin Family Trust.

Karepa Dell Developments ID 241

d. Cameron Peter de Leijer for Karepa Dell Developments.

Pukehuia Limited/Prime Property Group ID 256 & FS93

e. Ian Thomas Leary for Pukehuia Limited/Prime Property Group.

The Fuel Companies ID 361 & 372

f. Jarrod Daniel Dixon for The Fuel Companies.

KiwiRail Holdings Limited ID 408 & FS72

g. Catherine Lynda Heppelthwaite for KiwiRail Holdings Limited.

h. Mike Brown for KiwiRail Holdings Limited.

McIndoe Urban Limited ID 135

i. Graeme Robert McIndoe and Davies Burns for McIndoe Urban Limited.

Ara Poutama Aotearoa/The Department of Corrections ID 240

j. Sean Grace for Ara Poutama Aotearoa.

Philip O'Reilly and Julie Saddington ID 310

- k. Linda Bruwer for Philip O'Reilly and Julie Saddington.

Waka Kotahi ID 370 & FS103

- l. Alastair James Cribbens for Waka Kotahi.
- m. Michael John Scott for Waka Kotahi.

Wellington Heritage Professionals ID 412

- n. Amanda Mulligan and Francesca Louise (Chessa) Stevens.

Willis Bond Company Limited ID 416 & FS12

- o. Nicholas Geoffrey Owen for Willis Bond Company Limited.

Kilmarston Properties Limited ID 290

- p. Milcah Veraty Xkenjik for Kilmarston Properties Limited.

Kainga Ora Homes and Communities ID 391 & FS81

- q. Brendon Liggett for Kainga Ora Homes and Communities.
- r. Matt Heale for Kainga Ora Homes and Communities.
- s. Mike Cullen for Kainga Ora Homes and Communities.
- t. Nick Rae for Kainga Ora Homes and Communities.
- u. Victoria Woodbridge for Kainga Ora Homes and Communities.

Ryman Healthcare Limited and the Retirement Villages Association of New Zealand ID 346, 350, FS128 & FS126

- a. Phil Mitchell for Ryman Healthcare Limited and the Retirement Villages Association of New Zealand.
- b. Ngaire Kerse for Ryman Healthcare Limited and the Retirement Villages Association of New Zealand.

3 I have prepared this statement of evidence in response to expert evidence submitted by the people listed above to support the

submissions and further submissions on the Proposed Wellington City District Plan (the Plan / PDP)

4 Specifically, this statement of evidence relates to Parts 1-3 and Parts 5-6 of the Section 42A Report, including the associated appendices, which can be found [here](#).

5 This statement does not relate to matters of which were addressed in 'Part 4 - Character Precincts and Design Guides', of the Section 42A Report. These responses are addressed by Mr Lewandowski in his Statement of Supplementary Planning Evidence.

6 I have read the above expert evidence. My supplementary statement does not provide detail on every point where there is disagreement with my recommendations in my Section 42A Report. In addition, I have not addressed points where the submitter has agreed with the recommendations in my Section 42A Report. Where submitter evidence speaks to matters already addressed in my Section 42A Report, I rely on my Section 42A Report recommendations and reasoning, referring to these and providing some additional assessment where necessary.

QUALIFICATIONS, EXPERIENCE AND CODE OF CONDUCT

7 Paragraphs 8-12 of Part 1 of my Section 42A Report ([S42A Hearing Stream 2 - Part 1 - Overview and General Matters](#)) sets out my qualifications and experience as an expert in planning.

8 I confirm that I am continuing to abide by the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023, as applicable to this Independent Panel hearing.

SCOPE OF EVIDENCE

9 My statement of evidence:

a. addresses the expert evidence of those listed above; and

- b. Identifies an error from my s42A report that I wish to address.

RESPONSES TO EXPERT EVIDENCE

Stratum Management Limited ID 249

(Maciej Wiktor Lewandowski for Stratum Management Limited)

10 In response to Mr Lewandowski’s evidence seeking that matter 1 be deleted from both MRZ-P6 and HRZ-P6. I disagree with the proposed amendment and stand by my recommendations in my Section 42A Report, particularly in Paragraph 228 of Part 2, to retain matter 1 in both MRZ-P6 and HRZ-P6. However, I acknowledge Mr Lewandowski’s point that the wording is unclear as to when the intent of the Residential Design Guide is fulfilled. Therefore, I recommend that MRZ-P6 and HRZ-P6 are amended, to align with the current drafting of HRZ-P7, as follows:

MRZ – P6 Multi-unit housing

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

- 1. Fulfils the intent of the Residential Design Guide where it is relevant;

...

HRZ – P6 Multi-unit housing

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

- 1. Fulfils the intent of the Residential Design Guide where it is relevant;

...

11 As a result of the above change, I also consider this wording should apply to MRZ-P7 to ensure consistency. Therefore, I recommend that MRZ-P7 is amended as follows:

MRZ – P7 Retirement Villages

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

- 1. Fulfils the intent of the Residential Design Guide where it is relevant;

...

- 12 I am of the view that this change will provide direction to Plan users to only consider those matters that are relevant to a particular proposal, thereby assisting in addressing any concerns around uncertainty.
- 13 I note Mr Lewandowski's point that this approach is inconsistent with how other chapters address the Design Guides. I agree that it would be preferable for the PDP to align in this respect. I have discussed this with other chapter leads and received agreement on the above approach, this will be addressed in relevant Hearing Streams.
- 14 I note Mr Lewandowski's evidence regarding the removal of 'a minimum area of' from MRZ-P6.2 and HRZ-P6.2. I refer to, and stand by my, original reasoning and recommendation provided in Paragraph 228 of Part 2 of my Section 42A Report.
- 15 I note Mr Lewandowski's evidence regarding the removal of the waste management criterion from MRZ-P6.3 and HRZ-P6.3. I refer to, and stand by my, original reasoning and recommendation provided in Paragraph 229 of Part 2 of my Section 42A Report.
- 16 Mr Lewandowski points out a drafting error in respect to the notification clause of MRZ-R14. I agree that there is a drafting error in my Section 42A Report recommendation, under Paragraph 563 of Part 3. The last notification clause should read as follows:
- "An application for resource consent made in respect of rule MRZ-R14.1 that complies with MRZ-S2, MRZ-S3, MRZ-S4, but does not comply with one or more of the other relevant standards, is also precluded from being limited notified".
- 17 This wording is correct in Appendix A to my Section 42A Report; therefore, no changes are required.
- 18 In response to Mr Lewandowski's requested amendments in relation to the Design Guides, all the matters raised in the evidence have been addressed in Part 6 of my Section 42A Report. However, in response to the evidence stating that the guidelines act as standards and that they should be re-drafted, I do not agree with this. The guidelines provide a basis for discussion during a resource consent process and provide a

steer as to desirable outcomes, they are not a requirement in the same way that standards are.

292 Main Road Limited ID 105

(Cameron Peter de Leijer for 292 Main Road Limited)

19 Mr Leijer points out that Hearing Stream 1 (Paragraphs 279-285 of the Stream 1 Section 42A Report) recommended that the walking catchment around the Linden Station is increased to 10-minutes and that all sites within this catchment be rezoned HRZ. Mr Leijer also points out that if this recommendation were accepted by the Hearing Panel, 292 Main Road, Tawa would be within the sites proposed to be rezoned HRZ.

20 I agree with Mr Leijer that, if the Hearing Panel accepts the recommendation in Stream 1, 292 Main Road, Tawa would be re-zoned HRZ. If this were to be the case then I would support the rezoning to HRZ from MRZ at 292 Main Road, Tawa. However, if the Hearing Panel do not accept this recommendation, then I stand by my original assessment at Paragraph 195 of Part 3 of my Section 42A Report.

Eldin Family Trust ID 287

(Benjamin Lamason for Eldin Family Trust).

21 Mr Lamason has provided various 3D models of what the proposed height increases in Selwyn Terrace, in accordance with the proposed CCZ, could look like in the form of development, and the impact of this on Viewshaft 1 and 4. The original submission from Eldin Family Trust sought that Selwyn Terrace be rezoned from CCZ to MRZ. This will be addressed in Hearing Stream 4. I have not addressed this in Stream 2.

Karepa Dell Developments ID 241

(Cameron Peter de Leijer for Karepa Dell Developments)

22 Mr Leijer has provided evidence seeking that 11 Makomako Road is rezoned from LLRZ to MRZ. I stand by my original assessment in Paragraphs 24 – 27 of Part 5 of my Section 42A Report and I have not changed my mind. I recommend the LLRZ is retained.

Pukehuia Limited/Prime Property Group ID 256 & FS93

(Ian Thomas Leary for Pukehuia Limited/Prime Property Group).

23 Mr Leary provides evidence which in his view demonstrates why MRZ-P12 (Rooding Capacity in the Spenmoor Street Area) should be deleted and why the following should be deleted from MRZ-R2: “For any site within the Spenmoor Street Area: the matters in MRZ-P2, MRZ-P3, MRZ-P5, MRZ-P6 and MRZ-P12”.

24 I stand by my original assessment in Paragraph 50 and Paragraph 374 of Part 3 of my Section 42A Report. I acknowledge Mr Leary’s evidence but consider that MRZ-P12 is a necessary policy which highlights that there are bespoke traffic issues in relation to Spenmoor Street. I would like to note that the policy does not prevent development from occurring at all, it highlights that an assessment of traffic effects may be required depending on the proposal and that mitigation measures may be needed.

The Fuel Companies ID 361 & 372

(Jarrod Daniel Dixon for The Fuel Companies).

25 Mr Dixon provides evidence which he believes demonstrates why MRZ-P6 and HRZ-P6 should be amended to add the following statement: “Manages reverse sensitivity effects on existing lawfully established non-residential activities.”.

26 I acknowledge Mr Dixon’s evidence but stand by my recommendations, particularly in Part 2 of my Section 42A Report, Paragraph 231. I consider that the noise and light chapter will address any reverse sensitivity effects on the operation of petrol stations within the residential zone, noting that all district wide chapters apply to residential development, not just the residential chapter. In addition, the Noise Chapter has a specific objective for reverse sensitivity effects. I therefore do not consider it necessary to amend either MRZ-P6 or HRZ-P6 as requested by Mr Dixon, and I stand by my recommendations in my Section 42A Report.

KiwiRail Holdings Limited ID 408 & FS72

(Catherine Lynda Heppelthwaite for KiwiRail Holdings Limited).

- 27 Ms Heppelthwaite provides evidence as to why the railway corridor should be listed as a Qualifying Matter in the PDP. I stand by my original recommendation that it is not listed as a qualifying matter in the introduction to the Residential Chapter as a QFM as I recommend that the list of qualifying matters is deleted from the introduction, in line with recommendations from Mr McCutcheon in Hearing Stream 1.
- 28 I agree with Ms Heppelthwaite that the rail corridor setback does introduce an additional requirement beyond the MDRS in Schedule 3A of the RMA. However, I do not consider this needs to be listed as a QFM in the PDP, especially as the significance of QFMs diminishes once the PDP is made operative.
- 29 Ms Heppelthwaite also provides evidence which in her view demonstrates why the proposed 1.5m setback from the railway corridor boundary, as recommended in my Section 42A Report, does not go far enough. Ms Heppelthwaite argues that a 5m setback is needed and relies on Mr Brown's evidence, which I address below. In short, I do not consider a 5m setback from a rail corridor boundary is necessary.

KiwiRail Holdings Limited ID 408 & FS72

(Mike Brown for KiwiRail Holdings Limited).

- 30 Mr Brown provides evidence as to why, in his view, a 1.5m setback from the rail corridor boundary is not sufficient. I disagree with Mr Brown's evidence and recommend that the recommended 1.5m setback from rail corridor boundaries is retained and the change is made to the MRZ and HRZ chapters.
- 31 I stand by my view that a 1.5m setback is suitable for access to, and for the maintenance of, buildings. I consider that if more space is required then an agreement between KiwiRail and those needing more space can be reached. I consider that this approach is a suitable middle ground

which will provide space and relief to KiwiRail whilst not having a significant impact on the ability of construction to occur on sites.

32 I do however agree with Mr Brown that the recommended exclusion in MRZ-S4 and HRZ-S4 for uncovered decks/structure and eaves should not apply to the rail corridor boundary. This is because these exclusions further limit the amount of space between buildings and the rail corridor. Therefore, I recommend that MRZ-S4 and HRZ-S4 are amended as follows:

33 MRZ:

MRZ-S4 Boundary Setbacks

...

This standard does not apply to:

- a. ...
- b. ...
- c. Uncovered decks and uncovered structures no more than 1m in height above ground level (except in relation to the rail corridor boundary, where it does apply); and
- d. Eaves up to 1m in width (except in relation to the rail corridor boundary, where it does apply);.

HRZ-S4 Boundary Setbacks

...

This standard does not apply to:

- a. ...
- b. ...
- c. ...
- d. Uncovered decks and uncovered structures no more than 500mm in height above ground level (except in relation to the rail corridor boundary, where it does apply); and
- e. Eaves up to 600mm in width (except in relation to the rail corridor boundary, where it does apply);
- f. ...
- g. ...

McIndoe Urban Limited ID 135

(Graeme Robert McIndoe and Davies Burns for McIndoe Urban Limited).

35 Mr McIndoe and Mr Burns raise several issues in their evidence, much of which has been addressed in Part 6 of my Section 42A Report. I will address the main issues that have been raised here but rely on my recommendations from my Section 42A Report. The main issues in the evidence from Mr McIndoe and Mr Burns are:

That there is repetition between the Design Guides and that this requires a re-write.

That the expression of guidelines between Design Guides is inconsistent and that this introduces ambiguity when multiple design guides apply to one site.

That the Residential Design Guide should be amended so all guidelines which apply to the residential zone only are in a separate Part. The rest of the Residential Design Guide can apply to multiple zones.

That there are too many design guidelines, and these can be reduced by avoiding and reducing repetition.

That the design outcomes should be numbered.

That the G1 requirement for documenting context analysis is excessive and does not recognise the scale of developments.

36 In response to Mr McIndoe's and Mr Burns' evidence showing that there is repetition in the Design Guides and that this results in too many guidelines and ambiguity, I agree that there is repetition between Design Guides, but I do not agree that a re-write to remove repetition is required. The repetition was also recognised by Dr Zamani in his evidence. In Paragraph 26 of Dr Zamani's evidence it is noted that the rationale for repetition in different chapters of the Design Guide (i.e., between the different Design Guides) is in how the different chapters may be used by applicants for different developments or activities. In summary, repetition is necessary to ensure guidelines are not missed by applicants or Plan users. I therefore recommend that the Residential Design Guide is not amended to remove repetition beyond those recommendations made in Part 6 of my Section 42A Report.

37 In response to Mr McIndoe's and Mr Burns' evidence showing that the expression of guidelines between Design Guides is inconsistent, I anticipate that this will be addressed in Hearing Stream 4 under the Centres and Mixed-Use Design Guide. The reporting officer has agreed that inconsistency between the two Design Guides will be addressed and that the Residential Design Guide will be the basis upon which changes are made to the Centres and Mixed-Use Design Guide. I therefore recommend that the Residential Design Guide is not amended in respect of inconsistencies.

38 In response to Mr McIndoe's and Mr Burns' evidence requesting that guidelines which apply to residential zones only are contained in a separate part, I disagree with this. The Design Guides have been drafted to apply generally, rather than to be location specific. Therefore, the drafting of the Design Guides has reflected this. Separating the Design Guides into separate parts will introduce the location specific guidelines that we are trying to avoid.

39 I do not agree that the design outcomes should be numbered. Numbering presumes importance and the design outcomes are all as important as one another. Therefore, I am comfortable that they are not numbered, and I see no practical reason as to why they would need to be numbered.

40 In response to Mr McIndoe's and Mr Burns' evidence stating that the G1 requirement in the Residential Design Guide is excessive, I disagree. I believe that context analysis is a necessity and note that information which is not applicable is not required. Part 6 of my Section 42A Report, Paragraph 228, recommends the insertion of 'where relevant' to G1 which will help clarify that only relevant contextual information is required.

Ara Poutama Aotearoa/The Department of Corrections ID 240

(Sean Grace for Ara Poutama Aotearoa).

41 Mr Grace has requested that a new precinct be created along Sunrise Boulevard in Tawa. The purpose of the precinct would be to manage and reduce impacts on Arohata Prison from built development along Sunrise Boulevard in Tawa.

42 I do not agree with Mr Grace that a specific precinct for Sunrise Boulevard is required. I do not believe that it is the role of the District Plan to include provisions which aim to increase the security of a prison site. I also note that the sites along Sunrise Boulevard are a significant distance away (70-520m) from any prison structure on the site of Arohata Prison. I therefore struggle to understand how security could be

compromised by the proposal to have increased density along Sunrise Boulevard, noting that residential properties already exist along the boundary.

