

Example Assisted housing and inclusionary zoning provisions

--- Content in an issues and options paper will also be needed for this ---

Draft new provisions are in orange.

Draft definitions:

Social housing: means residential units that are owned and operated long term by a central or local government agency or non-profit housing provider, rented at affordable rates to people on low incomes or with particular needs. It is a component of assisted housing.

Assisted housing: means residential units that are rented, leased or owned at a lower than market rate for the long term. It may include rental controls or limits, shared ownership or equity, or leasehold residential units where the land is owned by an assisted housing provider. Assisted housing in this Plan does not include residential units that people can afford at a market price simply due to their location, quality or size.

Draft objectives:

UFD-09 Assisted and social housing

Wellington City has assisted housing options for residents on low and moderate incomes, including social housing, that are close to places of work, community facilities and public transport.

CCZ-Ox Assisted and social housing

The City Centre Zone has an increasing supply of assisted housing for residents on low and moderate incomes.

MDRZ + XCZ-Ox Assisted and social housing

Consented residential developments that are higher or bulkier than anticipated in the zone standards provide an increasing supply of assisted housing for residents on low and moderate incomes.

Draft policies:

CCZ-Px Assisted housing

Require large apartment buildings to sell or lease a portion of new residential units to an assisted housing provider listed in Appendix X, or pay a financial contribution in lieu of these units as calculated in Policy X.

MDRZ + XCZ-Px Assisted and social housing

Require residential developments that are higher or bulkier than anticipated in the zone standards to sell or lease at least half of any new residential units enabled by this extra height or bulk to an

assisted housing provider listed in Appendix X, or pay a financial contribution in lieu of these units as calculated in Policy X.

CCZ + MDRZ + XCZ-Px Assisted and social housing

Enable assisted housing and social housing developments by organisations listed in Appendix X where all residential units on the site are rented, leased or owned at lower than market prices over the long-term.

Appendix X – List of assisted housing providers for rules x, y, z

[Would need to discuss with the not-for-profits about whether they have the ability and interest to run assisted housing/social housing schemes]

- Wellington City Council
- Kāinga Ora
- Aro Mai, Housing First Collaboration
- The Salvation Army
- Accessible Properties
- LinkPeople
- Etc.

We could include WCC, Kāinga Ora and all providers listed in the [Community Housing Regulatory Authority Register](#) – though any changes to the CHRA register would need to be incorporated into the district plan through plan variation/changes to take legal effect.

Financial contributions – policies and methods

Policy - Require applicants that have not sold or leased their share of residential units to an organisation listed in Appendix X, to provide a financial contribution in lieu of those residential units, in accordance with the process below.

1. Calculate the number of residential units required to be sold or leased as affordable housing or social housing under [Rules A, B, C or D]. Separate the number of residential units that must have at least two bedrooms.
2. Subtract the number of residential units sold or leased to an affordable housing provider listed in Appendix X: those units with two or more bedrooms, and those units that are one bedroom or studio apartments.
3. For each remaining residential unit not provided, require applicants to pay a financial contribution of:

Per one bedroom/studio unit	Per 2+ bedroom unit
\$150,000	\$200,000

Policy – Consider reducing the financial contribution by an amount corresponding to the number of other assisted housing units sold or leased by the applicant to an assisted housing provider in Appendix X in buildings that are:

- (a) in the same suburb as the development application, or in adjoining suburbs; and
- (b) in a Centres Zone or a Medium Density Residential Zone.

Method – WCC must use financial contributions under Policy X for the purposes of supplying long-term assisted housing within Wellington City.

Commented [AW1]: Rebecca & team – how much should this in-lieu payment amount be? Considering incentives, effects on behaviour, commercial viability, etc.

Commented [AW2]: Rebecca & team – is this reasonable, or should it be broader or narrower?

Commented [AW3]: Rebecca & team – how can we ring-fence this funding properly to stop it being used for other purposes?

Method – WCC should regularly review the effects of the assisted housing provisions, including the financial contributions, to determine if these provisions should be adjusted through plan change to improve the number of overall assisted housing and affordable housing products in Wellington City.

CCZ + MDRZ + XCZ: Example rule for controlled activity for 100% assisted/social housing

Building and Structures	
Z-Rx	Construction of building for assisted housing or social housing
	<p>1. Activity status: Controlled</p> <p>Where:</p> <ul style="list-style-type: none"> a. The building being constructed has a gross floor area of more than 100 m2; and b. The building is operated by an organisation listed in Appendix X; and c. The building is comprised only of residential units, with any ancillary services and communal spaces for the residents; and d. The application states that the whole building is intended to be used for long-term assisted housing or social housing for 30 years or more; and e. Compliance with Effects Standards XCZ-Sx-Sy is achieved <p>2. Matters of control are:</p> <ul style="list-style-type: none"> a. consent notices, or covenants supported by memoranda of encumbrance if new lots are not being created, to ensure the building is retained as assisted housing or social housing by an organisation listed in Appendix X for the timeframe stated in the application; and b. consent notices, or covenants supported by memoranda of encumbrance if new lots are not being created, to ensure that the residential units remain exclusively for residential use at below market rates for the timeframe stated in the application; and c. external appearance of buildings and structures; and d. site landscaping; and e. the storage and disposal of waste and recycling; and f. the provision of amenity for residents of the buildings on-site.

