

18 December 2019

To the Registrar
Environment Court
Auckland, Wellington, and Christchurch

We, Design Network Architecture Limited, appeal against part of a decision of Hutt City Council on the following plan change:

- Proposed District Plan Change 43

We made a submission on the above plan change.

We are not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.

We received notice of the decision on 6 November 2019.
The decision was made by Hutt City Council.

The first part of the decision that we are appealing is:

- The Restricted Discretionary matters for yard, recession plane, and site coverage in each of the activity areas.

The reasons for the appeal are as follows:

- The Restricted Discretionary matters listed under each of the activity areas need to be reduced to reflect the effects from the non-compliances opposed to a variety of other matters. For example, matters such as bike parking and landscaping may not relate to the actual effects of a particular breach.

We seek the following relief:

- Reduce the Restricted Discretionary matters listed for the yard, recession plane and site coverage rules under each of the activity areas, to matters that relate directly to the breach.



The next part of the decision that we are appealing is:

- Rule 4A 4.2.7 Outdoor Living Space, specifically the 50m² minimum area and 4m minimum dimension.

The reasons for the appeal are as follows:

- The Plan Change 43 objectives and policies aim to encourage development. It is considered that the outdoor area requirement for the General Residential area is more restrictive under Plan Change 43, and does not encourage development. The previous Design Guide for Medium Density Housing in the Operative District Plan specified a minimum area of 35m² with a 3m minimum dimension, which we consider would be more appropriate.

We also note that there is inconsistency between the outdoor living area required for lots over 1400m² (which require 20m² minimum per dwelling), versus sites with a lot size under 1400m² (which require 50m²). This means that multi-unit developments have different outcomes based purely on lot size.

We seek the following relief:

- Change the rule under 4A 4.2.7 to be 35m² with a 3m minimum dimension.

The next part of the decision that we are appealing is:

- Rule 4A 4.2.X Stormwater Retention

The reasons for the appeal are as follows:

- The rule states that alteration of a building requires a rainwater tank to be provided. This seems excessive, and may hinder people from making minor alterations/improvements to their dwellings.

We seek the following relief:

- Change the rule so that it does not capture alterations.

The next part of the decision that we are appealing is:

- 11.2.2.1(a) – Subdivision Standards and Terms

The reasons for the appeal are as follows:

- 11.2.2.1(a) requires subdivisions with an existing dwelling on an allotment to comply with the Residential Standards and Terms. There is an interpretation that subdivision over two lots is unable to comply with Rule 4A.4.2.1 (a), as it would result in more than 2 dwellings being established on the parent lot.

We seek the following relief:

- Clarification is needed that this is not the intent of the proposed subdivision provision.

We trust these items could be easily resolved through mediation.

We attach the following documents to this notice:

- a copy of our submission
- a copy of the relevant parts part of the decision
- a list of names and addresses of persons to be served with a copy of this notice.



Kevin Collins

Design Network Architecture Limited

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18/12/2019

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9 MARCH 2018

PROPOSED DISTRICT PLAN CHANGE 43

Residential and Suburban Mixed Use

**SUBMISSION
BY
DESIGN NETWORK ARCHITECTURE LTD**



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INTRODUCTION

Design Network Architecture Limited is a local architectural company based in Lower Hutt. We have approximately 25 staff with varying experience and qualifications. This ranges from Architecture, Planning, Urban Design, Landscaping and Building Science experience.

In regard to this submission for District Plan Change 43, we intend that it is presented as a **positive submission supporting** Plan Change 43.

We are in agreement with the general purpose of the plan change to allow medium density and mixed-use development close to local centres, and to allow more variation in housing types within existing residential areas. Our submission is supportive of the plan change as a whole, however, in some areas we consider that the plan change has not gone far enough to encourage the type of development envisaged by the plan change, and we have included amendments and recommendations for further changes that we feel will enhance the objectives and policies.

