

BEFORE THE WAIKATO DISTRICT COUNCIL

UNDER the Resource Management Act 1991

AND

IN THE MATTER OF a submission on **Variation 3: Enabling Housing Supply** to the Proposed Waikato District Plan, under Schedule 1 to the Act

SUBMISSION FOR CSL TRUST

28 October 2022

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INTRODUCTION

1. This is a submission on Variation 3: Enabling Housing Supply (**V3** or the **Variation**) to the Proposed Waikato District Plan (**PWDP**) and is filed on behalf of CSL Trust (**CSL**).
2. CSL could not gain an advantage in trade competition through this submission. CSL is directly affected by V3.
3. This submission relates to the entirety of V3.
4. CSL opposes V3 for the reasons outlined in this submission but could potentially support V3 if the relief sought in this submission was granted.
5. In particular, CSL:
 - a. Seeks that the Medium Density Residential Standards (**MDRS**) be applied to all residential land within urban environments of the District¹, subject to any legitimate qualifying matters. This would apply to Pokeno, Tuakau, Huntly and Ngaruawahia. If necessary, a new zone created to accommodate that amendment. This zone could be referred to as General Residential Zone 2 (**GRZ2**) or similar; and
 - b. Opposes the imposition of the Urban Fringe qualifying matter, which fails to meet the relevant statutory requirements and is inappropriate.
6. To assist the Council, this submission and the proposed relief has been prepared following discussions with the planning and legal advisors for Pokeno West Limited and West Pokeno Limited (**PWL/WPL**) and Havelock Village Limited (**HVL**). PWL/WPL and HVL are seeking to establish comprehensive integrated residential developments on land adjoining the existing urban area of Pokeno to the west (**Pokeno West**) and south-west (**Havelock**). Like CSL, PWL/WPL and HVL also seek a legally compliant and district-wide application of the MDRS standards in Pokeno and other main settlements across the District. The relief sought has been prepared to enable

¹ Where Variation 3 applies to.

District-wide application as contemplated by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**RM-EHA**), subject to any legitimate qualifying matters.

BACKGROUND

7. With respect to V3, CSL is a significant landholder in Pokeno with large holdings identified as General Residential Zone (**GRZ**) in the latest iteration of the PWDP. This land has been subject to rigorous masterplanning and technical reporting demonstrating that it is feasible and appropriate for residential development.
8. CSL have been actively involved in the District Plan since the notification of the plan. Submissions have been lodged and hearings participated in. This has culminated in decision by Council that the bulk of the land be rezoned to GRZ. CSL have appealed various parts of the Council decision to the Environment Court.
9. As such, decisions that impact the potential development of urban residential land such as the implementation of the MDRS greatly impact the use of the Submitters land in the future.
10. The Future Proof Strategy 2022 includes Pokeno and recognises and promotes future growth to occur within the North Waikato and Pokeno. Pokeno is popular and growing rapidly. Major industrial investment has occurred and will be ongoing. This reflects Pokeno's ideal location close to Auckland (including employment and commercial opportunities in its southern growth areas), its advantage in house/land prices (compared to Auckland, Drury and Pukekohe), its accessible location in terms of road transport, and its potential in terms of rail transport.
11. The Waikato District is significantly influenced by two separate growth nodes - Auckland and Hamilton. As a result, Pokeno is already experiencing dwelling construction rates that exceed the medium and high predictions of the District and Regional Councils from only a few years ago. With the development of more employment and commercial opportunities (including the town centre's supermarket), increased stress and land supply constraints in the Auckland housing market, and opportunities to further develop rail

services between Auckland and Hamilton, CSL considers this demand will continue to increase.

12. In recognition of this demand the site has been identified within an Urban Enablement Area for Pokeno contained in the Future Proof Strategy 2022, the Council's Waikato 2070 district growth strategy and as predominantly GRZ in the PWDP.
13. CSL consider the site will provide an ideal location to help support the demand and growth projections identified in the relevant regional and district strategies and plans for Pokeno. The Council's independent hearing panel on the Proposed Waikato District Plan agreed.
14. The Council Decision on the PWDP² determined that:
 - a. The residential zoning of the land is suitable for additional housing capacity and would allow for integration with Pokeno West;
 - b. It is technically feasible to develop the site with infrastructure;
 - c. The development of the land offers the opportunity to enhance the quality of the environment; and
 - d. Overall, development is feasible and strategically appropriate on the site.