43 Based on the evidence that I have reviewed from Mr Grace and others who have input to his evidence, I believe that any security concerns that Arohata Prison has, in relation to increased density along its border, will need to be managed and dealt with internally and outside of the District Plan.

44 I therefore recommend that the requested amendment to include a precinct along Sunrise Boulevard is rejected by the Hearing Panel.

Philip O'Reilly and Julie Saddington ID 310

(Linda Bruwer for Philip O'Reilly and Julie Saddington).

45 In response to Ms Bruwer's evidence seeking that the recommended changes to HRZ-P8 are amended to include clarifying statements. I disagree with these amendments. The recommendation to HRZ-P8 was intended to be general as it allows for wider consideration than what is proposed by Ms Bruwer. In addition, I believe the proposed amendments will create a stronger assessment than what is required, as I generally believe that a greater buffer than what is proposed between high density and character areas is not required.

46 I disagree with Ms Bruwer's evidence that stronger provisions are needed to manage the interface between Character Precincts and higher density development. I have commented on this extensively in my Section 42A Report and consider that the identification and the proposed protection of character in the PDP is sufficient.

Waka Kotahi ID 370 & FS103

(Alastair James Cribbens for Waka Kotahi & Michael John Scott).

47 Mr Lewandowski has responded to the evidence regarding Character Precincts by Mr Scott and Mr Cribbens. I will respond to the other matters below.

48 In response to Mr Scott and Mr Cribben's evidence stating that some small-scale commercial activity may be appropriate in high density neighbourhoods to improve accessibility, I generally agree with this. However, I disagree with the insertion of the proposed Restricted Discretionary rule. I am comfortable with the Discretionary activity status of Rule HRZ-R10, which will capture small scale residential activities.

49 I consider that HRZ-R10 is suitable as it means that any commercial activity can be assessed based on what is being proposed. I also consider that HRZ-P14 provides clear direction as to the type of non-residential activities and buildings that are acceptable within the High Density Residential Zone. This will provide applicants and resource consent planners with the necessary context within which commercial activities can be assessed.

50 However, if the Hearings Panel are of a mind to introduce a Restricted Discretionary activity rule for small-scale commercial activities, I would be generally supportive of the proposed new rule by Mr Scott. I note that further investigation would be needed to determine an appropriate ground floor area. Should the Hearings Panel decide to introduce such a rule, I would be available to assist in drafting a new rule for small scale commercial activity.

Wellington Heritage Professionals ID 412

(Amanda Mulligan and Francesca Louise (Chessa) Stevens).

51 I agree with Ms Mulligan and Ms Stevens regarding adding a statement that recognises site context and the consideration of scheduled heritage buildings, structures or areas, and Character Precincts. I agree that the amendment to the policy will provide direction to consider a developments effect on adjacent heritage or character identified sites. I

also note that the amendment will align MRZ-P8 with HRZ-P8, should the recommendations for HRZ-P8 be accepted by the hearing panel.

52 I therefore recommend that MRZ-P8 is amended as follows:

MRZ-P8 Residential buildings and structures

Provide for a range of residential buildings and structures, including additions and alterations, that:

1. Provide healthy, safe and accessible living environments;
2. Are compatible with the built environment anticipated in the Medium Density Residential Zone;
3. Contribute positively to a changing urban environment; ~~and~~
4. Achieve attractive and safe streets; and
5. Responds to the site context, particularly where it is located adjacent to a scheduled heritage building, heritage structure or heritage area, or Character Precinct.

53

54 I disagree with Ms Mulligan and Ms Stevens that the Residential Design Guide needs to be amended to include G3.5 and the associated diagram from the (ODP) Central Area Urban Design Guide. I stand by my original reasoning in Paragraph 272 of Part 6 of my Section 42A Report.

Willis Bond Company Limited ID 416 & FS12

(Nicholas Geoffrey Owen for Willis Bond Company Limited).

55 In response to Mr Owen's evidence stating that he does not agree with Design Guides being placed within the PDP. I refer to Dr Zamani's evidence at Paragraph 17, 17.1, 17.2, and 17.3. I disagree with Mr Owen and recommend that the Design Guides remain in the PDP.

56 I disagree with Mr Owen that the Design Guides need to be reduced in content and amended for repetition. I stand by the recommendations in Part 6 of my Section 42A Report and refer to Dr Zamani's evidence,

particularly at Paragraph 26, which explains that the repetition is necessary.

57 In response to Mr Owen suggesting that a Design Excellence Panel (or similar) is used to determine appropriate urban design outcomes, I refer the Hearings Panel to Paragraph 24 of Dr Zamani's evidence. This states that an urban design panel is currently being worked on. I agree with Dr Zamani that matters relating to an urban design panel should not be included in the planning framework.

58 At paragraph 21 of his evidence, Mr Owen has incorrectly interpreted that the priorities, as indicated by the dot system, are indicative only and that the Council can choose to change the priority of guidelines at will. I disagree with this interpretation. My reading of "the priority of each guideline should ideally be confirmed with Council", is that not every guideline will be applicable to every proposal.

59 Mr Owen considers that the Design Guides should be clearer as to what are 'nice to have' and what are necessities. I respond that the dot system was intended to provide this clarity. I consider that the dot system provides applicants with certainty as to how their application will be assessed. I do not consider that any further clarification is required.

60 In his evidence, Mr Owen considers that some guidelines, including G11, G21, G54, G95, and G108, are highly subjective and read as outcomes or principles, rather than clear baselines to follow. This was drafted purposefully to allow for discussions to be had and to allow for site-by-site responses. This approach ensures that outcomes are not constrained. I do not consider any changes are needed because of this evidence.

61 In his evidence, Mr Owen considers that the Design Guides overlap with other legislation, other parts of the Plan and other Design Guides and guidelines within them. Mr Owen acknowledges that Design Guides need to be able to be read in isolation but notes that in many cases multiple Design Guides apply to one site.

62 I disagree with Mr Owen that the Design Guides overlap with legislation and would encourage Mr Owen to provide specific examples of this. I have already addressed the comments relating to repetition and consider that the repetition is necessary.

Kilmarston Properties Limited ID 290

(Milcah Veraty Xkenjik for Kilmarston Properties Limited)

63 Ms Xkenjik addresses matters to do with the Special Amenity Landscape in the PDP. Special Amenity Landscapes will be addressed in Hearing Stream 8, in 2024.

Ryman Healthcare Limited and the Retirement Villages Association of New Zealand ID 346, 350, FS128 & FS126

(Phil Mitchell and Ngaire Kerse for Ryman Healthcare Limited and the Retirement Villages Association of New Zealand).

64 In his evidence, Mr Mitchell is requesting that a bespoke planning framework be created for retirement villages within the residential zones. Mr Mitchell relies on evidence provided by Ms Kerse as to why retirement villages are important to service an ageing population.

65 I agree with Mr Mitchell and Ms Kerse that retirement villages are important and necessary. However, I generally disagree with the requests for a specific planning framework for retirement villages. I stand by the recommendations within my Section 42A Report, Parts 2 and 3. I will briefly outline my reasons for opposition below.

66 I believe that the framework currently in the residential chapters, which treats the construction of retirement villages as a Restricted Discretionary activity, is appropriate. This activity status allows an application to be considered based on the site context and the specifics of the application. A Permitted activity status is inappropriate as I still consider that retirement villages can vary greatly in scale and a

Permitted activity status does not recognise this, particularly as is proposed by Mr Mitchell.

67 Retirement villages are treated differently within the current framework, noting that they do have a specific policy dedicated to them in MRZ-P7 and HRZ-P7, the matters in these policies are tailored to retirement villages.

68 I have not changed my mind regarding the reference to Design Guides within MRZ-P8 and HRZ-P8. I believe the reference to the Design Guides is required and that the wider issue of whether the Design Guides should be in the Plan or not has been addressed in my Section 42A Report and within Dr Zamani's evidence.

69 Mr Mitchell has included an appendix within which he identifies examples of Design Guide provisions and guidance that he considers have gone too far, I disagree with this. Mr Mitchell's reason is predominantly that the examples are inconsistent with the MDRS. I note that the Residential Design Guide does not have to be consistent with the MDRS. Additionally, the examples are not standards and therefore will not limit development in the same way that standards will. The Residential Design Guide is a guide for achieving high quality design outcomes which can be discussed with applicants and planners.

70 In addition, I consider that the Residential Design Guide is applicable to retirement villages as when proposed within a residential zone, they are within a residential setting and the residential setting must be considered.

71 In response to Mr Mitchell's evidence stating that there is no mention of retirement villages within the Residential Design Guide, this has been done intentionally. The Residential Design Guide has been drafted so that it is open and general and can be used to do a site-by-site assessment. There is no focus on areas or development types in the Residential Design Guide.

Kainga Ora Homes and Communities ID 391 & FS81

(Brendon Liggett for Kainga Ora Homes and Communities).

72 In response to Mr Liggett’s evidence seeking that the PDP go further in allowing increased density in both the MRZ and HRZ, I generally disagree with the need to do this. As demonstrated in my Section 42A Report, the PDP enables sufficient capacity to meet the expected residential demand. I consider that the proposed provisions in both the MRZ and HRZ generally strike a good balance between providing residential capacity and managing the effects that result from increased density.

73 I acknowledge Mr Liggett’s evidence seeking increased height and density in walking catchments around specific centre zones. I consider that the Plan has already done this, through the formulation of walking catchments which were discussed in detail in Stream 1. The MRZ and HRZ include different heights based on accessibility to services and centres. In addition, the HRZ has been proposed around key transit stops and centres.

74 Mr Liggett’s evidence opposes the definition of multi-unit housing and the differentiation between developments of 1-3 dwellings and 3+ dwellings. This is a necessary distinction in the context of the Wellington PDP. This distinction recognises that developments of 1-3 units can be a permitted activity, where all relevant standards are met, but provides for a consenting pathway for multi-unit development. This consenting pathway is necessary in my view to ensure that the effects of multi-unit development, which are greater than those of 1-3 dwellings, can be assessed on a site-by-site basis. I also note the non-notification clauses will help to ensure resource consent will be granted where effects are appropriately managed.

75 Mr Liggett points out that the underlying zoning of the Oriental Bay Height Precinct is MRZ when, in his view, it should be HRZ. I note that the proposed height limits within the Oriental Bay Height Precinct are greater than what is proposed under the MRZ or HRZ. I also note that

this approach is consistent with other Character Precincts, which are all grouped in the MRZ chapter for ease of reference for Plan users. I disagree that this needs to be amended.

Kainga Ora Homes and Communities ID 391 & FS81

(Matt Heale for Kāinga Ora Homes and Communities).

76 Mr Heale notes in his evidence that the Wellington region has not achieved consistency in preparing the individual planning documents. I generally agree with this. However, I note that conversations with other councils across the Wellington region have been undertaken and that the PDP has been prepared to be as consistent with other District Plans as possible. I also note that Wellington is very different to any other council within the Wellington region, and this is reflected in the PDP. I also note that Territorial Authorities have had very limited time to formulate, consult on, notify, implement, and enable decisions to be released on a plan change within legislative timeframes. Given the different issues facing the different Territorial Authorities across the region, a level of inconsistency should be expected.

77 Mr Heale seeks that the relevant objectives and policies are amended to reflect that 6-12 storey development is enabled through a Restricted Discretionary resource consent. I disagree with this request as I consider that 12 storeys is an arbitrary storey number given that a resource consent can be applied for and that developments could exceed 12 storeys.

78 Mr Heale seeks that HRZ-P6 is amended to remove the reference to multi-unit housing and replace it with 'high density development'. I do not agree that this amendment is necessary as I consider that Policies HRZ-P2 and HRZ-P4 address high-density residential development which differentiates HRZ from MRZ. The retention of reference to multi-unit housing in HRZ-P6 ensures that Plan users are clear that the policy applies to only to multi-unit housing developments.

- 79 Mr Heale seeks significant changes to the notified Height in Relation to Boundary (HIRB) standard in the HRZ. Essentially, Mr Heale seeks that 19m + 60 degrees would apply to the first 21.5m of a site (from the road frontage) and that 4m+60 degrees would apply to the rest of the site. I generally disagree with this approach. The approach taken in the HRZ to avoid undesirable 'sausage blocks' is to introduce HRZ-S16 which limits the depth of a multi-unit dwelling to 20m. This approach encourages development at the front of a site and encourages sites to be developed in a way that enables space between units, which, as I understand it, is the main concern from Mr Heale in proposing the amended HIRB standard. However, I am open to exploring Kainga Ora's recommended suggestion in consultation with Dr Zamani.
- 80 I generally agree that the 4m+60-degree HIRB requirement for developments of 1-3 residential units is constraining, particularly as I have recommended an increase in height to HRZ-S1 from 11m to 14m. I therefore recommend that HRZ-S3.1 is amended to a 60-degree recession plane measured from 5 metres vertically above ground level.
- 81 Mr Heale recommends changes to HRZ-S6 in relation to communal outdoor living space. I consider the proposed amendment is an oversimplification which would result in poor outcomes. For example, the potential for linear shaped outdoor living spaces with one dimension of 1.8m. It is not clear where the 1.8m minimum dimension comes from, but I consider it to be impractically small.
- 82 Mr Heale has requested that yard setbacks are removed for developments resulting in 1-3 units in the HRZ. I disagree with this approach as I do not see the logic for being more enabling in the development of 1-3 units within a high-density residential zone. Particularly as I have recommended that the front yard requirements do not apply to development of 1-3 units. In the HRZ, greater density is promoted, and no setbacks have been proposed for multi-unit housing. I consider that removing setback standards for 1-3 units could result in

the encouragement of more less intensive development as opposed to higher density development that we expect to see in the HRZ.

83 Mr Heale requests that HRZ-S16 (building depth) is deleted. I oppose this for the same reasons as stated in paragraph 79 of my supplementary evidence.

84 Mr Heale seeks that the side boundary setbacks are removed from MRZ and the height in relation to boundary standards are amended to 6m in MRZ. I disagree with these changes, I consider 5m is sufficient to enable 11m in height, noting that this can be breached through a resource consent as a restricted discretionary activity. I also disagree with removing the 1m side yard setback on the basis that the 1m setback will not create a 'no man's land' and will assist on allowing sunlight, access, and building maintenance.

Kainga Ora Homes and Communities ID 391 & FS81

(Mike Cullen for Kainga Ora Homes and Communities).

85 I have asked Mr Osborne from Property Economics to respond to the residential capacity and economic feasibility evidence that Mr Cullen has provided. Mr Osborne has prepared a memo which I have attached at Appendix 1.

86 In summary, I do not consider that there is a need to provide further capacity than that which the current modelling shows the PDP supplies. I rely on Mr Osborne's evidence to reach this conclusion. I also consider that uptake has been extensively considered in the modelling undertaken by Property Economics and that the 73% and 93% uptake figure provided by Mr Cullen is incorrect.

Kainga Ora Homes and Communities ID 391 & FS81

(Nick Rae for Kainga Ora Homes and Communities).

87 I note that Mr Rae and Dr Zamani will be caucusing on the issues raised in Mr Rae's evidence, this has not yet occurred at the time of writing. I

am therefore not firm on my recommendations below until I have seen the outcome of this caucusing.

- 88 Mr Rae comments on the Height in Relation to Boundary Standard in the HRZ. Like Mr Heale, he also seeks that 19m+60 degrees would apply to the first 21.5m of a site (from the road frontage) and that 4m+60 degrees would apply to the rest of the site. I disagree with this approach for the same reason as stated in paragraph 79 of my supplementary evidence.
- 89 Mr Rae recommends that the height limit for multi-unit housing is increased to 22m from 21m. Mr Rae states that this is a preferred approach to enabling an extra 1m for roof exclusions. I do not agree with the need to increase the height limit by 1m for this reason. I consider the current standard in the PDP is sufficient.
- 90 Mr Rae recommends that the height in relation to boundary standard for HRZ is increased to 5m+60 degrees. I agree with this and have recommended this change in paragraph 80 of my supplementary evidence.
- 91 Mr Rae considers that the boundary setbacks in the HRZ are not clear that they do not apply to developments of 1-3 units. I disagree with this and consider that the recommendation made in my Section 42A Report provides clarification that the front and side setbacks do not apply to developments of 1-3 units.

Kainga Ora Homes and Communities ID 391 & FS81

(Victoria Woodbridge for Kainga Ora Homes and Communities).

- 92 Ms Woodbridge considers that small scale commercial activity should be provided for within the HRZ. As noted in paragraphs 48-50 of my supplementary evidence I consider that the current Discretionary Activity status is appropriate. However, I do not entirely disagree with providing for small scale commercial activity in the form of small dairies and cafes. I would support the inclusion of Waka Kotahi's suggest rule

on the basis that further work would be required to determine a suitable floor area and suitable activities. I would be happy to assist the panel in carrying out further investigations for this if I were directed to do so.