The current District Plan Rules and Zones were updated in 1995 and our practice works with these rules and standards on a daily basis to advance our clients' plans and building projects. Based on this experience, we have suggested some changes to the rules which we believe will improve their workability and functioning so they are fairer, easier to work with and allow for the plan to provide development as intended.

We have set out the document to primarily address the rules and standards in the three residential zones: Suburban Mixed Use, Medium Density Residential and General Residential. Following this section is a brief assessment of the proposed Medium Density Design Guide, and a further section that includes a few additional miscellaneous comments.

Rules and standards that we are supportive of have been marked as such in the appropriate table. Provisions that we seek to amend have been marked as 'Support with Amendment' or 'Oppose', and the particular amendment or recommendation has been listed in the row below.

We would like to be heard in support of this submission.

1. ASSESSMENT OF THE PROPOSED DISTRICT PLAN RULE CHANGES

5E - Suburban Mixed Use Activity Area

Overview of Objectives and Policies:

This zone seeks to create medium density, mixed-use centres that support the wider local area by providing opportunity for commercial and residential activity and provide good access and support for local services and community facilities, such as shops, schools and transport. It seeks to promote efficient land use and infrastructure provision through increased density development and maintain space for commercial, retail and community activities at ground level.

We are in general agreement with, and support, the objectives and policies for this zone.

5E 4 Rules

5E 4.1 Permitted Activities

	Standard	Rule	Comment
4.1.1(a)	Offices, Commercial Services, retail and Entertainment Facilities	(i) The gross floor area of the activity does not exceed 500m ² . (ii) For sites abutting a Residential Activity Area: <ul style="list-style-type: none"> • Servicing hours are limited to 7.00am to 10.00pm. • All outdoor storage and servicing areas are screened so they are not visible from abutting residential sites. 	Support
4.1.2(a)	Service Industries and Cottage Industries	(i) The gross floor area of the activity does not exceed 500m ² . (ii) For sites abutting a Residential Activity Area: <ul style="list-style-type: none"> • Servicing hours are limited to 7.00am to 10.00pm. • All outdoor storage and servicing areas are screened so they are not visible from abutting residential sites. 	Support
4.1.3(a)	Health Care Services, Community Facilities,	(i) The gross floor area of the activity does not exceed 500m ² .	Support

	Standard	Rule	Comment
	Marae, Education Facilities and Places of Assembly	(ii) For sites abutting a Residential Activity Area <ul style="list-style-type: none"> • Servicing hours are limited to 7.00am to 10.00pm. • All outdoor storage and servicing areas are screened so they are not visible from abutting residential sites. 	
4.1.4(a)	Residential Activities	(i) The dwelling is located above the ground floor; or (ii) The dwelling is located on the ground floor but has no frontage to public open spaces including streets except for access.	Support with Amendment
	<p><i>Supportive with the following revision for clarity:</i></p> <p><i>(ii) The dwelling is located on the ground floor but has no frontage to public open spaces including streets except for entry, foyer, letter boxes, and servicing (including, for example, bike storage facilities).</i></p> <p><i>We want to ensure that residential development in this zone is able to be designed with adequate space on the ground floor to create pleasant and functional entrance/service areas that can be of benefit to residents.</i></p>		
4.1.5(a)	Care Facilities, Residential Facilities, Boarding Houses, Hostels and Visitor Accommodation	(i) Any habitable rooms are located above ground floor; or (ii) Any habitable rooms located on the ground floor have no frontage to public open spaces including streets.	Support
4.1.9(a)	Light Spill	(i) Artificial light does not result in added illuminance in excess of 8 lux measured at the window of any dwelling. (ii) Light spill is avoided beyond the boundary of the site.	Support
4.2.1(a)	Building Height	The building does not exceed a maximum height of 10m.	Support with Amendment
	<p><i>Supportive of a maximum building height but current rule is too restrictive. We suggest increasing the maximum permitted height to 12m in the Suburban Mixed Use Zone.</i></p> <p><i>This is to encourage variation in the design of the rooflines in this zone without the need for resource consent. This zone encourages a 3.5m stud height on the ground floor which we are supportive of. However, this higher ground floor stud height has not been considered in the overall height requirement of 10m. A three storey building with a 3.5m ground floor stud height leaves little room for anything other than a monopitch roofline.</i></p>		
4.2.2(a)	Recession Planes	For sites abutting a Residential Activity Area the recession plane requirements of	Support with