REASONS FOR SUBMISSION

15. CSL supports enabling development throughout the main settlements in the district especially in those areas identified as suitable for urban growth and development in the PWDP. The appropriate level of permitted residential development in Tier 1 urban residential areas has now been mandated by central government through the RM-EHA. CSL considers that the Council has not properly implemented the requirements of the RM-EHA as it relates to the main settlements in its district. V3 also does not give effect to the National Policy Statement on Urban Development 2020 (**NPS-UD**).

² Decision Report 28 – Zoning – Pokeno, section 6.7, paragraphs 124 and 128.

16. Without limiting the generality of the above, specific reasons for the submission are provided under the headings below:

Urban fringe qualifying matter – legal requirements

17. Section 77G of the RM-EHA requires that every relevant residential zone of a specified territorial authority must have the MDRS incorporated.

18. Section 77I states that a territorial authority may make the MDRS less enabling of development but only if 1 or more of the stated qualifying matters apply. Subsections (a)-(i) list specific qualifying matters³. Notably, the majority of qualifying matters specified in the Act are matters of national importance under the RMA and only those outweigh the competing demand for urban development and capacity. Subsection (j) has a general catch-all for any other matter that makes higher density inappropriate, but only if section 77L of the RM-EHA is satisfied. Section 77L states that a matter is not a qualifying matter unless the section 32 evaluation report:

- a. Identifies the specific characteristics that makes the level of development provided by the MDRS inappropriate for the area;
- b. Justifies why that characteristic makes the level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and
- c. Includes a site-specific analysis that identifies the site to which the matter relates, evaluates the specific characteristics on a site-specific basis and evaluates a range of options to achieve the greatest heights and densities permitted by the MDRS while managing the specific characteristics,

19. The clear purpose of the RM-EHA is to enable more housing in more locations within relevant urban environments and implement the MDRS in those locations. There are specific exceptions described as qualifying matters and then a process to identify **site-specific** exceptions to the greater enablement. The language of the Act continually refers to individual sites and a detailed

³ These include matters of national importance, matters to give effect to national policy statements or Te Ture Whaimana o Te Awa o Waikato - the Vision and Strategy for the Waikato River, ensuring the safe and efficient operation of nationally significant infrastructure and the provision of public open space.

assessment of those individual sites. The Act does not contemplate a general qualifying matter applying to multiple sites based on general planning principles.

20. Also notable is the requirement on a Council to justify why a particular site characteristic may mean application of the MDRS inappropriate, considering the national significance of urban development under the NPS-UD. It follows, that to justify an exemption from the MDRS, a Council must demonstrate that a specific site has a particular characteristic of national significance that outweighs the national significance of providing for urban development. These site characteristics will be rare.
21. For WDC the starting point is that the MDRS must apply to all residential zones in all urban environments in the Waikato District (in this case the GRZ as it applies to Pokeno, Tuakau, Huntly and Ngaruawahia).
22. Only qualifying matters that meet the threshold of national importance or national significance that can be demonstrated on a site-by-site basis can justify a departure from the MDRS.
23. The Council has identified a qualifying matter called Urban Fringe which limits the application of the MDRS to an area of walkable catchment, confusing the walkable catchment matters of the NPS-UD for intensification with the overarching requirement to implement MDRS across the main settlements and the GRZ. Volume 2 of the Council's section 32 evaluation report includes an assessment of the Urban Fringe Qualifying Matter that purports to meet the process requirements of section 77L. The merits of the Urban Fringe Qualifying matter are discussed below but CSL considers that the principle of the qualifying matter is contrary to the clear intent of the RM-EHA. In summary the urban fringe qualifying matter fails to meet the threshold of either national importance or national significance.
24. The Urban Fringe Qualifying Matter is a generalised matter and not the site-specific assessment contemplated by the RM-EHA. The section 32 evaluation does not undertake the detailed site-by-site analysis and is based largely on general principles of walkable catchments and the ideal locations for greater density. This is inconsistent with the intent of the RM-EMA which is providing for greater density within walkable catchments of centres and

rapid transit, consistent with the NPS-UD, and then a higher level of enablement in all other residential areas (unless a specific qualifying matter applies). The RM-EMA does not provide for walkable catchments as a qualifying matter and it is contrary to the clear intent of the Act for the Council to apply walkable catchments as such.

