

**Section 32AA RMA Analysis by Joe Jeffries on behalf of Stride Investment Management Limited, Investore Property Limited, Precinct Properties New Zealand Limited, Fabric Property Limited, Oyster Management Limited, and Argosy Property No.1 Limited**

**City Outcomes Contributions (deletion of Appendix 16, amendments to MCZ-P10, MCZ-R20, MCZ-S1, CCZ-P11, CCZ-R19, CCZ-R20, CCZ-S1)**

<p>Effectiveness and efficiency</p>	<p>The recommended amendments to the City Outcomes and associated provisions as set out in my evidence are more efficient and effective in achieving the objectives of the District Plan as these will:</p> <ul style="list-style-type: none"> <li>• Provide greater clarity and certainty, and reduce subjectivity and complexity by bringing the City Outcomes into the policy framework of the PDP and reframing the mechanism to assess the positive outcomes provided by a development.</li> </ul>
<p>Costs/Benefits</p>	<p>Environmental:</p> <ul style="list-style-type: none"> <li>• A potential environmental cost is the reduced provision of environmental benefits through the city outcomes mechanism such as contribution to public amenity and the provision of sustainable buildings. However, the uncertainty and complexity of the s42a version of the mechanism is likely to lead to avoidance of the consent triggers from developers which will have the effect of reducing provision of taller buildings and so none of the environmental benefits from the City Outcomes would be delivered anyway.</li> </ul> <p>Economic:</p> <ul style="list-style-type: none"> <li>• The proposed amendments reduce costs of regulatory uncertainty, complexity, and subjectivity, and therefore reduce the potential for delays for development.</li> <li>• The amendments remove a disincentive to construct taller buildings, and a potential disincentive to provide more affordable housing options.</li> <li>• The amendments provide greater certainty and clarity in the matters that are being assessed in a resource consent application for a new building. This has the potential to reduce costs associated with obtaining a resource consent, and avoids the opportunity costs of forgone development potential.</li> </ul> <p>The recommended amendments will not have any greater social or cultural effects than the notified provisions.</p>
<p>Risk of activity or not acting</p>	<p>The risk of not acting is that the notified and s42a approach would create uncertainty and the potential for cost intensive delays in assessing City Outcomes in a resource consent application before finalising the design of a building. The City Outcomes as proposed will potentially result in unnecessarily constraining development of taller buildings while achieving none of the more positive outcomes intended by the concept. This would not give effect to the outcomes sought in the NPSUD.</p>

	The risk of not acting is that the disincentive to construct taller buildings has the potential to negatively affect the provision of affordable housing that may otherwise be achievable without the requirements of the policy.
Decision about more appropriate action	Based on the assessment above the recommended amendments as set out in my evidence are therefore more appropriate in achieving the purpose of the RMA than the PDP or s42A report recommended changes.

### Managed activities (MCZ-P3)

Effectiveness and efficiency	The deletion of MCZ-P3 as set out in Appendix 1 is more efficient and effective in achieving the objectives of the District Plan as it removes an inappropriate requirement to manage adverse effects on the “viability and vibrancy of centres”.
Costs/Benefits	Economic: Reduces administrative costs in assessing potential effects of activities in the MCZ on other centres. Provides greater certainty for development. The recommended amendments will not have any greater environmental, social or cultural effects than the notified provisions.
Risk of activity or not acting	This risk of not acting is that the notified policy could require consideration of the cumulative adverse effects on a local centre for example, which may lead to perverse outcomes in how development in the Metropolitan Centres is assessed and may unnecessarily constrain development.
Decision about more appropriate action	Based on the assessment above the recommended amendments as set out in my evidence are therefore more appropriate in achieving the purpose of the RMA than the PDP or s42A report recommended changes.

### Quality design outcomes (MCZ-P7)

Effectiveness and efficiency	The amendments to MCZ-P7 set out in my evidence are more efficient and effective in achieving the objectives of the District Plan as deleting ‘including residential’ from the policy will reduce any onerous constraints in designing ground floor space for conversion to residential.
Costs/Benefits	Economic: The recommended amendments will avoid any unnecessary constraints from having to design the ground floors of buildings intended for commercial activities (e.g. supermarkets) to meet a residential change of use. The recommended amendments will not have any greater environmental, social or cultural effects than the notified provisions.