	Standard	Rule	Comment
		<p>the abutting Residential Activity Area shall be complied with at the shared boundary.</p> <p>No recession planes are required from road boundaries, boundaries within the Suburban Mixed Use Activity Area and existing or proposed internal boundaries within a site.</p>	Amendment
	<p><i>Supportive of a recession plane rule but current rule is too generalised and restrictive.</i></p> <p><i>In general we support a more stringent recession plane rule on the boundary between General Residential and Suburban Mixed Use, however we feel the recession plane should take into account the relationship and orientation of the sites, so more building is permitted on northern facing boundaries that have less impact on the sunlight of neighbouring sites.</i></p>		
4.2.3(a)	Yards	<p>For sites abutting a Residential Activity Area, 3m side and rear yard setbacks apply along the shared boundary.</p> <p>No yard requirements apply along road boundaries, boundaries within the Suburban Mixed Use Activity Area and existing or proposed internal boundaries within a site.</p>	Support
4.2.4(a)	Outdoor living space	<p>Each dwelling must have an outdoor living space that:</p> <ul style="list-style-type: none"> • Has a minimum area of 10m². • Has a minimum dimension of 2m. • Has direct access from the dwelling to which it relates. <p>For dwellings located entirely above ground floor level the outdoor living space requirement can be satisfied by providing a balcony or roof terrace with a minimum area of 5m² with a minimum dimension of 2m.</p>	Support
4.2.5(a)	Building Frontage, Verandahs and Display Windows	<p>The following requirements are to be met:</p> <ol style="list-style-type: none"> (i) All buildings are built to the front boundary of the site. (ii) Any parts of a building fronting a pedestrian footpath have a verandah. (iii) At least 50% of the ground floor frontage of a building are display windows 	Support
4.2.6(a)	Parking	<ol style="list-style-type: none"> (i) If the parking areas are located within, under, at the rear or at the side of buildings. 	Support with Amendment

	Standard	Rule	Comment
		(ii) No parking areas are to be located between the frontage of buildings and the street. (iii) For sites abutting a Residential Activity Area all parking areas must be screened so they are not visible from the abutting residential site(s).	
	<i>Supportive in general, but question the need to screen parking areas where a subject site abuts a residential site. It would be useful if the purpose and nature of acceptable screening is specified in planning rules.</i>		
4.2.7(a)	Screening and Storage	(i) All outdoor storage and servicing areas are to be screened so they are not visible from a road or public space. (ii) All outdoor storage and servicing areas are to be screened so they are not visible from abutting residential sites.	Support
4.2.8(a)	Demolition	The demolition of a building is permitted other than buildings listed in: Appendix Heritage 1 or 2 or in Appendix Significant Natural, Cultural and Archaeological Resources 1, in which case the relevant rules of Chapters 14E and 14F relating to demolition apply.	Support
4.3(a)	General Rules	Compliance with General Rules as per Chapter 14 of the District Plan	Support

5E Restricted Discretionary Activities

Standard	Activity	Discretion is restricted to:	Comment
4.1.1 (b)	Offices, Commercial Services, retail and Entertainment Facilities that do not meet the permitted activity standards	For non-compliance with gross floor area, discretion is restricted to: (i) The effects arising from the scale and intensity of the activity. (ii) The need to provide for the functional requirements of the activity. For non-compliance with servicing hours and outdoor and servicing areas rules, discretion is restricted to: (iii) The effects on the night time amenity of nearby residential areas. (iv) The effects on the visual amenity of adjacent properties.	Support