Commented [AW4]: Rebecca and team – would this type of rule work for you and Kāinga Ora?

Commented [AW5]: Rebecca and team – what sort of timeframe would be appropriate here and why?

1. Activity status: **Restricted Discretionary**

Where:

2. compliance with any of the requirements of XCZ-Sx-Sy cannot be achieved.

Matters of discretion are restricted to:

3. consent notices, or covenants supported by memoranda of encumbrance if new lots are not being created, to ensure the building is retained as assisted housing or social housing by an organisation listed in Appendix X for the timeframe stated in the application; and
4. consent notices, or covenants supported by memoranda of encumbrance if new lots are not being created, to ensure that the residential units remain exclusively for residential use at below market rates for the timeframe stated in the application; and
5. The matters in XCZ Px-y; and
6. The extent and effect of non-compliance with any relevant Effects Standards as specified in the associated assessment criteria for the infringed standards; and
7. external appearance and siting of buildings and structures; and
8. site layout; and
9. site landscaping; and
10. the provision of amenity for residential activities located on site; and
11. the placement of building mass; and
12. The extent to which the proposal is consistent with the XX Design Guide

Example rule for the CCZ:

CCZ-R16	Construction and External Alterations and Additions to Buildings and Structures
<p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none">a. It involves alterations or additions to a building/structure that:<ol style="list-style-type: none">i. does not alter its external appearance; orii. relate to a building frontage below verandah level, including entranceways and glazingb. Compliance with the requirements of CCZ-S10 is achieved	

2. Activity status: **Restricted Discretionary**

Where:

- a. Compliance with any of the requirements of CCZ-R18(1)(a) cannot be achieved
- b. Compliance with the requirements of CCZ-SX to CCZ-SX are achieved; and
- c. For buildings that include more than 3,000 m² of new residential floor space, the resource consent application includes a signed sale or lease agreement between the applicant and an organisation listed in Appendix X, for the organisation to buy or lease 10% (to the nearest integer) of the new residential units; and
- d. At least one third (to the nearest integer) of the residential units bought or leased in (2)(c) above must have two or more bedrooms.

Commented [AW6]: Rebecca and team – this is intended to be equivalent to a typical 6 storey apartment block. Is this a reasonable threshold?

Commented [AW7]: Rebecca and team – please review these limits and consider incentives, effects on behaviour, commercial viability, etc.

Matters of discretion are restricted to:

1. The matters in CCZ-P9 to CCZ-P12
2. The extent to which the development potential of the site is optimised
3. The extent of compliance with the Centres and Mixed-Use Design Guide
4. The design, scale and configuration of the proposed building/structure or building additions/alterations, including:
 - a. the scale of development anticipated within the zone on and in the vicinity of the site
 - b. response to any identified on-site hazard risks
 - c. their visual and architectural quality based on such factors as the form, scale, design and detailing of the building/structure or building additions/alterations
 - d. access to adequate levels of daylight and privacy by residents
 - e. provision of private and/or communal open space to meet the amenity and recreational needs of residents
 - f. provision of inclusive access that caters for people of all ages and mobility
 - g. incorporation of features to provide for the safety and security of residents and encourage passive surveillance
 - h. provision of areas to meet the storage and/or service needs of residents
 - i. incorporation of environmental efficiency and water sensitive design measures where practicable
5. The relationship of the proposed building/structure or building additions/alterations to the streetscape and surrounding development
6. Access to public open space and active and public transport links
7. Any scheduled heritage buildings, area or established landscape features, such as mature vegetation, on the site or an adjacent site that contribute to the amenity values of the area
8. The extent of landscaping or other means to provide amenity, shade and weather protection for residents
9. The availability and connection to stormwater, wastewater, water supply and other servicing
10. The safe movement of people and vehicles to and from the site and within the surrounding movement network
11. The effect on any adjacent residentially zoned site
12. consent notices, or covenants supported by memoranda of encumbrance if no new lots are created, to ensure that any residential units sold or leased to an assisted housing provider remain exclusively for residential use at below market rates for at least 30 years.