Risk of activity or not acting	This risk of not acting is that the ground floor of buildings will need to be designed for conversion to residential and this introduces unnecessary time, cost, and constraints to development.
Decision about more appropriate action	Based on the assessment above the recommended amendments as set out in my evidence are therefore more appropriate in achieving the purpose of the RMA than the PDP or s42A report recommended changes.

### Managing adverse effects (MCZ-P9)

Effectiveness and efficiency	The amendments to MCZ-P9 set out in my evidence are more efficient and effective at addressing traffic effects in the transport chapter are a more effective way to deliver a consistent approach plan wide.
Costs/Benefits	The recommended amendments will not have any greater environmental, social, and cultural cost or benefits than the notified provision because the effects of construction will be assessed in the Transport chapter.
Risk of activity or not acting	The risk of not acting is that the plan will be inconsistent in how it deals with traffic effects.
Decision about more appropriate action	Based on the assessment above the recommended amendments as set out in my evidence are therefore more appropriate in achieving the purpose of the RMA than the PDP or s42A report recommended changes.

### Carparking activities (MCZ-R15 and CCZ-R14)

Effectiveness and efficiency	The amendments to MCZ-R15 and CCZ-R14 set out in my evidence are more efficient and effective in achieving the objectives of the District Plan as it ensures greater certainty for appropriate at-grade parking to occur while ensuring that Council still retains appropriate discretion to impose conditions to ensure quality design outcomes.
Costs/Benefits	<p>Environmental:</p> <ul style="list-style-type: none"> <li>At grade parking can produce poor urban design outcomes. However, the amendments ensure that Council still retains appropriate discretion to impose conditions to ensure quality design outcomes.</li> </ul> <p>Economic:</p> <p>Provides greater certainty and reduces administrative costs. The recommended amendments will not have any greater social and cultural effects than the notified provisions.</p>
Risk of activity or not acting	The risk of not acting is that the notified rules will require a discretionary resource consent application, with mandatory notification in the CCZ, for any at grade parking resulting in unnecessary time, cost, and uncertainty in preparing a resource consent application.

Decision about more appropriate action	Based on the assessment above the recommended amendments as set out in my evidence are therefore more appropriate in achieving the purpose of the RMA than the PDP or s42A report recommended changes.
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### Demolition or removal of buildings and structures (MCZ-R19 and CCZ-R18)

Effectiveness and efficiency	The amendments to MCZ-R19 and CCZ-R18 set out in my evidence are more efficient and effective in achieving the objectives of the District Plan as they ensure greater certainty for appropriate demolition to occur while ensuring that Council still retains appropriate discretion to impose conditions to ensure quality design outcomes and use of the site before it is redeveloped.
Costs/Benefits	<p>Environmental:</p> <ul style="list-style-type: none"> <li>• Provides environmental benefits in providing greater certainty for redevelopment which will reduce the potential for existing buildings to remain vacant, which in turn creates vibrant and safe centres consistent with the objectives and policies.</li> <li>• The urban design benefits of enabling council to impose conditions to ensure quality design outcomes and use of the site before it is redeveloped are retained.</li> </ul> <p>Economic:</p> <ul style="list-style-type: none"> <li>• Provides greater clarity and flexibility to enable demolition for staged development which may require a building to be demolished before a resource consent is sought of a new building, hence reducing costs in consenting.</li> <li>• It would provide more certainty and hence reduce any unnecessary disincentivising of large-scale development.</li> </ul> <p>Social:</p> <ul style="list-style-type: none"> <li>• The demolition of a vacant building could be beneficial for health and safety reasons and should not be unnecessarily constrained.</li> </ul> <p>The recommended amendments will not have any greater cultural effects than the notified provisions.</p>
Risk of activity or not acting	The risk of not acting is that the notified provisions will be unnecessarily constraining and provide insufficient flexibility and certainty. This could reduce the viability of redevelopment.
Decision about more appropriate action	Based on the assessment above the recommended amendments as set out in my evidence are therefore more appropriate in achieving the purpose of the RMA than the PDP or s42A report recommended changes.

