

Wellington City Proposed District Plan

Hearing Stream 4

Part 3, Commercial and Mixed Use Zones

Part 4: Neighbourhood Centre Zone

Section 42A of the Resource Management Act

Contents

1.0	Overview	3
2.0	Format for Consideration of Submissions	3
3.0	General Points Relating to the Neighbourhood Centre Zone	4
4.0	Requests for Changes to Neighbourhood Centre Zoning	6
5.0	Submissions Relating to Specific Neighbourhood Centre Zone Provisions	12
6.0	Proposed Additional Neighbourhood Centre Zone Provisions	69
7.0	Minor and Inconsequential Amendments	71
8.0	Conclusion	71
9.0	Recommendations.....	71

Neighbourhood Centre Zone Appendix 1 - Maps

- i. Proposed Zone and Height Control Changes for Elena Place, Tawa
- ii. Proposed Height Control Areas for Tawa NCZ

Part 4: Neighbourhood Centre Zone

1.0 Overview

1. This section of the s42A report for the Part 3 – CMUZ addresses the Neighbourhood Centre Zone (NCZ) provisions. As identified in relation to each specific provision, the NCZ provisions are subject to both the ISPP and Part 1 Schedule 1 processes.
2. The NCZ is fourth in the PDP hierarchy of centres. NCZ have been carried down from the ODP Centres Area (Neighbourhood Centres). They include a range of small commercial centres across Wellington that service the immediate residential neighbourhood, offering small-scale convenience-based retail for day-to-day needs. These centres are generally for small commercial clusters and community services, and are accessible by public transport and active transport modes.
3. Including primary and further submission points, and mapping submission points, there were approximately 275 submission points in relation to the NCZ.
4. Within this section of my 42A report these submissions are categorised and assessed as follows:
 - General points relating to the NCZ;
 - Requests for zone changes;
 - Submissions relating to specific provisions in the NCZ chapter; and
 - Proposed additional NCZ provisions.
5. This report should be read in conjunction with the information in the following appendices:
 - Appendix A – Recommended Amendments to the CMUZ chapters (NCZ);
 - Appendix B – Recommended Responses to Submissions and Further Submissions on the CMUZ chapters (NCZ); and

2.0 Format for Consideration of Submissions

6. For each identified topic, the consideration of submissions has been undertaken in the following format:
 - Matters raised by submitters;
 - Assessment; and
 - Summary of recommendations.
7. As noted above, the recommended amendments to the relevant parts of the Proposed District Plan (PDP) are set out in Appendix A of this report where all text changes are shown in a consolidated manner.
8. Where necessary, for example where I have recommended a significant departure from the notified PDP provisions, I have undertaken a s32AA evaluation in respect to the recommended amendments in my assessment.
9. I note that there were no submissions in relation to NCZ-R15. This provision is therefore beyond challenge and is not considered further in this report.

10. Submissions received in relation to the following provisions were all in support, and seek that the respective provisions are retained as notified:
 - Objectives and policies: NCZ-O4, NCZ-P2, NCZ-P3; and
 - Rules and standards: NCZ-R1 to NCZ-R9, NCZ-R16, NCZ-S5.
11. I recommend that these provisions are retained as notified, and therefore have not assessed them further in this report.

3.0 General Points Relating to the Neighbourhood Centre Zone

12. Waka Kotahi [370.400] requests that references in the NCZ chapter to the ‘roading network’ and ‘transport network’ are amended to ensure that this captures all transport modes.
13. WCC Environmental Reference Group [377.424] is generally supportive of the NCZ provisions, subject to a number of amendments to specific provisions, as detailed later in this report.
14. Likewise, Foodstuffs [476.11] is generally supportive of the NCZ provisions, but has requested a number of amendments to specific provisions, as detailed later in this report.
15. Kāinga Ora [391.5] seeks that all standards in the PDP are reviewed to ensure that they have an appropriate activity status and/or are referenced in the buildings and structures or activity rules. With respect to the NCZ they have identified that NCZ-R18 does not require compliance with standards NCZ-S7 and NCZ-S8 which relate to residential activities.
16. Willis Bond [416.193] seeks that the Council consider the relationship between the MRZ and other denser zones, including the MCZ, LCZ, NCZ, MUZ and COMZ, to ensure that development in these zones is not unduly restricted when the adjoining residential provisions are more permissive. This matter has been addressed in the Overview and General Matters section of this report.
17. The Tawa Community Board [294.1] considers that structure plans are a key tool to encourage larger footprint development or redevelopment and seek a requirement for a structure plan for Tawa that sits alongside the NCZ chapter to provide for holistic community and business development that:
 - Ensures that infrastructure is sufficient for the planned more intensive development;
 - Encourages the redevelopment of seismic limited structures;
 - Ensures the inclusion of adequate community facilities including green spaces, connectivity and laneways; and
 - Ensures there is wider scale area planning for climate change effects – ie minimum floor heights, flood flow zones, and Porirua stream development setbacks.
18. Nico Maiden [77.1] seeks that more properties are zoned as NCZ as many areas in Wellington are a long way from a corner store.
19. David Stevens [151.12] supports that the Ngaio centre is zoned NCZ.

Assessment

20. The Waka Kotahi [370.400] request to change the definition is addressed in the Overview and General Matters section of this s42A Report (Overview and General Matters) and no further assessment is required.
21. I acknowledge the submission points from WCC Environmental Reference Group [377.424] and Foodstuffs [476.11] above. No assessment is required in relating to these points.
22. I acknowledge the matter raised by Kāinga Ora [391.5]. I recommend that this submission point is accepted as I have reviewed the PDP provisions within my report. No specific changes to the PDP are required in respect to this submission point.
23. With respect to Willis Bond [416.193], I have reviewed the NCZ and am confident that development potential within the centres exceeds that in the surrounding residential zones. The NCZ are most frequently surrounded by MRZ, with 11 metre building heights. Further consideration of the NCZ heights is provided at the relevant sections of this report. No specific changes to the PDP are necessary as a result of the Willis Bond submission point.
24. I acknowledge that the concerns raised by the Tawa Community Board and the intent of their submission point, which seeks a requirement for a structure plan for Tawa to address matters such as infrastructure, hazards, community facilities and climate change effects. I note that Tawa has been identified as a growth area and these matters are addressed at the Strategic Direction level within the PDP – including at CC-O1 to CC-O3, SCAO1 to SCA-O6 and SRCC-O1 to SRCC-O4. Requiring a structure plan for Tawa, but not other centres, would be an ad hoc approach that I consider to be inequitable. For these reasons, I do not recommend any changes to the PDP as a result of this submission point.
25. Nico Maiden [77.1] essentially requests more MRZ land is zoned NCZ to facilitate additional small retail activities (such as dairies) within the MRZ. The District Plan Review involved a comprehensive zoning assessment and the outcome of this is reflected in the PDP zonings. The submitter has not identified specific locations to be rezoned and it is not appropriate to apply a blanket upzoning. As such, I consider that the submission point should be rejected.
26. I acknowledge the submission point of David Stevens [151.12]. No further assessment is required in relation to this point.

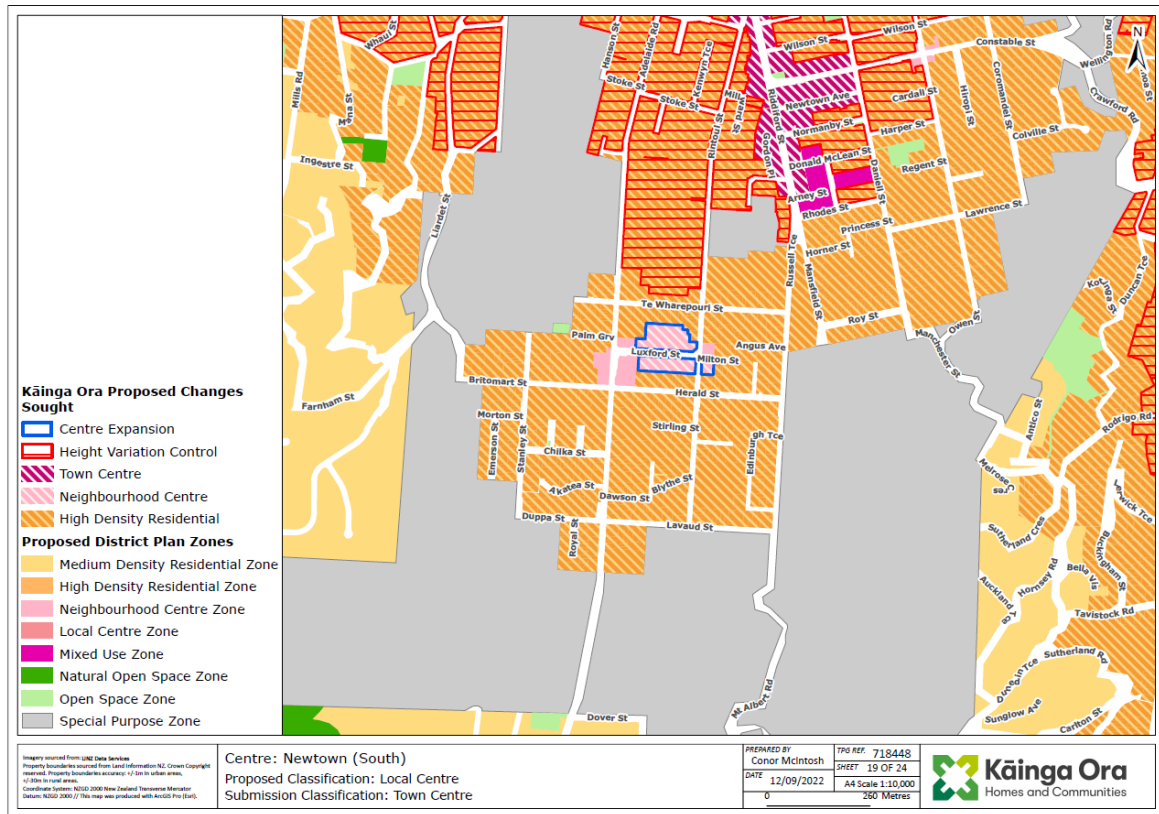
Summary of recommendations

27. HS4-P4-NCZ-Rec1: No amendments are recommended in response to the submission themes outlined under 'General Matters Raised by Submitters'.
28. HS4-P4-NCZ-Rec2: That submission points relating to 'General Matters Raised by Submitters' are accepted/rejected as detailed in Appendix B.

4.0 Requests for Changes to Neighbourhood Centre Zoning

Matters raised by submitters

29. Tawa Business Group [107.5 - 107.10] seeks that 105 Main Road, 107 Main Road, 109 Main Road, 111 Main Road, 113 Main Road, and 115 Main Road, Tawa, should be rezoned to HRZ. They note that while the northern part of this NCZ contains a series of car yards, shops, eateries and offices, these sites are entirely residential in use. Hence the submitter considers that rezoning to HRZ would match the current lawful activity of the site and increase the capacity for residential development. They are concerned that the NCZ permitted activity standards would require consent for any future residential activities on the ground floor level or any alterations that will result in the creation of new residential units. Under HRZ, these activities would remain as a permitted activity.
30. In addition, the Tawa Community Board [294.6, 294.16] opposes the NCZ zoning of the sites at 105 Main Road, 107 Main Road, 109 Main Road, 111 Main Road, 113 Main Road, and 115 Main Road, Tawa and also seeks that these sites are rezoned from NCZ to HRZ.
31. Roland Sapsford [305.63] considers that the site to the west of Aro Park should not be zoned NCZ as this allows development of an 8-storey building, which would effectively remove a large amount of afternoon sun from the park.
32. Roland Sapsford [305.24] (supported by WCCT [FS82.267], LIVE WELLington [FS96.112] and Historic Places Wellington Inc [FS111.157]) seeks that 72 to 82 Aro Street are rezoned from NCZ to MRZ on the basis that this section of the northern side of Aro Street was zoned to reflect its residential nature until it was rezoned around a decade ago as a result of a further submission by a single landowner (the owner of the Garage Project site). The submitter considers that there is no well-founded resource management reason to zone this residential section of Aro Street as centre. He notes that there are at least two shops currently used as flats, one vacant shop, and one shop operating as a ground floor office.
33. Likewise, Aro Valley Community Council [87.42] opposes the NCZ zoning of 72, 82 and 84 Aro Street and seeks that these sites are zoned MRZ as the buildings on these sites were built to be residential and have always been used for residential purposes. Generation Zero [FS54.46] oppose this submission point and seek that it is disallowed, on the basis that the NCZ enables additional housing supply.
34. Newtown Residents' Association [440.7, 440.27] (supported by WCCT [FS82.267]) requests that the proposed NCZ at Berhampore should be rezoned as MRZ.
35. Kāinga Ora [391.15] seeks that Luxford Street, between the existing Berhampore shops (to the west) and Rintoul Street (to the east) from HRZ to NCZ. This requested rezoning is shown in their Map 19 below:



Kāinga Ora Map 19 – Newtown (South)

36. Kāinga Ora [391.15] also seeks that the Tawa South (Oxford Street) NCZ is rezoned as TCZ. This request is assessed at paragraphs 104-108 of Part 3 (Local Centre Zone) of this report and is not considered further here.

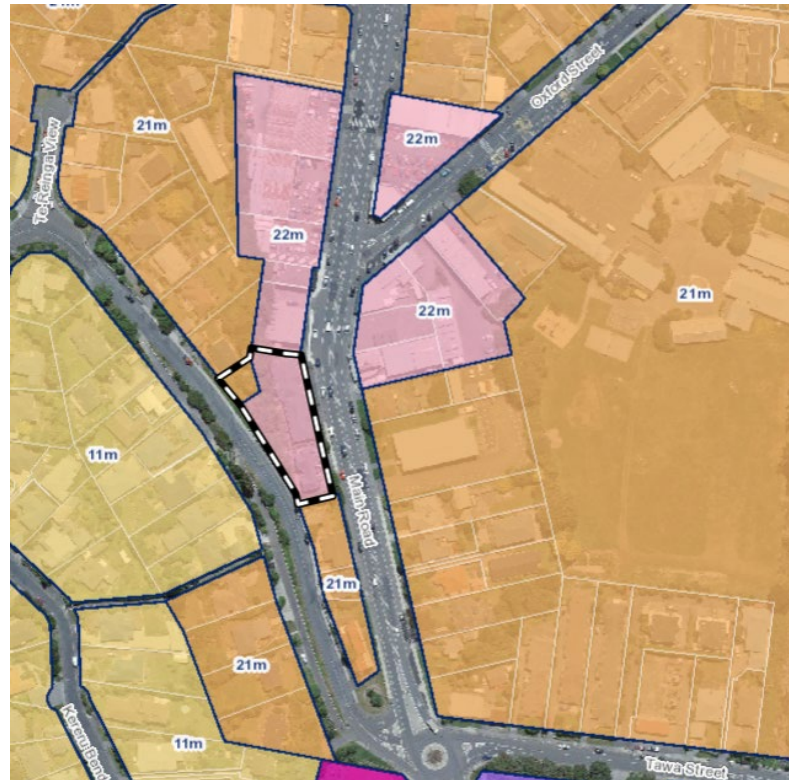
Assessment

37. In assessing the zoning of the Centres below I have taken into account:
- The ODP zoning and 'Centre Type' as identified at ODP policy 6.2.1.1;
 - The Sense Partners Report¹;
 - The relevant assessments within the BECA Report; and
 - The assessment and findings of the s32 report, and other evidence and information as considered relevant including that provided in support of submission points.
38. I live local to, and am familiar with, a number of these centres. In addition, I undertook sites visit to a number of the centres across various dates including 4, 5, 13, 14 and 28 April 2023.
39. Amended planning maps showing the changes recommended are provided at Appendix 1 of this section 42A report (Part 4 – Neighbourhood Centre Zone).

¹ [retail-and-market-assessment-november-2020.pdf \(wellington.govt.nz\)](https://www.wellington.govt.nz/retail-and-market-assessment-november-2020.pdf), pp109-116.

105, 107, 109, 111, 113 and 115 Main Road, Tawa

40. Both the Tawa Business Group and the Tawa Community Board [294.6, 294.16] request that the sites at 105, 107, 109, 111, 113 and 115 Main Road, Tawa are rezoned from NCZ to HRZ. The sites in question are along the western side of Main Road, at the southern end of the NCZ, as outlined on the PDP ePlan image below:



PDP Zoning - 105, 107, 109, 111, 113 and 115 Main Road, Tawa

41. These sites are held within two parcels of land, being Lot 1 DP 77221 (containing 109, 111, 113 and 115) and Lot 2 DP 77721 (containing 105 and 107). They are zoned Neighbourhood Centre in the ODP and this zoning has been carried down to the PDP, with a small portion of Lot 1 being zoned HRZ. As the submitters have advised, these sites are currently used for residential purposes. The Council's rates system shows that the residential units are in separate (unit-title) ownership.