25. The RM-EHA intends to provide opportunities throughout the residential areas so that greater density is not constrained to just the walkable catchment. Instead, opportunities are provided throughout the residential areas and landowners and developers can respond to those opportunities overall increasing the supply of housing.

Urban fringe qualifying matter

26. This new qualifying matter Urban Fringe results in approximately 80% of residential zoned land not having the MDRS apply to it (even where no other qualifying matters apply to the land).
27. Even if the Council has followed the correct legal process under section 77L (which is disputed), the Urban Fringe qualifying matter is not a matter with sufficient merit or significance to disqualify land beyond the 800m walkable catchment from town centres from utilising the MDRS. CSL requests that the Urban Fringe qualifying matter, as a limitation to the use of MDRS, is deleted from V3.
28. The use of the Urban Fringe qualifying matter fails to recognise the mobility provided by other forms active transport, along with simply that given the size and layout of the towns all land and residents in the GRZ are in close proximity to the town centres.
29. The Urban Fringe qualifying matter fails to recognise that higher density residential options are appropriate in many other areas beyond the strict 800m metric (particularly where the GRZ only now provides for one dwelling per site as a permitted activity). Greenfield sites provide significant opportunities to provide for higher density development, which could include opportunities around neighbourhood centres, open spaces, schools and other social infrastructure.
30. Benefits of the MDRS applying to all of the GRZ include:

- a. Providing for a range of housing opportunities, densities and lots sizes;
- b. Supporting local neighbourhood shops and services;
- c. Providing for a range of house prices to the market, including affordable housing. This supports housing for a wider demographic than a monoculture of the same sized houses and lots as currently exists in Pokeno;
- d. Utilising residential zoned land more efficiently, allowing opportunities for integrated housing developments rather than lower density vacant fee simple lots. Pokeno is an ideal location to accommodate growth, and with its growing commercial, employment and community focus can reduce vehicle kilometres travelled compared with countryside living areas and the smaller towns and villages in the District;
- e. Avoiding the unnecessary use of highly productive rural land in the future (NPS – Highly Productive Land);
- f. Establishing densities that can support the provision of local public transport in the medium term;
- g. Providing for the efficient use of infrastructure;
- h. Providing greater residential population and diversity within the growing town of Pokeno, supporting the local economy through commerce and exchange; and
- i. Managing pressure for ongoing rezoning in the Future Urban Zone and in locations with fewer locational attributes compared with efficiently using land owned by CSL and within Pokeno West and Havelock.

31. These benefits outweigh the costs outlined in the Council's Section 32.

Enabling development

32. The s32 evaluation (volume 2) acknowledges under section 11.7 (Impact of limiting development capacity) that "The overall effect of the qualifying matter

is that sites with a General residential zone have more limited development potential as a permitted activity due to the lesser number of residential units per site and the larger minimum lot size for subdivision". Section 11.7 goes on further to state that "... increased subdivision or housing density in the General residential zone beyond the standards specified is a discretionary activity, so it is not impossible to achieve increased levels of development in that zone but will require a resource consent". This statement does not recognise the impact of development being a discretionary activity compared to restricted discretionary under the MDRS and the additional risk associated with a full discretionary consent.

33. The selected option (Option 2) in section 11.3 (Options) understates the disadvantages of limiting the application of the MDRS to an 800m walkable catchment around the Town Centre Zone. These disadvantages are more fully canvassed as the advantages for Option 1 which is to apply the medium density residential standards to the entire residential environment of each town.