### Alterations and additions to buildings and structures (CCZ-R19)

Effectiveness and efficiency	The amendments to CCZ-R19 set out in my evidence are more efficient and effective in achieving the objectives of the District Plan than the notified
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	provisions as they provide a more appropriate trigger point for Restricted Discretionary resource consent for additions and alterations reducing the need for resource consent and urban design assessment for minor building alterations.
Costs/Benefits	<p>Environmental:</p> <p>There is limited potential to adversely affect streetscapes or urban design outcomes by small scale alterations especially as the City Centre is not an urban environment that is sensitive to minor changes.</p> <p>Economic:</p> <p>Reduces administrative costs of resource consents for small scale alterations. Provides greater certainty for small scale improvements.</p> <p>The recommended amendments will not have any greater social or cultural effects than the notified provisions.</p>
Risk of acting or not acting	The risk of not acting is that the rule will set an inappropriately low trigger point for restricted discretionary resource consent for small scale alterations, and so these alterations will not proceed.
Decision about more appropriate action	Based on the assessment above the recommended amendments are therefore more appropriate in achieving the purpose of the RMA than the PDP or s42A report recommended changes.

### **Construction of buildings and structures (amendment to matter of discretion in CCZ-R20)**

Note – amendments to CCZ-R20 in relation to the City Outcomes are addressed under the s32aa assessment for that topic.

Effectiveness and efficiency	The amendments to CCZ-R20 set out in my evidence are more efficient and effective in achieving the objectives of the District Plan as they are a minor change to the provisions that improves clarity and certainty.
Costs/Benefits	<p>Economic:</p> <p>There are administrative economic benefits in providing improved plan clarity and greater certainty for development.</p> <p>The recommended amendments will not have any greater environmental, social or cultural effects than the notified provisions.</p>
Risk of acting or not acting	The risk of not acting is that the rule will provide insufficient certainty and clarity.
Decision about more appropriate action	Based on the assessment above the recommended amendments are therefore more appropriate in achieving the purpose of the RMA than the PDP or s42A report recommended changes.

## Building Height (MCZ-S1)

<p><b>Effectiveness and efficiency</b></p>	<p>The recommended amendments to MCZ-S1 to provide for 50m building heights in part of Johnsonville Metropolitan Centre as set out in my evidence are more efficient and effective in achieving the objectives of the District Plan as this will:</p> <ul style="list-style-type: none"> <li>• give better effect to the NPS-UD direction, in particular Policy 3(b) as greater building heights give effect to the requirement to enable heights to reflect demand for housing and business use.</li> <li>• provide appropriate building heights to support the Metropolitan Centre zoning and the MCZ objectives particularly MCZ-O1, and MCZ-O2.</li> <li>• will support the strategic direction of the PDP particularly to reinforce the centres hierarchy (CEKP-O2), provide development capacity (UFD-O5), and provide compact urban form (UFD-O1).</li> <li>• provide greater regional consistency with the building heights provided for in Hutt City, Upper Hutt and Porirua City.</li> </ul>
<p><b>Costs/Benefits</b></p>	<p>Environmental:</p> <ul style="list-style-type: none"> <li>• Environmental benefits include enabling better urban design outcomes by visually reinforcing the importance of the Johnsonville Metropolitan Centre, and providing greater design flexibility. According to the evidence of Cameron Wallace the benefits of greater heights in Johnsonville exceed the potential costs from an urban design perspective.</li> <li>• Greater building heights will support the vibrancy of the Johnsonville Metropolitan Centre.</li> <li>• Greater building heights and densities will support sustainability by concentrating activity in an area of high accessibility, and promoting active and public transport use.</li> <li>• Environmental costs include a moderate increase in shading, and a change in amenity which is anticipated by the NPSUD. I note that the potential adverse effects of taller buildings in Johnsonville are able to be considered through the resource consent process without an additional consent trigger for height non-compliance (as resource consent would usually be required under MCZ-R20 in any case).</li> </ul> <p>Economic:</p> <ul style="list-style-type: none"> <li>• Increased building heights will provide additional development capacity for business and housing in Johnsonville which will support the provision of affordable housing.</li> <li>• Greater densities of residential and business use in Johnsonville promotes efficient provision of infrastructure.</li> <li>• Increased intensification will result in a change in amenity values experienced by current neighbouring residents, but in doing so will</li> </ul>