42. Site photographs are provided below:



105, 107, 109, 111, 113 and 115 Main Road



103 Main Road – Commercial building

43. It is not clear why these sites have a Neighbourhood Centre zoning under the ODP or PDP, given the established residential activities and the residential zoning of the land to the immediate south (refer to image above). I note that the underlying zoning pre-dates Plan Change 73, being the last review of the centres zoning^{2,3}.
44. Retaining the NCZ allows for mixed use development at these sites, which aligns with the expectations of the NPS-UD. The NCZ will allow for an additional 1 metre of building height in comparison to if these sites were zoned HRZ. In terms of adjacent property owners, this change will have limited effects in relation to building bulk and siting.
45. That said, I consider that it would be appropriate to rezone these sites from NCZ to HRZ as they are in established residential use. Further, the residential zoning would be consistent with the sites to the south and address the split-zoning of Lot 1 DP 77721, allowing this to all be located within a single zone. The HRZ would enable additional residential development without the requirement to provide commercial space at ground floor. Given the separate ownership of the residential units, comprehensive redevelopment of the sites is unlikely to be straightforward.
46. For these reasons, I consider that the sites at 105-115 Main Road, Tawa should be rezoned from NCZ to HRZ and that submission points 294.6, 294.16, 107.5 - 107.10 should be accepted.

Sites to the west of Aro Park and at 72-82 Aro Street

47. The PDP ePlan image below shows the NCZ along Aro Street, with Aro Park being the Open Space Zone (OSZ) land in green, the site to the west of Aro Park (being 68 Aro Street) outlined, and 72-84 Aro Street being the sites to the left of the outlined area. These are the sites annotated with the 22 metre height limit.



PDP Zoning – Aro Valley

² [Plans, policies and bylaws - Plan Change 73: Suburban Centres Review - Wellington City Council](#)

³ [Proposed District Plan Change 73 - Suburban Centres Review: Section 32 Report \(wellington.govt.nz\)](#), p221

48. The Aro Valley centre shown above is zoned Neighbourhood Centre within the ODP and has a 9 metre height limit. The ODP zoning has been carried down to the PDP, with increased height limits as shown above applying. I note that this land is also subject to ODP policies 6.2.3.9(a) and 6.2.3.9(b)⁴, and standard 7.6.2.7.8⁵, which requires that the entire ground floor of all of the sites at 68-72 Aro Street shall be occupied by non-residential activities.
49. Mr Sapsford notes that 72 to 82 Aro Street is generally used for residential purposes and are better suited to be zoned MRZ. Photographs of these sites are provided below:



68 Aro Street – west of Aro Park



Looking south across Aro Park towards 68 Aro Street



Established centres activity – Hedge shows edge of 22 metre height zone (access to 84 Aro Street)



Looking east along Aro Street towards Aro Park

50. I acknowledge the concerns raised by Mr Sapsford and the Aro Valley Community Council, and the further submitters in support. I agree that the increased heights allowable in this NCZ will likely generate effects such as shading in Aro Park and effects on both public and private amenity experienced within Aro Street. That said, the NPS-UD requires the Council to provide suitable land for business and residential intensification. Through the District Plan Review the Council has applied centres zoning to existing centres and, with respect to this centre, has not considered 'down-zoning' the centre to residential as this would be contrary to the requirements of the NPS-UD. In this regard I agree with the Generation Zero submission point [FS54.46] that the NCZ in this location will enable additional housing supply.

⁴ [v1chap06.pdf \(wellington.govt.nz\)](#)

⁵ [v1chap07rules.pdf \(wellington.govt.nz\)](#)

51. Further to this, I have checked <https://www.suncalc.org/> to review Mr Sapsford’s concerns with respect to shading on Aro Park. This shows that a 22 metre building would generate shading across the southern portion of Aro Park from 4 pm at the summer and winter solstices, with sun initially falling along the southern edge of the park and progressing into the main part of the park as the sun transitions across the sky. I consider that this loss of sunlight in the park is acceptable, given the time of day and the limited duration. I also note that smaller parks in the CCZ, where sunlight is protected, only retain protection between 12pm to 2pm and there is no reason to afford greater protection to Aro Park, which will retain existing levels of sunlight during these hours even with a 22 metre building on the adjacent site(s).
52. I therefore recommend that the sites referenced in the submissions, being the sites along the northern side of Aro Street including 68, 72, 82 and 84 Aro Street remain as NCZ as notified and the submission points [305.63, 305.54, 87.42, FS82.267, FS96.112, FS111,157] requesting these sites are rezoned as MRZ are rejected.

Berhampore

53. There are two proposed areas of NCZ within Berhampore, as shown in the PDP ePlan image below, with the submission relating to the centre on the left:



Berhampore and Berhampore (Rintoul Street) Neighbourhood Centres

54. Both of these areas contain small established centres that are zoned as Neighbourhood Centres in the ODP⁶. Therefore, I disagree with the Newtown Residents’ Association [440.7, 440.27] (supported by WCCT [FS82.267]) request to rezone these centres as MRZ. I acknowledge the submitters’ concerns with respect to the 22 metre building height enabled in the Berhampore centre; however, this is in line with the requirements of the NPS-UD and is suitable given these sites’ proximity to the larger Newtown LCZ and the CCZ.

⁶ [Proposed District Plan Change 73 - Suburban Centres Review: Section 32 Report \(wellington.govt.nz\)](#), pp157-158

55. Kāinga Ora has requested an expansion of the two neighbourhood centres in Berhampore as shown in the map provided at paragraph 35 of this report. This area contains established residential development, as shown below:



Luxford Street – Looking east from Berhampore



Luxford Street – Looking west from Rintoul Street

56. I disagree with Kāinga Ora that the zoning of this area should change from HRZ to NCZ. The HRZ zoning will allow for substantial residential development capacity, with the two adjacent neighbourhood centres providing commercial/retail capacity to support this intensification. Newtown, Island Bay and the CCZ are all within walking distance or easily accessible by public transport. I therefore recommend that the submission point [391.15] is rejected.

Summary of recommendations

57. HS4-P4-NCZ-Rec3: That the sites at 105, 107, 109, 111, 113 and 115 Main Road, Tawa are rezoned from NCZ to HRZ.
58. HS4-P4-NCZ-Rec4: That the Neighbourhood Centre Zone applying to the sites at 68, 72, 82 and 84 Aro Street is confirmed as notified.
59. HS4-P4-NCZ-Rec5: That the Neighbourhood Centre Zone and Medium Density Residential Zone applying to Berhampore are confirmed as notified.
60. HS4-P4-NCZ-Rec6: That submission points relating to 'Requests for Zone Changes' are accepted/rejected as detailed in Appendix B.

5.0 Submissions Relating to Specific Neighbourhood Centre Zone Provisions

Introduction (Pt 1 Sch 1)

Matters raised by submitters

61. Kāinga Ora [391.507, 391.508] supports the Introduction to the NCZ in part, and has requested the following amendments to the text of paragraph 3:

Introduction

[Paragraph 3]

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

Assessment

60. I disagree with the changes sought by Kāinga Ora for the following reasons:
- a. The use of the phrase ‘issues that are not anticipated in the zone’ implies a permitted baseline that may or may not be included in the rule framework. This matter has been addressed earlier in this section 42A report (refer to paragraph 124 of Part 3 (Local Centre Zone)).
 - b. Through the District Plan hearings the Council will seek to retain the Design Guides in some form, along with references to these in the planning framework. This was addressed within Part 6 of the section 42A report prepared for Hearing Stream 2⁷ and is discussed further at paragraphs 144 to 146 of the Overview and General Matters section of this report. I therefore consider that the reference to the CMUDG in the Introduction is appropriate.
61. I agree with Kāinga Ora that the words ‘address amenity issues’ could be interpreted in different ways. This is clarified through the policy and rule framework and so I am comfortable with its use in the Introduction.
62. For these reasons, I do not consider any changes to the Introduction are necessary and recommend that the changes requested by Kāinga Ora [391.507, 391.508] are rejected.

Summary of recommendations

65. HS4-P4-NCZ-Rec7: That the Introduction to the NCZ chapter is confirmed as notified.
66. HS4-P4-NCZ-Rec8: That submission points relating to the Introduction to the NCZ chapter are rejected as detailed in Appendix B.

NCZ-O1 – Purpose (ISPP)

Matters raised by submitters

67. Restaurant Brands Limited, WCC Environmental Reference Group and Kāinga Ora [349.57, 377.425, 391.510] support NCZ-O1 and seek that this is retained as notified.

⁷ [Hearing Stream 2 S42A Report - Part 6 Design Guides \(wellington.govt.nz\)](https://www.wellington.govt.nz)

68. Woolworths [359.48] seeks the following amendment to NCZ-O1 to capture that the zone also serves passers-by:

NCZ-O1 (Purpose)

The Neighbourhood Centre Zone meets the needs of communities, businesses and residents in the immediate residential neighbourhood and passers-by in a manner that supports the City's compact urban growth objectives and its role and function in the City's hierarchy of centres.

Assessment

70. In line with my recommendations at paragraph 134 of Part 3 (Local Centre Zone) of this report, I recommend that the Woolworths submission point [359.48] is rejected. The addition of 'and passers-by' is not considered necessary as this will reduce the clarity of the objective and is implicit in any case.

Summary of recommendations

71. HS4-P4-NCZ-Rec9: That NCZ-O1 (Purpose) is confirmed a notified.
72. HS4-P4-NCZ-Rec10: That submission points relating to MCZ-O2 are accepted/rejected as detailed in Appendix B.

NCZ-O2 – Accommodating Growth (ISPP)

Matters raised by submitters

73. FENZ, Restaurants Brands Limited, WCC Environmental Reference Group and Kāinga Ora [273.247, 349.58, 377.426, 391.511] support NCZ-O2 and seek that this is retained as notified.
74. The Ministry of Education [400.123, 400.124] support NCZ-O2 in part and seek the following amendment to explicitly recognise and provide for educational activities in the NCZ which, in their view, are necessary to accommodate growth:

NCZ-O2 (Accommodating growth)

The Neighbourhood Centre Zone has sufficient serviced, resilient development capacity and additional infrastructure to meet residential and commercial growth needs.

Assessment

75. Consistent with my recommendations at paragraph 51 of Part 2 (Metropolitan Centre Zone) and paragraph 141 of Part 3 (Local Centre Zone) of this section 42A report, I recommend that the Ministry of Education submission points [400.123, 400.124] are accepted, as the NCZ is a suitable location for additional infrastructure as defined in the PDP.

Summary of recommendations

76. HS4-P4-NCZ-Rec11: That NCZ-O2 (Accommodating Growth) is amended as set out below and at Appendix A.

NCZ-O2 (Accommodating growth)

The Neighbourhood Centre Zone has sufficient serviced, resilient development capacity and additional infrastructure to meet residential and commercial growth needs.

77. HS4-P4-NCZ-Rec12: That submission points relating to NCZ-O2 are accepted/rejected as detailed in Appendix B.

NCZ-O3 – Amenity and Design (ISPP)

Matters raised by submitters

78. Restaurant Brands Limited and WCC Environmental Reference Group [349.59, 377.427] support NCZ-O3 and seek that this is retained as notified.
79. The Retirement Villages Association [350.210, 350.211] supports the objective in part, but considers that the wording is inconsistent with Objectives 1 and 2 of the MDRS and that the word ‘positively’ should be deleted as shown below:

NCZ-O3 (Amenity and design)

Medium density, mixed-use development is achieved that ~~positively~~ contributes to creating a good quality, well-functioning urban environment that reflects the changing urban form and amenity values of the Neighbourhood Centres and their surrounding residential areas.

80. Kāinga Ora [391.512, 391.513] supports the objective in part, and seeks the following amendment to recognise the range of housing densities potentially enabled in the NCZ:

NCZ-O3 (Amenity and design)

Medium to high density, mixed-use development is achieved that positively contributes to creating a good quality, well-functioning urban environment that reflects the changing urban form and amenity values of the Neighbourhood Centres and their surrounding residential areas.

Assessment

81. I disagree with the submission points from the Retirement Villages Association [350.210, 350.211] seeking the removal of the word ‘positively’ from the objective. In my view there is no reason why the District Plan should not encourage ‘good quality’ development within the NCZ and the inclusion of the word ‘positively’ indicates that this is the standard of development that the Council will encourage. Additionally, the MDRS relates to residential land. Therefore, in line with my recommendations in relation to MCZ-O3 and LCZ-O3, I recommend that this submission point is rejected.

84. I agree with Kāinga Ora [391.512, 391.513] that the objective should also encourage high density in the NCZ. The PDP seeks to encourage intensification in the CMUZ. In the NCZ, the 22 metre height limit at NCZ-S1 - Height Control Area 2 sets an expectation that high density development will occur, at least in these centres. I consider that this should be reflected in the objective and I recommend that the Kāinga Ora submission points are accepted.

Summary of recommendations

85. HS4-P4-NCZ-Rec13: That NCZ-O3 (Amenity and design) be amended include the words 'to high' as detailed below and in Appendix A.

NCZ-O3 (Amenity and design)

Medium to high density, mixed-use development is achieved that positively contributes to creating a good quality, well-functioning urban environment that reflects the changing urban form and amenity values of the Neighbourhood Centres and their surrounding residential areas.

86. HS4-P4-NCZ-Rec14: That submission points relating to NCZ-O3 are accepted/rejected as detailed in Appendix B.

NCZ-O4 – Activities (Pt 1 Sch 1)

Matters raised by submitters

87. Restaurant Brands Limited, WCC Environmental Reference Group and Kāinga Ora [349.60, 377.428, 391.514] support NCZ-O4 and seek that this is retained as notified. No submitters oppose or request changes to MCZ-O4.

Summary of recommendations

88. HS4-P4-NCZ-Rec15: That NCZ-O4 (Activities) be confirmed as notified.
89. HS4-P4-NCZ-Rec16: That submission points relating to NCZ-O4 are accepted as detailed in Appendix B.

NCZ-P1 - Accommodating Growth (ISPP)

Matters raised by submitters

90. Restaurant Brands Limited [349.61] (opposed by Foodstuffs [FS23.35]) and the Retirement Villages Association [350.212] support NCZ-P1 and seek that this is retained as notified.
91. McDonald's [274.10, 274.11] (opposed by Kāinga Ora [FS89.82]) and Foodstuffs [476.12] (opposed by Kāinga Ora [FS89.57]) seek that NCZ-P1.1 is amended as follows to remove references on undermining the ongoing primacy, viability and vibrancy of other CMUZ:

NCZ-P1 (Accommodating growth)

1. A variety of building types, sizes, tenures, affordability and distribution of a scale and intensity that ~~does not undermine the ongoing viability and vibrancy of the Local Centre Zone and Metropolitan Centre Zone and primacy of the City Centre Zone~~ supports the purpose of the zone;

92. Kāinga Ora [391.515, 391.516] seeks the policy is amended to recognise the range of housing densities potentially enabled in the zone, and to recognise that tenures and affordability cannot and should not be managed through the District Plan. As such, they seek the following changes to NCZ-P1:

NCZ-P1 (Accommodating growth)

Provide for the use and development of the Neighbourhood Centre Zone to meet the City's needs for housing, business activities and community facilities, including:

1. A variety of building types, sizes, ~~tenures, affordability~~ and distribution of a scale and intensity that does not undermine the ongoing viability and vibrancy of the Local Centre Zone and Metropolitan Centre Zone and primacy of the City Centre Zone;
2. A mix of medium to high density housing;
3. Convenient access to active, public transport and rapid transit options;
4. Efficient, well integrated and strategic use of available development sites; and
5. Convenient access to a range of open spaces.

Assessment

94. NCZ-P1 establishes that the NCZ will enable additional commercial and residential development within existing neighbourhood centres. This is reflected in the rule framework. For the reasons detailed at paragraph 112 of Part 2 (Metropolitan Centre Zone), I consider that it is appropriate for the policy to refer to different tenures and affordability as this indicates that a range of housing typologies is acceptable within the zone. This is not a requirement (rule or standard), but infers that the benefits of different styles of housing will be taken into account. I therefore recommend that the change requested by Kāinga Ora [391.515, 391.516] is accepted in part, with 'tenures, affordability' at NCZ-P1.1 retained as notified and the words 'to high' added at NCZ-P1.2.
95. McDonald's [274.11] and Foodstuffs [476.12] seek the removal of the reference in the policy to not undermining the ongoing viability and vibrancy of the CCZ, MCZ and LCZ, whereas Kāinga Ora seeks that this is retained. I note that I have recommended that MCZ-P1 and LCZ-P1 be amended to remove this requirement. Conversely, I consider that this should be retained at NCZ-P1. I agree with Kāinga Ora that the NCZ policy framework should reflect that these centres sit lower than the CCZ, MCZ and LCZ in the centres hierarchy and that larger scale development should be focussed in the larger centres. This will both optimise the function of the higher order centres and retain the 'neighbourhood' nature of the NCZ. I acknowledge that this does not resolve the issue I have previously raised with respect to how this matter will be addressed in a resource consent application, but consider that the scale of any NCZ development will be an indication of whether or not this outcome is achieved. As

such, I recommend that the Kāinga Ora submission points [FS89.57, FS89.82] are accepted and the McDonald's [274.10, 274.11] and Foodstuffs [476.12] submission points with respect to this issue are rejected.