34. In a settlement like Pokeno, the s32 evaluation in section 11.4 (Rationale for the qualifying matter), identifies existing constraints on land that mean the realisation of development implementing the MDRS in these areas will be difficult:

"Secondly, in places such as Pokeno, there are restrictive covenants on a very high proportion of the existing sites such as limitations on having more than one storey, the number of dwellings and subsequent subdivision. This means that further development on these sites is limited as the amendments to the RMA do not over-ride private covenants on titles".

35. This constraint does not apply to CSL land, or other greenfields land and cannot be a reason to not apply the MDRS. But the Council assessment has not acknowledged that, or the other potential benefits of greater density beyond the walkable catchment. As indicated in the section 32 for V3, much of the recent pattern of development in Pokeno is unable to be intensified because of private covenants on the records of title that prevent further subdivision. It is understood that the bulk (if not all) of the land developed by Pokeno Village Holdings Limited to date is subject to such encumbrances. This represents the majority of the land comprising Pokeno today further illustrating that the application of the MDRS needs to go beyond the identified urban fringe.

36. Consequently, intensification opportunities can be more generally focussed on the Council's proposed Medium Density Residential Zone 2 (**MDRZ2**) and the greenfield locations of the CSL land, Pokeno West and Havelock. These greenfield locations offer the most significant opportunity to provide for a range of house and lot sizes and densities, along with opportunities for housing choice and affordability.
37. The current suite of provisions for the GRZ excludes the multi-unit development activity which were previously provided for in the Operative District Plan. Whilst this matter is a provision that is under appeal, the MDRS should still be provided for within the GRZ.

Enabling development

38. In the event that CSL requested relief is granted the MDRS will apply to the CSL land. The RM-EHA allows for other qualifying matters to be applied. However, CSL consider that no additional qualifying matters need to apply to their land as these are addressed through other mechanisms including (but not limited to): mapped areas of Significant Natural Areas and Environmental Protection Area.
39. CSLs concern is primarily focussed on the GRZ and the manner in which the Council has failed to implement the requirements of the RM-EMA and MDRS. The selective and limited approach of V3, including the Urban Fringe qualifying matter, has undermined the opportunities to accommodate a greater variety of housing in Pokeno (and the other main settlements). V3 does not give effect to or implement the NPS-UD, RM-EMA and MDRS as it is not sufficiently enabling and fails to expand over those areas where the current rules of the GRZ already significantly restrict housing densities and opportunities for a variety of housing types and price points.
40. It is also noted that the actual outcome of implementing the RMA-EH is only adding plan-enabled development capacity to the District. Whether the development of such land is feasible and reasonably expected to be realised is another matter (NPS-UD – Clause 3.26). Given this is uncertain, it would be inappropriate to limit the application of the MDRS as has been done in V3. The key is that this type of development is enabled to take advantage of future development opportunities and achieve a well-functioning urban environment.

RELIEF SOUGHT

41. For the reasons set out above, CSL seeks the following specific amendments to V3:

- a. Amend the GRZ to insert the MDRS and apply these to Tuakau, Pokeno, Huntly and Ngaruawahia or create a new zone, potentially called GRZ2 that applies to only those locations.
- b. Delete the relevant standards from the GRZ that are being replaced by the MDRS.
- c. Insert a new rule that any infringement of the MDRS is a restricted discretionary activity. Insert matters of discretion based on the equivalent of those from the MDRZ2 proposed in V3.
- d. Insert a new rule in the GRZ that one to three units are permitted subject to compliance with the MDRS.
- e. Insert a new rule in the GRZ that four or more units are restricted discretionary activity subject to compliance with the MDRS and the remaining standards of the GRZ.
- f. Insert matters of discretion for four or more units based on the equivalent of those from the MDRZ2 proposed in V3 or the notified Multi-Unit Housing discretions of the Proposed District Plan.
- g. Insert a rule that for four or more units that any infringement of a MDRS rule is a restricted discretionary activity.
- h. Insert new subdivision rules for one to three units and four or more units based on the requirements of the MDRS and RM-EHA with the matters of discretion being equivalent to those in the MDRZ2.
- i. Delete the Urban Fringe qualifying matter.
- j. Appendix 1 contains a clean version of the GRZ incorporating all the above amendments.