	<p>provide alternative amenities for future generations, as anticipated and directed in centres by the NPS-UD.</p> <ul style="list-style-type: none"> <li>• The recommended amendments to enable building heights of 50m in the MCZ will more effectively deliver on the centre attracting investment and development opportunities as addressed in Jarrod Thompson’s evidence.</li> <li>• Increased heights will provide the potential for greater access to a wider range of commercial and community services.</li> <li>• According to the economic evidence of Tim Heath the potential economic benefits of providing 50m building heights in Johnsonville outweigh the potential economic costs.</li> </ul> <p>Social:</p> <ul style="list-style-type: none"> <li>• Social benefits include increased vibrancy of the Johnsonville centre.</li> <li>• Increased residential density supports investment in social infrastructure.</li> <li>• One social cost is the potential loss of private views, and some public views, from tall buildings blocking views. However new views will also be created from and to any new buildings.</li> </ul> <p>The recommended amendments will not have any greater cultural effects than the notified provisions.</p>
<b>Risk of activity or not acting</b>	The risk of not acting to provide increased building heights in Johnsonville is the lost development potential and in particular the loss of capital investment in Johnsonville to other centres in the Wellington region and nationally with more enabling planning provisions that support development feasibility.
<b>Decision about more appropriate action</b>	Based on the assessment above the recommended amendments in my evidence are therefore more appropriate in achieving the purpose of the RMA than the PDP or s42A report recommended changes.

#### Active frontage standards (MCZ-S6 and CCZ-S8)

Effectiveness and efficiency	The amendments to MCZ-S6 and CCZ-S8 set out in my evidence are more efficient and effective in achieving the objectives of the District Plan as they will enable an appropriate range of buildings to be provided for in the zone while ensuring quality urban design outcomes.
Costs/Benefits	<p>Environmental:</p> <p>Only requiring 90% of an active frontage to be built up to the street edge will allow flexibility in building type and will enable appropriate uses including to provide a small plaza space outside of a building entrance.</p> <p>With the standard only applying to the minimum building height of 7m there is flexibility for buildings to be set-back at upper floors to enable podium tower buildings to allow a mix of building types.</p>

	<p>Economic:</p> <p>Provides additional flexibility in different types of building, and the creation of small plaza spaces.</p> <p>Social:</p> <p>Providing additional flexibility could allow for a chamfer to a building edge at a corner site to improve visibility / respond to its corner location which would provide social benefit.</p> <p>The recommended amendments will not have any greater cultural effects than the notified provisions.</p>
Risk of activity or not acting	The risk of not acting is creating limited flexibility in the type of buildings that can be developed, when the MCZ and CCZ seek to provide an enabling framework for a wide range of activities. This could result in the intent of the zones not being fully realised.
Decision about more appropriate action	Based on the assessment above the recommended amendments as set out in my evidence are therefore more appropriate in achieving the purpose of the RMA than the PDP or s42A report recommended changes.

#### Minimum Residential unit size (MCZ-S7)

Effectiveness and efficiency	The amendments to MCZ-S7 set out in my evidence are more efficient and effective in achieving the objectives of the District Plan as they will enable well designed smaller apartments in order to ensure housing affordability, consistency with the NPS-UD, and to acknowledge diverse housing needs.
Costs/Benefits	<p>Environmental:</p> <p>Amendments will enable provision of well-designed smaller apartments and still enable an appropriate standard of residential amenity.</p> <p>Economic:</p> <p>Smaller apartments enable better housing affordability.</p> <p>Social:</p> <p>Allows for greater diversity in housing needs.</p> <p>The recommended amendments will not have any greater cultural effects than the notified provisions.</p>
Risk of activity or not acting	The risk of not acting is creating limited flexibility in the type of residential supply.
Decision about more appropriate action	Based on the assessment above the recommended amendments in my evidence are therefore more appropriate in achieving the purpose of the RMA than the PDP or s42A report recommended changes.



