

Density in the HDR Precinct – suggested changes to Rule 49.5.16

The black wording is the notified wording, the **blue** wording is the s42A report version; the **red** wording is the current “Rebuttal Version” suggested wording; the **green** wording is the new suggested wording; and the **yellow** wording is what J Brown has agreed to following liaison with Hannah Hoogeveen and Erin Stagg (noting that I have not agreed to some other changes suggested by Hannah and Erin).

49.4 Rules – Activities

	Activities located in the Te Putahi Ladies Mile Zone	Activity status
...		
49.4.6A	Any application under Rule 49.5.16.2(b) for a residential density of less than 40 residential units per hectare.	NC
...		

49.5 Rules – Standards

Table 2	Standards for activities located in the Medium Density Residential Precinct and the High Density Residential Precinct	Non-compliance status
...		
49.5.16	<p><u>Residential</u> Density</p> <p>49.5.16.1 In the Medium Density Residential Precinct, residential development shall achieve a density of 40 – 48 residential units per hectare across the gross developable area of the site.</p> <p>49.5.16.2 In the High Density Residential Precinct, residential development shall achieve:</p> <p>(a) a density of 60 72 50 – 72 residential units per hectare across the gross developable area of the site; <u>or</u></p> <p>(b) <u>An average density of at least 55 residential units per hectare across the gross developable area of the land in the HDR Precinct in the same ownership or control of the applicant.</u></p> <p>For the purpose of this rule, gross developable area of a site means the land within the site shown on the Structure Plan, excluding the following:</p> <p>a. Building Restriction areas as shown on the <u>Structure Plan and</u> planning maps;</p> <p>b. Roads, Open Space, Amenity Access Areas and Landscape Buffer as shown on the Structure Plan;</p> <p>c. <u>Stormwater management areas;</u></p> <p>But including any vested or private roads, reserves, accesses and walkways not shown on the Structure Plan.</p> <p><u>Information requirements for applications under Rule 49.5.16.2(b):</u> <u>The applicant shall provide a statement (along with any plans and supporting information) demonstrating how future stages of residential development on the site of the application, or on other land in the HDR Precinct in the same ownership or control of the applicant, will attain the average residential density</u></p>	<p>NC</p> <p>NC</p> <p>RD</p> <p><u>Discretion is restricted to the manner by which the average residential density will be achieved by future stages of development on land in the HDR Precinct in the same ownership or control of the applicant.</u></p>

	<u>required by Rule 49.5.16.2(b); including the methods to ensure that land allocated for the future stage(s) will be protected for development so that the average residential density is attained across the current and future stages.</u>	
<u>49.5.16A</u>	<u>Any application under Rule 49.5.16.2(b) shall demonstrate how the average residential density shall be achieved by future stages of development on land in the HDR Precinct in the same ownership or control of the applicant.</u>	<u>NC</u>
<u>49.5.16B</u>	<u>Any application under Rule 49.5.16.2(b) for a residential density of less than 40 residential units per hectare.</u>	<u>NC</u>
...		

Advice note: For the purposes of Rule 49.5.16.2(b), an example of an acceptable method to ensure that land allocated for the future stage(s) will be protected for development so that the average residential density is attained across the current and future stages is a covenant, to which the Council is a party, registered on the title that includes the land to be protected.

Notes / comments:

1. The suggested HDR Precinct density rule is structured such that NC consent is required for development that falls outside of the density range of 50 – 72 dwelling units / hectare; or, to get development underway at a lesser density, RD consent is required for development that does not meet the average residential density of 55 du/ha.
2. The RD mechanism frees the way to enabling development lower than the 50 – 72 du/ha range, and the NC default status in Rule 49.5.16A is the mechanism for ensuring the average of 55 du/ha is met, by future development stages.
3. The NC default status in Rule 49.5.16B ensures that density of lower than 40 du/ha is avoided as far as possible.