42. CSL also seeks any other such relief, and consequential amendments (including zone and overlay maps, objectives and policies), as considered appropriate to give effect to the points raised in this submission.

43. This could include the application of the MRZ2 zone to the full extent over the 4 settlements that CSL is seeking MDRS over.

HEARING

44. CSL wishes to be heard in support of its submission.

Peter Fuller
Barrister

28 October 2022

APPENDIX 1

VARIATION 3 PLANNING RELIEF REQUESTED

GRZ – General residential zone

The relevant district-wide chapter provisions apply in addition to this chapter.

Purpose

The purpose of the GRZ – General residential zone is to provide predominantly for residential activities with a mix of building types, and other compatible activities. The zone applies to the residential areas within the District's main towns (Tuakau, Pokeno, Te Kauwhata, Raglan, Huntly and Ngaruawaahia) and the smaller towns (Meremere, Taupiri, Gordonton, Horotiu, Te Kowhai, Whatawhata, Matangi and Rangiriri).

Objectives

- GRZ-O1 Residential character.
The low-density residential character of the zone is maintained.
- GRZ-O2 Residential built form and amenity.
Maintain neighbourhood residential amenity values and facilitate safety in the zone.
- GRZ-O3 On-site residential amenity.
Maintain amenity values within and around dwellings and sites in the zone.
- GRZ-O4 Housing options.
A range of housing options occurs in the zone to meet the needs of the community in a suburban setting.
- GRZ-O5 Maintain residential purpose.
Residential activities remain the dominant activity in the zone.
- GRZ-O6 Adverse effects of land use and development.
The health, safety and well-being of people, communities and the environment are protected from the adverse effects of land use and development.

Policies

- GRZ-P1 Character.
- (1) Ensure residential development in the zone:
- (a) Provides road patterns that follow the natural contour of the landform;
 - (b) Promotes views and vistas from public spaces of the hinterland beyond; and
 - (c) Is an appropriate scale and intensity, and setback from the road frontages to provide sufficient open space for the planting of trees and private gardens.
- GRZ-P2 Front setback.
- (1) Ensure buildings are designed and set back from roads by:

- (a) Maintaining the existing street character including the predominant building setback from the street;
- (b) Allowing sufficient space for the establishment of gardens and trees on the site; and
- (c) Providing for passive surveillance to roads and avoiding windowless walls to the street.

GRZ-P3 Setback side boundaries.

(1) Require development to have sufficient side boundary setbacks to provide for:

- (a) Planting;
- (b) Privacy; and
- (c) Sunlight and daylight.

(2) Reduced side boundary setbacks occur only where it:

- (a) Enables effective development of sites where on-site topographic constraints occur; or
- (b) Retains trees on the site.

GRZ-P4 Height.

Ensure building height is complementary to the low rise character of the zone.

GRZ-P5 Site coverage and permeable surfaces.

(1) Ensure all sites have sufficient open space to provide for landscaping, on-site stormwater disposal, parking, and vehicles manoeuvring by maintaining maximum site coverage requirements for buildings in the zone.

(2) Ensure a proportion of each site is maintained in permeable surfaces in order to ensure there is sufficient capacity to enable disposal of stormwater.

GRZ-P6 Building scale.

Facilitate quality development by ensuring buildings are a complementary height, bulk and form for the site, and are in keeping with the amenity values of the street.

GRZ-P7 Reverse sensitivity.

(1) Avoid or minimise the potential for reverse sensitivity by managing the location and design of sensitive activities through:

- (a) The use of building setbacks;
- (b) The design of subdivisions and development; and
- (c) Acoustic insulation requirements for noise sensitive activities.

GRZ-P8 Daylight and outlook.

(1) Maintain adequate daylight and enable opportunities for passive solar gain.

(2) Require the height, bulk and location of development to maintain sunlight access and privacy, and to minimise visual dominance effects on adjoining sites.

(3) Maintain and enhance attractive open space character of residential areas by ensuring that development is compatible in scale to surrounding activities and structures and has on-site landscaping, screening and street planting.

GRZ-P9 Outdoor living space – residential units.
Require outdoor living spaces to be accessible and usable.