- 93 Ms Woodbridge comments on the communal outdoor living space option in MRZ-S13 and HRZ-S13. It appears that Ms Woodbridge has misunderstood this provision. The communal outdoor living space is not a requirement, it is an option where private outdoor living is not provided for one or more unit. I also note that the availability of public open space in proximity to the site is also an assessment criterion relevant to resource consent applications where HRZ-S13 and MRZ-S13 is not complied with.
- 94 Ms Woodbridge disagrees with the reference to ‘amenity values’ in the provisions in HRZ and MRZ. I understand Ms Woodbridge’s concerns around the use of ‘amenity values’ but note that the use of amenity is not to encourage the status quo, this is evidenced by the use of the word ‘anticipated’ in the provisions. I also consider that ‘amenity’ is a word that is well understood by many plan users. For the reasons above, I therefore see no reason to amend.
- 95 Ms Woodbridge seeks that the minimum residential unit size for multi-unit housing (HRZ-S12) is deleted. Ms Woodbridge considers that a focus on high quality design will negate the need for minimum unit size requirements. I firstly note that this advice is contrary to Kainga Ora’s request to remove the design guide from the plan, where it will have less statutory weight. Secondly, I disagree with the recommendation to remove HRZ-S12 as I consider that this places too much reliance on high-quality design which will not be the focus of some applicants. HRZ-S12 ensures at a minimum liveable unit sizes.

Additional Matters

- 96 Since publication of my s42A Report I have been made aware of the following errors:

- 96.1 The first error relates to HRZ-S4 (Boundary Setbacks). In my s42A Report I recommended that HRZ-S4 is amended so that the standard does not apply to developments of 1-3 household units with respect to the front yard set back requirements. However, a drafting error was made in Appendix A – High Density Residential Zone which meant the standard does not apply to front and side yard setbacks for developments of 1-3 household units.
- 96.2 I recommend that HRZ-S4 is amended in Appendix A to align with the recommendation in my s42A Report, Paragraph 549. I have made this change in Appendix 3 of my supplementary evidence.
- 96.3 The second error relates to HRZ-R14. This rule incorrectly references HRZ-P13 in the third matter of discretion. I recommend that this refers to MRZ-P12 instead. I have made this change in Appendix 3 of my supplementary evidence.

Date: 23/03/2023

Name: Joshua Patterson

Position: Principal Planning Advisor

Wellington City Council

Appendix 1: Property Economics

PROPERTY ECONOMICS



WELLINGTON PDP HEARING

STREAM 2 – RESIDENTIAL RESPONSE TO ECONOMIC EVIDENCE

Client: Wellington City Council

Project No: 52144

Date: March 2023

23 March 2023

ECONOMIC MEMORANDUM

To: **Josh Patterson**

Principal Policy Planner

Wellington City Council

Email : Joshua.Patterson6@wcc.govt.nz

RE: **Response to Kāinga Ora Economic Evidence Hearing 2**

INTRODUCTION

This brief Economic Memorandum responds to the economic evidence of Mr Michael Cullen (16th March 2023) for Kāinga Ora on the Residential hearing stream. This response specially deals with sections 4 ('Demand and Sufficiency') and section 8 ('The Supply Effect on Affordability') of Mr Cullen's evidence associated with issues raised regarding material provided by Property Economics.

Demand and Sufficiency

It would appear that the key issue raised (and the subsequent concerns) in this section of Mr Cullen's evidence relates to the level of 'realisable' capacity provided for under the WCC PDP and its ability to provide sufficiently for demand and address affordability. Several questions are raised in relation to sufficiency including:

1. A potential existing shortfall (or latent demand) of approximately 10,200 dwellings in Wellington City.
 2. A yield of 72% (or 93%) of realisable capacity to meet demand.
 3. Inconsistency between capacity figures of 62,979¹ and 50,000 (WCC HBA)
 4. Potential effect on affordability
-
1. Mr Cullen (paragraph 4.5) identifies what he believes is the signalling of a current shortfall in housing capacity within Wellington City, and points to the regional HBA as a source of this latent demand. Table 1 following identifies the source of these figures as a 25,000 regional shortfall and a 10,222 city relates to capacity numbers pre-HSAA (MDRS) and more importantly these figures relate to the ability for district plans to meet future, not current, demand.

Essentially, the 10,222 dwelling shortfall is a estimate of future (30-year) sufficiency within Wellington City under the PDP, this is not a current shortfall or existing latent demand. This potential misinterpretation ultimately pervades Mr Cullen's remaining issues.

¹ Statement of Evidence of Philip Osborne Table 1 Page 6

TABLE 1: GREATER WELLINGTON HBA SUFFICIENCY

Table 1.2: Housing sufficiency in the Greater Wellington urban environment

	Demand	Capacity	Difference	Sufficient?
Kāpiti Coast District	16,185	7,818	-8,367	No
Porirua City	13,978	16,511	2,533	Yes
Upper Hutt City	12,223	11,361	-862	No
Lower Hutt City	24,773	16,847	-7,926	No
Wellington City	36,621	26,399	-10,222	No
Region-wide	103,780	78,318	-25,462	No

- Clearly as identified above the stated 93% yield, in relation to realisable capacity, is not a potential position. In relation to 'yield' rates the process undertaken by Property Economics for Council has followed a process that continues to refine the potential capacity. As such a yield of 35,928 dwellings would represent only 46% (15% of plan enabled) of development potential that is enabled and results in a marketable return.

The position presented through the section 42A report and my evidence also removes QFM capacity and reducing 'realistic' capacity still further to 50,000 dwellings. It is important to note that while this figure represents capacity over 40% greater than demand over a 30-year period, the NPS-UD requires that Councils monitor and assess this position routinely over the medium and long term.

- Paragraph 4.11 of Mr Cullen's evidence a 'meaningful' difference between the 62,979 dwelling capacity identified in my evidence and the 50,000 identified in the section 42A report. While the Table in my evidence² identifies a realisable capacity of just under 63,000, points 2.13 to 2.18 of the same evidence then goes on to assess the impacts of QFM. Table 4 of this evidence summarises the impacts of the QFM (and demand reconciliation) and indicates a capacity of 49,876 with paragraph 2.18 mentioning a figure close to 50,000 dwellings. This illustrates the consistency across these figures.
- In terms of the impact on affordability Mr Cullen's paragraph 4.13 states that the 'small margin for error' is likely to result in an affordability issue. As identified above the basis for this statement is significantly different from the reality, with the 'slightly exceeding' capacity (paragraph 4.14) actually being at least 40% greater than the 30-year requirement (with feasible development nearly 100% greater than long term demand). The proposition from Mr Cullen that more will always result in cheaper housing is not necessarily the result.

² Statement of Evidence of Philip Osborne Table 1 Page 6

The Supply Effect on Affordability

In section 8 of his evidence Mr Cullen addresses affordability and the effect of increased supply on housing values. He raises 2 points including:

1. Enabling more housing will result in more affordable housing.
 2. The Kāinga Ora submission will increase dwelling capacity by 20% beyond the Council's position.
1. While the general economics of this statement from a total land area may make some sense, there are a number of factors that are important in the context of the NPS-UD. While sufficiency and the general level of capacity are important factors so too is the efficiency of the capacity provision. At its extreme simply 'more' residential capacity in any form comes with increasing economic costs.

Consideration must be had for the location of this provision, the community's (through Council) ability to fund servicing and the level of appropriate competition provided by increasing locational capacity. A topical concern is the increase of competitive residential development capacity that has the very real potential of redirecting growth from more appropriate locations and providing greater certainty for infrastructure provision.

2. In paragraph 8.5 Mr. Cullen states that he estimates that the Kāinga Ora submission would add around 20% to WCC provisions under the PDP. It is uncertain what form this 20% takes and what level is enabled, feasible, realizable or reconciled (including consideration of QFM). As such it is difficult to understand the potential impact of the Kainga Ora submission.

However, even with this potential 20% increase Mr. Cullen's previous positions have not suggested that there is any limit to this increase (or the associated benefits) either in quantum or location.

Additionally, the fact that the HBA does not suggest that there is a 10,222 current shortfall results in a residential development surplus under the Council's position considerably higher than that considered by Mr. Cullen.

Kind Regards

Philp Osborne


Signed:



Appendix 2: Tracked Changes to Medium Density Residential Zone Chapter

Note: Yellow highlighted changes are changes made after review of expert evidence.

Parts of this chapter have been notified using either a Part One Schedule 1 process (**P1 Sch1**), or as part of an Intensification Planning Instrument using the Intensification Streamlined Planning Process (**ISPP**). Please see notations.

Provisions in this chapter have immediate legal effect as they relate to the Medium Density Residential Standards. In accordance with In section 80H of the RMA, provisions that have legal effect are marked in this chapter with a gavel (). To see more about what legal effect means please click here.

He Rohe Kāinga Mātoru-Waenga

Medium Density Residential Zone

MRZ	Medium Density Residential Zone
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P1 Sch1

Introduction

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

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

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

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

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

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

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

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

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

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

MRZ-PREC01	Character Precincts
<p>The purpose of the Character Precincts is to provide for the management of effects on character values within specifically identified residential areas of the City.</p> <p>The Precincts are located within the City's older suburbs and are comprised of a range of older houses that are reflective of the historical development pattern of the City. The Precincts are generally in close proximity to the City Centre Zone and are anticipated to undergo a degree of change.</p> <p>The District Plan endeavours to balance the ongoing maintenance of character with the demands of future residential growth and change. The District Plan seeks to manage pre-1930 buildings within the Character Precincts where the concentration of coherent development defines and contributes to their distinct character and sense of place.</p> <p>The Character Precincts are located in the following suburbs:</p> <ul style="list-style-type: none"> • Berhampore; • Newtown; • Mt Cook; • Mt Victoria; • Aro Valley; and • Thorndon. <p>The Character Precincts do not seek to protect historic heritage values. While some areas may also be identified as heritage areas in the District Plan, the majority of the Character Precincts seek to identify existing concentrations of consistent character and prevent its further erosion. This character is a product of the architectural values of the dwellings in these areas, patterns of subdivision and the resultant streetscape. The Character Precincts have been identified and mapped based on the consistency and coherence of character of the houses in these areas.</p> <p>The particular characteristics of each Precinct are described in the Character Precincts Appendix to the Residential Design Guide.</p> <p>The land use activities rules for the Medium Density Residential Zone apply to the Character Precincts.</p> <p>The building and structure activities rules for the Medium Density Residential Zone do not apply to the Character Precincts. There are separate building and structure activities rules that apply within the Character Precincts.</p>	
MRZ-PREC02	Mt Victoria North Townscape Precinct
<p>Introduction</p> <p>The purpose of the Mt Victoria North Townscape Precinct is to provide for the management of townscape values within the Mt Victoria North area.</p> <p>The Mt Victoria North Townscape Precinct has been identified as important due to its high visibility and proximity to St Gerard's Monastery and the escarpment below. When viewed from the City Centre (and the waterfront) the houses, monastery and escarpment combine to form one of Wellington's most iconic urban landscapes.</p>	

The District Plan seeks to manage the design of new buildings and additions and alterations to existing buildings in this area. The controls are provided to ensure that new development is well designed, respects the predominant patterns of the area and the setting of St Gerard’s Monastery.

The Mt Victoria North Townscape Precinct does not seek to protect historic heritage values. While some parts of this Precinct may also be identified as heritage areas or buildings in the District Plan, this Precinct reflects the collective unique identity and townscape values present within the area. Similarly, this Precinct is separate from the Character Precincts which are identified due to the predominance of buildings constructed prior to 1930 and the contribution of those buildings to broader streetscape characteristics. While there are some sites within the Mt Victoria North Townscape Precinct which are also included in Character Precincts, the focus of these provisions is different. Townscape focuses on long-range views from public spaces, which differs from streetscape values which are enjoyed by those in the immediate streetscape, rather than from a long-range viewpoint. Streetscape values can contribute to townscape characteristics and values but are not the primary focus of the townscape precinct.

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

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

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

MRZ-PREC03	Oriental Bay Height Precinct
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Introduction

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

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

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


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

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

Other relevant District Plan provisions

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

Objectives

Medium Density Residential Zone		
ISPP	<p>MRZ-O1</p> 	<p>Purpose</p> <p>The Medium Density Residential Zone provides for predominantly residential activities and a variety of housing types and sizes that respond to:</p> <ol style="list-style-type: none"> 1. Housing needs and demand; and 2. The neighbourhood’s planned urban built character, including 3 storey buildings.
ISPP	<p>MRZ-O2</p>	<p>Efficient use of land</p> <p>Land within the Medium Density Residential Zone is used efficiently for residential development that:</p> <ol style="list-style-type: none"> 1. Increases housing supply and choice; and 2. Contributes positively to a changing and well-functioning urban environment.
P1 Sch1	<p>MRZ-O3</p>	<p>Healthy, safe, accessible and attractive environments</p> <p>The Medium Density Residential Zone provides healthy, safe and accessible living environments with attractive and safe streets.</p>
Character Precincts		
ISPP	<p>MRZ-PREC01-O1</p>	<p>Purpose</p> <p>Character Precincts are managed to:</p> <ol style="list-style-type: none"> 1. Minimise the further erosion of their character; 2. Provide for their ongoing use and development that maintains or enhances their character; and 3. Ensure development recognises and responds to the character values of the Precinct.
Mt Victoria North Townscape Precinct		
ISPP	<p>MRZ-PREC02-O1</p>	<p>Purpose</p> <p>The area around St Gerard’s Monastery in the northern portion of Mt Victoria and western portion of Oriental Bay is:</p> <ol style="list-style-type: none"> 1. Recognised as a townscape precinct; 2. Managed to maintain or enhance the iconic landscape setting and townscape values;

	<ol style="list-style-type: none"> 3. Developed in a manner that recognises and responds to the townscape values of the area; and 4. Enabled for its ongoing use and appropriate future development.
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Oriental Bay Height Precinct

ISPP

MRZ- PREC03-O1	<p>Purpose</p> <p>The Oriental Bay Height Precinct accommodates medium to high density residential development and a range of compatible non-residential activities at ground floor that maintain or enhance the unique qualities of the Precinct.</p>
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Policies

Medium Density Residential Zone


P1 Sch1



MRZ-P1	<p>Enabled activities</p> <p>Enable residential activities and other activities that are compatible with the purpose of the Medium Density Residential Zone, while ensuring their scale and intensity is consistent with the amenity values anticipated for the Zone, including:</p> <ol style="list-style-type: none"> 1. Home Business; 2. Boarding Houses; 3. Visitor Accommodation; 4. Supported Residential Care; 5. Childcare Services; and 6. Community Gardens.
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ISPP

MRZ-P2 	<p>Housing supply and choice</p> <p>Enable a variety of housing typologies with a mix of densities within the zone, including 3-storey attached and detached dwellings, and low-rise apartments.</p>
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ISPP


MRZ-P3 	<p>Housing needs</p> <p>Enable housing to be designed to meet the day-to-day needs of residents, <u>including by and encourageing</u> a variety of housing <u>types</u>, sizes and tenures to cater for people of all ages, lifestyles and <u>abilities-impairments</u>.</p>
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ISPP	<p>MRZ-P4</p> 	<p>Medium density residential standards</p> <p>Apply the medium density residential standards across the Medium Density Residential Zone except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga).</p>
ISPP	<p>MRZ-P5</p> 	<p>Developments not meeting permitted activity status</p> <p>Provide for developments not meeting permitted activity status, while encouraging high-quality developments.</p>
ISPP	<p>MRZ-P6</p>	<p>Multi-unit housing</p> <p>Provide for multi-unit housing where it can be demonstrated that the development:</p> <ol style="list-style-type: none"> 1. Fulfils the intent of the Residential Design Guide; 2. Provides a minimum area of private or shared outdoor living space that is sufficient to cater for the needs of future occupants; 3. Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development; and 4. Is able to be adequately serviced by three waters infrastructure or can address any constraints on the site.
P1 Sch1	<p>MRZ-P7</p>	<p>Retirement villages</p> <p>Provide for retirement villages where it can be demonstrated that the development where it is relevant:</p> <ol style="list-style-type: none"> 1. Fulfils the intent of the Residential Design Guide; 2. Includes outdoor space that is sufficient to cater for the needs of the residents of the village; 3. Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development; 4. Is able to be adequately serviced by three waters infrastructure or can address any constraints on the site; and 5. Is of an intensity, scale and design that is consistent with the amenity values anticipated for the Zone.
ISPP	<p>MRZ-P8</p>	<p>Residential buildings and structures</p>