Summary of recommendations

96. HS4-P4-NCZ-Rec17: That NCZ-P1 is amended as set out below and at Appendix A.

NCZ-P1 (Accommodating growth)

Provide for the use and development of the Neighbourhood Centre Zone to meet the City's needs for housing, business activities and community facilities, including:

1. A variety of building types, sizes, tenures, affordability and distribution of a scale and intensity that does not undermine the ongoing ~~viability and~~ vibrancy of the Local Centre Zone and Metropolitan Centre Zone and primacy of the City Centre Zone;
2. A mix of medium ~~to high~~ density housing;
3. Convenient access to active, public transport and rapid transit options;
4. Efficient, well integrated and strategic use of available development sites; and
5. Convenient access to a range of open spaces.

97. HS4-P4-NCZ-Rec18: That submission points relating to MCZ-P1 are accepted/rejected as detailed in Appendix B.

NCZ-P2 – Enabled activities (Pt 1 Sch 1)

Matters raised by submitters

98. A number of submitters [240.28, 240.29, 273.248, 349.62, 359.49, 391.517, 400.125] support NCZ-P2 as notified. No submitters oppose or request changes to the policy.

Recommendation

99. HS4-P4-NCZ-Rec19: That NCZ-P2 (Enabled activities) be confirmed as notified.

100. HS4-P4-NCZ-Rec20: That submission points relating to NCZ-P2 are accepted as detailed in Appendix B.

NCZ-P3 – Managed activities (Pt 1 Sch 1)

101. Restaurant Brands Limited and Kāinga Ora [349.63, 391.518] support NCZ-P3 as notified. No submitters oppose or request changes to the policy.

Recommendation

102. HS4-P4-NCZ-Rec21: That NCZ-P3 (Managed activities) be confirmed as notified.

103. HS4-P4-NCZ-Rec22: That submission points relating to NCZ-P3 are accepted as detailed in Appendix B.

NCZ-P4 – Potentially incompatible activities (Pt 1 Sch 1)

Matters raised by submitters

104. Restaurant Brands Limited and Kāinga Ora [349.64, 391.519] support NCZ-P4 and seek that this is retained as notified.
105. Woolworths [359.50] considers that the policy is unclear and should be amended to clarify why matters 1-4 are included. Furthermore, they seek that these clauses are deleted from the policy on that basis that potentially incompatible activities (being activities not contemplated by the zone, or ones that infringe the zone standards) should be able to be accommodated in the zone if there is a functional and operational need and effects on the centre are managed. As such, the submitter seeks that NCZ-P4 is amended as follows:

NCZ-P4 (Potentially incompatible activities)

~~Only~~ Allow activities that are potentially incompatible with the role and function of the Neighbourhood Centre Zone, where they demonstrate an operational or functional need to locate within the zone; or will not have an unacceptable adverse effect on the vibrancy and amenity of the centre. ÷

- ~~1. Carparking visible at street edge along an active frontage or non-residential activity frontage;~~
- ~~2. Demolition of buildings that results in the creation of vacant land;~~
- ~~3. Ground floor residential activities on street edges identified as having an active frontage or non-residential activity frontage; and~~
- ~~4. Yard-based retail activities.~~

106. Waka Kotahi [FS103.33] opposes this change and seeks that the submission is disallowed, on the basis that the clauses within the policy give greater clarity as to the types of activities that may not be compatible with the NCZ.
107. WCC Environmental Reference Group [377.429] also considers that the policy is unduly restrictive and considers that allowing a wider range of activities (ie yard-based activities) is fundamental to limiting car use and creating walkable neighbourhoods. They seek the following change:

NCZ-P4 (Potentially incompatible activities)

Only allow activities that are potentially incompatible with the role and function of the Neighbourhood Centre Zone, where they will not have an adverse effect on the vibrancy and amenity of the centre:

1. Carparking visible at street edge along an active frontage or non-residential activity frontage;
2. Demolition of buildings that results in the creation of unutilised vacant land;
3. Ground floor residential activities on street edges identified as having an active frontage or non-residential activity frontage; ~~and~~
- ~~4. Yard-based retail activities~~

Assessment

109. With respect to the Woolworths submission point [359.50] I consider that the addition of the words 'demonstrate an operational or functional need to locate within the zone' is unnecessary, given the range of activities and building sizes permitted within the NCZ. This change, along with the addition of the word 'unacceptable', are matters that a resource consent planner would consider when assessing an application and are not necessary within the policy. I also disagree with the deletion of the four matters under the policy, as these provide clarity as to what activities are unacceptable.
110. I disagree with the WCC Environmental Reference Group request to remove yard-based retail activities from the list of potentially incompatible activities listed under the policy. In the absence of clarification of what activities would be acceptable, this change would add uncertainty for developers and resource consent planners. As such, I recommend that this submission point [377.429] is rejected.

Summary of recommendations

111. HS4-P4-NCZ-Rec23: That NCZ-P4 (Potentially incompatible activities) be confirmed as notified.
112. HS4-P4-NCZ-Rec24: That submission points relating to NCZ-P4 are accepted as detailed in Appendix B.

NCZ-P5 – Heavy industrial activities (Pt 1 Sch 1)

Matters raised by submitters

113. Restaurant Brands Limited and Kāinga Ora [349.65, 391.520] support NCZ-P5 and seek that this is retained as notified.
114. WCC Environmental Reference Group [377.430] seeks that the policy is amended on the basis that the use of 'avoid' is too strong/prohibitive and there are some activities, such as small scale waste collection or recycling, that would fit within the category of heavy industrial activities but would be suitable in the NCZ. They seek the following change:

NCZ-P5 (Heavy industrial activities)

Only allow heavy industrial activities where they will not have an adverse effect on the vibrancy and amenity of the centre.

Avoid heavy industrial activities from locating in the Neighbourhood Centre Zone.

Assessment

115. With respect to the submission from WCC Environmental Reference Group [377.430], I note that industrial activities are enabled at NCZ-P2 and as a Permitted activity under NCZ-R12.1. A small-scale waste collection or recycling activity that was determined to be an industrial activity and not a heavy industrial activity could therefore occur within the NCZ. The purpose of NCZ-P5 is to prevent larger scale industrial activities where these create: *“offensive and objectionable noise, dust or odour, significant volumes of heavy vehicle movements, or*

elevated risks to people's health and safety". The NCZ encourages mixed use development at a small scale and the purpose of NCZ-P5 is to ensure that the effects of heavy industrial activities do not adversely affect other activities within the zone. Therefore, I consider it is appropriate that such activities be avoided within the zone and that this submission point should be rejected.

Summary of recommendations

116. HS4-P4-NCZ-Rec25: That NCZ-P5 (Heavy industrial activities) be confirmed as notified.
117. HS4-P4-NCZ-Rec26: That submission points relating to NCZ-P5 are accepted/rejected as detailed in Appendix B.

NCZ-P6 – Housing choice (ISPP)

Matters raised by submitters

118. Restaurant Brands Limited [349.66] supports NCZ-P6 and seeks that this is retained as notified.
119. The Retirement Villages Association [350.213, 350.214] generally supports NCZ-P6 and its enablement of medium density residential development, but seek the following change to acknowledge that each individual development will not offer a range in those matters:

NCZ-P6 (Housing choice)

Enable medium density residential development that:

1. Contributes towards accommodating anticipated growth in the City; and
2. ~~Offers~~ Contributes to a range of housing price, type, size and tenure that is accessible to people of all ages, lifestyles, cultures and abilities.

120. Kāinga Ora [391.521, 391.522] seeks the policy is amended to:
- a. Recognise the range of housing densities potentially enabled in the zone, and to recognise that tenures and affordability cannot and should not be managed through the District Plan. The focus should be on providing for the level of the activity and building form that is appropriate for a Neighbourhood Centre; and
 - b. Clarify that the intent of the NCZ is to enable intensification and height, and therefore medium to high-density housing is the appropriate scale of development to encourage within the zone, particularly taking account of the location of some Neighbourhood Centres adjoining High Density Residential Zones. Furthermore, high density residential development can provide for a range of housing choices in itself. In their view, this position is consistent with NCZ-P1 and NCZ-P7 and the intent of the NCZ.

121. They request the following changes:

NCZ-P6 (Housing choice)

Enable medium to high density residential development that:

1. Contributes towards accommodating anticipated growth in the City; and
2. Offers a range of housing price, type, and size and tenure that is accessible to people of all ages, lifestyles, cultures and abilities.

Assessment

122. The Retirement Villages Association [350.213, 350.214] requests that the word 'Offers' is changed to 'Contributes to' at NCZ-P6.2. I consider that these words can be used interchangeably and that this change is not necessary; however, I have no concerns if the IHP considers that this change is appropriate.
123. NCZ-P6 seeks that a range of housing is supplied in the NCZ, but is not prescriptive in that there is no implicit requirement to provide this range within each development. As such, I consider that NCZ-P2.2 should be retained, including the reference to tenure. Further to this, I see no reason why a range of tenures should not be available within the NCZ. I agree with Kāinga Ora that high density housing is appropriate in the NCZ, particularly in centres with a 22 metre building height. For these reasons I recommend that the Kāinga Ora submission points [391.521, 391.522] are accepted in part.

Summary of recommendations

124. HS4-P4-NCZ-Rec27: That NCZ-P6 (Housing choice) be amended as shown below and at Appendix A, including to be consequentially amended to be consistent with CCZ-Rec32.

NCZ-P6 (Housing choice)

Enable medium to high density residential development that:

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

125. HS4-P4-NCZ-Rec28: That submission points relating to NCZ-P6 are accepted/rejected as detailed in Appendix B.

NCZ-P7 – Quality design – neighbourhood and townscape outcomes (ISPP)

Matters raised by submitters

126. Historic Places Wellington, Restaurant Brands Limited, the Retirement Villages Association, WCC Environmental Reference Group and the Wellington Heritage Professionals [182.30, 349.67, 350.215, 377.431, 412.77] support NCZ-P7 and seek that this is retained as notified.
127. Foodstuffs [FS23.36] opposes NCZ-P7 being retained as notified on the basis that they seek an amendment to the policy.

128. FENZ [273.249, 273.250] supports the policy in part but seeks that this is amended to include a further matter that access for emergency service vehicles is a consideration of the design and layout of new developments. They seek the following change:

NCZ-P7 (Quality design - neighbourhood and townscape outcomes)

Require new development, and alterations and additions to existing development at a site scale, to positively contribute to the sense of place, quality and amenity of the Neighbourhood Centre Zone by:

1. Recognising the benefits of well-designed, comprehensive development, including the extent to which the development:
...
c. Provides for the increased levels of residential accommodation enabled in this zone; ~~and~~
d. Provides for a range of supporting business, open space and community facilities- ; and
e. Is accessible for emergency service vehicles.

129. On the basis that while functional and operational needs are referenced in some assessment criteria but not in the policy framework, McDonald's [274.12, 274.13] and Foodstuffs [476.13, 476.14] seek the following change to NCZ-P7:

NCZ-P7 (Quality design - neighbourhood and townscape outcomes)

Require new development, and alterations and additions to existing development at a site scale, to positively contribute to the sense of place, quality and amenity of the Neighbourhood Centre Zone by:

3. Recognising the functional and operational requirements of activities and development.

130. Kāinga Ora [391.523, 391.524] supports NCZ-P7 in part, but seeks the following amendments:

- (a) A change to the name of the policy name to better reflect the intent of the policy and the subsequent wording, which seeks to manage new developments contribution to the neighbourhood and townscape; and
- (b) A change to the policy wording to better recognise the NCZ rule setting and the intent of the NPS-UD (particularly Policy 6) that recognises the planned urban built form and that change to existing amenity is not in itself an adverse effect; and to simplify and clarify the neighbourhood and townscape outcomes that the Plan is seeking to manage.

131. They request the following changes:

NCZ-P7 (~~Quality design~~ – Neighbourhood and townscape outcomes)

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

1. Recognising the benefits of well-designed, comprehensive development, including the extent to which the development:

~~a. Acts as a positive catalyst for future change by reflecting~~ Reflects the nature and scale of the development ~~proposed~~ enabled within the zone ~~and in the vicinity~~ and responds to the evolving, more intensive identity of the neighbourhood;

b. Optimises the development capacity of land, ~~particularly sites that are:~~

~~i. Large; or~~

~~ii. Narrow; or~~

~~iii. Vacant; or~~

~~iv. Ground level parking areas;~~

c. Provides for the increased levels of residential accommodation enabled in this zone; and

d. Provides for a range of supporting business, open space and community facilities; and

3. Ensuring that the development, ~~where relevant:~~

a. Responds to the site context, particularly where it is located adjacent to:

...

Assessment

132. I consider that the amendments better reflect the outcomes sought by the NPS-UD, in particular policies 2, 3 and 4, in terms of providing a balance between enabling development capacity in the NCZ whilst encouraging quality design.
133. I agree with FENZ [273.249, 273.250] that sites should be accessible for emergency service vehicles and recommend that these submission points are accepted.
134. For the reasons set out at paragraph 125 of Part 2 (Metropolitan Centre Zone) and paragraph 211 of Part 3 (Local Centre Zone) of this report, I do not consider that reference to functional and operational needs should be added to NCZ-P7. As such, I recommend that the submission points from McDonald's [274.23, 274.24] and Foodstuffs [476.24, 476.25] are rejected.
135. With respect to the changes requested by Kāinga Ora [391.523, 391.524], I do not consider a change to the name of the policy is required. The existing title signifies that this policy is design focussed, whereas the requested change does not. If the name of the policy is changed, I recommend it is called 'Quality Design Outcomes', with the words 'Neighbourhood and Townscape Outcomes' deleted, as the points within the policy are not specifically related to these outcomes. This is consistent with my recommendations with respect to the MCZ, LCZ, MUZ and COMZ.

136. I consider that the changes requested with respect to the wording of LCZ-P7.1.a is an improvement on the current wording, which is aspirational but could be difficult to demonstrate in a resource consent application. I therefore recommend that this change is made. I also support the requested changes to LCZ-P7.1.b as I consider the deleted section is not necessary in the NCZ where sites are generally smaller in scale (ie than in the CCZ and MCZ), and that the policy will still require a developer to maximise the development capacity of their land. I do not consider the deletion of the words ‘where relevant’ to be necessary, as the intent of these words is to indicate that not all matters will apply in all circumstances.
137. As has been detailed throughout this section 42A report (and in others), various submitters have requested that references to the Design Guides be removed from the rule framework⁸. Under my assessment of MCZ-R20 in Part 2 of this report, LCZ-R18 in Part 3, and NCZ-R18 below, I determine that this change is appropriate and that references to the Design Guides sit best within the policy framework. As such, a change to NCZ-P7 is required to signify that a development is required to assist in achieving the purpose of the zone through the application of the CMUDG. It is intended that this wording also addresses submitters’ concerns that references to the Design Guides are prescriptive and the guidelines must be met in full, whereas the Council’s intention is that these are applied with reference to the context of the site and that only applicable guidelines are addressed.
138. On the basis of the commentary above, I recommend that NCZ-P7 is amended as set out in my Summary of Recommendations below. I note that these recommendations align with my recommendations in Part 2 (Metropolitan Centre Zone), Part 3 (Local Centre Zone), Part 5 (Mixed Use Zone) and Part 6 (Commercial Zone) of this report.

Summary of recommendations

139. HS4-P4-NCZ-Rec29: That NCZ-P7 (Quality design outcomes – neighbourhood and townscape outcomes) is amended as set out below and at Appendix A.

⁸ Note that further consideration of the Design Guides has been deferred to the Wrap Up Hearing to follow Hearing Streams 1 to 5 (Refer to IHP Minute 15).

NCZ-P7 (Quality design outcomes ~~—neighbourhood and townscape outcomes~~)

Require new development, and alterations and additions to existing development at a site scale, to positively contribute to the sense of place, quality and amenity of the Local Centre Zone by:

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

140. HS4-P4-NCZ-Rec30: That submission points relating to NCZ-P7 are accepted/rejected as detailed in Appendix B.

S32AA Evaluation

141. In my opinion, the amendments to LCZ-P7 are more appropriate in achieving the objectives of the District Plan than the notified provisions. I consider that:
- a. The amendments give better effect to the NPS-UD direction, in particular Objective 1 with respect to achieving well-functioning urban environments and Objective 4, in terms of providing greater flexibility and amenity value.
 - b. The changes signify that the CMUDG should be addressed at the project development stage to ensure that the development accords with the relevant guidance, and that an assessment against the CMUDG is necessary at the resource consent stage.
 - c. The changes will help to ensure that important access for emergency service vehicles is available.
 - d. The change is more efficient and effective than the notified provisions in achieving the objectives of the District Plan.