**Deletion of Maximum building separation distance and Maximum building depth standards, and associated amendments to the outlook space standards (MCZ-S10, MCZ-S11, MCZ-S9, CCZ-S12, CCZ-S13)**

Effectiveness and efficiency	The deletion of the maximum building depth and building separation standards, and associated amendments to the outlook space standards as set out in my evidence are an efficient and effective approach in achieving the objectives of the District Plan. This is because they will enable an appropriate range of buildings and activities to be provided for in the zones which specifically seek to encourage a variety of uses to be located there, while ensuring appropriate outlook space for residential activities.
Costs/Benefits	<p>Environmental:</p> <ul style="list-style-type: none"> <li>• Will allow the ability to deliver alternative building configurations and allow efficient use of developable land and enable good urban design outcomes.</li> <li>• Ensures a high level of amenity for residential activities by amending the outlook space standards.</li> </ul> <p>Economic:</p> <ul style="list-style-type: none"> <li>• Removes unnecessary constraints on development.</li> <li>• Enables delivery of a range of appropriate building types consistent with the direction of the NPSUD.</li> </ul> <p>The recommended amendments will not have any greater social and cultural effects than the notified provisions.</p>
Risk of activity or not acting	The risk of not acting is creating limited flexibility in the type of buildings, when the CCZ and MCZ seek to provide an enabling framework for a wide-range of activities. This could result in the intent of the zones not being fully realised.
Decision about more appropriate action	Based on the assessment above the recommended amendments as set out in my evidence are therefore more appropriate in achieving the purpose of the RMA than the PDP or s42A report recommended changes.

**Minimum Ground Floor Height (CCZ-S5)**

Effectiveness and efficiency	The amendments to CCZ-S5 set out in my evidence are more efficient and effective in achieving the objectives of the District Plan as they ameliorate an unnecessarily constraining standard and provide greater flexibility for buildings to efficiently accommodate service areas or other functional requirements.
Costs/Benefits	<p>Environmental:</p> <p>The benefits of providing minimum ground floor heights for the street facing parts of buildings, including providing flexibility for a variety of activities and providing a quality street frontage, are maintained.</p> <p>Economic:</p>

	<p>There are reduced administrative costs and greater certainty in avoiding resource consent requirements to accommodate ground floor service areas.</p> <p>An increased efficiency of built form is able to be achieved.</p> <p>There is increased flexibility for development.</p> <p>The recommended amendments will not have any greater social or cultural effects than the notified provisions.</p>
Risk of acting or not acting	The risk of not acting is that the standard will provide insufficient flexibility and therefore constrain development.
Decision about more appropriate action	Based on the assessment above the recommended amendments are therefore more appropriate in achieving the purpose of the RMA than the PDP or s42A report recommended changes.

### Verandahs (CCZ-S7)

Effectiveness and efficiency	The amendment to CCZ-S7 set out in my evidence is more efficient and effective in achieving the objectives of the District Plan as it provides a minor amendment to provide an exception to the verandah requirements for trees on private property, that may contribute to public amenity.
Costs/Benefits	<p>Environmental:</p> <p>The amendment provides environmental benefits in protecting trees on private property that may contribute to public amenity and streetscape.</p> <p>There is an environmental cost in terms of reduced public amenity in increasing the circumstances where a verandah may not be required to be provided.</p> <p>Economic:</p> <p>There are reduced administrative costs in providing this exception as the need for resource consent may be avoided for the purposes of retaining a tree.</p> <p>The recommended amendments will not have any greater social or cultural effects than the notified provisions.</p>
Risk of acting or not acting	The risk of not acting is that without amendment the provision will provide insufficient flexibility and certainty to ensure trees on private property can be retained.
Decision about more appropriate action	Based on the assessment above the recommended amendments are therefore more appropriate in achieving the purpose of the RMA than the PDP or s42A report recommended changes.