		<p>Provide for a range of residential buildings and structures, including additions and alterations, that:</p> <ol style="list-style-type: none"> 1. Provide healthy, safe and accessible living environments; 2. Are compatible with the built environment anticipated in the Medium Density Residential Zone; 3. Contribute positively to a changing urban environment; and 4. Achieve attractive and safe streets. 5. Responds to the site context, particularly where it is located adjacent to a heritage building, heritage structure or heritage area, or character precinct.
ISPP	MRZ-P9	<p>Permeable surface</p> <p>-</p> <p>Require development to provide a minimum level of permeable surface to assist with reducing the rate and amount of storm water run-off.</p>
ISPP	MRZ-P409	<p>Vegetation and landscaping</p> <p>Encourage the retention of existing vegetation, particularly native vegetation and visually prominent trees that may not otherwise be protected, and where vegetation is proposed to be removed, seek new landscaping of equal or better quality to help integrate new development into the surrounding environment and minimise hard surfacing.</p>
ISPP	MRZ-P4110	<p>Attractive and safe streets and public open spaces</p> <p>Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.</p>
P1 Sch1	MRZ-P4211	<p>Roading capacity in the Spenmoor Street Area</p> <p>Only allow multi-unit housing where it can be demonstrated that the local roading network has the capacity to accommodate any increase in traffic associated with the new development, and that the safety and efficiency of the roading network will be maintained.</p>
ISPP	MRZ-P4312	<p>Tapu Te Ranga</p> <p>Facilitate the integrated development of the Tapu Te Ranga land in a manner that:</p>

		<ol style="list-style-type: none"> 1. Identifies and appropriately addresses any geo-technical and contamination issues; 2. Incorporates planting and landscaping to provide visual screening and integrate development into the surrounding environment; and 3. Fulfils the intent of the Residential Design Guide and Papakainga Design Guide where relevant and applicable.; and 4. <u>Supports the long-term development aspirations for the site including Nohokāinga/Papakāinga, Marae, Urupā extension, Kāinga, and community buildings.</u>
P1 Sch1	MRZ-P413	<p>Community gardens, urban agriculture and waste minimisation</p> <p>Encourage the development of community gardens, small-scale urban agriculture and circular approaches to the production and management of waste (particularly organic waste), while managing adverse effects.</p>
P1 Sch1	MRZ-P1514	<p>Non-residential activities and buildings</p> <p>Only allow non-residential activities and buildings that:</p> <ol style="list-style-type: none"> 1. Support the needs of local communities; 2. Are of an intensity, scale and design that is consistent with the amenity values anticipated for the Zone; 3. Contribute positively to the urban environment and achieve attractive and safe streets; 4. Reduce reliance on travel by private motor vehicle; 5. Maintain the safety and efficiency of the transport network; and 6. Are <u>able to be</u> adequately serviced by three waters infrastructure or can address any constraints on the site.; and 7. <u>Are integrated into residential developments where possible.</u>
Character Precincts		
ISPP	MRZ- PREC01-P1	<p>Maintenance of character</p> <p>Require new development, and alterations and additions to existing development in the Character Precincts, to have regard and respond positively to the character values of the Precinct, as identified in the relevant Character Precincts Appendix to the Residential Design Guide, and to:</p> <ol style="list-style-type: none"> 1. Maintain the continuity or coherence of the identified character values of the area; 2. Maintain the qualities and cohesiveness of the streetscape; 3. Respond positively to: <ol style="list-style-type: none"> a. The design, scale, height, setback, and massing of existing development; b. Any distinctive pattern of subdivision; and

		<ul style="list-style-type: none"> c. Its relationship to the street; 4. Ensure development is of a compatible form which contributes to the identified character values of the area; 5. Maintain: <ul style="list-style-type: none"> a. The relationship of built form to open space and landscape context; and b. The setting of the character areas where features such as mature trees and landform contribute to character values; 6. Enable the removal of additions and features that detract from the character of the Precinct; 7. Encourage maintenance and repair; and 8. Recover or reveal character values of buildings and features.
<p>ISPP</p>	<p>MRZ- PREC01-P2</p>	<p>Restrictions on demolition</p> <p>Only allow the demolition of pre-1930 buildings, including the demolition or removal of architectural features from the primary elevation of any pre-1930 building, where either:</p> <ul style="list-style-type: none"> 1. It can be demonstrated that the contribution of the building to the character of the area is low, with reference to: <ul style="list-style-type: none"> a. The level of visibility of the existing building from surrounding public spaces; b. Whether the building is consistent in form and style with other pre-1930 buildings that contribute positively to the character of the area; c. The extent to which the existing building retains its original <u>or pre-1930</u> design features relating to form, materials, and detailing and the extent to which those features have been modified; d. Whether the building is an integral part of a row of buildings that are consistent in form, scale, and siting; and e. Whether the building represents a rare or unique example of pre-1930 architecture; 2. The building is shown to be in poor condition, particularly in terms of: <ul style="list-style-type: none"> a. Its structural integrity, so that its retention is impractical or economically unviable; b. Whether the building presents a hazard; and c. Whether the building presents a risk to life in the event of an earthquake.
<p>ISPP</p>	<p>MRZ- PREC01-P3</p>	<p>Intensification</p> <p>Enable residential intensification within Character Precincts provided that it does not detract from the character and amenity of the Precinct in which it is located.</p>
<p>P1 Sch1</p>	<p>MRZ- PREC01-P4</p>	<p>On-going use and repair and maintenance</p> <p>Enable the on-going use, and repair and maintenance of buildings in Character Precincts.</p>

ISPP	MRZ- PREC01-P5	<p>Car parking and accessory buildings</p> <p>Design and locate car parking, garaging and accessory buildings to maintain and enhance the character of the Precinct.</p>
ISPP	MRZ- PREC01-P6	<p>Special features</p> <p>Encourage the retention of special features such as boundary walls, fences, paths, trees and plantings that contribute to the character of the Precinct. Where such features are proposed to be removed, consider appropriate mitigation to help integrate new development into the surrounding environment.</p>
Mt Victoria North Townscape Precinct		
P1 Sch1	MRZ- PREC02-P1	<p>Maintenance of townscape values</p> <p>Require new development to have regard to and respond positively to the townscape values of the Mt Victoria North Townscape Precinct, as identified in the relevant appendix to the Residential Design Guide, and to consider:</p> <ol style="list-style-type: none"> 1. The design, location, bulk, scale and height of any new development; 2. Landscaping, parking areas, vehicle manoeuvring and site access; and 3. The extent to which the development makes a positive contribution to the predominant pattern of development of the Mt Victoria North Townscape Precinct including building orientation, construction, style, and relationship to St Gerard's Monastery.
Oriental Bay Height Precinct		
P1 Sch1	MRZ- PREC03-P1	<p>Managing development</p> <p>Manage development in the Oriental Bay Height Precinct in a manner that recognises the unique characteristics and development potential of the Precinct.</p>
Rules: Land use activities in the Medium Density Residential Zone		
P1 Sch1	MRZ-R1	<p>Community gardens</p>
<p>1. Activity status: Permitted</p>		
ISPP	<p>MRZ-R2</p> 	<p>Residential activities, excluding retirement villages, supported residential care activities and boarding houses</p>
<p>1. Activity status: Permitted</p>		

P1 Sch1

	<p>Where:</p> <p>a. No more than three residential units occupy the site, except in MRZ-PREC03 where there is no limit.</p>		
	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with MRZ-R2.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> The matters in MRZ-P2, MRZ-P3, MRZ-P5 and MRZ-P6; For any site within the Spenmoor Street Area: the matters in MRZ-P2, MRZ-P3, MRZ-P5, MRZ-P6 and MRZ-P12P11; and For the Tapu Te Ranga land: the matters in MRZ-P2, MRZ-P3, MRZ-P5, MRZ-P6 and MRZ-P13P12. <p>Notification status: An application for resource consent made in respect of rule MRZ-R2.2.a is precluded from being either publicly or limited notified.</p>		
	<table border="1" style="width: 100%;"> <tr> <td style="width: 30%;">MRZ-R3</td> <td>Home business</td> </tr> </table>	MRZ-R3	Home business
MRZ-R3	Home business		
	<p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> The site is occupied by a residential building and used for residential activities by the person or persons living on the site as their principal place of residence; No more than four people in total work in the home business at any one time, and the maximum number of people on site associated with the home business does not exceed 10 people at any one time; No more than one third of the total gross floor area of all buildings on the site is used for home business activities; Activities do not create a dust nuisance; The home business does not involve the use of trucks or other heavy vehicles; The home business does not include the repair, alteration, restoration or maintenance of motor vehicles or internal combustion engines, or the spray painting of motor vehicles, excluding the residents' motor vehicles; Any external storage of materials associated with the home business must be screened so they are not visible from outside the site; and No retailing must be conducted on the site, except: <ol style="list-style-type: none"> goods retailed online and do not result in customer visits to the site, or goods ancillary and related to a service provided by the home business. 		
	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of MRZ-R3.1 cannot be achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> The extent and effects of non-compliance with any requirement not met; and The extent to which the intensity and scale of the activity adversely impacts on the amenity values of nearby residential properties and the surrounding neighbourhood. <p>Notification status: An application for resource consent made in respect of rule MRZ-R3.2.a is precluded from being publicly notified.</p>		

P1 Sch1

	MRZ-R4	Supported residential care activities
		<p>1. Activity status: Permitted</p> <p>Where:</p> <p style="padding-left: 20px;">a. The maximum occupancy does not exceed 10 residents.</p>
		<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p style="padding-left: 20px;">a. Compliance with MRZ-R4.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <p style="padding-left: 20px;">1. The extent to which the intensity and scale of the activity adversely impacts on the amenity values of nearby residential properties and the surrounding neighbourhood.</p> <p>Notification status: An application for resource consent made in respect of rule MRZ-R4.2.a is precluded from being publicly notified.</p>

P1 Sch1

	MRZ-R5	Boarding houses
		<p>1. Activity status: Permitted</p> <p>Where:</p> <p style="padding-left: 20px;">a. The maximum occupancy does not exceed 10 guests per night.</p>
		<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p style="padding-left: 20px;">a. Compliance with MRZ-R5.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <p style="padding-left: 20px;">1. The extent to which the intensity and scale of the activity may adversely impact on the amenity values of nearby residential properties and the surrounding neighbourhood.</p> <p>Notification status: An application for resource consent made in respect of rule MRZ-R5.2.a is precluded from being publicly notified.</p>

P1 Sch1

	MRZ-R6	Visitor accommodation
		<p>1. Activity status: Permitted</p> <p>Where:</p> <p style="padding-left: 20px;">a. The maximum occupancy does not exceed 10 guests per night.</p>
		<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p style="padding-left: 20px;">a. Compliance with MRZ-R6.1.a cannot be achieved.</p>

P1 Sch1

Matters of discretion are:
<ol style="list-style-type: none"> The extent to which the intensity and scale of the activity may adversely impact on the amenity values of nearby residential properties and the surrounding neighbourhood. <p>Notification status: An application for resource consent made in respect of rule MRZ-R6.2.a is precluded from being publicly notified.</p>

MRZ-R7	Childcare services
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1. Activity status: Permitted
Where:
<ol style="list-style-type: none"> The maximum number of children who are not normally resident on the site does not exceed 10; and The hours of operation are between 7.00am and 7.00pm, Monday to Friday.

2. Activity status: Restricted Discretionary
Where:
<ol style="list-style-type: none"> Compliance with MRZ-R7.1.a or MRZ-R7.1.b cannot be achieved. <p>Matters of discretion are:</p> <ol style="list-style-type: none"> The extent to which the intensity and scale of the activity may adversely impact on the amenity values of nearby residential properties and the surrounding neighbourhood. <u>The extent to which childcare facilities are integrated into residential development.</u> <p>Notification status: An application for resource consent made in respect of rule MRZ-R7.2.a is precluded from being publicly notified.</p>

P1 Sch1

MRZ-R8	Retirement village
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1. Activity status: Restricted Discretionary
Matters of discretion are:
<ol style="list-style-type: none"> The matters in MRZ-P2, MRZ-P3 and MRZ-P7. <p>Notification status: An application for resource consent made in respect of rule MRZ-R8.1 is precluded from being publicly notified.</p>

P1 Sch1

MRZ-R9	Community facility, health care facility, emergency facility, educational facility (excluding child care services)
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1. Activity status: Restricted Discretionary
Matters of discretion are:
<ol style="list-style-type: none"> The matters in MRZ-P15<u>P14</u>. <p>Notification status: An application for resource consent made in respect of rule MRZ-R9.1 is precluded from being publicly notified.</p>

P1 Sch1

MRZ-R10	All other activities
<p>1. Activity status: Discretionary</p> <p>Where:</p> <p>a. The activity is not otherwise provided for as a permitted, restricted discretionary or non-complying activity.</p>	
<p>Rules: Building and structures activities in the Medium Density Residential Zone, excluding the Character Precincts, Mount Victoria North Townscape Precinct, and the Oriental Bay Height Precinct</p>	

ISPP

MRZ-R11	Maintenance and repair of buildings and structures
<p>1. Activity status: Permitted</p>	

ISPP

MRZ-R12	Demolition or removal of buildings and structures
<p>1. Activity status: Permitted</p>	

ISPP

MRZ-R13	Construction, addition or alteration of buildings and structures where no more than three residential units occupy the site
<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance with the following standards is achieved:</p> <ul style="list-style-type: none"> i. MRZ-S1; ii. MRZ-S3; iii. MRZ-S4 only in relation to the rear yard boundary setback; iv. MRZ-S5; v. MRZ-S6; vi. MRZ-S7; vii. MRZ-S8; <u>and</u> viii. MRZ-S9; and ix. MRZ-S10 	
<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of MRZ-R13.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <ul style="list-style-type: none"> 1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard; and 2. The matters in MRZ-P2, MRZ-P3, MRZ-P4, MRZ-P5, MRZ-P8, MRZ-P9, MRZ-P10<u>P9</u> and MRZ-P11<u>P10</u>; <u>and</u> 3. <u>The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.</u> <p>Notification status:</p>	

An application for resource consent made in respect of rule MRZ-R13.2.a which results from non-compliance with MRZ-S1, MRZ-S3, MRZ-S4 or MRZ-S5 is precluded from being publicly notified.

An application for resource consent made in respect of rule MRZ-R13.2.a which results from non-compliance with MRZ-S6, MRZ-S7, MRZ-S8, or MRZ-S9 ~~or MRZ-S10~~ is precluded from being either publicly or limited notified.

ISPP

MRZ-R14

Construction of buildings or structures for multi-unit housing or a retirement village

1. Activity status: **Restricted Discretionary**

Matters of discretion are restricted to:

1. The extent and effect of non-compliance with any of the follow standards as specified in the associated assessment criteria for any infringed standard:
 - i. MRZ-S2;
 - ii. MRZ-S3;
 - iii. MRZ-S4;
 - iv. ~~MRZ-S5;~~
 - v. MRZ-~~S12~~S11 for multi-unit housing only;
 - vi. MRZ-~~S13~~S12 for multi-unit housing only; and
 - vii. MRZ-~~S14~~S13 for multi-unit housing only; and
2. The matters in MRZ-P2, MRZ-P3, MRZ-P5, MRZ-P6 (For multi-unit housing only), MRZ-P7 (For retirement villages only), MRZ-P8, MRZ-~~P10~~P9 and MRZ-~~P14~~P10.

Notification status: An application for resource consent made in respect of rule MRZ-R14.1 is precluded from being publicly notified.

An application for resource consent made in respect of rule MRZ-R14.1 that complies with all relevant standards is also precluded from being limited notified.

An application for resource consent made in respect of rule MRZ-R14.1 that complies with MRZ-S2, MRZ-S3, MRZ-S4, but does not comply with one or more of the other relevant standards is also precluded from being limited notified.

ISPP

MRZ-R15

Fences and standalone walls

1. Activity status: **Permitted**

Where:

- a. Compliance with MRZ-~~S11~~S10 achieved.

2. Activity status: **Restricted Discretionary**

Where:

- a. Compliance with any of the requirements of MRZ-R15.1.a cannot be achieved.

Matters of discretion are:

1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard; and
2. The matters in MRZ-P8 and MRZ-~~P14~~P10.

P1 Sch1

Notification status: An application for resource consent made in respect of rule MRZ-R15.2.a is precluded from being publicly notified.

MRZ-R16

Buildings and structures on or over a legal road

1. Activity Status: Permitted

Where:

a. It is a retaining wall of 1.5m in height, or less, above ground level.

2. Activity status: **Restricted Discretionary**

Where:

1. Compliance with the requirement of MRZ-R16.1.a cannot be achieved.

Matters of discretion are:

1. Streetscape and visual amenity effects;
2. Dominance, privacy and shading effects on adjoining properties;
3. Maintaining safe access and safety for road users, including pedestrians;
4. The matters in MRZ-P8, MRZ-~~P10P9~~ and MRZ-~~P11P10~~; and
5. Maintaining the ability for emergency services, including fire appliances, to access the property for firefighting purposes.