142. The environmental, economic, social and cultural effects of the recommended amendments are detailed below.

Environmental	<ul style="list-style-type: none"> The change signifies that high quality design that achieves a range of improved outcomes is paramount within the zone, noting that this requirement is already set out in the NCZ rule framework. The environmental outcome will be a neighbourhood centre that provides a high quality environment where people can live, work and undertake a wide range of associated activities.
Economic	<ul style="list-style-type: none"> The changes to the wording of the policy provide clarity as to how the policy applies, thereby reducing uncertainty and associated time and cost involved with resource consent applications. The change does not introduce any new requirements that would impose additional costs on developers.
Social	<ul style="list-style-type: none"> The changes will result in more vibrant centres that help provide for the health and wellbeing of people and communities.
Cultural	<ul style="list-style-type: none"> The changes will result in more vibrant centres that also help provide for the cultural wellbeing of people and communities.

NCZ-P8 – On-site residential amenity (ISPP)

Matters raised by submitters

143. Restaurant Brands Limited and WCC Environmental Reference Group [349.68, 377.432] support NCZ-P8 and seek that this is retained as notified.

144. Kāinga Ora [391.525, 391.526] supports the policy in part, subject to amendments to the relevant rules in relation to on-site amenity requirements. They seek the following change:

NCZ-P8 (On-site residential amenity)

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

1. Providing residents with access to adequate outlook ~~and~~
- ~~2. Ensuring access to convenient outdoor space, including private or shared communal areas.~~

Assessment

145. As discussed at paragraph 141 of Part 2 (Metropolitan Centre Zone), I consider that points 1 and 2 under the policy provide useful guidance as to how the policy applies and should be retained. I note that there is no requirement to provide both private and communal outdoor space, rather communal outdoor space should be provided if private space is not. I acknowledge this may not be clear in the current wording and recommend a number of changes to NCZ-P8.2.

146. For the reasons set out above, I recommend the submission points from Kāinga Ora [391.525, 391.526] are accepted in part, and that NCZ-P8 should be amended as set out in my Summary of Recommendations below.
147. Further to the assessment above, I recommend that NCZ-P8 is amended to reference the Residential Design Guide insofar as this seeks to encourage high quality on-site amenity for residential activities. This is a consequential change of amending NCZ-R18 (as requested by a number of submitters). It will allow for the removal of references to the RDG from NCZ-R18, noting that an assessment against the policy is required as a matter of discretion.
148. On the basis of the assessment above, I recommend that NCZ-P8 is amended as set out in my Summary of Recommendations below. I note that these recommendations align with my recommendations in Part 2 (Metropolitan Centre Zone), Part 3 (Local Centre Zone), Part 5 (Mixed Use Zone) and Part 6 (Commercial Zone) of this report.

Summary of recommendations

149. HS4-P3-NCZ-Rec31: That NCZ-P8 (On-site residential amenity) is amended as set out below and to reflect CCZ-Rec156 at Appendix A.

NCZ-P8 (On-site residential amenity)

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

1. Providing residents with access to adequate outlook; and

2. Ensuring convenient access to convenient outdoor space, including private and/or shared communal areas of outdoor space;

3. Meeting the requirements of the Residential Design Guide as relevant; and

4. Providing residents with adequate internal living space.

150. HS4-P4-NCZ-Rec32: That submission points relating to NCZ-P8 are accepted/rejected as detailed in Appendix B.

S32AA Evaluation

151. In my opinion, the amendments to NCZ-P8 are more appropriate in achieving the objectives of the District Plan than the notified provisions. I consider that:
- The amendments give better effect to the NPS-UD directions, in particular Objective 1 with respect to achieving well-functioning urban environments, and Policies 2, 3 and 6 in terms of providing a balance between enabling development capacity in the NCZ whilst ensuring that high quality on-site amenity is provided for residents.
 - The changes clarify the wording of the policy with respect to the provision of communal open space.

- c. The changes allow for NCZ-R18 to be simplified, as this will be addressed later in this report. The addition of the reference to the RDG in the 'On-site residential amenity' policy is considered appropriate as this is where such amenity is assessed. This change is more efficient and effective than the notified provisions in achieving the objectives of the District Plan.
- d. The change is more efficient and effective than the notified provisions in achieving the objectives of the District Plan.
- e. The changes allow for NCZ-R18 to be simplified, as will be addressed later in this report. The addition of the reference to the RDG in the 'On-site residential amenity' policy is considered appropriate as this is where such amenity is assessed. This change is more efficient and effective than the notified provisions in achieving the objectives of the District Plan.
- f. The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions.

152. The environmental, economic, social and cultural effects of the recommended amendments are detailed below.

Environmental	<ul style="list-style-type: none"> • The environmental benefit will be development that provides a high quality residential amenity for people living in the centre, thereby enhancing the overall quality of the respective NCZ.
Economic	<ul style="list-style-type: none"> • No direct or indirect economic costs (e.g., on economic growth or employment) have been identified. • The value increased residential amenity has on a development and its contribution to the revenues that can be generated. It found that a high standard of development with good amenity would also support a higher price point for developments.
Social	<ul style="list-style-type: none"> • The changes will result in more vibrant centres that also help provide for the health and wellbeing of people and communities. • The change will result in higher on-site amenity and assist to reduce impacts on the amenity available to surrounding residential properties.
Cultural	<ul style="list-style-type: none"> • The changes will result in more vibrant centres that also help provide for the cultural wellbeing of people and communities.

NCZ-P9 – Managing adverse effects (ISPP)

Matters raised by submitters

153. Two submitters [349.69, 377.433] support NCZ-P9 and seek that this is retained as notified.
154. The Retirement Villages Association [350.216] supports NCZ-P9 in part. They agree that shading, privacy, bulk and dominance effects on adjacent sites require management; but consider that the level of management needs to be informed by the development expectations for the zone. They request that the policy is amended to reflect this, but have not suggested changes to the wording.
155. Kāinga Ora [391.527, 391.528] considers that an amendment is required to NCZ-P9 to specify that adverse effects that need consideration are only those beyond what is anticipated in the zone. They seek the following change:

NCZ-P9 (Managing adverse effects)

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

1. Shading, privacy, bulk and dominance effects on adjacent sites; and
2. The impact of construction on the transport network.

Assessment

156. In my view the change requested by the Retirement Villages Association [350.216] is unnecessary given the notification clauses under NCZ-R18, which set a clear indication that where a development complies with the building standards effects on adjoining properties and/or the public environment will not be taken into account, at least with respect to the section 95 (notification) decision on an application.
157. I disagree with Kāinga Ora [391.580, 391.581] that the policy should only allow for consideration of effects ‘beyond what is anticipated in the zone’ as this would effectively build a permitted baseline test into the policy. I note my concerns with respect to the word ‘anticipated’ in the District Plan, as discussed at paragraph 124 of Part 3 (Local Centre Zone) of this section 42A report.

Summary of recommendations

158. HS4-P4-NCZ-Rec33: That NCZ-P9 (Managing adverse effects) is amended consequentially to reflect CCZ-Rec 46.
159. HS4-P4-NCZ-Rec34: That submission points relating to NCZ-P9 are accepted/rejected as detailed in Appendix B.

NCZ-P10 – City Outcomes Contribution (ISPP)

Matters raised by submitters

160. WCC Environmental Reference Group [377.434] supports NCZ-P10 and seeks that this is retained as notified. Conversely, McDonald's, the Retirement Villages Association, Investore, Fabric Property Limited and Foodstuffs [274.14, 350.218, 405.61, 425.50, 476.15] oppose the policy and seek that it is deleted in its entirety.
161. Property Council, Restaurant Brands Limited, Woolworths, Kāinga Ora and VicLabour [338.14, 349.70, 359.51, 391.529, 391.530, 414.36] seek that the policy is retained with amendments. Foodstuffs [FS23.37, FS23.3], the Retirement Villages Association [FS126.205, FS126.152, FS126.153] and Ryman [FS128.205, FS128.152, FS128.153] seek that these submission points are disallowed, on the basis that they oppose the City Outcome Contribution and seek that the policy is deleted in its entirety.
162. Woolworths [359.51] has identified that NCZ-P10 incorrectly refers to guideline G107, whereas the correct reference is G97.

Assessment

163. The City Outcomes Contribution policy has been addressed at section 8.10 of the Overview and General Matters section of this report, where it is recommended that the City Outcomes Contribution mechanism is removed from the Design Guides into an appendix (Appendix 16), and that it continues to apply to all overheight buildings specifically. I agree with this approach in relation to the NCZ. Consistent with my assessments and recommendations in relation to MCZ-P10 and LCZ-P10 at paragraphs 159 to 164 of Part 2 (Metropolitan Centre Zone) and paragraphs 242 to 247 of Part 3 (Local Centre Zone), I recommend that any changes that Ms Stevens recommends in relation to the City Outcomes Contribution policy are carried down to NCZ-P10.
164. I agree with Woolworths [359.51] that NCZ-P10 should be amended to reference to G97, if the policy is retained.

Summary of recommendations

165. HS4-P4-NCZ-Rec35: That NCZ-P10 (City Outcomes Contribution) is confirmed with amendments consistent with those set out in the Overview and General Matters section of this report (HS4-RecX) and detailed in Appendix A.
166. HS4-P4-NCZ-Rec36: That NCZ-P10 is retained, subject to a correction to reference to G97 (City Outcomes Contribution).
167. HS4-P4-NCZ-Rec37: That submission points relating to the introduction to NCZ-P10 are accepted/rejected as detailed in Appendix B.

NCZ-R1 – Commercial activities (Pt 1 Sch 1)

Matters raised by submitters

168. Restaurant Brands Limited, WCC Environmental Reference Group and Foodstuffs [349.71, 377.435, 476.92] support NCZ-R1 and seek that it is retained as notified.

Recommendation

169. HS4-P4-NCZ-Rec38: That NCZ-R1 (Commercial activities) be confirmed as notified.
170. HS4-P4-NCZ-Rec39: That the submission points relating to NCZ-R1 are accepted as detailed in Appendix B.

NCZ-R2 – Community facilities (Pt 1 Sch 1)

Matters raised by submitters

171. WCC Environmental Reference Group [377.436] supports NCZ-R2 and seek that this is retained as notified.

Recommendation

172. HS4-P4-NCZ-Rec40: I recommend that NCZ-R2 (Community facilities) is retained as notified.
173. HS4-P4-NCZ-Rec41: That the submission point relating to NCZ-R1 is accepted as detailed in Appendix B.

NCZ-R3 – Educational facilities (Pt 1 Sch 1)

Matters raised by submitters

174. WCC Environmental Reference Group and the Ministry of Education [377.437, 400.126] support NCZ-R3 and seek that it is retained as notified.

Recommendation

175. HS4-P4-NCZ-Rec42: That NCZ-R3 (Educational facilities) be confirmed as notified.
176. HS4-P4-NCZ-Rec43: That submission points relating to NCZ-R3 are accepted as detailed in Appendix B.

NCZ-R4 – Arts, culture and entertainment activities (Pt 1 Sch 1)

Matters raised by submitters

177. WCC Environmental Reference Group [377.438] supports NCZ-R4 and seeks that this is retained as notified.

Recommendation

178. HS4-P4-NCZ-Rec44: That NCZ-R4 (Arts, culture and entertainment activities) be confirmed as notified.
179. HS4-P4-NCZ-Rec45: That the submission point relating to NCZ-R4 is accepted as detailed in Appendix B.

NCZ-R5 – Emergency services facilities (Pt 1 Sch 1)

Matters raised by submitters

180. FENZ and WCC Environmental Reference Group [273.251, 377.439] support NCZ-R5 and seeks that this is retained as notified.

Recommendation

181. HS4-P4-NCZ-Rec46: That NCZ-R5 (Emergency services facilities) be confirmed as notified.
182. HS4-P4-NCZ-Rec47: That submission points relating to NCZ-R5 are accepted as detailed in Appendix B.

NCZ-R6 – Community corrections activities (Pt 1 Sch 1)

Matters raised by submitters

183. Corrections and WCC Environmental Reference Group [240.30, 377.440] support NCZ-R6 and seeks that this is retained as notified.

Recommendation

184. HS4-P4-NCZ-Rec48: That NCZ-R6 (Community corrections facilities) be confirmed as notified.
185. HS4-P4-NCZ-Rec49: That submission points relating to NCZ-R6 are accepted as detailed in Appendix B.

NCZ-R7 – Visitor accommodation (Pt 1 Sch 1)

Matters raised by submitters

186. WCC Environmental Reference Group [377.441] supports NCZ-R7 and seeks that this is retained as notified.

Recommendation

187. HS4-P4-NCZ-Rec50: That NCZ-R7 (Visitor accommodation) be confirmed as notified.
188. HS4-P4-NCZ-Rec51: That the submission point relating to NCZ-R7 is accepted as detailed in Appendix B.

NCZ-R8 – Recreational activities (Pt 1 Sch 1)

Matters raised by submitters

189. WCC Environmental Reference Group [377.442] supports NCZ-R8 and seeks that this is retained as notified.

Recommendation

190. HS4-P4-NCZ-Rec52: That NCZ-R8 (Recreational activities) be confirmed as notified.
191. HS4-P4-NCZ-Rec53: That the submission point relating to NCZ-R8 is accepted as detailed in Appendix B.

NCZ-R9 – Public transport activities (Pt 1 Sch 1)

Matters raised by submitters

192. WCC Environmental Reference Group [377.443] supports NCZ-R9 and seeks that this is retained as notified.

Recommendation

193. HS4-P4-NCZ-Rec54: That NCZ-R9 (Public transport activities) be confirmed as notified.
194. HS4-P4-NCZ-Rec55: That the submission point relating to NCZ-R9 is accepted as detailed in Appendix B.

NCZ-R10 – Residential activities (Pt 1 Sch 1)

Matters raised by submitters

196. Corrections and WCC Environmental Reference Group [240.31, 377.444] support NCZ-R10 and seek that this is retained as notified.
197. The Retirement Villages Association [350.219] oppose NCZ-R10 with respect to the limitations on ground level activities and seek that the rule is amended. They have not specified their requested changes.
198. Kāinga Ora [391.531, 391.532] (opposed by Waka Kotahi [FS103.34]) supports NCZ-R10 in part, but seeks that this is amended as follows:

NCZ-R10 (Residential activities)

1. Activity status: Permitted

Where:

a. The activity is located:

i. Above ground floor level;

ii. At ground floor level along any street edge not identified as an active frontage; and

iii. At ground floor level along any street edge not identified as a non-residential activity frontage;

~~iv. At ground level along any street not identified as requiring verandah coverage; or~~

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

Activity status: Restricted Discretionary

Where:

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

Matters of discretion are restricted to:

1. The matters in NCZ-P7 and NCZ-P8.

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

Assessment

199. NCZ-R10 is generally permissive of residential activities within the NCZ, unless these are located at the ground level of buildings identified as having an active or non-residential frontage, or where a verandah is required or on a site subject to the Natural Hazards Overlay. While centres have multiple functions and include provision for residential development, their core function is to provide commercial and retail opportunities and local services. Residential activities are therefore restricted at ground level to ensure the ongoing vibrancy of the centre, as residential activity can change the nature of the centre and reduces opportunities for interaction with the public environment that maintains or enhances the street edge. Additionally, residential activities at ground level are unlikely to create a positive environment for residential occupants as amenity will be affected by reduced privacy, noise and the like. I note that the Residential Design Guide requires quality amenity for residents and for these reasons would discourage residential activities in this environment.
200. On the basis of the assessment and changes recommended in the Overview and General Matters section of this report, I recommend that the Retirement Villages Association submission point [350.219] is rejected.
201. For the reasons set out in my assessment at paragraph 183 of Part 2 (Metropolitan Centre Zone), I disagree with Kāinga Ora [391.531, 391.532] (opposed by Waka Kotahi [FS103.34]) that the deletion of NCZ-R10.1.iv is necessary, but recommend that NCZ-R10.1.v is deleted. I disagree that the activity status under NCZ-R10 should change to Restricted Discretionary. The

Discretionary activity status signifies that residential activities are discouraged along active or non-residential and encourages developers to design for the CMUZ context. I have no concerns with amending the notification clause under this rule as it relates to the activity, noting that the PDP seeks to enable residential activity within the NCZ and that under NCZ-R18 buildings that generate adverse effects may still be limited notified if they generate adverse effects on adjoining sites that exceed those provided for under the building standards.