GRZ-P10 Outdoor living space – retirement villages.
Require outdoor living spaces or communal outdoor living spaces to be usable and accessible.

GRZ-P11 Housing types.
Enable a variety of housing types in the zone where it is connected to public reticulation, including minor residential units and retirement villages.

GRZ-P12 Retirement villages.

(1) Provide for the establishment of new retirement villages and care facilities that:

- (a) Offer a diverse range of housing types, including care facilities, for the particular needs and characteristics of older people;
- (b) Promote visual integration with the street scene, neighbourhoods and adjoining sites;
- (c) Are comprehensively designed and managed and offer a variety of accommodation and accessory services that meet the needs of residents, including those requiring care or assisted living;
- (d) Recognise that housing and care facilities for older people can require higher densities;
- (e) Provide high quality on-site amenity;
- (f) Integrate with local services and facilities, including public transport; and
- (g) Connect to alternative transport modes to the LLRZ – Large lot residential zone, SETZ – Settlement zone, MRZ – Medium density residential zone, GRZ – General residential zone, TCZ – Town centre zone, LCZ – Local centre zone or COMZ – Commercial zone.

(2) Enable alterations and additions to existing retirement villages that:

- (a) Promote visual integration with the street scene, neighbourhoods and adjoining sites;
- (b) Recognise that housing and care facilities for older people can require higher densities;
- (c) Provide high quality on-site amenity; and
- (d) Integrate with local services and facilities, including public transport and alternative transport modes.

- GRZ-PI3 Maintain residential purpose.
- Restrict the establishment of commercial or industrial activities, unless the activity has a strategic or operational need to locate within a residential zone, and the effects of such activities on the character and amenity of residential zones are insignificant.
- GRZ-PI4 Bankart Street and Wainui.
- Provide for the ongoing change in the mixture of residential and commercial activities bordering identified commercial areas at Raglan.
- GRZ-PI5 Non-residential activities.
- (1) Maintain the zone for residential activities by:
- (a) Ensuring the number of non-residential activities are not dominant within a residential block;
 - (b) Ensuring non-residential activities are in keeping with the scale and intensity of development anticipated by the zone and contribute to the amenity of the neighbourhood;
 - (c) Enabling non-residential activities that provide for the health, safety and well-being of the community and that service or support an identified local need;
 - (d) Avoiding the establishment of new non-residential activities on rear sites, or sites located on cul-de-sacs, or that have access to national routes, regional arterial roads and arterial roads; and
 - (e) Ensuring that the design and scope of non-residential activities and associated buildings:
 - (i) Maintain residential character including the scale and design of buildings and their location on the site, and on-site parking and vehicle manoeuvring areas; and
 - (ii) Mitigate adverse effects related to traffic generation, access, noise, vibration, outdoor storage of materials and light spill, to the extent that they minimise adverse effects on residential character and amenity and the surrounding transport network.
- (2) Enable existing non-residential activities to continue and support their redevelopment and expansion provided they do not have a significant adverse effect on the character and amenity of the zone.
- GRZ-PI6 Home businesses.
- (1) Provide for home businesses to allow flexibility for people to work from their homes.
- (2) Manage the adverse effects on residential amenity through limiting home businesses to a scale that is compatible with the level of amenity anticipated in the residential environment.
- GRZ-PI7 Neighbourhood centres in structure plan areas.
- (1) Provide for new neighbourhood centres within structure plan areas or master plan areas, that:
- (a) Are for the daily retail and service needs of the community; and

- (b) Are located within a walkable catchment.

GRZ-P18 Outdoor storage.

- (a) The adverse visual effects of outdoor storage are mitigated through screening or landscaping.