Notification status: An application for resource consent made in respect of rule MRZ-R16.1 is precluded from being publicly notified.

P1 Sch1

MRZ-R17

Construction of any other building or structure, including additions and alterations

1. Activity status: **Permitted**

Where:

a. Compliance with the following standards is achieved:

- i. MRZ-S2;
- ii. MRZ-S3;
- iii. MRZ-S4;
- iv. MRZ-S5;
- v. MRZ-S6;
- vi. MRZ-~~S12S11~~;
- vii. MRZ-~~S13S12~~; and
- viii. MRZ-~~S14S13~~.

2. Activity status: **Restricted Discretionary**

Where:

a. Compliance is not achieved with any of the requirements of MRZ-R17.1.a cannot be achieved.

Matters of discretion are:

1. The extent and effect of non-compliance with any relevant standard as specified in the

	<p>associated assessment criteria for the infringed standard;</p> <ol style="list-style-type: none"> The matters in MRZ-P9, MRZ-P10P9; MRZ-P11P10 and MRZ-P15P14; and The matters in MRZ-P6, MRZ-P7 and MRZ-P8 for additions and alterations to multi-unit-housing or a retirement village. <p>Notification status: An application for resource consent made in respect of rule MRZ-R17.2.a is precluded from being publicly notified.</p> <p><u>An application for resource consent made in respect of rule MRZ-R17.2.a and complies with standards MRZ-S2 and MRZ-S3 is precluded from being limited or publicly notified.</u></p>	
	<p>Rules: Building and structure activities in the Character Precincts (MRZ-PREC01)</p>	
ISPP	<p>MRZ-PREC01-R1</p>	<p>Maintenance and repair of buildings and structures</p>
	<p>1. Activity status: Permitted</p>	
ISPP	<p>MRZ-PREC01-R2</p>	<p>Construction, addition, and alteration of accessory buildings</p>
	<p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> The accessory building is not located between the road boundary and the primary elevation of a residential building on the site; and Compliance with the following standards is achieved: <ol style="list-style-type: none"> MRZ-S3; MRZ-S4 only in relation to the rear yard boundary setback; MRZ-S5; <u>and</u> MRZ-S10; <u>and</u> MRZ-PREC01-S2. 	
	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> Compliance with any of the requirements of MRZ-PREC01-R2.1.a or MRZ-PREC01-R2.1.b cannot be achieved. <p>Matters of discretion are:</p> <ol style="list-style-type: none"> The extent and effect of non-compliance with the standard as specified in the associated assessment criteria for the infringed standard; The matters in MRZ-PREC01-P1, MRZ-PREC01-P5, MRZ-PREC01-P6; and The Residential Design Guide Character Precincts Appendix. <p>Notification status: An application for resource consent made in respect of rule MRZ-PREC01-R2.2.a is precluded from being publicly notified.</p>	
ISPP	<p>MRZ-PREC01-R3</p>	<p>Demolition or removal of buildings and structures, <u>except those buildings addressed in MRZ-PREC01-R4</u></p>
	<p>1. Activity status: Permitted</p>	

ISPP

MRZ- PREC01-R4	Demolition of any building or part of any building, excluding accessory buildings, constructed prior to 1930
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1. Activity status: **Restricted Discretionary**

Matters of discretion are:

1. The matters contained in MRZ-PREC01-P2.

ISPP

MRZ- PREC01-R5	Construction, addition or alteration of any buildings or structures, excluding accessory buildings
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1. Activity status: **Restricted Discretionary**

Matters of discretion are:

1. The extent and effect of non-compliance with any of the following standards as specified in the associated assessment criteria for the infringed standard:

- i. MRZ-S1;
- ii. MRZ-S3;
- iii. MRZ-S4 only in relation to the rear yard boundary setback;
- iv. MRZ-S5;
- v. MRZ-S6;
- vi. MRZ-S7;
- vii. MRZ-S8;
- viii. MRZ-S9;
- ix. ~~MRZ-S10~~;
- x. MRZ-~~S12~~S11 for multi-unit housing;
- xi. MRZ-~~S13~~S12 for multi-unit housing; and
- xii. MRZ-~~S14~~S13 for multi-unit housing; and

2. The matters in MRZ-PREC01-P1, MRZ-PREC01-P3, MRZ-PREC01-P6;

3. The Residential Design Guide Character Precincts Appendix; and

4. The matters in MRZ-P6 for multi-unit housing.

Notification status: An application for resource consent made in respect of rule MRZ-PREC01-R5.1 is precluded from being publicly notified.

ISPP

MRZ- PREC01-R6	Fences and standalone walls
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1. Activity status: **Permitted**

Where:

a. Compliance with MRZ-PREC01-S1 is achieved.

2. Activity status: **Restricted Discretionary**

Where:

a. Compliance with the requirements of MRZ-PREC01-R6.1.a cannot be achieved.

Matters of discretion are:

1. The extent and effect of non-compliance with any relevant standard as specified in the

	<p>associated assessment criteria for the infringed standard.</p> <p>Notification status: An application for resource consent made in respect of rule MRZ-PREC01-R6.2.a is precluded from being publicly notified.</p>	
P1 Sch1	MRZ-PREC01-R7	Buildings and structures on or over a legal road
	<p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Streetscape, visual amenity and character effects; Dominance, privacy and shading effects on adjoining properties; and Maintaining safe access and safety for road users, including pedestrians. 	
	<p>Rules: Building and structure activities in the Mount Victoria North Townscape Precinct (MRZ-PREC02)</p>	
ISPP	MRZ-PREC02-R1	Maintenance and repair of buildings and structures
	<p>1. Activity status: Permitted</p>	
ISPP	MRZ-PREC02-R2	Demolition or removal of buildings and structures
	<p>1. Activity status: Permitted</p>	
ISPP	MRZ-PREC02-R3	Construction, addition or alteration of any buildings or structures
	<p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> The extent and effect of non-compliance with any of the following standards as specified in the associated assessment criteria for the infringed standard: <ol style="list-style-type: none"> MRZ-S1; MRZ-S3; MRZ-S4 only in relation to the rear yard boundary setback; MRZ-S5; MRZ-S6; MRZ-S7; MRZ-S8; MRZ-S9; MRZ-S10; MRZ-S12S11 for multi-unit housing; MRZ-S13S12 for multi-unit housing; and MRZ-S14S13 for multi-unit housing; and The matters in MRZ-PREC02-P1; The Residential Design Guide Mt Victoria North Townscape Precinct Appendix; and The matters in MRZ-P6 for multi-unit housing. <p>Notification status: An application for resource consent made in respect of rule MRZ-PREC02-R3.1 is precluded from being publicly notified.</p>	

ISPP

MRZ- PREC02-R4	Fences and standalone walls
	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance with MRZ-S11S10 is achieved.</p>
	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of MRZ-PREC02-R4.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard.</p> <p>Notification status: An application for resource consent made in respect of rule MRZ-PREC01-R5.2.a is precluded from being publicly notified.</p>

P1 Sch1

MRZ- PREC02-R5	Buildings and structures on or over a legal road
	<p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are:</p> <p>1. Streetscape, visual amenity and townscape effects; 2. Dominance, privacy and shading effects on adjoining properties; and 3. Maintaining safe access and safety for road users, including pedestrians.</p>
Rules: Building and structure activities in the Oriental Bay Height Precinct (MRZ-PREC03)	

ISPP

MRZ- PREC03-R1	Maintenance and repair of buildings and structures
	<p>1. Activity status: Permitted</p>

ISPP

MRZ- PREC03-R2	Demolition or removal of buildings and structures
	<p>1. Activity status: Permitted</p>

ISPP

MRZ- PREC03-R3	Additions or alterations to existing buildings, structures or accessory buildings
	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The additions or alterations are to existing buildings three storeys or less in height</p>

ISPP

(including garaging), provided that the works do not increase the height of the building above the existing highest point of the building and compliance is achieved with MRZ-PREC03-S1 and MRZ-PREC03-S2; or

- b. The additions or alterations do not alter the external appearance of the building, structure or accessory building; or
- c. The additions or alterations are not visible from public places; or
- d. The additions or alterations do not require an application for building consent.

For the purpose of this rule chimneys, flues, ventilation shafts, aerials, satellite dishes less than 1 metre in diameter, spires, flagpoles, or other decorative features shall be excluded from the measurement of the highest point.

MRZ-PREC03-R4	Construction, alteration or addition to buildings, structures or accessory buildings that are not Permitted Activities
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1. Activity status: **Restricted Discretionary**

Where:

- a. Compliance is achieved with MRZ-PREC03-S1, MRZ-PREC03-S2, MRZ-PREC03-S3, MRZ-PREC03-S4 and MRZ-PREC03-S5.

Matters of discretion are:

- 1. Design (including building bulk, height, and scale), external appearance and siting; and
- 2. The Residential Design Guide.

Notification status: An application for resource consent made in respect of rule MRZ-PRE03-R4.1.a is precluded from being publicly being publicly or limited notified.

2. Activity status: **Restricted Discretionary**

Where:

- a. Compliance with any of the requirements of MRZ-PREC03-S4 or MRZ-PREC03-S5 cannot be achieved.

Matters of discretion are:

- 1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard.

Notification status: An application for resource consent made in respect of rule MRZ-PRE03-R4.2.a is precluded from being publicly being publicly or limited notified.

3. Activity status: **Non-complying**

Where:

- a. Compliance with any of the requirements of MRZ-PREC03-S1, MRZ-PREC03-S2 or MRZ-PREC03-S3 cannot be achieved.

ISPP

MRZ-PREC03-R5	Fences and standalone walls
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1. Activity status: **Permitted**

Where:

	<p>a. Compliance with MRZ-PREC-03-S6 MRZ-OBPH-S6 is achieved.</p>
	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with MRZ-PREC-03-S6MRZ-OBPH-S6 is not achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> Streetscape and visual amenity effects; and Dominance and shading effects on adjoining properties. <p>Notification status: An application for resource consent made in respect of rule MRZ-PREC03-R5.2.a is precluded from being publicly notified.</p>


P1 Sch1

MRZ-PREC03-R6	Buildings and structures on or over a legal road
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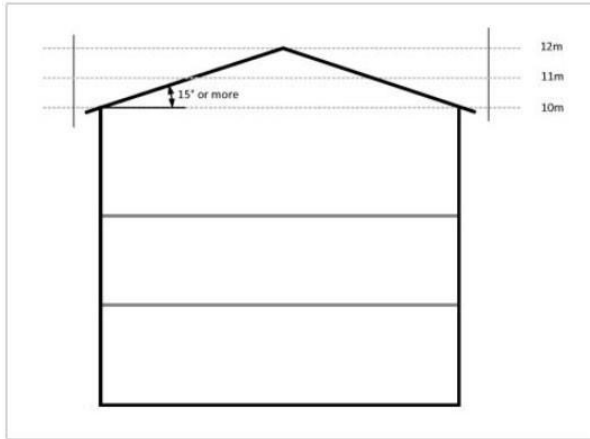
	<p>1. Activity status: Restricted Discretionary</p> <p>Where: <u>Matters of discretion are:</u></p> <ol style="list-style-type: none"> Streetscape and visual amenity effects; Dominance, privacy and shading effects on adjoining properties; Maintaining safe access and safety for road users, including pedestrians; and The matters in MRZ-P8, MRZ-P10P9, MRZ-P14P10 and MRZ-PREC03-P1. <p>Notification status: An application for resource consent made in respect of rule MRZ-PREC03-R6.1 is precluded from being publicly notified.</p>
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Standards

ISPP

MRZ-S1 	<p>Building height control 1:</p> <ol style="list-style-type: none"> Where no more than three residential units occupy the site; or For the construction, addition or alteration of any buildings or structures in a Character Precinct or Mount Victoria North Townscape Precinct.
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- Buildings and structures must not exceed 11 metres in height above ground level, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed the heights above by 1 metre, where the entire roof slopes 15° or more, as shown in Diagram 1 below:



Assessment criteria where the standard is infringed:

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

This standard does not apply to:

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

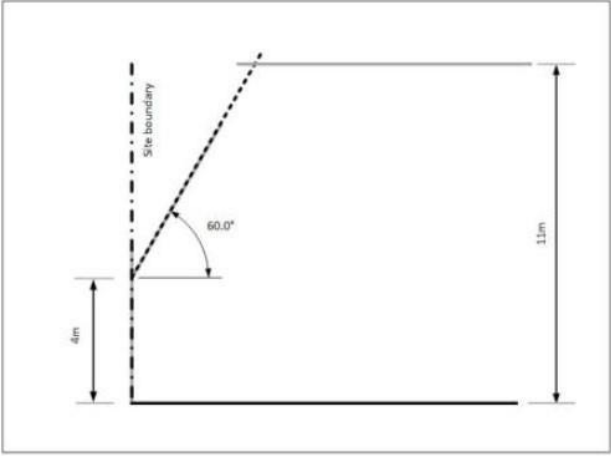
ISPP

<p>MRZ-S2</p>	<p>Building height control 2:</p> <ol style="list-style-type: none"> For multi-unit housing or a retirement village: or Other buildings and structures.
<p>1. Buildings and structures must not exceed the following heights above ground level as identified on the District Plan maps:</p>	
<p>Location</p>	<p>Limit</p>
<p>a. Height Area 1</p>	<p>11m, <u>except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 meter, where the entire roof slopes 15° or more.</u></p>
<p>b. Height Area 2</p>	<p>14m</p>
<p>This standard does not apply to:</p> <ol style="list-style-type: none"> Fences or standalone walls; 	

Assessment Criteria where the standard is infringed:





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

ISPP

<p>b. Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; and</p> <p>c. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m.</p>	
<p>MRZ-S3</p>	<p>Height in relation to boundary</p>
<p>1. For any site where MRZ-S1 or MRZ-S2.1.a applies: no part of any building or structure may project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown in Diagram 2 below</p>  <p>;</p> <p>2. For any site where MRZ-S2.1.b applies: no part of any building or structure may project beyond a 60° recession plane measured from a point 5 metres vertically above ground level along all boundaries; and</p> <p>3. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. A boundary with a road; b. Existing or proposed internal boundaries within a site; and c. Site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed. d. <u>Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; and</u> e. <u>Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not</u> 	<p>Assessment Criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. Streetscape and visual amenity effects; 2. Dominance, privacy and shading effects on adjoining sites; and 3. Effects on the function and associated amenity values of any adjacent open space and recreation zone.

exceed the height by more than 1m measured vertically.


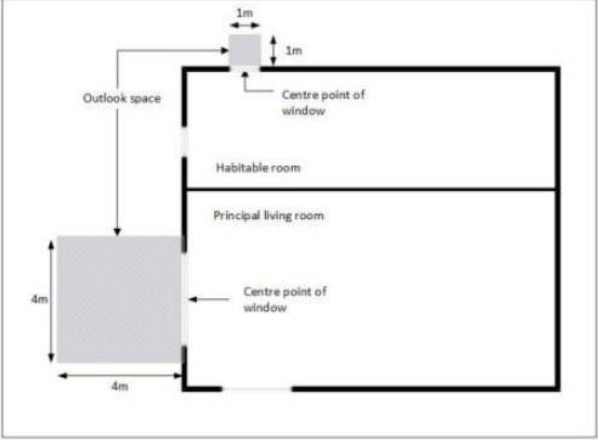
ISPP

<p>MRZ-S4</p>	<p>Boundary setbacks</p>
<p>1. Buildings and structures must be set back from the relevant boundary by the minimum depth listed in the yards table below:</p>	
<p>Yard</p>	<p>Minimum depth</p>
<p>Front</p>	<p>1.5 metres</p>
<p>Side</p>	<p>1 metre</p>
<p>Rear </p>	<p>1 metre (excluded on corner sites) </p>
<p><u>Rail corridor boundary</u></p>	<p><u>1.5m</u></p>
<p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. Site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed; and b. Fences or standalone wall-; c. <u>Uncovered decks and uncovered structures no more than 1m in height above ground level (except in relation to the rail corridor boundary, where it does apply); and</u> d. <u>Eaves up to 1m in width (except in relation to the rail corridor boundary, where it does apply).</u> 	
<p>MRZ-S5 </p>	<p>Building coverage</p>
<p>1. Maximum building coverage must not exceed 50% of the net site area.</p>	
<p><u>This standard does not apply to:</u></p> <ul style="list-style-type: none"> 1. <u>Uncovered decks and uncovered structures no more than 1m in height above ground level; and</u> 2. <u>Eaves up to 1m in width;</u> 3. <u>Multi-unit housing; and</u> 4. <u>Retirement villages.</u> 	
<p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. Streetscape and visual amenity effects; and 2. Dominance, privacy and shading effects on adjoining sites. 	
<p>MRZ-S6 </p>	<p>Outdoor living space (per unit)</p>
<p>1. A residential unit at ground floor level must have an outdoor living space that is at least 20 square metres and that comprises ground floor, balcony, patio, or roof terrace space that:</p> <ul style="list-style-type: none"> a. Where located at ground level, has no dimension less than 3 metres; b. Where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 	
<p>Assessment criteria where the standard is infringed:</p> <p>The extent to which:</p> <ul style="list-style-type: none"> 1. The design of the proposed outdoor living space provides a good standard of amenity; 2. Other on-site factors compensate for 	

ISPP

ISPP

<ul style="list-style-type: none"> i. grouped cumulatively by area in 1 communally accessible location; or ii. located directly adjacent to the unit; and <p>e. Is free of buildings, parking spaces, and servicing and maneuvering areas.</p> <p>2. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:</p> <ul style="list-style-type: none"> a. Is at least 8 square metres and has a minimum dimension of 1.8 metres; b. Is accessible from the residential unit; and c. May be: <ul style="list-style-type: none"> i. grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or ii. located directly adjacent to the unit. <p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. Multi-unit housing; and b. Retirement villages. 	<p>in proximity to the site.</p>
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ISPP	MRZ-S7 	Outlook space (per unit)
	<p>1. An outlook space must be provided for each residential unit as specified in this standard;</p> <p>2. An outlook space must be provided from habitable room windows as shown in Diagram 3 below;</p>  <p>3. The minimum dimensions for a required outlook space are as follows:</p> <ol style="list-style-type: none"> A principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and All other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width; <p>4. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies;</p> <p>5. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space;</p> <p>6. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building;</p> <p>7. Outlook spaces may be under or over a balcony;</p> <p>8. Outlook spaces required from different rooms within the same building may overlap; and</p> <p>9. Outlook spaces must:</p> <ol style="list-style-type: none"> Be clear and unobstructed by buildings; and Not extend over an outlook space or outdoor living space required by another dwelling. <p>This standard does not apply to:</p> <ol style="list-style-type: none"> Multi-unit housing; and Retirement villages. 	<p>Assessment criteria where the standard is infringed:</p> <p>The extent to which:</p> <ol style="list-style-type: none"> Acceptable levels of natural light are provided to habitable rooms; and The design of the proposed unit provides a healthy living environment.