Summary of recommendations

202. HS4-P4-NCZ-Rec56: That NCZ-R10 (Residential activities) is amended as detailed below and at Appendix A.

<p>NCZ-R10 (Residential activities)</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The activity is located:</p> <p>i. Above ground floor level;</p> <p>ii. At ground floor level along any street edge not identified as an active frontage; and</p> <p>iii. At ground floor level along any street edge not identified as a non-residential activity frontage; or</p> <p>iv. At ground level along any street not identified as requiring verandah coverage; or</p> <p>v. At ground level on any site contained within a Natural Hazard Overlay.</p> <p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of NCZ-R10.1.a cannot be achieved.</p> <p>Notification status: An application for resource consent made in respect of rule NCZ-R10.2.a is precluded from being <u>limited and</u> publicly notified.</p>

203. HS4-P4-NCZ-Rec57: That submission points relating to NCZ-R10 are accepted/rejected as detailed in Appendix B.

NCZ-R11 – Integrated retail activities (Pt 1 Sch 1)

Matters raised by submitters

204. WCC Environmental Reference Group [377.445] supports NCZ-R11 and seeks that this is retained as notified.
205. Kāinga Ora [391.533] opposes the rule as they consider that the gross floor area of 20,000m² does not appropriately reflect the scale of the centres hierarchy anticipated by the NPS-UD and this should be reduced for the NCZ. They seek the rule is amended as follows:

NCZ-R11 (Integrated retail activity)

1. Activity status: Permitted

where:

a. The total gross floor area does not exceed ~~2~~10,000m².

Assessment

206. With respect to the requested 10,000m² GFA, I note that the 20,000m² provided for under the notified rule will enable a significantly sized integrated retail activity. The NCZ is the lowest ranking centre in the hierarchy of centres and I consider that 10,000m² is an appropriate GFA within this zone. I note that there are unlikely to be individual sites with an area of 10,000m² in most NCZ. As such, any such activities would likely be in a multi-level building. Given that the effects of any such building will be assessed in accordance with NCZ-R18, I do not consider additional constraints on the GFA of the activity within such buildings to be necessary. I therefore consider that the Kāinga Ora submission [391.533] requesting a 10,000m² GFA should be accepted. Further to this, for consistency with my recommendations in relation to LCZ-R11 I recommend that the clause relating to the permitted baseline is deleted from NCZ-R11 as shown below (refer to paragraph 288 of Part 3 (Local Centre Zone)).

Summary of recommendations

207. HS4-P4-NCZ-Rec58: That NCZ-R11 (Integrated retail activities) is amended as detailed below and at Appendix A.

NCZ-R11 (Integrated retail activity)

1. Activity status: Permitted

where:

a. The total gross floor area does not exceed ~~2~~10,000m².

2. Activity status: Restricted Discretionary

....

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

208. HS4-P4-NCZ-Rec59: That submission points relating to NCZ-R11 are accepted/rejected as detailed in Appendix B.

S32AA Evaluation

209. In my opinion, the amendments to NCZ-R11 are more appropriate in achieving the objectives of the District Plan than the notified provisions. I consider that:

- a. The change to the GFA enables larger development within the NCZ, aligning with Objective 1 and 3 of the NPS-UD.
- b. The change aligns with good planning practice with respect to the application of the permitted baseline, which I consider should be at the discretion of the resource consent planner.
- c. The recommended changes are more efficient and effective than the notified provisions in achieving the objectives of the District Plan.

210. The environmental, economic, social and cultural effects of the recommended amendments are detailed below.

Environmental	<ul style="list-style-type: none"> • The environmental outcome will be a significantly sized integrated retail activity; however, the building that accommodates this will be subject to a resource consent. Hence any effects of the building will go through an assessment in relation to their design. • Likewise, other District Plan chapters will apply. For example, the Transport chapter will regulate traffic effects and the Natural Hazards chapter will influence the scale of development that can take place in locations where a natural hazards overlay applies.
Economic	<ul style="list-style-type: none"> • The changes enable additional retail capacity and reduce consenting and compliance costs for developers. • The change does not introduce any new requirements that would impose additional costs on developers.
Social	<ul style="list-style-type: none"> • The changes will result in more vibrant centres that help provide for the health and wellbeing of people and communities.
Cultural	<ul style="list-style-type: none"> • The changes will result in more vibrant centres that also help provide for the cultural wellbeing of people and communities.

NCZ-R12 – Industrial activities (Pt 1 Sch 1)

Matters raised by submitters

211. Kāinga Ora [391.535] is supportive of NCZ-R12 and seeks that this is retained as notified.
212. WCC Environmental Reference Group [377.446] seeks that NCZ-R12 is amended on the basis that it is too restrictive and could be a major roadblock for community waste management, small scale composting or niche recycling activities. They seek the following amendment to the rule:

NCZ-R12.2 (Industrial activities)

2. Activity Status: ~~Non-complying~~ Discretionary

Where:

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

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

Assessment

213. As noted at paragraph 115 of this report, industrial activities are enabled at NCZ-P2 and a Permitted activity under NCZ-R12.1. A small-scale waste collection activity that was determined to be an industrial activity and not a heavy industrial activity could therefore occur within the NCZ, whereas the policy framework seeks to avoid larger scale industrial activities. I therefore consider it is appropriate to retain the activity status and notification clause as notified.

Summary of recommendations

214. HS4-P4-NCZ-Rec60: That NCZ-R12 (Industrial activities) be confirmed as notified.

215. HS4-P4-NCZ-Rec61: That submission points relating to NCZ-R12 are accepted/rejected as detailed in Appendix B.

NCZ-R13 – Carparking activities (Pt 1 Sch 1)

Matters raised by submitters

216. Kāinga Ora [391.536] generally supports NCZ-R13 and seeks that this is retained as notified.

217. McDonald's [274.15, 274.16] and Foodstuffs [476.16, 476.17] oppose the Discretionary activity status under the rule and seeks that this is changed to Restricted Discretionary. Woolworths [359.52] (supported by Foodstuffs [FS23.4], opposed by GWRC [FS84.105, FS84.106] and Waka Kotahi [FS103.36]) also seeks this change and has recommended a number of matters of discretion to sit under the rule. The changes requested by these submitters are shown below:

NCZ-R13.2 (Carparking activities)

2. Activity status: Restricted Discretionary

Where:

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

Matters of discretion are:

1. The matters in NCZ-P2, NCZ-P3, NCZ-P4, NCZ-P7, NCZ-P9 and NCZ-P10;

2. The cumulative effect of the development on:

a. The ongoing viability and vibrancy of the Zone;

b. The safety and efficiency of the transport network, including providing for a range of transport modes;

c. The hierarchy of roads, travel demand or vehicle use; and

3. The compatibility with other activities provided for in the zone.

Note: Rule NCZ-R13 does not apply to new supermarkets or additions to existing supermarkets.

Assessment

218. I acknowledge the Kāinga Ora [391.536] submission point in support of NCZ-R13 and consider that this should be accepted.
219. At paragraphs 198 to 199 of Part 2 (Metropolitan Centre Zone) of this section 42A report, I discuss why I consider that a Discretionary activity status is appropriate for car-parking within the CMUZ and disagree that there should be an exemption for supermarkets.
220. For the same reasons, I consider that the comparable submission points [274.15, 274.16, 476.16, 476.17, 359.52 and FS23.4] relating to NCZ-R13 should be rejected.

Summary of recommendations

221. HS4-P4-NCZ-Rec62: That NCZ-R13 (Car-parking activities) be confirmed as notified.
222. HS4-P4-NCZ-Rec63: That submission points relating to NCZ-R13 are accepted/rejected as detailed in Appendix B.

NCZ-R14 – Yard-based retailing activities (Pt 1 Sch 1)

Matters raised by submitters

223. Kāinga Ora [391.537] generally supports NCZ-R14 and seeks that this is retained as notified.
224. The Fuel Companies [372.147, 372.148] support NCZ-R14 in part, but seek the following amendment to the notification clause under the rule:

NCZ-R14 (Yard-based retailing activities)

Notification Status: An application for resource consent made in respect of rule NCZ-R14 must be publicly notified except:

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

b. The new or existing activity adjoins another commercial zone, a residential zone or an arterial or collector Road.

225. WCC Environmental Reference Group [377.447] is concerned that the rule will be unduly restrictive of activities such as small garden centres and seeks the following amendment:

NCZ-R14 (Yard-based retailing activities)

1. Activity status: Restricted Discretionary

Matters of discretion are:

1. The matters in NCZ-P1, NCZ-P2, NCZ-P3 and NCZ-P4;

~~Notification status: An application for resource consent made in respect of rule NCZ-R15 must be publicly notified.~~

Assessment

226. For the reasons set out in paragraphs 205-206 of Part 2 (Metropolitan Centre Zone) I recommend that the submissions from the Fuel Companies [372.147, 372.148] are accepted in part, with the exemption for existing activities added to NCZ-R14.
227. I disagree with the WCC Environmental Reference Group [377.447] request to amend the activity status under NCZ-R14. Given the wide range of yard-based activities that could occur, I am concerned that the full scope of environmental effects that these activities could generate is not known. As such, the matters at NCZ-P1 to NCZ-P4 may not adequately address the potential effects arising from these activities. I also note that NCZ-P4 identifies that yard-based activities are 'potentially incompatible' within the NCZ. As discussed elsewhere in this section 42A report, where an activity is potentially incompatible with the underlying zone, a Discretionary activity status is more appropriate as it will allow the Council to retain full discretion when considering the potentially wide-ranging effects of a yard-based retail activity. While the PDP intentionally seeks to deter yard-based activities in the NCZ, as noted at paragraph 305 of Part 3 (Local Centre Zone) these are enabled in the MUZ and GIZ.

Summary of recommendations

228. HS4-P4-NCZ-Rec64: That NCZ-R14 (Yard-based retail activities) be amended as set out below and at Appendix A.

NCZ-R14 (Yard-based retailing activities)

Notification Status: An application for resource consent made in respect of rule NCZ-R14 must be publicly notified except:

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

229. HS4-P4-NCZ-Rec65: That submission points relating to NCZ-R14 are accepted/rejected as detailed in Appendix B.

S32AA Evaluation

230. In my opinion, the amendments to NCZ-R14 are more appropriate in achieving the objectives of the District Plan than the notified provisions. I consider that:
- a. The change clarifies that the rule does not apply to existing activities, which would in any event be subject to s10 of the RMA.
 - b. The change is more efficient and effective than the notified provisions in achieving the objectives of the District Plan.
231. The recommended amendment will not have any greater environmental, economic, social, and cultural effects than the notified provisions.

NCZ-R16 – Maintenance and repair of buildings and structures (ISPP)

Matters raised by submitters

232. FENZ, Restaurant Brands Limited and Kāinga Ora [273.252, 349.72, 391.538] support NCZ-R16 and seek that this is retained as notified.

Recommendation

233. HS4-P4-NCZ-Rec66: That NCZ-R16 (Maintenance and repair of buildings and structures) be confirmed as notified.
234. HS4-P4-NCZ-Rec67: That submission points relating to NCZ-R16 are accepted as detailed in Appendix B.

NCZ-R17 – Demolition or removal of buildings and structures (ISPP)

Matters raised by submitters

235. FENZ and Restaurant Brands Limited [273.253, 349.73] support NCZ-R17 and seek that this is retained as notified.
236. Kāinga Ora [391.539, 391.540] supports the rule but seeks that NCZ-17.1 is amended to only apply to active and non-residential activity frontages as follows:

NCZ-R17.1 (Demolition or removal of buildings and structures)

1. Activity status: Permitted

Where:

a. The demolition or removal of a building on a site that has an active frontage or non-residential activity frontage:

...

Assessment

237. I disagree with Kāinga Ora [391.539, 391.540] that the rule should only be applied to sites in the NCZ that have an active frontage or non-residential frontage. Any vacant site within a NCZ has the potential to prevent development potential from being realised and adversely affect the vitality of a centre. Therefore, I recommend that these submission points are rejected.

Summary of recommendations

238. HS4-P4-NCZ-Rec68: That NCZ-R17 (Demolition or removal of buildings and structures) is amended to reflect the minor amendment to the equivalent rule in the Waterfront Zone.
239. HS4-P4-NCZ-Rec69: That submission points relating to NCZ-R17 are accepted/rejected as detailed in Appendix B.

NCZ-R18 – Construction of, or additions and alterations to, buildings and structures (ISPP)

Matters raised by submitters

240. FENZ [273.254] supports NCZ-R18 and seeks that this is retained as notified.
241. The Wellington City Council [266.153] is supportive of their rule but notes that a notification clause was omitted in the drafting and seeks that this is added as follows:

NCZ-R18.2 (Construction of, or additions and alterations to, buildings and structures)

Notification status:

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

242. Woolworths [359.53, 359.54] seek changes to the rule to provide for supermarket activities:

NCZ-R18.1 (Construction of, or additions and alterations to, buildings and structures)

1. Activity status: Permitted

...

b. The construction of any building or structure:

i. Is not located on a site with an active frontage or non-residential activity frontage; or

ii. Is not visible from a public space; and

iii. Will have a gross floor area of less than 100m² except where specified in iv below;

iv. Will have a gross floor area of less than 450m² where it accommodates a supermarket; and

[With consequential amendment to numbering of other matters below]

NCZ-R18.2 (Construction of, or additions and alterations to, buildings and structures)

2. Activity status: Restricted Discretionary

Where:

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

Matters of discretion are:

1. The matters in NCZ-P6, NCZ-P7, NCZ-P8, NCZ-P9 and NCZ-P10; excluding for supermarkets exceeding NCZ-R18(b)(iv);

2. For supermarkets exceeding NCZ-R18(b)(iv), the matters in NCZ-P3, NCZ-P4, NCZ-P7, NCZ-P9;

~~3.~~ 3. The extent and effect of non-compliance with NCZ-S1, NCZ-S2, NCZ-S3, NCZ-S4, NCZ-S5, NCZ-S6, NCZ-S7, NCZ-S8, NCZ-S9, NCZ-S10 and NCZ-S11;

~~4.~~ 4. The Centres and Mixed-Use Design Guide, including guideline G107 97 - City Outcomes Contribution for any building that exceeds the maximum height requirement and either comprises 25 or more residential units or is a non-residential building (excluding supermarkets);

[With consequential amendment to numbering of other matters below]

243. The Retirement Villages Association [350.221, 350.222] seek changes to provide for retirement village activities:

NCZ-R18 (Construction of, or additions and alterations to, buildings and structures)

2. Activity status: Restricted Discretionary

Where:

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

Matters of discretion are:

1. The matters in NCZ-P6, NCZ-P7, NCZ-P8, NCZ-P9 and NCZ-P10 (this clause is not applicable to retirement villages);

2. The extent and effect of non-compliance with NCZ-S1, NCZ-S2, NCZ-S3, NCZ-S4, NCZ-S5, NCZ-S6, NCZ-S7, NCZ-S8, NCZ-S9, NCZ-S10 and NCZ-S11;

3. The Centres and Mixed-Use Design Guide, ~~including guideline G107 – City Outcomes Contribution for any building that exceeds the maximum height limit requirement at Ngaio, Berhampore and Aro Valley centres and either comprises 25 or more residential units or is a non-residential building~~ (this clause is not applicable to retirement villages);

4. The Residential Design Guide (this clause is not applicable to retirement villages);

5. The extent and effect of any identifiable site constraints;

6. Construction impacts on the transport network; ~~and~~

7. The availability and connection to existing or planned three waters infrastructure;

8. For retirement villages:

i. The effects of the retirement village on the safety of adjacent streets or public open spaces;

ii. The extent to which articulation, modulation and materiality addresses adverse visual dominance effects associated with building length;

iii. The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;

iv. When assessing the matters in 2(a)(2), and 2(a)(8)(i) – (iii), consider:

a. The need to provide for efficient use of larger sites; and

b. The functional and operational needs of the retirement village.

v. The positive effects of the construction, development and use of the retirement village.

For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.

Notification status:

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

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

An application for resource consent for a retirement village made in respect of rule NCZ-R18.2.a is precluded from being publicly notified.

An application for resource consent for a retirement village made in respect of rule NCZ-R18.2.b where compliance is achieved with NCZ-S1, NCZ-S2 and NCZ-S4 is precluded from being limited notified.

244. Kāinga Ora [391.541, 391.542] support the rule in part and in particular the notification clauses, seek the removal of references to the Design Guides and the City Outcomes Contribution. Their requested changes are as follows:

NCZ-R18 (Construction of, or additions and alterations to, buildings and structures)

1. Activity status: Permitted

where:

a. Any alterations or additions to a building or structure:

...

~~iii. Do not result in the creation of new residential units; and~~

...

b. The construction of any building or structure:

...

vii. any building for residential activities complies with effects standards NCZ-S7 and NCZ-S8.

[\[With consequential amendment to numbering of other matters\]](#)

...

2. Activity status: Restricted Discretionary

where:

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

Matters of discretion are:

1. The matters in NCZ-P6, NCZ-P7, NCZ-P8, and NCZ-P9 ~~and NCZ-P10;~~

2. The extent and effect of non-compliance with NCZ-S1, NCZ-S2, NCZ-S3, NCZ-S4, NCZ-S5, NCZ-S6, NCZ-S7, and NCZ-S8, ~~NCZ-S9, NCZ-S10 and NCZ-S11;~~

~~3. The Centres and Mixed Use Design Guide, including guideline G107—City Outcomes Contribution for any building that exceeds the maximum height requirement and either comprises 25 or more residential units or is a non-residential building;~~

4. ~~The Residential Design Guide;~~

[\[With consequential amendment to numbering of other matters below\]](#)

245. Investore [405.62, 405.63] (supported by the Retirement Villages Association [FS126.83, FS126.84] and Ryman [FS128.83, FS128.84]) also seeks the removal of references to the Design Guides in the rule framework and recommends that these be replaced with design outcomes that are sought.