Standard	Activity	Discretion is restricted to:	Comment
4.1.2 (b)	Service Industries and Cottage Industries that do not meet the permitted activity standards	<p>For non-compliance with gross floor area, discretion is restricted to:</p> <ul style="list-style-type: none"> (i) The effects arising from the scale and intensity of the activity. (ii) The effects on visual amenity and the streetscape (iii) The need to provide for the functional requirements of the activity. <p>For non-compliance with servicing hours and outdoor and servicing areas rules, discretion is restricted to:</p> <ul style="list-style-type: none"> (iv) The effects on the night time amenity of nearby residential areas. (v) The effects on the visual amenity of adjacent properties. 	Support
4.1.3 (b)	Health Care Services, Community Facilities, Marae, Education Facilities and Places of Assembly that do not meet the permitted activity standards	<p>For non-compliance with gross floor area, discretion is restricted to:</p> <ul style="list-style-type: none"> (i) The effects arising from the scale and intensity of the activity. (ii) The effects on visual amenity and the streetscape (iii) The need to provide for the functional requirements of the activity. <p>For non-compliance with servicing hours and outdoor and servicing areas rules, discretion is restricted to:</p> <ul style="list-style-type: none"> (iv) The effects on the night time amenity of nearby residential areas. (v) The effects on the visual amenity of adjacent properties. 	Support
4.1.4 (b)	Residential Activities that do not meet the permitted activity standards	<ul style="list-style-type: none"> (i) The effects on the continuity of the design and appearance of the frontage of buildings including display windows and verandahs. (ii) The effects on the amenity of the streetscape and public open space. (iii) The effects on the privacy and amenity of the residents. (iv) Consistency with the Medium Density Design Guide. 	Support with Amendment
<p><i>Supportive subject to the following revision: The effects on the amenity of the streetscape and public open space, and on the commercial activities of nearby offices, commercial services, retail and entertainment facilities</i></p>			
4.1.5(b)	Care Facilities, Residential Facilities, Boarding Houses, Hostels and Visitor Accommodation that do not meet the permitted activity standards	<ul style="list-style-type: none"> (i) The effects on the continuity of the design and appearance of the frontage of buildings including display windows and verandahs. (ii) The effects on the amenity of the streetscape and public open space. (iii) The effects on the privacy and amenity of the residents. (iv) Consistency with the Medium Density Design Guide. 	Support

Standard	Activity	Discretion is restricted to:	Comment
4.1.6 (a)	Emergency Facilities	The effects on the amenity of nearby residential areas.	Support
4.1.7 (a)	Commercial Garages and Service Stations	(i) The effects of the activity on the amenity of surrounding areas. (ii) The effects on the streetscape and on pedestrian amenity.	Support
4.1.9 (b)	Light spill that does not meet the permitted development standards	The effects on amenity values of the surrounding area.	Support
4.2.1 (b)	Construction or alteration of a building that exceeds the maximum height of 10m	(i) The effects on the amenity, privacy and shading of adjacent properties. (ii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space. (iii) Consistency with the Medium Density Design Guide	Support with Amendment
	<i>Supportive but suggest maximum height be raised to 12m – see comment on rule 4.2.1(a)</i>		
4.2.2 (b)	Construction or alteration of a building that does not meet the permitted activity recession plane requirements	(i) The effects on the amenity, privacy and shading of adjacent properties. (ii) Consistency with the Medium Density Design Guide	Support
4.2.3 (b)	Construction or alteration of a building that does not meet the permitted yard requirements	(i) The effects on the amenity and privacy of adjacent properties. (ii) Consistency with the Medium Density Design Guide	Support
4.2.4 (b)	Construction or alteration of a building that does not meet the permitted outdoor living space requirements	(i) The effects on the amenity for residents of the site, including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed. (ii) The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space. (iii) Consistency with the Medium Density Design Guide.	Support
4.2.5 (b)	Building Frontage, Verandahs and Display Windows do not meet the permitted activity rules	(i) The effects on the amenity of the streetscape. (ii) Consistency with the Medium Density Design Guide.	Support
4.2.6 (b)	Parking that fails to meet the permitted activity rules	(i) The layout and design of the parking area(s). (ii) The effects on the amenity of the streetscape. (iii) The effects on the safety of pedestrians accessing buildings on the site. (iv) Consistency with the Medium Density Design Guide.	Support with Amendment