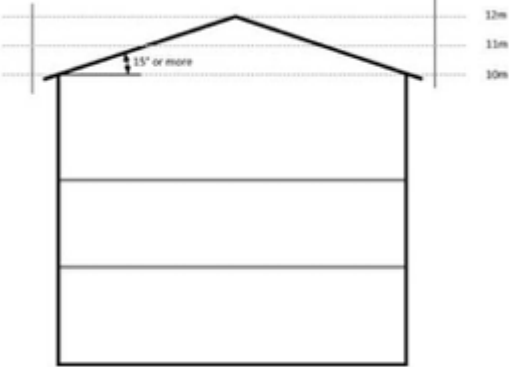
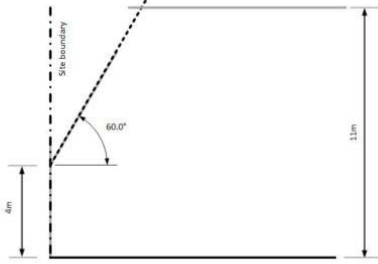
GRZ-P19 Objectionable odour.

- (1) Ensure that the effects of objectionable odour do not detract from the amenity of other sites.
- (2) Maintain appropriate setback distances between new sensitive land uses and existing lawfully established activities that generate objectionable odour.

Rules

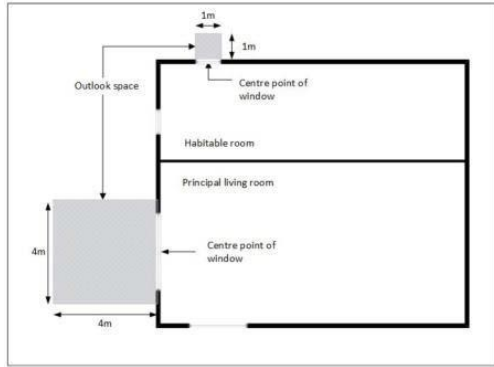
Land use – building

GRZ-SI	Residential unit
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Up to three residential units per site. 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Intensity of the development; and (b) Design, scale and layout of buildings and outdoor living spaces in relation to the planned urban character of the zone; (c) The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping; and (d) Privacy and overlooking within the development and on adjoining sites, including the orientation of habitable rooms and outdoor living spaces; and (e) Provision of 3-waters infrastructure to individual units; and (f) The provision of adequate waste and recycling bin storage including the management of amenity effects of these on streets or public open spaces; and (g) Where on-site car parking is provided, the design and location of car parking (including garaging) as viewed from streets or public open spaces. <p>Notification</p> <p>Any application for resource consent for four or more dwellings per site that comply with all of the standards in (XXXX-SX to XXXX-SX)</p>

	will be considered without public or limited notification.
GRZ-S2 Height – building general	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Buildings must not exceed 11 metres in height, except that 50% of a building’s roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15° or more, as shown on the following diagram (enlarged as Figure 1 at the conclusion of this Chapter).</p> 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Height of the building or structure; (b) Design, scale and location of the building; (c) Extent of shading on adjacent sites; and (d) Privacy and overlooking on adjoining sites. <p>Notification</p> <p>Any application for resource consent for one to three dwellings that does not meet the standard of XXXX-SX will be considered without public notification</p>
GRZ-S3 Height in relation to boundary	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown on the following diagram (enlarged as Figure 2 at the conclusion of this Chapter). Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.</p> 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Height of the building; (b) Design and location of the building; (c) Extent of shading on adjacent sites; and (d) (Privacy on adjoining sites). <p>Notification</p> <p>Any application for resource consent for one to three dwellings that does not meet the standard of XXXX-SX will be considered without public notification.</p>

<p>(b) Standard (a) above does not apply to:</p> <ul style="list-style-type: none"> (i) a boundary with a road (ii) existing or proposed internal boundaries within a site: (iii) site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed. 									
GRZ-S4	Setbacks								
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:</p> <table border="1" data-bbox="209 786 780 1003"> <thead> <tr> <th>Yard</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Front</td> <td>1.5m</td> </tr> <tr> <td>Side</td> <td>1m</td> </tr> <tr> <td>Rear</td> <td>1m excluded on corner sites)</td> </tr> </tbody> </table> <p>(b) This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</p>	Yard	Minimum depth	Front	1.5m	Side	1m	Rear	1m excluded on corner sites)	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Road network safety and efficiency; (b) Potential to mitigate adverse effects on the streetscape through use of other design features; (c) Daylight admission to adjoining properties; and (d) Privacy overlooking on adjoining sites. <p>Notification</p> <p>Any application for resource consent for one to three dwellings that does not meet the standard of XXXX-SX will be considered without public notification.</p>
Yard	Minimum depth								
Front	1.5m								
Side	1m								
Rear	1m excluded on corner sites)								
GRZ-S5	Building coverage								
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The maximum building coverage shall not exceed 50% of the net site area;</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Whether the balance of open space and buildings will maintain the character and amenity values anticipated for the zone; (b) Visual dominance of the street resulting from building scale; and (c) Management of stormwater flooding, nuisance or damage to within the site. <p>Notification</p> <p>Any application for resource consent for one to three dwellings that does not meet the standard of XXXX-SX will be considered without public notification.</p>								
GRZ-S6	Outdoor living space (per unit)								
<p>(1) Activity status: PER</p> <p>Where:</p>	<p>(2) Activity status where compliance not achieved: RDIS</p>								