246. Fabric Property Limited [425.51] and Restaurant Brands Limited [349.74] seek the deletion of NCZ-R18.2.3, which references the City Outcomes Contribution:

NCZ-R18.2 (Construction of, or additions and alterations to, buildings and structures)

Matters of discretion are:

...

~~3. The Centres and Mixed Use Design Guide, including guideline G107 – City Outcomes Contribution for any building that exceeds the maximum height limit requirement and either comprises 25 or more residential units or is a non-residential building;~~

[With consequential amendment to numbering of other matters of discretion]

Assessment

247. For the reasons set out at paragraph 233 of Part 2 (Metropolitan Centre Zone) and paragraph 331 of Part 3 (Local Centre Zone), I recommend that the Council's submission point [266.153] with respect to a drafting error is accepted and recommend that the non-notification clause is added to the rule.
248. As detailed at paragraph 235 of Part 2 (Metropolitan Centre Zone) and paragraph 334 of Part 3 (Local Centre Zone), I consider that supermarket buildings should not be exempt from the requirement to provide high quality design outcomes that enhance the quality of the centre. As such, I recommend that the Woolworths submission points [359.53, 359.54] are rejected.
249. On the basis of the assessment and changes recommended in the Overview and General Matters section of this report, I recommend that the Retirement Villages Association submission point [350.221, 350.222] are rejected.
250. In relation to the submission points from Kāinga Ora I refer to my assessment at paragraph 237 of Part 2 (Metropolitan Centre Zone). For the same reasons, I recommend that the Kāinga Ora submission points [391.541, 391.542] are accepted in part.
251. The change recommended above also addresses the submission points from Investore [405.62, 405.63] (supported by the Retirement Villages Association [FS126.83, FS126.84] and Ryman [FS128.83, FS128.84]), Fabric Property Limited [425.51] and Restaurant Brands Limited [349.74] insofar as direct references to Design Guides and the City Outcomes Contribution will be removed from NCZ-R18. I recommend these submission points are accepted in part.

Summary of recommendations

252. HS4-P4-NCZ-Rec70: That NCZ-R18 (Construction of, or additions and alterations to, buildings and structures) is amended as detailed at Appendix A and shown below:

NCZ-R18 (Construction of, or additions and alterations to, buildings and structures)

1. Activity Status: **Permitted**

Where:

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

2. Activity status: **Restricted Discretionary**

Where:

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

Matters of discretion are:

1. The matters in NCZ-P6, NCZ-P7, NCZ-P8, NCZ-P9 and NCZ-P10;
2. The extent and effect of non-compliance with NCZ-S1, NCZ-S2, NCZ-S3, NCZ-S4, NCZ-S5, NCZ-S6, NCZ-S7, NCZ-S8, NCZ-S9, NCZ-S10 and NCZ-S11;
- ~~3.~~ City Outcomes Contribution as required in Appendix 16 The Centres and Mixed Use Design Guide, including guideline G107 – City Outcomes Contribution for any building that exceeds the maximum height limit at Ngaio, Berhampore and Aro valley centres; ~~requirement and either comprises 25 or more residential units or is a non-residential building;~~
- ~~4.~~ The Residential Design Guide;
- ~~5.~~ 3. The extent and effect of any identifiable site constraints;
- ~~6.~~ 4. Construction impacts on the transport network; and
- ~~7.~~ 5. The availability and connection to existing or planned three waters infrastructure.

Notification status:

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

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

An application for resource consent made in respect of rule NCZ-R18.2 which results from non-compliance with NCZ-S1, NCZ-S2, NCZ-S3, NCZ-S4, NCZ-S5 and NCZ-S6 is precluded from being publicly notified.

253. HS4-P4-NCZ-Rec71: That submission points relating to NCZ-R18 are accepted/rejected as detailed in Appendix B.

S32AA Evaluation

254. In my opinion, the amendments to LCZ-R18 are more appropriate in achieving the objectives of the District Plan than the notified provisions. I consider that:
- a. The amendments give better effect to the NPS-UD directions, in particular Objective 1 with respect to well-functioning urban environments and Policies 2, 3 and 6 in terms of providing a balance between enabling development capacity in the NCZ whilst encouraging quality design and high quality living environments.
 - b. The changes provide for NCZ-R18 to be simplified. It removes the direct references to the Design Guides from the rule and avoids repetition in the assessment process.
 - c. This change is more efficient and effective than the notified provisions in achieving the objectives of the District Plan.
255. The environmental, economic, social and cultural effects of the recommended amendments are no greater than the notified provisions.

NCZ-R19 – Conversion of buildings, or parts of buildings, for residential activities (Pt 1 Sch 1)

Matters raised by submitters

256. FENZ [273.255, 273.256] support the rule in part, but seek that this is amended as follows to include the necessity to connect to three waters infrastructure for firefighting purposes:

NCZ-R19 (Conversion of buildings or parts of buildings for residential activities)

Matters of discretion are:

5. The matters in NCZ-P1, NCZ-P3, NCZ-P6 and NCZ-P8
6. The extent of compliance with standards NCZ-S7, NCZ-S8 and NCZ-S9 and satisfaction of associated assessment criteria;
7. The Residential Design Guide; and
8. The availability and connection to existing or planned three waters infrastructure, including for firefighting purposes.

257. Kāinga Ora [391.543, 391.544] supports the rule in part and seeks that this is amended to remove direct references to the Residential Design Guide, on the basis that the matters in the relevant policies include those matters articulated through the design guide. They seek that the rule is amended as follows:

NCZ-R19 (Conversion of buildings or parts of buildings for residential activities)

1. Activity status: Restricted Discretionary

Matters of discretion are:

1. The matters in NCZ-P1, NCZ-P3, NCZ-P6, NCZ-P7 and NCZ-P8;
2. The extent of compliance with standards NCZ-S7, NCZ-P8 and NCZ-S9 and satisfaction of associated assessment criteria; and
- ~~3. The Residential Design Guide; and~~
43. The availability and connection to existing or planned three waters infrastructure.

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

258. Investore [405.64] (supported in part by the Retirement Villages Association [126.85, 126.86] and Ryman [128.85, 126.86]) also seeks this change, on the basis that they consider the Design Guides should sit outside of the District Plan as reference documents. Further, Investore [405.65] seeks that the reference to the Residential Design Guide is replaced with matters of discretion that specify the design outcomes sought.

Assessment

259. I recommend that the submission points from FENZ [273.255, 273.256] are rejected, on the basis that matters relating to fire-fighting servicing are provided for under the Building Code⁹ and should not be duplicated in the District Plan.
260. I accept the submissions from Kāinga Ora [391.543, 391.544] and Investore [405.64] (supported in part by the Retirement Villages Association [126.85, 126.86] and Ryman [128.85, 126.86]) requesting the removal of the reference to the RDG from NCZ-R19 in part. As discussed previously in this report, I recommend that NCZ-P8 is amended to refer to the RDG and that this is not explicitly referenced within the rule framework. This avoids duplication, given there is already a requirement to consider NCZ-P8 as a matter of discretion. Given a RDG assessment is still required, I do not consider that it is necessary to add design outcomes to the rule.

Summary of recommendations

261. HS4-P4-NCZ-Rec72: That NCZ-R19 (Conversion of buildings or parts of buildings for residential activities) is amended as detailed at Appendix A and shown below:

⁹ [C5 Access and safety for firefighting operations | Building Performance](#)

NCZ-R19 (Conversion of buildings, or parts of buildings, to residential activities)

1. Activity status: Restricted Discretionary

Matters of discretion are:

1. The matters in NCZ-P1, NCZ-P3, NCZ-SP6 and NCZ-P8;
2. The extent of compliance with standards NCZ-S7, NCZ-S8 and NCZ-S9 and satisfaction of associated assessment criteria; and
- ~~3. The Residential Design Guide; and~~
- ~~4.~~ 3. The availability and connection to existing or planned three waters infrastructure.

262. HS4-P4-NCZ-Rec73: That submission points relating to NCZ-R19 are accepted/rejected as detailed in Appendix B.

S32AA Evaluation

263. In my opinion, the amendments to NCZ-R19 are more appropriate in achieving the objectives of the District Plan than the notified provisions. I consider that:
- a. The removal of the reference to the Residential Design Guide as a matter of discretion aligns with other recommended changes and provides for a less complicated consenting framework that avoids repetition in the assessment process.
 - b. The change is more efficient and effective than the notified provisions in achieving the objectives of the District Plan.
264. The recommended amendments will not have any greater environmental, social, economic or cultural effects than the notified provisions.

NCZ-R20 – Outdoor storage areas (Pt 1 Sch 1)

Matters raised by submitters

265. FENZ [273.257, 273.258] support the rule in part but seek that this is amended as follows to ensure that the screening will not obscure safety signage or obstruct access to emergency panels, hydrants, shut-off valves or other emergency response facilities:

NCZ-R20 (Outdoor storage areas)

Activity status: Permitted

Where:

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

Assessment

266. I agree that for safety purposes screening of outdoor storage areas should not obscure emergency or safety signage or obstruct access to emergency facilities and recommend that the submission points from FENZ [273.257, 273.258] are accepted.

Summary of recommendations

267. HS4-P3-NCZ-Rec74: That NCZ-R20 (Outdoor storage areas) is amended as detailed below and at Appendix A.

NCZ-R20 (Outdoor storage areas)

Activity status: Permitted

Where:

a. The storage area is screened by either a fence or landscaping of 1.8m in height from any adjoining road or site; and

b. Screening does not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.

268. HS4-P4-NCZ-Rec75: That submission points relating to NCZ-R20 are accepted as detailed in Appendix B.

S32AA Evaluation

269. In my opinion, the amendment to NCZ-R20 is more appropriate in achieving the objectives of the District Plan than the notified provisions. I consider that:
- The change will help to ensure that important emergency facilities are not blocked from access by fences or standalone walls.
 - The change is more efficient and effective than the notified provisions in achieving the objectives of the District Plan.
270. The recommended amendments will not have any greater environmental, social, economic or cultural effects than the notified provisions.

NCZ-S1 – Maximum height (ISPP)

Matters raised by submitters

271. James Coyle and Restaurant Brands Limited [307.21, 349.75] support NCZ-S1 and seek that this is retained as notified.
272. Rachel Underwood [458.9] opposes six storey development in the NCZ as she considers this will result in cold, sunless wind canyons. She seeks that buildings are restricted to low rise or one level adjacent to the roadside, with three storey (or six storey) buildings set back.

273. David Stephen [86.2] also considers that the 22 metre maximum height limit (applying to Height Control Area 2 of the NCZ) should be reduced.

274. FENZ [273.259, 273.260] support the standard in part but seek an exemption for hose drying towers associated with emergency service facilities in order to appropriately provide for the operational requirements of FENZ. They seek the following amendment:

NCZ-S1 (Maximum height)

This standard does not apply to:

...

c. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m; ~~and~~

d. Lift overruns provided these do not exceed the height by more than 4m; and

e. Hose drying towers up to 15m in height.

275. Kāinga Ora [391.545, 391.546] supports the standard in part, but seeks that the permitted fence height is increased to 2 metres to align with the Building Act, as shown below:

NCZ-S1 (Maximum height) as follows:

...

2. Fences and standalone walls must not exceed a maximum height of ~~1.8~~ 2 metres (measured above ground level).

276. The following submissions on NCZ-S1 seek amendments to the height limits attributed to specific centres:

- David Stephen [151.113] considers that the height of the Ngaio NCZ should be reduced to 11 metres.
- David Stephen [151.14] considers that the height of the Khandallah centre, which he seeks is rezoned to NCZ, should be reduced to 11 metres.
- Wellington City Council [266.154, 266.16] considers that the height of the NCZ on the corner of Mersey Street/Island Bay should be increased from 12 metres to 14 metres, on the basis that the maximum height of the adjoining MRZ land is 14 metres. This change would be consistent with other NCZ.
- Onslow Residents Community Association [283.11, 283.12] considers that 22 metres is too tall for the Khandallah centre, which they seek to be rezoned to NCZ, and request an 11 metre height limit.
- Janice Young [140.2] seeks that the ePlan maps should be amended to reduce the heights in centres zones from 22 metres.

Assessment

277. I have assessed the concerns raised by Ms Underwood [458.9] at paragraph 266 of Part 2 (Metropolitan Centre Zone). For the same reasons, I do not agree that a street edge setback requirement should be added to the District Plan.
278. David Stephen [86.2] has not provided any planning justification for his requested decrease of the 22 metre maximum height limit (applying to Height Control Area 2 of the NCZ). This height limit is typically applies to walkable catchments in line with the requirements of the NPS-UD. I therefore recommend that this submission point be rejected.
279. For the reasons set out at paragraph 374 of Part 3 (Local Centre Zone) and consistent with my recommendation in relation to the LCZ, I recommend that the FENZ [273.259, 273.260] for an exemption from NCZ-S1 for hose drying towers should be rejected.
280. For the reasons set out at paragraph 374 of Part 2 (Metropolitan Centre Zone) and for consistency across all CMUZ, I recommend the Kāinga Ora [391.545, 391.546] to increase the maximum fence height to 2 metres is rejected.
281. The following submissions on NCZ-S1 seek amendments to the height limits attributed to specific centres:
- a. With respect the submission points from David Stephen [151.113, 151.14], I recommend the height of the Ngaio Centre and Khandallah Centre should be reduced to 18 metres; however, I recognise that if the Johnsonville railway line is determined by the IHP to be fast rapid transit then these sites are within walkable catchments where the Council is required to enable development to six storeys.
 - b. I agree with Wellington City Council [266.154, 266.16] that the height of NCZ on the corner of Mersey Street/Island Bay should be increased from 12 metres to 14 metres, on the basis that the maximum height of the adjoining MRZ land is 14 metres. This change would be consistent with other NCZ and recognises that centres should enable greater development potential than their adjacent residential land.
 - c. This matter is addressed in Part 3 (Local Centre Zone), where I recommend an 18 metre height limit for the Khandallah Centre (also noting my point a above).
 - d. Janice Young [140.2] seeks that the ePlan maps should be amended to reduce the heights in centres zones from 22 metres. This is a very generalised submission. I have recommended some height adjustments as detailed elsewhere in my LCZ, NCZ and MUZ sections of this report. I therefore recommend that the submission point is accepted in part.

Summary of recommendations

282. HS4-P3-NCZ-Rec76: That NCZ-S1 (Maximum height) is amended as detailed below and at Appendix A.

NCZ-S1 (Maximum height) as follows:

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

Location	Limit
Height Control Area 1	12 metres
All Neighbourhood centres, including Aro Valley Centre Height Control Area A, except as stated below in Height Control Area 2	
Height Control Area 2	14 metres
Mersey Street, Island Bay	
Height Control Area 2 3	22 metres
Aro Valley Centre Height Control Area B Berhampore Centre Ngaio Centre Oxford Street Tawa Centre	

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

283. HS4-P3-NCZ-Rec77: That submission points relating to NCZ-S1 are accepted/rejected as detailed in Appendix B.

S32AA Evaluation

284. In my opinion, the amendment to NCZ-S1 is more appropriate in achieving the objectives of the District Plan than the notified provisions. I consider that:

- a. The amendments give better effect to the NPS-UD directions, in particular Policy 3(a) with respect to maximising development capacity. This is in combination with Objective 1, which requires that councils provide well-functioning urban environments.
- b. The amendments are consistent with the NCZ objectives and policies, and are the most effective way of achieving the objectives of the District Plan.
- c. The changes recognise that different NCZ have difference localised characteristics and that enabling development capacity should not be 'at all cost', rather the local connections to a place enhance the quality of a centre and should be acknowledged.
- d. The change allows for greater consistency with other chapters of the District Plan

285. The environmental, economic, social and cultural effects of the recommended amendments to NCZ-S1 are detailed below.

- Environmental
- Taller buildings facilitated by this change will have increased environmental effects such as visual effects (ie they are more visible) and shading effects. However, the context of the two sites where height changes are recommended are considered suitable for the additional height due to their location in relation to residentially zoned sites and/or the height limits available to the residential zone.

- Enabling height within the centre increases opportunities for live and work in and around the centre, which can reduce car dependence and associated carbon emissions.
 - From a design perspective, additional height provides for design flexibility, with associated benefits to the public through improved design.
- Economic
- More enabling framework, this potentially simplifies resource consent requirements and costs as there is a clearer framework about what activities are enabled or not.
 - One economic constraint is that there will be increased demand on infrastructure.
- Social
- Social benefits are improved vitality within and around the centre, through the creation of centres where people can work, recreate and live.
 - Social costs would be through loss of privacy and outlook within the zone and at adjacent sites. This is managed through the development standards.
- Cultural
- No direct or indirect cultural costs have been identified
 - No direct or indirect cultural benefits have been identified.