ISPP

MRZ-S8 	Windows to street
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<p>1. 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.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. Multi-unit housing; and b. Retirement villages. 	<p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. Streetscape and visual amenity effects; and 2. Passive surveillance and safety.
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ISPP

MRZ-S9 	Landscaped area
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<p>1. 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; and</p> <p>2. The landscaped area may be located on any part of the site, and does not need to be associated with each residential unit.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. Multi-unit housing; and b. Retirement villages. 	<p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. Streetscape and visual amenity effects; and 2. Hard surfacing is minimised as far as practicable.
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ISPP

MRZ-S10	Permeable surface area
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<p>1. A minimum of 30% of the net site area must be permeable surface.</p> <p>This standard does not apply to:</p> <p>-</p> <ul style="list-style-type: none"> a. Multi-unit housing; and b. Retirement villages. 	<p>Assessment criteria where the standard is infringed:</p> <p>-</p> <ul style="list-style-type: none"> 1. Any measures used to mitigate stormwater runoff; and 2. The capacity of, and effects on, the stormwater network.
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ISPP

MRZ-S11	Fences and standalone walls
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<p>1. Any fence or standalone wall, or combination of these structures, must not exceed:</p> <ul style="list-style-type: none"> a. <u>Exceed a</u> maximum height of 2m above ground level where within 1m of any side or rear boundary; b. <u>Obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.</u> <p>2. On a front boundary or in a front boundary setback any fence or standalone wall, or combination of these structures, must not exceed:</p> <ul style="list-style-type: none"> a. <u>Exceed a</u> maximum height of 2m above ground level; and b. Any part of a fence or standalone wall above 1.2m in height must be 50% visually transparent for its entire length, as shown in Diagram 4 below. c. <u>Obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.</u> <div data-bbox="256 925 826 1032" data-label="Diagram"> </div> <p>3. <u>On a boundary with a site zoned open space or a boundary adjoining public space, including public accessways, or within 1m of either of these boundaries, any fence or standalone wall, or combination of these structures, must not:</u></p> <ul style="list-style-type: none"> a. <u>Exceed a maximum height of 2m above ground level; and</u> b. <u>Any part of a fence or standalone wall above 1.5m in height must be 50% visually transparent for its entire length.</u> c. <u>Obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.</u> <p>MRZ-S14<u>S10</u>.2 does not apply to a State Highway.</p>	<p>Assessment Criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. Streetscape and visual amenity effects; and 2. Dominance and shading effects on adjoining properties.
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ISPP

<p>MRZ-S12<u>S11</u></p>	<p>Minimum residential unit size for multi-unit housing</p>						
<p>1. Residential units, including any dual key unit, must meet the following minimum sizes:</p> <table border="1" data-bbox="240 1798 922 1989"> <thead> <tr> <th>Residential Unit Type</th> <th>Minimum Net Floor Area</th> </tr> </thead> <tbody> <tr> <td>a. Studio unit</td> <td>35m²</td> </tr> <tr> <td>b. 1 bedroom unit</td> <td>40m²</td> </tr> </tbody> </table>	Residential Unit Type	Minimum Net Floor Area	a. Studio unit	35m ²	b. 1 bedroom unit	40m ²	<p>Assessment criteria where the standard is infringed:</p> <p>The extent to which:</p> <ul style="list-style-type: none"> 1. The design of the proposed unit provides a good standard of amenity; and 2. Other on-site factors compensate for a
Residential Unit Type	Minimum Net Floor Area						
a. Studio unit	35m ²						
b. 1 bedroom unit	40m ²						

ISPP

c. 2+ bedroom unit	55m ²	reduction in unit sizes.
	MRZ- S13S12	Outdoor living space for multi-unit housing
<ol style="list-style-type: none"> Each residential unit, including any dual key unit, must be provided with either a private outdoor living space or access to a communal outdoor living space; Where private outdoor living space is provided it must be: <ol style="list-style-type: none"> For the exclusive use of residents; Directly accessible from a habitable room; A single contiguous space; and Of the minimum area and dimension specified in the table below; Where communal outdoor living space is provided it does not need to be in a single continuous space but it must be: <ol style="list-style-type: none"> Accessible from the residential units it serves; Of the minimum area and dimension specified in the table below; and Free of buildings, parking spaces, and servicing and maneuvering areas. 		<p>Assessment criteria where the standard is infringed:</p> <p>The extent to which:</p> <ol style="list-style-type: none"> Any proposed outdoor living space provides a good standard of amenity relative to the number of occupants the space is designed for; Other on-site factors compensate for a reduction in the size or dimension of the outdoor living space; and The availability of public open space in proximity to the site.
Living Space Type	Minimum area	Minimum Dimension
a. Private		
i. Studio unit and 1-bedroom unit	5m ²	1.8m
ii. 2+ bedroom unit	8m ²	1.8m
b. Communal		
i. For every 4 -155 units	4064 m ²	8m
ii. <u>For each additional unit above 15 units</u>	<u>2m²</u>	=
<u>Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space.</u>		

ISPP

	MRZ- S14S13	Outlook space for multi-unit housing
<ol style="list-style-type: none"> All habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width; and The outlook space must meet the requirements set out MRZ-S7. 		<p>Assessment criteria where the standard is infringed:</p> <p>The extent to which:</p> <ol style="list-style-type: none"> Acceptable levels of natural light are provided to habitable rooms; and The design of the proposed unit provides a healthy living environment.

Standards - Character Precincts (MRZ-PREC01)

ISPP

**MRZ-
PREC01-S1**

Fences and standalone walls

1. Any fence or standalone wall, or combination of these structures, must not exceed a maximum height of 2m above ground level within 1m of any site boundary.

Except that:

a. Any fence or standalone wall, or combination of these structures along a road boundary, must not exceed a maximum height of 1m above ground level within 1m of the boundary.

Assessment criteria where the standard is infringed:

1. Dominance and shading effects on adjoining properties; and
2. Streetscape, visual amenity and character effects.

ISPP

**MRZ-
PREC01-S2**

Maximum height of an accessory building

1. Any accessory building must not exceed a maximum height of 3.5m above ground level.

Assessment criteria where the standard is infringed:

1. Streetscape, visual amenity and character effects.

Standards - Oriental Bay Height Precinct (MRZ-PREC03)

ISPP

**MRZ-
PREC03-S1**

Boundary setbacks

1. No boundary setbacks except:

- a. For 282-300 Oriental Parade a minimum 1 metre rear boundary setback is required; and
- b. For 232-234 Oriental Parade a minimum 6 metre rear boundary setback is required.

Assessment criteria where the standard is infringed:

1. Dominance, privacy and shading effects on adjoining sites.

ISPP

**MRZ-
PREC03-S2**

Height in relation to boundary

1. No height in relation to boundary except on boundaries with adjacent residential properties that are located outside the Oriental Bay Height Precinct; and
2. Where a boundary is adjacent to a residential property located outside the Oriental Bay Height Precinct, the height in relation to boundary standard of the underlying zone of the adjacent residential property will apply.

Assessment criteria where the standard is infringed:

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

ISPP

**MRZ-
PREC03-S3**

Maximum height

<p>1. Buildings, structures and accessory buildings must not exceed the maximum heights shown on the Oriental Bay Height Precinct Map, except for 20A Oriental Terrace where the maximum height must not be exceeded by more than 20%.</p>	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. Streetscape and visual amenity effects; 2. Dominance, privacy and shading effects on adjoining sites; and 3. Effects on the function and associated amenity values of any adjacent open space zone.
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ISPP

	<p>MRZ- PREC03-S4</p>	<p>Minimum residential unit size</p>
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<p>1. Residential units, including any dual key unit, must meet the following minimum sizes:</p>	<p>Assessment criteria where the standard is infringed:</p>								
<table border="1" style="width: 100%;"> <thead> <tr> <th style="text-align: left;">Residential Unit Type</th> <th style="text-align: left;">Minimum Net Floor Area</th> </tr> </thead> <tbody> <tr> <td>a. Studio unit</td> <td>35m²</td> </tr> <tr> <td>b. 1 bedroom unit</td> <td>40m²</td> </tr> <tr> <td>c. 2+ bedroom unit</td> <td>55m²</td> </tr> </tbody> </table>	Residential Unit Type	Minimum Net Floor Area	a. Studio unit	35m ²	b. 1 bedroom unit	40m ²	c. 2+ bedroom unit	55m ²	<p>The extent to which:</p> <ol style="list-style-type: none"> 1. The design of the proposed unit provides a good standard of amenity; and 2. Other on-site factors compensate for a reduction in unit sizes.
Residential Unit Type	Minimum Net Floor Area								
a. Studio unit	35m ²								
b. 1 bedroom unit	40m ²								
c. 2+ bedroom unit	55m ²								

ISPP

	<p>MRZ- PREC03-S5</p>	<p>Outlook space</p>
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<ol style="list-style-type: none"> 1. All habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width; and 2. The outlook space must meet the requirements set out MRZ-S6.4-9. 	<p>Assessment criteria where the standard is infringed:</p> <p>The extent to which:</p> <ol style="list-style-type: none"> 1. Acceptable levels of natural light are provided to habitable rooms; and 2. The design of the proposed unit provides a good standard of amenity and healthy living environment.
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ISPP

	<p>MRZ- PREC03-S6</p>	<p>Fences and standalone walls</p>
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<ol style="list-style-type: none"> 1. Any fence or standalone wall, or combination of these structures, must not exceed a maximum height of 2m above ground level where within 1m of any side or rear boundary; and 2. On a road boundary: any fence or standalone wall, or combination of these structures, must not exceed: <ol style="list-style-type: none"> a. A maximum height of 2m above ground level; and b. Any part of a fence or standalone wall above 1.2m in height must be 50% visually transparent for its entire length. 3. <u>On a boundary with a site zoned open space or a boundary adjoining public space, including public accessways, or within 1m of either of these</u> 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. Streetscape and visual amenity effects; and 2. Dominance and shading effects on adjoining properties.
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- | | |
|---|--|
| <p><u>boundaries, any fence or standalone wall, or combination of these structures, must not:</u></p> <ol style="list-style-type: none">a. <u>Exceed a maximum height of 2m above ground level; and</u>b. <u>Any part of a fence or standalone wall above 1.5m in height must be 50% visually transparent for its entire length.</u> | |
|---|--|

Appendix 3: Tracked Changes to High Density Residential Zone Chapter

Note: Yellow highlighted changes are changes made after review of expert evidence.

Parts of this chapter have been notified using either a Part One Schedule 1 process ([P1 Sch1](#)), or as part of an Intensification Planning Instrument using the Intensification Streamlined Planning Process ([ISPP](#)). Please see notations.

Provisions in this chapter have immediate legal effect as they relate to the Medium Density Residential Standards. In accordance with In section 80H of the RMA. provisions that have legal effect are marked in this chapter with a gavel (



). To see more about what legal effect means please click here.

He Rohe Wharenoho Mātoru-Nui

High Density Residential Zone

HRZ	High Density Residential Zone
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P1 Sch1 Introduction

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

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

The High Density Residential Zone provides for a range of housing types at a greater density and scale than the Medium Density Residential Zone. It gives effect to the requirements of the RMA to [provide for well-functioning urban environments by allowing](#) for three residential units of up to three storeys on a site, and also by enabling multi-unit housing of [up to at least](#) six storeys through a resource consent process subject to standards and design guidance.

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




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





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


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

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

Objectives			
ISPP	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; padding: 5px; vertical-align: top;">HRZ-O1 </td> <td style="padding: 5px;"> <p>Purpose</p> <p>The High Density Residential Zone provides for predominantly residential activities and a variety of housing types and sizes that respond to:</p> <ol style="list-style-type: none"> 1. Housing needs and demand; and 2. The neighbourhood’s planned urban built character, <u>of at least including</u> 36-storey buildings. </td> </tr> </table>	HRZ-O1 	<p>Purpose</p> <p>The High Density Residential Zone provides for predominantly residential activities and a variety of housing types and sizes that respond to:</p> <ol style="list-style-type: none"> 1. Housing needs and demand; and 2. The neighbourhood’s planned urban built character, <u>of at least including</u> 36-storey buildings.
HRZ-O1 	<p>Purpose</p> <p>The High Density Residential Zone provides for predominantly residential activities and a variety of housing types and sizes that respond to:</p> <ol style="list-style-type: none"> 1. Housing needs and demand; and 2. The neighbourhood’s planned urban built character, <u>of at least including</u> 36-storey buildings. 		
ISPP	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; padding: 5px; vertical-align: top;">HRZ-O2</td> <td style="padding: 5px;"> <p>Efficient use of land</p> <p>Land within the High Density Residential Zone is used efficiently for residential development that:</p> <ol style="list-style-type: none"> 1. Increases housing supply and choice; 2. May be of a greater density and scale than the Medium Density Residential Zone; and 3. Contributes positively to a more intensive high-density urban living environment. </td> </tr> </table>	HRZ-O2	<p>Efficient use of land</p> <p>Land within the High Density Residential Zone is used efficiently for residential development that:</p> <ol style="list-style-type: none"> 1. Increases housing supply and choice; 2. May be of a greater density and scale than the Medium Density Residential Zone; and 3. Contributes positively to a more intensive high-density urban living environment.
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P1 Sch1	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; padding: 5px; vertical-align: top;">HRZ-O3</td> <td style="padding: 5px;"> <p>Healthy, safe and accessible living environments</p> <p>The High Density Residential Zone provides healthy, safe and accessible living environments with attractive and safe streets.</p> </td> </tr> </table>	HRZ-O3	<p>Healthy, safe and accessible living environments</p> <p>The High Density Residential Zone provides healthy, safe and accessible living environments with attractive and safe streets.</p>
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Policies			
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HRZ-P1	<p>Enabled activities</p> <p>Enable residential activities and other activities that are compatible with the purpose of the High Density Residential Zone, while ensuring their scale and intensity is consistent with the amenity values anticipated for the Zone, including:</p> <ol style="list-style-type: none"> 1. Home business; 2. Boarding houses; 3. Visitor accommodation; 4. Supported residential care; 		