<p>(a) A residential unit at ground floor level must have an outdoor living space that is at least 20m² and that comprises ground floor, balcony, patio, or roof terrace space that meets all of the following standards:</p> <ul style="list-style-type: none"> (i) where located at ground level, has no dimension less than 3m; and (ii) where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8m; and (iii) is accessible from the residential unit; and (iv) may be— <ul style="list-style-type: none"> (1) grouped cumulatively by area in one communally accessible location; or (2) located directly adjacent to the unit; and <p>(b) A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—</p> <ul style="list-style-type: none"> (i) is at least 8m² and has a minimum dimension of 1.8m; and (ii) is accessible from the residential unit; and (iii) may be— <ul style="list-style-type: none"> (1) grouped cumulatively by area in one communally accessible location, in which case it may be located at ground level; or (2) located directly adjacent to the unit. 	<p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Design and location of the building; (b) Provision for outdoor living space including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed; (c) Privacy and overlooking on adjoining sites; and (d) The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space. <p>Notification Any application for resource consent for one to three dwellings that does not meet the standard of XXXX-SX will be considered without public notification.</p>
<p>GRZ-S7 Outlook space (per unit)</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) An outlook space must be provided for each residential unit as outlined below. (b) An outlook space must be provided from habitable room windows as shown in the diagram below (enlarged as Figure 3 at the conclusion of this Chapter): 	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Measures to ensure that outlook spaces shall remain unobstructed, while providing an open outlook with access to daylight from the windows of habitable rooms; (b) The nature of the occupation of the room without the required outlook; (c) The effects on amenity of future occupants from a reduced outlook; and (d) Any privacy benefits from providing a reduced outlook.



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

Notification

Any application for resource consent for one to three dwellings that does not meet the standard of **XXXX-SX** will be considered without public notification.

GRZ-S8

Windows to the street

(1) Activity status: PER

Where:

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

(2) Activity status where compliance not achieved: RDIS

Council's discretion is restricted to the following matters:

- (a) The extent to which front facing glazing is provided from ground floor living areas

	<p>that is visible and prominent from the street;</p> <p>(b) Whether the majority of the glazing provided on the street facing façade of the unit is clear glazing to habitable spaces within the unit;</p> <p>(c) The level of passive surveillance from the residential unit to the street; and</p> <p>(d) Any other building features such as porches or gables that will add visual interest.</p> <p>Notification Any application for resource consent for one to three dwellings that does not meet the standard of XXXX-SX will be considered without public notification.</p>
GRZ-S9	Landscaped area
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants and can include the canopy of trees regardless of the ground treatment below them.</p> <p>(b) The landscaped area may be located on any part of the development site, and does not need to be associated with each residential unit.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) The on-site and/or neighbouring amenity provided by the proposed landscaping;</p> <p>(b) The extent of landscaping between the buildings and road boundary to soften and integrate the development into the surrounding area;</p> <p>(c) The extent to which the breach is necessary to enable more efficient, cost effective and/or practical use of the remainder of the site;</p> <p>(d) The additional accessibility and safety benefits of providing less landscaped area; and</p> <p>(e) The effect of any reduction in landscaping on adjoining properties, including the street or other public open spaces.</p> <p>Notification Any application for resource consent for one to three dwellings that does not meet the standard of XXXX-SX will be considered without public notification.</p>