NCZ-S2 – Minimum building height (ISPP)

Matters raised by submitters

286. Kāinga Ora [391.547] supports NCZ-S2 and seeks that this is retained as notified.
287. McDonald's [274.17], Restaurant Brands Limited [349.76] (supported by Foodstuffs (FS23.38)), Woolworths [359.55] (supported by Foodstuffs (FS23.5)), and Foodstuffs [476.18]) oppose the standard and seek that it is deleted in its entirety.

Assessment

288. The minimum height standard at NCZ-S2 seeks to facilitate appropriate development potential to achieve the intent of policy 3(d) of the NPS-UD. Therefore, while I acknowledge the submissions in opposition, I consider that this standard is appropriate as it encourages the realisation of additional development potential within the zone. On this basis, I consider that the standard should continue to apply. I therefore consider that the submission points from McDonald's [274.17], Restaurant Brands Limited [349.76] (supported by Foodstuffs (FS23.38)), Woolworths [359.55] (supported by Foodstuffs (FS23.5)), and Foodstuffs [476.18]) should be rejected.
289. Further to the submission points above, I note that I have recommended a change to MCZ-S2 to clarify that the standard does not apply to accessory buildings and any building or structure

that is unable to be occupied by buildings (refer to paragraph 282 of Part 2 (Metropolitan Centre Zone)). I recommend this change is also applied to NCZ-S2, as set out in my summary of recommendations below.

Summary of recommendations

290. HS4-P3-NCZ-Rec78: That NCZ-S2 (Minimum building height) is amended as detailed in Appendix A and below:

NCZ-S2 (Minimum building height)

1. A minimum height of 7m is required for:

- a. New buildings or structures; and
- b. Additions to the frontages of existing buildings and structures.

This standard does not apply to:

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

291. HS4-P4-NCZ-Rec79: That submission points relating to NCZ-S2 are accepted/rejected as detailed in Appendix B.

S32AA Evaluation

292. In my opinion, the amendment to NCZ-S2 is more appropriate in achieving the objectives of the District Plan than the notified provisions. I consider that:
- a. The change will provide developers/applicants and resource consent planners with clarity as to when the standard applies.
 - b. The change is more efficient and effective than the notified provisions in achieving the objectives of the District Plan.
293. The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified District Plan provisions.

NCZ-S3 – Minimum ground floor height (ISPP)

Matters raised by submitters

294. Kāinga Ora [391.548] supports NCZ-S3 and seeks that this is retained as notified.
295. McDonald's [274.18], Restaurant Brands Limited [349.77] (supported by Foodstuffs [FS23.39]), Foodstuffs [476.19] oppose the standard and seek that it is deleted in its entirety.

Assessment

296. I acknowledge the submissions in opposition to the minimum ground floor height standard at NCZ-S3 [274.18, 349.77, FS23.39, 476.19]; however, I consider that this standard is appropriate as it ensures that the development potential of sites in the NCZ is realised, noting that the NPS-UD directs the Council to enabled intensification in the zone. As such, I recommend that the submission from Kāinga Ora [391.548] is accepted and the submissions in opposition to the standard from McDonald's [274.18], Restaurant Brands Limited [349.77] (supported by Foodstuffs [FS23.39]), Foodstuffs [476.19] are rejected.

Summary of recommendations

297. HS4-P4-NCZ-Rec80: That NCZ-S3 (Minimum ground floor height) be confirmed as notified.
298. HS4-P4-NCZ-Rec81: That submission points relating to NCZ-S3 are accepted/rejected as detailed in Appendix B.

NCZ-S4 – Height in relation to boundary (ISPP)

Matters raised by submitters

299. Restaurant Brands Limited [349.78] and Kāinga Ora [391.549] support NCZ-S4 and seek that this is retained as notified.
300. FENZ [273.261, 273.262] support the standard in part but seek that this is amended as follows to provide an exemption for emergency facilities and associated hose-drying towers:

NCZ-S4 (Height in relation to boundary) a

This standard does not apply to:

...

c. Solar power and heating components attached to a building provided these do not exceed the height in relation to boundary by more than 500mm; ~~and~~

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

e. Emergency service facilities up to 9m in height and hose drying towers up to 15m in height.

Assessment

301. Given the generous building heights in most NCZ, I consider that NCZ-S4 should be retained as notified to ensure ongoing access to sunlight/daylight to sites within adjoining zones.
302. As with my recommendations across the LCZ, COMZ and MUZ, and for the same reasons I recommend that the FENZ submission points [273.261, 273.262] are rejected.

Summary of recommendations

303. HS4-P4-NCZ-Rec82: That NCZ-S4 (Height in relation to boundary) be confirmed as notified.
304. HS4-P4-NCZ-Rec83: That submission points relating to NCZ-S4 are accepted/rejected as detailed in Appendix B.

NCZ-S5 – Verandah control (ISPP)

Matters raised by submitters

305. Restaurant Brands Limited [349.79] supports NCZ-S5 and seeks that this is retained as notified.

Summary of recommendations

306. HS4-P4-NCZ-Rec84: That NCZ-S5 (Verandah control) is confirmed amended consequentially to reflect MCZ-Rec72.
307. HS4-P4-NCZ-Rec85: That the submission point relating to NCZ-S5 is accepted as detailed in Appendix B.

NCZ-S6 – Active frontage and non-residential activity frontage controls (ISPP)

Matters raised by submitters

308. Restaurant Brands Limited [349.80] supports NCZ-S6 and seeks that this is retained as notified. Foodstuffs [FS23.40] opposes this submission point on the basis that they seek an amendment to the standard.
309. Kāinga Ora [391.550, 391.551] considers that NCZ-S6 generally supports NCZ-S6 but seeks that this is amended so that active frontage controls only apply where necessary, such as along principal/arterial roads or along the street edge, and that active frontage controls on streets and buildings where these matters do not apply should be deleted.
310. Woolworths [359.56] (supported in part by Foodstuffs [FS23.12]) support the Restricted Discretionary activity status to infringe the active frontage standards of MCZ-S6, LCZ-S6 and NCZ-S6 but note that supermarkets are unlikely to comply with these standards in any circumstance.
311. Woolworths [359.57, 359.58] (supported in part by Foodstuffs [FS23.7, FS23.8]) also opposes NCZ-S6 in part. While they acknowledge that the assessment criteria associated with the standard enable the consideration of those operational and functional needs, they note that the standard represents another circumstance whereby consents would always be required for supermarkets, despite supposedly being encouraged with the relevant CMUZ. As such, they request the following amendment:

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

1. Any new building or addition to an existing building (excluding new supermarkets or additions to an existing supermarket) on an identified street with an active frontage must:

- a. Be built up to the street edge on all street boundaries and along the full width of the site bordering any street boundary;
- b. Provide a minimum of 60% of continuous display windows or transparent glazing along the width of the ground floor building frontage; and
- c. Locate the principal public entrance on the front boundary;

~~2. Any ground level addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that:~~

- ~~a. Is more than 3 metres wide; and~~
- ~~b. Extends from a height of 1m above ground level to a maximum height of 2.5m;~~

3. Any roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building on a site located on an identified street with an active frontage must be at least 50% visually transparent; and

4. Any new building or addition to an existing building (excluding new supermarkets or additions to an existing supermarket) on a site with a non-residential activity frontage control must:

....

312. Foodstuffs [476.20, 476.21] (opposed by the Retirement Villages Association [FS126.43, FS128.44] and Ryman [FS128.43, FS128.44]) oppose NCZ-S6 in part and seek the following change:

Amend NCZ-S6 (Active frontage and non-residential activity frontage controls)

~~1. Dwellings must not locate on the ground floor of Any new building or addition to an existing building on an identified street with an active frontage or a non-residential activity frontage control for any new building, or ground level addition or alteration to an existing building must:~~

~~— a) Be built up to the street edge on all street boundaries and along the full width of the site bordering any street boundary;~~

~~— b) Provide a minimum of 60% of continuous display windows or transparent glazing along the width of the ground floor building frontage; and~~

~~— c) Locate the principal public entrance on the front boundary;~~

2. Any new building or ground level addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that:

a) Is more than ~~4~~ 3 metres wide; and

b) Extends from a height of 1m above ground level to a maximum height of 2.5m; and

c) Any roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent.

~~3. Any roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent; and~~

~~4. Any new building or addition to an existing building on a site with a nonresidential activity frontage control must:~~

~~a. Be built up to the street edge on all street boundaries and along~~

~~the full width of the site bordering any street boundary; and~~

~~b. Locate the principal public entrance on the front boundary.~~

313. McDonald's [274.19, 274.20] (opposed by the Retirement Villages Association [FS126.178] and Ryman [FS128.178]) oppose the standard in part and seek the following amendments to reflect that centres and commercial areas have a mixture of typologies:

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

~~1. Dwellings must not locate on the ground floor of Any new building or addition to an existing building on an identified street with an active frontage or a non-residential activity frontage control for any new building, or ground level addition or alteration to an existing building must:~~

~~a. Be built up to the street edge on all street boundaries and along the full width of the site bordering any street boundary;~~

~~b. Provide a minimum of 60% of continuous display windows or transparent glazing along the width of the ground floor building frontage; and~~

~~c. Locate the principal public entrance on the front boundary;~~

2. Any new building or ground level addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that:

a. Is more than ~~4~~ 3 metres wide; and

b. Extends from a height of 1m above ground level to a maximum height of 2.5m; and

c. Any roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent.

~~3. Any roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent; and~~

~~4. Any new building or addition to an existing building on a site with a non-residential activity frontage control must:~~

~~a. Be built up to the street edge on all street boundaries and along the full width of the site bordering any street boundary; and~~

~~b. Locate the principal public entrance on the front boundary.~~

Assessment

314. I agree with Kāinga Ora that NCZ-S6 active frontage controls only apply where necessary. This is reflected in the name of the standard, which only applies to 'an identified street with an active frontage' and/or a 'non-residential frontage'. Prior to notification of the PDP the Council determined which streets should be identified as identified frontages (generally being the frontages identified in ODP maps 46, 47, 48, 49, 49A-49E). As such, no change to the standard is required and I recommend that the Kāinga Ora submission points [391.550, 391.551] are rejected.

315. With respect to the Woolworths submission points [359.56] (supported in part by Foodstuffs [FS23.12]) and [359.67, 359.68] (opposed in part by Foodstuffs [FS23.12, FS23.13]), I acknowledge the support for the Restricted Discretionary activity status. I agree that new supermarkets in the NCZ will likely need resource consent. As discussed at paragraph 319 of

Part 2 (Metropolitan Centre Zone), I consider that it is appropriate for new supermarket buildings to go through the resource consent assessment process. As such, and in line with my recommendations in relation to MCZ-R20 and LCZ-R18, I recommend that the change requested by Woolworths and further submissions from Foodstuffs in partial support of the Woolworths submission are rejected.

316. Foodstuffs [476.20, 476.21] (opposed by the Retirement Villages Association [FS126.43, FS128.44] and Ryman [FS128.43, FS128.44]) seek a number of amendments to the standard. For the reasons set out at paragraph 320 of Part 2 (Metropolitan Centre Zone), I recommend that these changes are rejected, notably:
- The submitter has not provided compelling reasons for the proposed amendments, which replicate the ODP approach.
 - The suggested change to LCZ-S6.1 in particular is less clear than the current wording.
 - The intent of the requirement at LCZ-S6.2.a is that blank facades do not exceed 3 metres, noting that in some circumstances a 4 metre facade would cover the entirety of a shop frontage and consider this would be a negative outcome for the vibrancy of any centre.
317. McDonald's [274.19, 274.20] (opposed by the Retirement Villages Association [FS126.178] and Ryman [FS128.178]) seeks changes in line with those sought by Woolworths. For the reasons outlined above, I disagree with the relief sought and recommend that these submission points are rejected.

Summary of recommendations

318. HS4-P4-NCZ-Rec86: That NCZ-S6 (Active frontage and non-residential activity frontage controls) is amended to be consistent with CCZ-Rec112.
319. HS4-P4-NCZ-Rec87: That submission points relating to NCZ-S6 are accepted/rejected as detailed in Appendix B.

NCZ-S7 – Minimum residential unit size (ISPP)

Matters raised by submitters

320. Kāinga Ora [391.552, 391.553] supports NCZ-S7 in part, but seeks that this is amended to remove the minimum standard for 2+ bedroom units, so as to enable greater design flexibility and decrease the minimum floor area for studio units. They seek the standard is amended as follows:

NCZ-S7 (Minimum residential unit size)

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

Residential unit type	Minimum net floor area
a. Studio unit	30 5m ²
b. 1 <u>or more</u> bedroom unit	40m ²
c. 2+ bedroom unit	55 m ²

Assessment

321. I refer to my assessment at paragraphs 328-331 of Part 2 (Metropolitan Centre Zone), where I recommend that the minimum residential unit sizes are retained as notified. For the same reasons, and noting this aligns with my recommendations in relation to the MCZ and LCZ, and Mr Patterson’s recommendations with respect to the MRZ and HRZ, I recommend that the changes requested by Kāinga Ora [391.552, 391.553] are rejected.

Summary of recommendations

322. HS4-P4-NCZ-Rec88: That NCZ-S7 (Minimum residential unit size) be confirmed as notified.
323. HS4-P4-NCZ-Rec89: That the submission points relating to NCZ-S7 are accepted/ rejected as detailed in Appendix B.

NCZ-S8 – Residential – outdoor living space (ISPP)

Matters raised by submitters

324. Kāinga Ora [391.554] supports NCZ-S8 and seeks that this is retained as notified.
325. The Retirement Villages Association [350.223, 350.224] opposes NCZ-S8 in part, and seeks an exclusion for retirement villages.

Assessment

326. I disagree with the Retirement Villages Association [350.281, 350.282] that there should be an exemption from the requirement to provide outdoor living space for retirement villages, as this will ensure high quality amenity for the villages’ occupants. If the standard is not met a resource consent for this non-compliance can be obtained, subject to the developer showing that the occupants will be provided suitable on-site amenity for their specific needs. Further commentary in relation to retirement villages is provided in the Overview and General Matters section of this s42A report.
327. I recommend that NCZ-S8 is amended to align with my recommendations with respect to residential outdoor living space across the suite of CMUZ, as detailed in my Summary of

Recommendations below. I also recommend the spelling of the word manoeuvring is corrected.

Summary of recommendations

338. HS4-P3-NCZ-Rec90: That NCZ-S8 (Residential – outdoor living space) is amended to align with the changes to the residential zones, as shown at Appendix A and in the text box below.

NCZ-S8: Residential - outdoor living space

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

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 <u>4 – 15</u> units	1064 m ²	8m
ii. <u>For each additional unit above 15 units</u>	<u>2</u> m ²	=
Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space.		

339. HS4-P4-NCZ-Rec91: That submission points relating to NCZ-S8 are accepted/rejected as detailed in Appendix B.

S32AA Evaluation

340. In my opinion, the amendment to NCZ-S8 is more appropriate in achieving the objectives of the plan than the notified provisions. I consider that:

- a. The change to the standard will provide clarity as to how the standard is to be applied.
- b. The change aligns with recommendations with respect to the residential zones and other CMUZ.

- c. The change is more efficient and effective than the notified provisions in achieving the objectives of the District Plan.

341. There are no environmental, economic, social and cultural effects associated with the recommended amendments to NCZ-S8, which is essentially clarification of the rule as drafted.

NCZ-S9 – Minimum outlook space for multi-unit housing (ISPP)

Matters raised by submitters

342. Kāinga Ora [391.555] opposes NCZ-S9 on the basis that it sets a standard that may not be possible to meet for dwellings that would otherwise provide a decent standard of living, and seeks that this is deleted in its entirety.

Assessment

343. For the reasons set out at paragraph 350 of Part 2 (Metropolitan Centre Zone), I do not agree with Kāinga Ora [391.555] that NCZ-S9 should be deleted.

Summary of recommendations

344. HS4-P4-NCZ-Rec92: That NCZ-S9 (Minimum outlook space for multi-unit housing) be confirmed as notified.

345. HS4-P4-NCZ-Rec93: That the submission point relating to NCZ-S9 is accepted/rejected as detailed in Appendix B.

NCZ-S10 – Minimum building separation distance (ISPP)

Matters raised by submitters

346. The Retirement Villages Association [350.225, 350.226] opposes NCZ-S10 as notified and seeks that this is amended to include an exemption for retirement villages as follows:

NCZ-S10 (Minimum building separation distance)

1.....

[figure]

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

347. Kāinga Ora [390.556] opposes the standard on the basis that it will constrain design flexibility, and seeks that it is deleted in its entirety.

Assessment

348. For the reasons set out at paragraph 355 of Part 2 (Metropolitan Centre Zone), I recommend that the Retirement Villages Association submission points [350.225, 350.226] are rejected.

349. With respect to the Kāinga Ora [390.556] submission point, I refer to my assessment at paragraph 356 of Part 2 (Metropolitan Centre Zone). For the same reasons, I recommend that NCZ-S10 is retained as notified and that this submission point is rejected.