### Demolition or removal of buildings and structures (WFZ-R13)

Effectiveness and efficiency	The amendments to WFZ-R13 set out in my evidence are more efficient and effective in achieving the objectives of the District Plan as they ensure greater certainty for appropriate demolition to occur while ensuring that Council still retains appropriate discretion to impose conditions to ensure quality design outcomes and use of the site before it is redeveloped.
Costs/Benefits	<p>Environmental:</p> <p>Provides environmental benefits in providing greater certainty for redevelopment in the WFZ which will reduce the potential for existing buildings to remain vacant, which in turn prevents creation of a vibrant and safe waterfront area, consistent with WFZ-O6 and WFZ-P4.</p> <p>The urban design benefits of enabling council to impose conditions to ensure quality design outcomes and use of the site before it is redeveloped are retained.</p> <p>Economic:</p> <p>Provides greater certainty, flexibility, and reduced administrative costs for redevelopment.</p> <p>Social:</p> <p>There are potential social costs in the reduced certainty for demolition causing vacant buildings to stay in place on the waterfront longer than they would otherwise.</p> <p>The recommended amendments will not have any greater cultural effects than the notified provisions.</p>
Risk of acting or not acting	The risk of not acting is that the notified provisions will be unnecessarily constraining and provide insufficient flexibility. This could reduce the viability of redevelopment and cause existing buildings to lie vacant longer than they would otherwise.
Decision about more appropriate action	Based on the assessment above the recommended amendments as set out in my statement of evidence are therefore more appropriate in achieving the purpose of the RMA than the PDP or s42A report recommended changes.

### Alterations or additions to buildings and structures (WFZ-R14)

Effectiveness and efficiency	The amendments to WFZ-R14 set out in my evidence are more efficient and effective in achieving the objectives of the District Plan as they are a minor amendment to remove mandatory notification. It is more appropriate to rely on the normal notification tests for additions and alterations to buildings as some of these activities may have limited impact on the public realm and therefore non-notification may be appropriate in some cases.
Costs/Benefits	Economic:

	<p>There are economic benefits in reduced costs and delays in avoiding notification for alterations that have a limited impact on the public realm.</p> <p>The recommended amendments will not have any greater environmental, social or cultural effects than the notified provisions as the ability to notify where appropriate is retained.</p>
Risk of acting or not acting	The risk of not acting is that notification will be required for minor alterations that do not warrant notification from a public interest perspective.
Decision about more appropriate action	Based on the assessment above the recommended amendments as set out in my statement of evidence are therefore more appropriate in achieving the purpose of the RMA than the PDP or s42A report recommended changes.

### Maximum building height (WFZ-S1)

Effectiveness and efficiency	The amendments to WFZ-S1 set out in my evidence are more efficient and effective in achieving the objectives of the District Plan as they will enable a moderate increase in building heights that would improve the viability of works required for earthquake strengthening consistent with CC-O3.2.
Costs/Benefits	<p>Environmental:</p> <p>There are shading costs associated with increased height, however these are likely to be minimal as the change in building height is small, and Minimum Sunlight Access is provided through WFZ-S2.</p> <p>Economic:</p> <p>The increase in height increases the economic viability of redevelopment required for earthquake strengthening.</p> <p>Social:</p> <p>There are social benefits in increasing resilience and reducing the potential for a vacant dwelling on the waterfront which may reduce vibrancy.</p> <p>The recommended amendments will not have any greater cultural effects than the notified provisions.</p>
Risk of acting or not acting	The risk of not acting is that without additional permitted height the reduced commercial viability of redevelopment may extend the time the existing building is left vacant.
Decision about more appropriate action	Based on the assessment above the recommended amendments as set out in my statement of evidence are therefore more appropriate in achieving the purpose of the RMA than the PDP or s42A report recommended changes.