		5. Childcare services; and 6. Community gardens.
ISPP	HRZ-P2 	Housing supply and choice Enable a variety of housing typologies with a mix of densities within the zone, including 3-storey attached and detached dwellings, low-rise apartments, and residential buildings of up to <u>at least</u> 6-storeys in height.
ISPP	HRZ-P3 	Housing needs Enable housing to be designed to meet the day-to-day needs of residents, <u>including by and encouraging</u> a variety of housing types , sizes and tenures to cater for people of all ages, lifestyles and abilities <u>impairments</u> .
ISPP	HRZ-P4 	Medium density residential standards Apply the medium density residential standards across the High Density Residential Zone <u>and enable higher permitted threshold to support high density development</u> , except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga).
ISPP	HRZ-P5 	Developments not meeting permitted activity status Provide for developments not meeting permitted activity status, while encouraging high-quality developments.
ISPP	HRZ-P6	Multi-unit housing Provide for multi-unit housing where it can be demonstrated that the development <u>where it is relevant:</u> <ol style="list-style-type: none"> 1. Fulfils the intent of the Residential Design Guide; 2. Provides a minimum area of private or shared outdoor living space that is sufficient to cater for the needs of future occupants; 3. Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development; and 4. Is <u>able to be</u> adequately serviced by three waters infrastructure or can address any constraints on the site.
P1 Sch1	HRZ-P7	Retirement villages Provide for retirement villages where it can be demonstrated that the development <u>where it is relevant:</u> <ol style="list-style-type: none"> 1. Fulfils the intent of the Residential Design Guide where it is relevant; 2. Includes outdoor space that is sufficient to cater for the needs of the residents of the village;

		<ol style="list-style-type: none"> 3. Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development; 4. Is <u>able to be</u> adequately serviced by three waters infrastructure or can address any constraints on the site; and 5. Is of an intensity, scale and design that is consistent with the amenity values anticipated for the Zone.
ISPP	HRZ-P8	<p>Residential buildings and structures</p> <p>Provide for a range of residential buildings and structures, including additions and alterations, that:</p> <ol style="list-style-type: none"> 1. Provide healthy, safe and accessible living environments; 2. Are compatible with the built environment anticipated in the High Density Residential Zone; and 3. Contribute positively to a changing urban environment.; and 4. Achieve attractive and safe streets.; and 5. Responds to the site context, particularly where it is located adjacent to a heritage building, heritage structure or heritage area, or character precinct.
ISPP	HRZ-P9	<p>Permeable surface</p> <p>Require development to provide a minimum level of permeable surface to assist with reducing the rate and amount of storm water run-off.</p>
ISPP	HRZ-P10P9	<p>Vegetation and landscaping</p> <p>Encourage the retention of existing vegetation, particularly native vegetation and visually prominent trees that may not otherwise be protected, and where vegetation is proposed to be removed, seek new landscaping of equal or better quality to help integrate new development into the surrounding environment and minimise hard surfacing.</p>
ISPP	HRZ-P11P10 	<p>Attractive and safe streets and public open spaces</p> <p>Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.</p>
P1 Sch1	HRZ-P12P11	<p>Community gardens, urban agriculture and waste minimisation</p> <p>Encourage the development of community gardens, small-scale urban agriculture and circular approaches to the production and management of waste (particularly organic waste), while managing adverse effects.</p>
ISPP	HRZ-P13P12	<p>City Outcomes Contribution</p> <p>Require over height, large-scale residential development in the High Density Residential Zone to deliver City Outcomes Contributions as detailed and scored in the Residential Design Guide, including through either:</p>

P1 Sch1

		<ol style="list-style-type: none"> 1. Positively contributing to public space provision and the amenity of the site and surrounding area; and/or 2. Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change resilience; and/or 3. Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or 4. Incorporating assisted housing into the development, and where this is provided legal instruments are required to ensure that it remains assisted housing for at least 25 years; and/or 5. Enabling ease of access for people of all ages and mobility.
	<p>HRZ-P14P13</p>	<p>Non-residential activities and buildings</p> <p>Only a <u>Allow</u> non-residential activities and buildings that:</p> <ol style="list-style-type: none"> 1. Support the needs of local communities; 2. Are of an intensity, scale and design that is consistent with the amenity values anticipated for the Zone; 3. Contribute positively to the urban environment and achieve attractive and safe streets; 4. Reduce reliance on travel by private motor vehicle; 5. Maintain the safety and efficiency of the transport network; and 6. Are <u>able to be</u> adequately serviced by three waters infrastructure or can address any constraints on the site; <u>and</u> 7. <u>Are integrated into residential developments where appropriate.</u>


Rules: Land use activities

P1 Sch1

	<p>HRZ-R1</p>	<p>Community gardens</p>
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	<p>1. Activity status: Permitted</p>
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ISPP

	<p>HRZ-R2</p> 	<p>Residential activities, excluding retirement villages, supported residential care activities and boarding houses</p>
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	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. No more than three residential units occupy the site.</p>
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	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with HRZ-R2.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The matters in HRZ-P2, HRZ-P3, HRZ-P5 and HRZ-P6.</p> <p>Notification status: An application for resource consent made in respect of rule HRZ-R2.2.a is precluded from being either publicly or limited notified.</p>
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P1 Sch1

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

P1 Sch1

	HRZ-R4	Supported residential care activities
	<p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The maximum occupancy does not exceed 10 residents. 	
	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance with HRZ-R4.1.a is not achieved. <p>Matters of discretion are:</p> <ul style="list-style-type: none"> 1. The extent to which the intensity and scale of the activity may adversely impact on the amenity values of nearby residential properties and the surrounding neighbourhood. 	

P1 Sch1

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

P1 Sch1


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

P1 Sch1

HRZ-R7	Child care services
<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The maximum number of children who are not normally resident on the site does not exceed 10; and</p> <p>b. The hours of operation are between 7.00am and 7.00pm, Monday to Friday.</p>	

	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with HRZ-R7.1.a or HRZ-R7.1.b cannot be achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The extent to which the intensity and scale of the activity may adversely impact on the amenity values of nearby residential properties and the surrounding neighbourhood. 2. <u>The extent to which childcare facilities are integrated into residential development.</u> <p>Notification status: An application for resource consent made in respect of rule HRZ-R7.2.a is precluded from being publicly notified.</p>	
P1 Sch1	HRZ-R8	Retirement Village
	<p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in HRZ-P2, HRZ-P3 and HRZ-P7. <p>Notification status: An application for resource consent made in respect of rule HRZ-R8.1 is precluded from being publicly notified.</p>	
P1 Sch1	HRZ-R9	Community facility, health care facility, emergency facility, educational facility (excluding child care services)
	<p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in HRZ-P14. <p>Notification status: An application for resource consent made in respect of rule HRZ-R9.1 is precluded from being publicly notified.</p>	
P1 Sch1	HRZ-R10	All Other Activities
	<p>1. Activity status: Discretionary</p> <p>Where:</p> <p>a. The activity status is not otherwise provided for as a permitted activity or restricted discretionary activity.</p>	
	Rules: Building and structure activities	
ISPP	HRZ-R11	Maintenance and repair of buildings and structures
	<p>1. Activity status: Permitted</p>	
ISPP	HRZ-R12	Demolition or removal of buildings and structures
	<p>1. Activity status: Permitted</p>	

ISPP

HRZ-R13 	Construction, addition or alteration of buildings and structures where no more than three residential units occupy the site
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	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance with the following standards is achieved:</p> <ul style="list-style-type: none"> i. HRZ-S1; ii. HRZ-S3; iii. HRZ-S4 only in relation to the rear yard boundary setback; iv. HRZ-S5; v. HRZ-S6; vi. HRZ-S7; vii. HRZ-S8; <u>and</u> viii. HRZ-S9; and ix. HRZ-S10.
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	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of HRZ-R13.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <ul style="list-style-type: none"> 1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard; and 2. The matters in HRZ-P2, HRZ-P3, HRZ-P4, HRZ-P5, HRZ-P8, HRZ-P9, <u>HRZ-P10P9 and HRZ-P14P10; and</u> 3. <u>The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.</u> <p>Notification status:</p> <p>An application for resource consent made in respect of rule HRZ-R13.2.a which results from non-compliance with HRZ-S1, HRZ-S3, MRZ-S4 or MRZ-S5 is precluded from being publicly notified.</p> <p>An application for resource consent made in respect of rule HRZ-R13.2.a which results from non-compliance with HRZ-S6, HRZ-S7, HRZ-S8 or HRZ-S9 or HRZ-S10 is precluded from being either publicly or limited notified.</p>
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ISPP

HRZ-R14	Construction of buildings or structures for multi-unit housing or a retirement village
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	<p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ul style="list-style-type: none"> 1. The extent and effect of non-compliance with any of the follow standards as specified in the associated assessment criteria for any infringed standard: <ul style="list-style-type: none"> i. HRZ-S2; ii. HRZ-S3; iii. HRZ-S12<u>S11</u> for multi-unit housing only; iv. HRZ-S13<u>S12</u> for multi-unit housing only;
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- v. HRZ-~~S14~~S13 for multi-unit housing only;
- vi. HRZ-~~S15~~S14;
- vii. HRZ-~~S16~~S15; and
- viii. HRZ-~~S17~~S16.

2. The matters in HRZ-P2, HRZ-P3, HRZ-P5, HRZ-P6 (For multi-unit housing only), HRZ-P7 (For retirement villages only), HRZ-P8, HRZ-~~P10~~P9 and HRZ-~~P11~~P10.

3. The matters in ~~HRZ-P13~~ HRZ-P12 where the development comprises 25 or more residential units; or exceeds the maximum height requirement by 25% or more.

Notification status: An application for resource consent made in respect of rule HRZ-R14.1 is precluded from being publicly notified.

An application for resource consent made in respect of rule HRZ-R14.1 that complies with all relevant standards is also precluded from being limited notified.

An application for resource consent made in respect of rule HRZ-R14.1 that complies with HRZ-S2, HRZ-S3.1, and HRZ-S4, but does not comply with all other relevant standards is also precluded from being limited notified.

ISPP

HRZ-R15 Fences and standalone walls

1. Activity status: **Permitted**

Where:

- a. Compliance with HRZ-~~S14~~S10 is achieved.

2. Activity status: **Restricted Discretionary**

Where:

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

Matters of discretion are:

- 1. The extent and effect of non-compliance with the standard as specified in the associated assessment criteria for the infringed standard; and
- 2. The matters in HRZ-P8 and HRZ-P11.

Notification status: An application for resource consent made in respect of rule HRZ-R15.2.a is precluded from being publicly notified.

P1 Sch1

HRZ-R16 Buildings and structures on or over a legal road

1. Activity Status: Permitted

Where:

- a. It is a retaining wall of less than 1.5m in height above ground level.

2. Activity status: **Restricted Discretionary**

Where: Compliance with any of the requirements of HRZ-R16.1.a cannot be achieved.

Matters of discretion are:

1. Streetscape and visual amenity effects;
2. Dominance, privacy and shading effects on adjoining properties;
3. Maintaining safe access and safety for road users, including pedestrians; ~~and~~
4. The matters in HRZ-P8, HRZ-~~P10~~~~P9~~ and HRZ-~~P11~~~~P10~~; ~~and~~
5. Maintaining the ability for emergency services, including fire appliances, to access the property for firefighting purposes.

Note: Where the legal road that a proposal applies to is owned by Waka Kotahi, it is recommended that written approval from Waka Kotahi is acquired before lodging a resource consent application.

Notification status: An application for resource consent made in respect of rule HRZ-R16.1 is precluded from being publicly notified.

P1 Sch1

HRZ-R17

Construction of any other building or structure, including additions and alterations

1. Activity status: **Permitted**

Where:

a. Compliance with the following standards is achieved:

- ~~i. HRZ-S1;~~
- ii. HRZ-S2;
- iii. HRZ-S3;
- iv. HRZ-S4;
- v. HRZ-S5;
- ~~vi. HRZ-S10;~~
- vii. HRZ-~~S12~~~~S11~~ (For multi-unit housing only);
- viii. HRZ-~~S13~~~~S12~~ (For multi-unit housing only);
- ix. HRZ-~~S14~~~~S13~~ (For multi-unit housing only);
- x. HRZ-~~S15~~~~S14~~ (For multi-unit housing and retirement villages only);
- xi. HRZ-~~S16~~~~S15~~ (For multi-unit housing and retirement villages only); and
- xii. HRZ-~~S17~~~~S16~~ (For multi-unit housing and retirement villages only).

2. Activity status: **Restricted Discretionary**

Where:

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

Matters of discretion are:


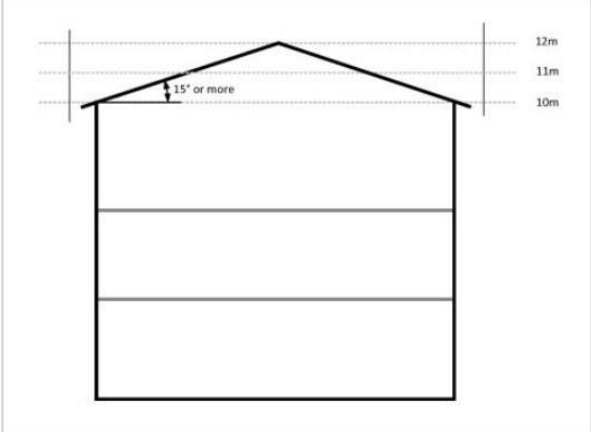
1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard;
2. The matters in ~~HRZ-P9, HRZ-P10, HRZ-P11 and HRZ-P14;~~ and HRZ-P9, HRZ-P10, HRZ-P11 and HRZ-P13; and
3. The matters in HRZ-P6, ~~HRZ-P7~~ and HRZ-P8 for additions and alterations to multi-unit-housing; ~~and or a retirement village.~~
4. The matters in HRZ-P7 and HRZ-P8 for additions and alterations to a retirement village.

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

An application for resource consent for additions and alterations to a retirement village where compliance is achieved with HRZ-S2, HRZ-S3, HRZ-S14, HRZ-S15, and HRZ-S16 is precluded from being limited notified.

Standards

ISPP

<p>HRZ-S1</p> 	<p>Building height control 1 where no more than three residential units occupy the site</p>
<p>1. Buildings and structures must not exceed 11.14 14 metres in height above ground level, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more, as shown in Diagram 5 below:</p>  <p>This standard does not apply to:</p> <ol style="list-style-type: none"> Fences or standalone walls; <u>Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm;</u> <u>Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m measured vertically;</u> <u>Multi-unit housing; and</u> <u>Retirement villages.</u> 	
<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> Streetscape and visual amenity effects; Dominance, privacy and shading effects on adjoining sites; and Effects on the function and associated amenity values of any adjacent open space zone. 	

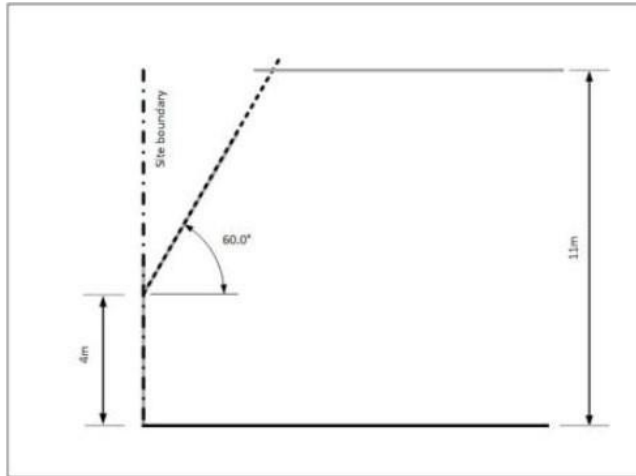
ISPP

<p>HRZ-S2</p>	<p>Building height control 2 for multi-unit housing or a retirement village</p>
<p>1. Buildings and structures must not exceed 21 metres in height above ground level.</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> Fences or standalone walls; Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; and Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m; and 	
<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> Streetscape and visual amenity effects; Dominance, privacy and shading effects on adjoining sites; Effects on the function and associated amenity values of any adjacent open space zone; and Wind effects. 	

ISPP

d. <u>Circumstances where up to 50% of a building's roof in elevation exceeds the maximum height where the entire roof slopes 15° or more.</u>	
HRZ-S3	Height in relation to boundary

1. For any site where HRZ-S1 applies: no part of any building or structure may project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown in Diagram 6 below



2. For any site where HRZ-S2 applies: no part of any building or structure may project beyond a 60° recession plane measured from a point 8 metres vertically above ground level along all boundaries, except where (3) or (4) below is applicable;
3. For any site where HRZ-S2 applies: no part of any building or structure may project beyond a 60° recession plane measured from a point 5 metres vertically above ground level along any boundary that adjoins a site in:

- i. The Medium Density Residential Zone; or
- ii. The Wellington Town Belt Zone; or
- iii. Any Heritage Area; or
- iv. Any site containing a Heritage Building; or
- v. Any character precinct; or
- vi. ~~Any~~Any site occupied by a school;

~~4. — or any site where HRZ-S2 applies that is located adjacent to a site in the Natural Open Space Zone, Open Space Zone, or Sport and Active Recreation Zone: all buildings and structures must be designed and located to maintain sunlight access to a minimum of 70% of the open space site area during 10am to 3pm at either of the equinoxes (i.e. 21 March or 23 September).~~

5. ~~4.~~In relation to 1, 2 and 3 above, where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.