Summary of recommendations

350. HS4-P4-NCZ-Rec94: That NCZ-S10 (Minimum building separation distance) be confirmed as notified.

351. HS4-P4-NCZ-Rec95: That submission points relating to NCZ-S10 are rejected as detailed in Appendix B.

NCZ-S11 – Maximum building depth (ISPP)

Matters raised by submitters

352. Restaurant Brands Limited [349.81] (opposed by Foodstuffs [FS23.72]) supports NCZ-S11 and seeks that this is retained as notified.

353. In addition to Foodstuffs [496.83], Kāinga Ora [391.557] seeks that NCZ-S11 is deleted in its entirety. Both submitters consider that the standard will impose unnecessary development constraints.

354. The Retirement Villages Association [350.227, 350.228] opposes NCZ-S11 as notified and seeks that this is amended to include an exemption for retirement villages as shown below:

NCZ-S11 (Maximum building depth)

1.....

[figure]

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

356. Woolworths [359.59] considers that the standard should be amended on the basis that buildings that exceed the maximum depth standard may be required to meet operational and functional requirements. To provide for this, they seek the following amendment:

NCZ-S11 (Maximum building depth) as follows:

Assessment criteria where the standard is infringed:

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

2. Dominance, privacy and shading effects on adjoining sites; ~~and~~

3. The extent to which any non-compliance is necessary to provide for the functional needs or operational needs of a proposed activity.

Assessment

358. For the reasons set out at paragraph 363 of Part 2 (Metropolitan Centre Zone), I recommend that the Retirement Villages Association submission points [350.227, 350.228] are rejected.
364. I do not agree with the submitters in opposition (Foodstuffs [496.83], Kāinga Ora [391.557]) that NCZ-S11 should be deleted in its entirety. The building depth standard is intended to work in conjunction with the building separation standard to provide privacy for residential occupants of a NCZ site; however, where the separation standard applies only to residential buildings, the depth standard applies to all buildings. This means that the standard, as written, would limit the size of all buildings in the NCZ. I consider that this is an error in the PDP and that the standard should be amended to clarify that it only applies to residential development.
366. My recommended amendment to the standard will also address the change requested by Woolworths [359.59] as it will clarify that this only applies to residential buildings. I therefore recommend that this submission point is rejected.

Summary of recommendations

367. HS4-P3-NCZ-Rec96: That NCZ-S11 (Maximum building depth) is amended as shown below and at Appendix A:

NCZ-S11 (Maximum building depth) as follows:

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

...

368. HS4-P3-NCZ-Rec97: That submission points relating to NCZ-S11 are accepted/rejected as detailed in Appendix B.

S32AA Evaluation

369. In my opinion, the amendment to NCZ-S11 is more appropriate in achieving the objectives of the District Plan than the notified provisions. I consider that:
- The change clarifies how the standard applies.
 - The change is more efficient and effective than the notified provisions in achieving the objectives of the District Plan.
370. The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions

6.0 Proposed Additional Neighbourhood Centre Zone Provisions

Matters raised by submitters

371. The Retirement Villages Association [350.204 - 350.207] seeks a new policy that supports retirement villages within the NCZ. They request the following policy be added to the District Plan:

NCZ-PX Provision of housing for an ageing population

1. Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in [add] zone, such as retirement villages.

2. Recognise the functional and operational needs of retirement villages, including that they:

a. May require greater density than the planned urban built character to enable efficient provision of services.

b. Have unique layout and internal amenity needs to cater for the requirements of residents as they age.

Changing communities

To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the Local Centre Zone will change over time to enable a variety of housing types with a mix of densities.

Larger sites

Recognise the intensification opportunities provided by larger sites within the Local Centre Zone by providing for more efficient use of those sites.

372. The Retirement Villages Association [350.217] acknowledges that shading, privacy, bulk and dominance effects on NCZ sites adjacent to residential zones require management, but seeks policy direction that specifies that the level of management is informed by the development expectations for the zone. They request the following policy be added to the District Plan:

NCZ-PX Role of density standards

Enable the density standards to be utilised as a baseline for the assessment of the effects of developments.

373. The Retirement Villages Association [350.208, 350.209] seeks a new rule that enables retirement villages as a within the NCZ. In addition, they oppose limitations on residential activities at ground floor level within the NCZ [350.220]. They request the following Permitted Activity rule be added to the District Plan:

NCZ-RX Retirement Villages

Provision of housing for an ageing population

1. Activity Status: Permitted

374. Kāinga Ora [391.509] (opposed by Waka Kotahi [FS103.35]) seeks a new rule to allow for the construction of, or additions and alterations to, residential buildings as a Permitted Activity in the NCZ as NCZ-R18 does not adequately provide for residential buildings. They seek the following new rule:

NCZ-Rx Construction of, or additions and alterations to, buildings and structures for residential activities

1. Activity status: Permitted

where:

a. The activity is located:

i. Above ground floor level;

ii. At ground floor level along any street edge not identified as an active frontage; or

iii. At ground floor level along any street edge not identified as a non-residential activity frontage; and

iv. Complies with NCZ-R1, NCZ-R4, NCZ-S7, LCZ-S8 and LCZ-S9.

2. Activity status: Restricted Discretionary where:

b. Compliance with the requirements of NCZR10.1.a cannot be achieved.

Matters of discretion are restricted to:

1. The matters in NCZ-P7-P8.

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

Assessment

375. As discussed in the Overview and General Matters section of this report, retirement villages are considered to be residential activities. Hence no specific rule framework is required, as the residential activities rule, and associated building rules and standards apply. Assessments and recommendations with respect to the policies and rules are provided at paragraphs 213 and 216 to 217 of the Overview and General Matters section of this report. As such, no further assessment of the submission points 350.204 - 350.207, 350.208, 350.209 is required in this report. I recommend that these submissions are accepted in part. This also applies to the Ryman submission point [346.3].
376. With respect to the Retirement Villages Association request for a new policy relating to the role of density standards [350.217] I refer to paragraph 376 of Part 2 (Metropolitan Centre Zone). For the same reasons, I recommend that this submission point is rejected.
377. Kāinga Ora [391.509] (opposed by Waka Kotahi [FS103.35]) for a new rule to allow for the construction of, or additions and alterations to, residential buildings as a Permitted Activity in the NCZ as, in their view, NCZ-R18 does not adequately provide for residential buildings. NCZ-R10 relates to residential activities, whereas NCZ-R18 relates to buildings. Where the

residential activity is above ground floor level it is permitted within the building. Hence I disagree with Kāinga Ora that the building rule needs to be amended and recommend that this submission point is rejected.

Summary of recommendations

378. HS4-P2-MCZ-Rec98: That any new provisions set out at HS4-Overview-Rec31 to HS4-Overview-Rec36 applicable to the Neighbourhood Centre Zone are incorporated into the District Plan.
379. HS4-P3-NCZ-Rec99: That submission points requesting new NCZ provisions are accepted/rejected as detailed in Appendix B.

7.0 Minor and Inconsequential Amendments

379. Pursuant to Schedule 1, clause 16 (2) of the RMA, a local authority may make an amendment, without using the process in this schedule, to its proposed plan to alter any information, where such an alteration is of minor effect, or may correct any minor errors.
380. Within this report minor and consequential amendments have been identified under the provisions that they relate to. For example, within specific provisions renumbering may be required with respect matters of discretion, assessment criteria and the like.
381. Within specific provisions renumbering may be required with respect matters of discretion, assessment criteria and the like.

8.0 Conclusion

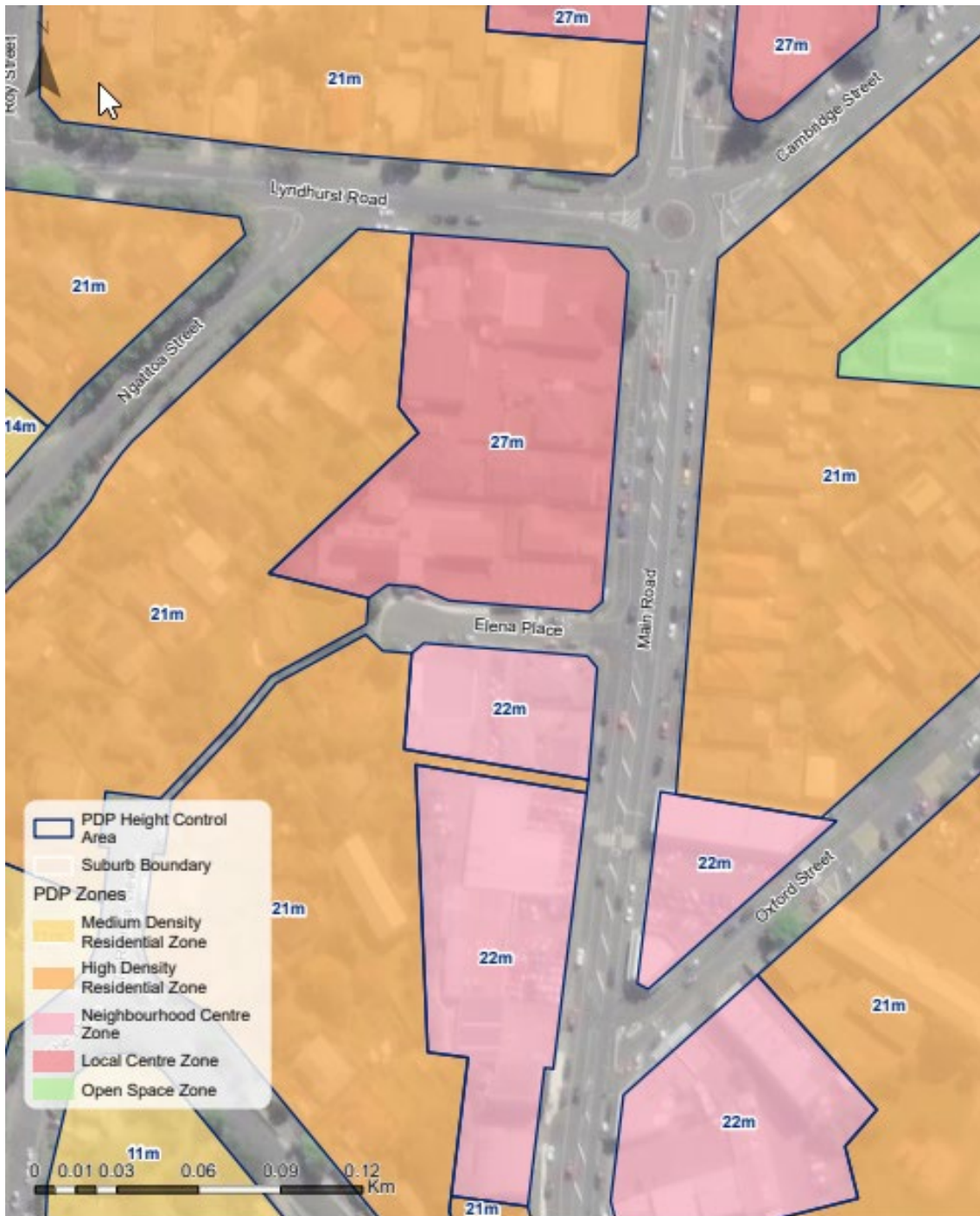
382. Submissions have been received in support and opposition to the NCZ provisions of the PDP.
383. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that PDP should be amended as set out in Appendix A of this report.
384. For the reasons set out in the Section 32AA evaluations included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
- a. Achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives; and
 - b. Achieve the relevant objectives of the District Plan, in respect to the proposed provisions.

9.0 Recommendations

389. I recommend that:
- i. The District Plan is amended in accordance with the changes recommended in Appendix A of this report; and
 - ii. The Independent Hearing Panel accept, accept in part, or reject submissions (and associated further submissions) as outlined in Appendix B of this report.

Appendix 1 – Amended Maps relating to the Neighbourhood Centre Zone

- iii. Proposed Zone and Height Control Changes for Elena Place, Tawa
- iv. Proposed Height Control Areas for Tawa NCZ



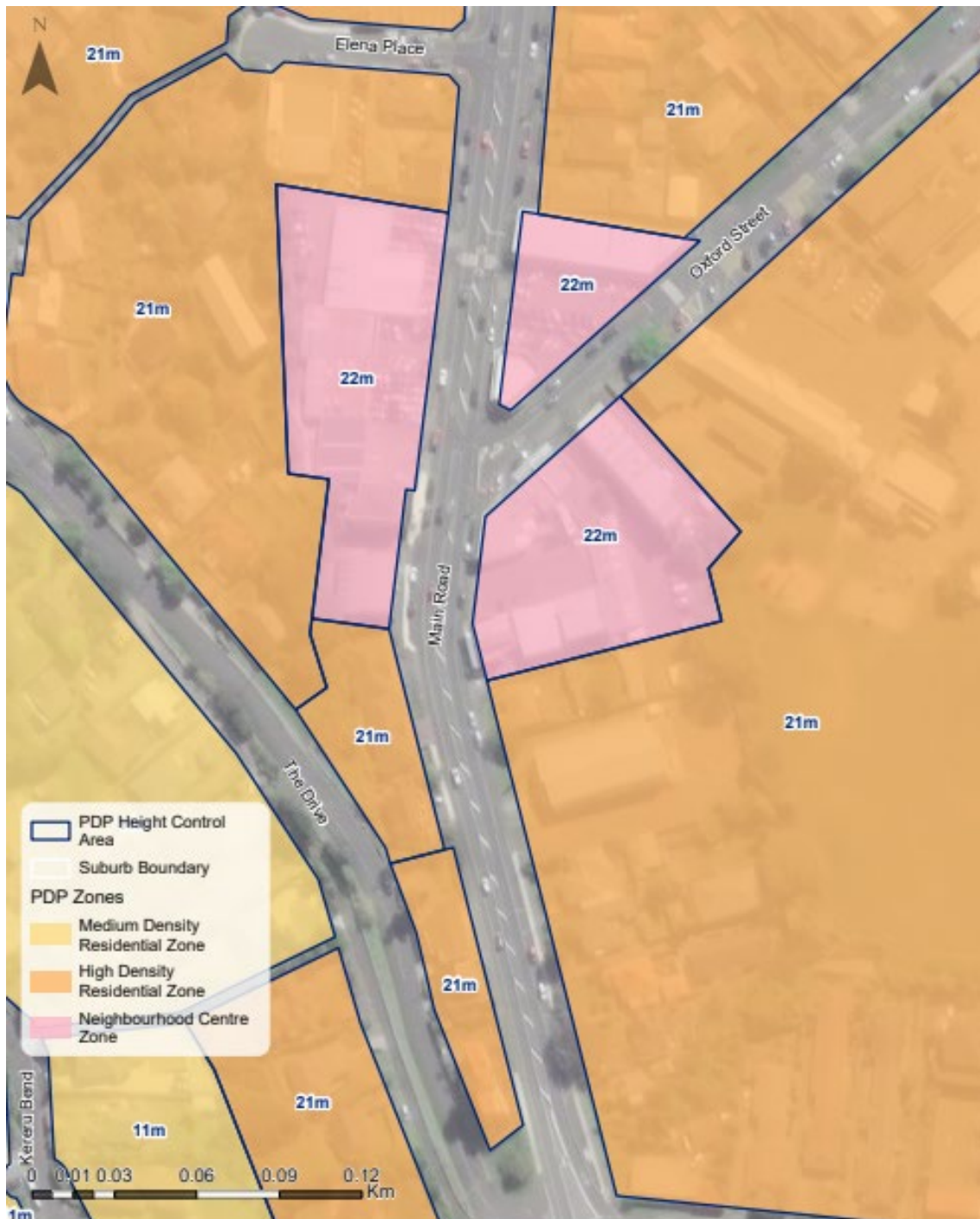
Proposed Zone and Height Control Changes for Elena Place, Tawa

This map shows the proposed zone changes for Elena Place, High Density Residential Zones (HRZ). It is proposed that the properties to the north change from HRZ to Local Centre Zone (LCZ) and to the south change from HRZ to Neighbourhood Centre Zone (NCZ). The new LCZ height control is changed from 21m to 27m, and the new NCZ height control is changed from 21m to 22m.

Basemap credits: Esri Community Maps Contributors, LINZ, Stats NZ, Esri, HERE, Garmin, Foursquare, METV/ NASA, USGS, LINZ

Date: 24/05/2023
Contact: District.Plan@wcc.govt.nz

**Absolutely Positively
Wellington City Council**
Me Heke Ki Pōneke



Proposed Height Control Area Changes for Tawa NCZ

This map shows the proposed height control changes for the Tawa Neighbourhood Centre Zone (NCZ). It is proposed that 105, 107, 109, 111, 113 and 115 Main Road are rezoned to High Density Residential Zone (HDZ) and the height control changes from 22m to 21m.

Basemap credits: Esri Community Maps Contributors, LINZ, Stats NZ, Esri, HERE, Garmin, Foursquare, METI/ NASA, USGS, LINZ

Date: 23/05/2023
Contact: District.Plan@wcc.govt.nz

**Absolutely Positively
Wellington City Council**

Me Heke Ki Pūnake