Notification Status: **Non-notification**

3. Activity status: **Discretionary**

Where:

- a. Compliance with any of the requirements of CCZ-SX (height) and CCZ-SX (mass) cannot be achieved

Notification Status: **Limited public notification??**

	<p>4. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance with CCZ-R16(2)(c) and (d) cannot be achieved.</p>
CCZ-R17	Conversion of Buildings or Parts of Buildings for Residential Activities or Visitor Accommodation
	<p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. For buildings providing more than 3,000 m² of new residential units (not part of a visitor accommodation operation), the resource consent application includes a signed sale or lease agreement between the applicant and an organisation listed in Appendix X, for the organisation to buy or lease 10% (to the nearest integer) of the new residential units; and</p> <p>b. At least one third (to the nearest integer) of the residential units bought or leased in (2)(c) above must have two or more bedrooms.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in CCZ-P2, CCZ-P5 and CCZ-P11 2. The extent of compliance with standards CCZ-SX to CCZ-SX 3. The extent of compliance with the Centres and Mixed-Use Design Guide 4. The extent to which the conversion enables the ground floor level to be used or adapted for future non-residential activities 5. The design and layout of the proposed conversion, including: <ol style="list-style-type: none"> a. access to adequate levels of daylight and privacy by residents b. provision of private and/or communal open space to meet the amenity and recreational needs of residents c. incorporation of features to provide for the safety and security of residents and encourage passive surveillance d. provision of inclusive access that caters for people of all ages and mobility e. provision of areas to meet the storage and/or service needs of residents f. incorporation of environmental efficiency and water sensitive design measures where practicable 6. Access to public open space and active and public transport links 7. The safe movement of people and vehicles to and from the site and within the surrounding movement network 8. consent notices, or covenants supported by memoranda of encumbrance if no new lots are created, to ensure that any residential units sold or leased to an assisted housing provider remain exclusively for residential use at below market rates for at least 30 years. <p>Notification Status: Non-notification??</p>
	<p>2. Activity status: Non-complying</p> <p>Where: Compliance with CCZ-R16(2)(c) and (d) cannot be achieved.</p>

Example rule for the MCZ/TCZ/LCZ/NCZ:

Building and Structures	
MCZ-R6	Construction, alteration, and addition of buildings and structures

3. Activity status: **Permitted**

Where:

- g. any alteration or addition of a building or structure:
 - i. does not alter the external appearance of the building or structure; or
 - ii. relates to building elevations below verandah level; or
 - iii. is not visible from public spaces; and
 - iv. compliance with Effects Standards MCZ S1-S13 is achieved; and
 - v. **additional residential units are not constructed.**
- h. the construction of any building or structure:
 - i. is not located on sites with frontages to primary or secondary streets; and
 - ii. will have a gross floor area of less than 100m²; and
 - iii. will result in a total coverage (together with other buildings) of no more than 20 percent of the site; and
 - iv. compliance with Effects Standards MCZ S1-S13 is achieved.

4. Activity status: **Restricted Discretionary**

Where:

- i. compliance with any of the requirements of MCZ-R6(1)(a)-(b) cannot be achieved; and
- j. buildings and structures, including pedestrian bridges, built across the street that are less than 25 percent of the width of the street at any point; and
- 13. **for buildings that include more than 1,500 m² of new residential floor space, that do not meet**
 - i. **S1 [max building height]**
 - ii. **S4+ [max building mass standards]****include with the resource consent application a signed sale or lease agreement between the applicant and an organisation listed in Appendix X, for the organisation to buy or lease;**
 - iii. **at least the number of residential units (to the nearest integer) calculated by:**
Total number of new residential units constructed by this activity (multiplied by) The % of gross floor area that is outside the building envelope formed by standards S1 to S13 (multiplied by) 50%; and
of the number of units in (iii) above, at least one third (to the nearest integer) must have two or more bedrooms.
 - iv.

Matters of discretion are restricted to:

1. The matters in MCZ P1 and MCZ – P5-P8; and
2. The anticipated planned urban built form; and
3. The extent and effect of non-compliance with any relevant Effects Standards as specified in the associated assessment criteria for the infringed standards; and
4. external appearance and siting of buildings and structures; and
5. site layout; and
6. site access, pedestrian and vehicular access; and
7. site landscaping; and
8. the provision of amenity for residential activities located on site; and
9. the placement of building mass; and
10. the extent to which the proposal is consistent with the XX Design Guide
11. **consent notices, or covenants supported by memoranda of encumbrance if no new lots are created, to ensure that any residential units sold or leased to an assisted housing provider remain exclusively for residential use at below market rates for at least 30 years.**

Notification Status:

Applications under this rule which result from non-compliance with MCZ – S2 and S5-8 are precluded from being publicly or limited notified.

Commented [AW8]: Rebecca and team – please review these limits and consider incentives, effects on behaviour, commercial viability, etc.

5. Activity status: **Discretionary**

Where:

- a. compliance with MCZ-R6(2)(b) cannot be achieved;

Notification status:

Applications under this rule are precluded from being publicly or limited notified.

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

Where:

- b. compliance with MCZ-R6(2)(c) cannot be achieved.