Assessment criteria where the standard is infringed:

1. Streetscape and visual amenity effects;
2. Dominance, privacy and shading effects on adjoining sites;
3. Effects on the function and associated amenity values of any adjacent open space zone or school site; and
4. For any site adjacent to a character precinct or heritage area, the effects on the identified character or heritage values.

<p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. A boundary with a road; b. Existing or proposed internal boundaries within a site; and c. Site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed; d. <u>Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; and</u> e. <u>Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m measured vertically.</u> 	
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ISPP

	HRZ-S4	Boundary setbacks
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<p>1. Buildings and structures must be set back from the relevant boundary by the minimum depth listed in the yards table below:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;">Yard</th> <th style="width: 60%;">Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Front</td> <td>1.5 metres</td> </tr> <tr> <td>Side</td> <td>1 metre</td> </tr> <tr> <td>Rear </td> <td>1 metre (excluded on corner sites) </td> </tr> <tr> <td><u>Rail corridor boundary</u></td> <td><u>1.5 metres</u></td> </tr> </tbody> </table> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. <u>Developments of 1-3 household units with respect to the front yard set-back requirements;</u> b. a- Site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed; c. b- Fences or standalone walls; d. <u>Uncovered decks and uncovered structures no more than 500mm in height above ground level (except in relation to the rail corridor boundary, where it does apply);</u> e. <u>Eaves up to 600mm in width (except in relation to the rail corridor boundary, where it does apply);</u> f. c- Multi-unit housing (except in relation to the rail corridor boundary, where it does apply); and g. d- Retirement villages (except in relation to the rail corridor boundary, where it does apply). 	Yard	Minimum depth	Front	1.5 metres	Side	1 metre	Rear 	1 metre (excluded on corner sites) 	<u>Rail corridor boundary</u>	<u>1.5 metres</u>	<p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. Streetscape and visual amenity effects; and 2. Dominance, privacy and shading effects on adjoining sites.
Yard	Minimum depth										
Front	1.5 metres										
Side	1 metre										
Rear 	1 metre (excluded on corner sites) 										
<u>Rail corridor boundary</u>	<u>1.5 metres</u>										

ISPP

	HRZ-S5 	Building coverage
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<p>1. Maximum building coverage must not exceed 50% of the net site area.</p>	<p>Assessment criteria where the standard is infringed:</p>
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ISPP

<p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. <u>Uncovered decks and uncovered structures no more than 1m in height above ground level</u> b. <u>Eaves up to 1m in width;</u> c. a-Multi-unit housing; and d. b-Retirement villages. 	<ul style="list-style-type: none"> 1. Streetscape and visual amenity effects; and 2. Dominance, privacy and shading effects on adjoining sites.
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HRZ-S6



Outdoor living space (per unit)

<p>1. A residential unit at ground floor level must have an outdoor living space that is at least 20 square metres and that comprises ground floor, balcony, patio, or roof terrace space that:</p> <ul style="list-style-type: none"> a. where located at ground level, has no dimension less than 3 metres; b. where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; c. is accessible from the residential unit; d. may be: <ul style="list-style-type: none"> i. grouped cumulatively by area in 1 communally accessible location; or ii. located directly adjacent to the unit; and e. is free of buildings, parking spaces, and servicing and manoeuvring areas; and <p>2. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:</p> <ul style="list-style-type: none"> a. is at least 8 square metres and has a minimum dimension of 1.8 metres; b. is accessible from the residential unit; c. may be: <ul style="list-style-type: none"> i. grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or ii. located directly adjacent to the unit. <p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. Multi-unit housing; and b. Retirement villages. 	<p>Assessment criteria where the standard is infringed:</p> <p>The extent to which:</p> <ul style="list-style-type: none"> 1. The design of the proposed outdoor living space provides a good standard of amenity; 2. Other on-site factors compensate for a reduction in the size or dimension of the outdoor living space; and 3. The availability of public open space in proximity to the site.
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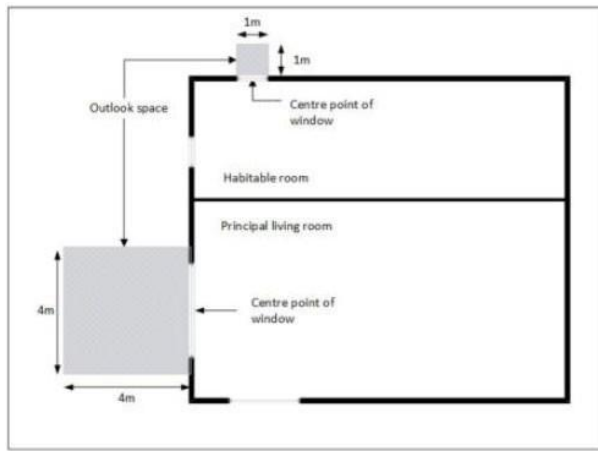
ISPP

HRZ-S7



Outlook space (per unit)

1. An outlook space must be provided for each residential unit as specified in this standard;
2. An outlook space must be provided from habitable room windows as shown in Diagram 7 below:





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

This standard does not apply to:

Assessment criteria where the standard is infringed:

The extent to which:

1. Acceptable levels of natural light are provided to habitable rooms; and
2. The design of the proposed unit provides a healthy living environment.

	a. Multi-unit housing; and b. Retirement villages.	
ISPP	HRZ-S8 	Windows to street
	1. 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. This standard does not apply to: i. Multi-unit housing; and ii. Retirement villages.	
	Assessment criteria where the standard is infringed: 1. Streetscape and visual amenity effects; and 2. Passive surveillance and safety.	
ISPP	HRZ-S9 	Landscaped area
	1. 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. 2. The landscaped area may be located on any part of the site, and does not need to be associated with each residential unit. This standard does not apply to: a. Multi-unit housing. b. Retirement villages.	
	Assessment Criteria where the standard is infringed: 1. Streetscape and visual amenity effects; and 2. Hard surfacing is minimised as far as practicable.	
ISPP	HRZ-S10	Permeable surface area
	1. A minimum of 30% of the net site area must be permeable surface. - This standard does not apply to: a. Multi-unit housing; and b. Retirement villages.	
	Assessment criteria where the standard is infringed: - 1. Any measures used to mitigate stormwater runoff; and 2. The capacity of, and effects on, the stormwater network.	
ISPP	HRZ-S11 S10	Fences and standalone walls

<p>1. Any fence or standalone wall, or combination of these structures, must not exceed:</p> <ul style="list-style-type: none"> a. <u>Exceed a</u> maximum height of 2m above ground level where within 1m of any side or rear boundary. b. <u>Obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.</u> <p>2. In a front boundary or <u>with</u> in a <u>5m</u> front boundary setback any fence or standalone wall, or combination of these structures, must not exceed:</p> <ul style="list-style-type: none"> a. <u>Exceed a</u> maximum height of 2m above ground level; and b. Any part of a fence or standalone wall above 1.2m in height must be 50% visually transparent for its entire length, as shown in Diagram 8 below. c. <u>Obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.</u> <div data-bbox="304 958 879 1061" data-label="Diagram"> </div> <p>3. <u>On a boundary with a site zoned open space or boundary with a public accessway, or within 1m of either of those boundaries, any fence or standalone wall, or combination of these structures, must not:</u></p> <ul style="list-style-type: none"> a. <u>Exceed a maximum height of 2m above ground level; and</u> b. <u>Any part of a fence or standalone wall above 1.5m in height must be 50% visually transparent for its entire length.</u> c. <u>Obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.</u> <p><u>HRZ-S10.3 does not apply to a front boundary or a State Highway.</u></p>	<p>Assessment Criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. Streetscape and visual amenity effects; and 2. Dominance and shading effects on adjoining properties.
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ISPP

<p>HRZ-S12S11</p>	<p>Minimum residential unit size for multi-unit housing</p>
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<p>1. Residential units, including any dual key unit, must meet the following minimum sizes:</p>	<p>Assessment criteria where the standard is infringed: The extent to which:</p>
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	<ol style="list-style-type: none"> The design of the proposed unit provides a good standard of amenity; and Other on-site factors compensate for a reduction in unit sizes.
Residential Unit Type	Minimum Net Floor Area
a. Studio unit	35m ²
b. 1 bedroom unit	40m ²
c. 2+ bedroom unit	55m ²

ISPP

HRZ- S13S12	Outdoor living space for multi-unit housing
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<ol style="list-style-type: none"> Each residential unit, including any dual key unit, must be provided with either a private outdoor living space or access to a communal outdoor living space; Where private outdoor living space is provided it must be: <ol style="list-style-type: none"> For the exclusive use of residents; Directly accessible from a habitable room; A single contiguous space; and Of the minimum area and dimension specified in the table below; and Where communal outdoor living space is provided it does not need to be in a single continuous space but it must be: <ol style="list-style-type: none"> Accessible from the residential units it serves; Of the minimum area and dimension specified in the table below; and Free of buildings, parking spaces, and servicing and maneuvering areas. 	<p>Assessment criteria where the standard is infringed:</p> <p>The extent to which:</p> <ol style="list-style-type: none"> Any proposed outdoor living space provides a good standard of amenity relative to the number of occupants the space is designed for; Other on-site factors compensate for a reduction in the size or dimension of the outdoor living space; and The availability of public open space in proximity to the site. 	
Living Space Type	Minimum Area	Minimum Dimension
a. Private		
i. Studio unit and 1-bedroom unit	5m ²	1.8m
ii. 2+ bedroom unit	8m ²	1.8m
b. Communal		
i. For every 5-4 - <u>15</u> units	1064 m ²	8m
ii. <u>For each additional unit above 15 units</u>	<u>2m²</u>	=

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

ISPP

**HRZ-
S14S13**

Outlook space for multi-unit housing

1. All habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width; and
2. The outlook space must meet the requirements set out HRZ-S7.4-9.

Assessment criteria where the standard is infringed:

The extent to which:

1. Acceptable levels of natural light are provided to habitable rooms; and
2. The design of the proposed unit provides a healthy living environment.

ISPP

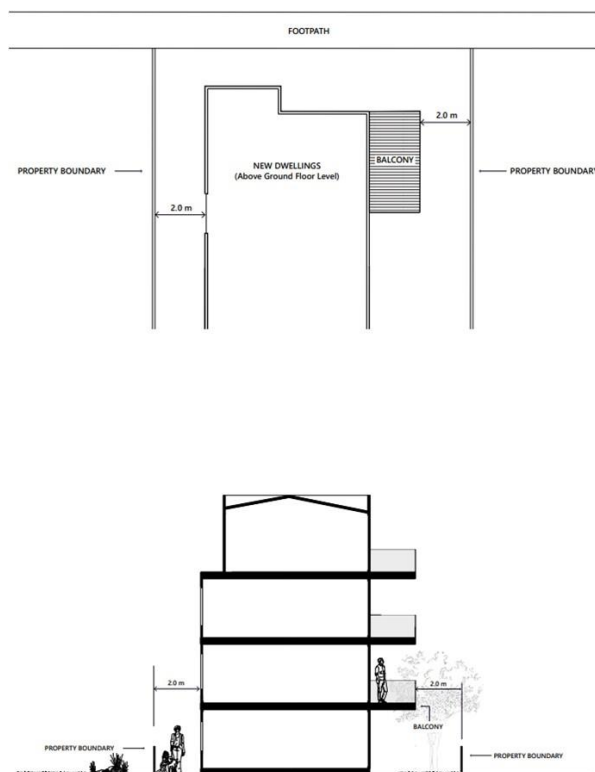
**HRZ-
S15S14**

Minimum privacy separation to a boundary for multi-unit housing or a retirement village

1. Any outdoor living space or habitable room window above ground floor level must be at least 2m from any boundary except a road or a railway boundary, as shown in Diagram 9 below.

Assessment criteria where the standard is infringed:

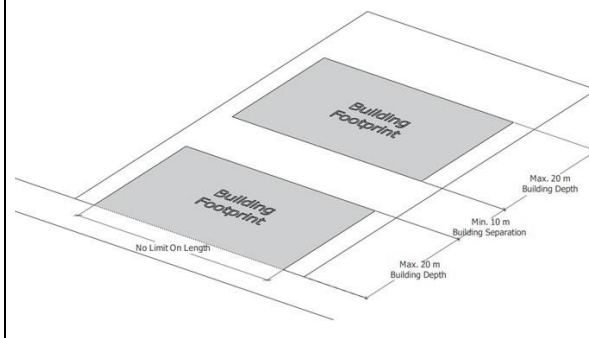
1. Privacy effects on adjoining sites.



ISPP

HRZ -S16

Maximum building depth for multi-unit housing or a retirement village

<p>1. No part of any building or structure must exceed 20m in continuous depth, as shown in Diagram 10 below.</p>  <p>This standard does not apply to fences or standalone walls.</p>	<p>Assessment criteria where the standard is infringed:</p> <p>1. Dominance, privacy and shading effects on adjoining sites.</p>
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ISPP

<p>HRZ- S17S16</p>	<p>Minimum building separation distance for multi-unit housing or a retirement village</p>
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<p>1. Buildings must be set back at least 10m from the nearest part of any other building on the same site.</p>	<p>Assessment criteria where the standard is infringed:</p> <p>1. Dominance, privacy and shading effects on adjoining sites.</p>
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Appendix 4: Section 32AA Further Evaluation Report – Medium Density Residential Zone

Appendix 4: MRZ Section 32AA further evaluation report

MRZ – P6 Multi-unit housing

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

1. Fulfils the intent of the Residential Design Guide where it is relevant;

...

In my opinion, the recommended amendments to 'MRZ – P6' are more appropriate in achieving the objectives of the plan than the notified provisions.

I consider that it will:

- a) Increase clarity to when the residential design guide is to be applied.

Consequently, the amendments are more efficient and effective than the notified provisions in achieving the objectives of the plan.

The recommended amendments will not have any greater environmental, social, cultural or economic effects than the notified provisions.

MRZ – P7 Retirement Villages

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

1. Fulfils the intent of the Residential Design Guide where it is relevant;

In my opinion, the recommended amendments to 'MRZ – P7' are more appropriate in achieving the objectives of the plan than the notified provisions.

I consider that it will:

- a) Increase clarity to when the residential design guide is to be applied.

Consequently, the amendments are more efficient and effective than the notified provisions in achieving the objectives of the plan.

The recommended amendments will not have any greater environmental, social, cultural or economic effects than the notified provisions.

MRZ-S4 Boundary Setbacks

...

This standard does not apply to:

- a. ...
- b. ...
- c. Uncovered decks and uncovered structures no more than 1m in height above ground level (except in relation to the rail corridor boundary, where it does apply); and
- d. Eaves up to 1m in width (except in relation to the rail corridor boundary, where it does apply);.

In my opinion, the amendment to MRZ-S4 is more appropriate in achieving the objectives of the plan than the notified provisions. I consider that:

- The proposed exclusions will not result in additional unacceptable adverse effects and will reduce unnecessary resource consenting costs;
- The changes are therefore more efficient and effective than the notified provisions in achieving the objectives of the plan; and
- The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions.

MRZ-P8 Residential buildings and structures

Provide for a range of residential buildings and structures, including additions and alterations, that:

1. Provide healthy, safe and accessible living environments;
2. Are compatible with the built environment anticipated in the Medium Density Residential Zone;
3. Contribute positively to a changing urban environment; ~~and~~
4. Achieve attractive and safe streets; and
5. Responds to the site context, particularly where it is located adjacent to a heritage building, heritage structure or heritage area, or character precinct.

This standard does not apply to:

- c. ...

Appendix 5: Section 32AA Further Evaluation Report – High Density Residential Zone

Appendix 5: HRZ Section 32AA further evaluation report

HRZ – P6 Multi-unit housing

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

1. Fulfils the intent of the Residential Design Guide where it is relevant;

...

In my opinion, the recommended amendments to 'HRZ – P6' are more appropriate in achieving the objectives of the plan than the notified provisions.

I consider that it will:

- a) Increase clarity to when the residential design guide is to be applied.

Consequently, the amendments are more efficient and effective than the notified provisions in achieving the objectives of the plan.

The recommended amendments will not have any greater environmental, social, cultural or economic effects than the notified provisions.

HRZ-S4 Boundary Setbacks

...

This standard does not apply to:

- a. ...
- b. ...
- c. ...
- d. Uncovered decks and uncovered structures no more than 500mm in height above ground level (except in relation to the rail corridor boundary, where it does apply); and
- e. Eaves up to 600mm in width (except in relation to the rail corridor boundary, where it does apply);
- f. ...
- g. ...

The Section 32AA Further Evaluation in the Stream 2 - Part 2 - High Density Residential Zone S42A report for HS2-P2-Rec97 remain applicable to 'HRZ-S4 Boundary Setbacks' changes above.