Standard	Activity	Discretion is restricted to:	Comment
	<p><i>Supportive but with the following revision:</i> <i>(iii) The effects on the safety of pedestrians</i></p> <p><i>This change is to allow for the safety of all pedestrians in the vicinity.</i></p>		
4.2.7 (b)	Construction or alteration of a building that does not meet the screening and storage requirements	<p>(i) The effects on the amenity of adjacent properties, the streetscape and adjoining public space.</p> <p>(ii) Consistency with the Medium Density Design Guide.</p>	Support

5E Non-complying Activities

Standard	Activity	Comment
	All activities that are not permitted activities or restricted discretionary activities	Support

4F - Medium Density Residential Activity Area

Overview of Objectives and Policies:

This zone seeks to create medium density residential areas that promote intensification of residential activity and provide a wider variety of residential options around suburban centres, and through the city as a whole. These areas are located around suburban centres, close to transport, local shops and services and provide a higher density that can support vitality and service provision in local centres. The zones seek to enable medium density development through a range of permitted activity standards.

We are in general agreement with, and support, the objectives and policies for this zone.

4F 4 Rules

4F Permitted Activities

	Standard	Rules	Comment
4.1.1(a)	Residential activities		Support
4.1.2(a)	Home Occupations	(i) At least one person engaged in the home occupation is permanently living on site. (ii) No more than four people in total may work in the home occupation at any one time. (iii) Retail activities are limited to: <ul style="list-style-type: none"> • Goods produced on the site; or • Goods retailed online and not resulting in customer visits to the site; or • Goods ancillary and related to a service provided by the home occupation. (iv) The home occupation does not include the repair, alteration, restoration or	Support with Amendment

	Standard	Rules	Comment
		<p>maintenance of motor vehicles.</p> <p>(v) The home occupation does not involve the use of trucks or other heavy vehicles.</p> <p>(vi) The operational hours for visitors, customers, clients and deliveries to the home occupation is only between: 8:00am to 7:00pm Monday to Friday; and 9:00am to 6:00pm Saturday, Sunday and public holidays.</p> <p>(vii) Daily vehicle trips to and from the site generated by the home occupation do not exceed 20.</p> <p>(viii) All materials and goods stored, repaired or manufactured in association with the home occupation and all storage of refuse from the home occupation must be within buildings on the same site or screened from view at ground level.</p>	
<p><i>Supportive subject to following consideration.</i></p> <p><i>We feel that the level of activity allowed here for home occupations in this zone may require some tightening to reduce conflicts between residents in this higher density zone. Would it be better to be more restrictive to consolidate residential activity in these areas and encourage business to locate in more commercial areas such as SMU zones?</i></p>			
4.1.3(a)	Care Facilities, Residential Facilities, Boarding Houses, Hostels and Visitor Accommodation	Where the maximum number of people accommodated on site including staff and residents does not exceed 10.	Support
4.1.4(a)	Childcare and Kohanga Reo Facilities	Where the maximum number of children to be cared for at any one time does not exceed five.	Support
4.1.9(a)	Light spill	<p>(i) Artificial light does not result in added illuminance in excess of 8 lux measured at the window of any dwelling.</p> <p>(ii) Light spill is avoided beyond the boundary of the site.</p>	Support
4.1.10(a)	Vibration	Activities that would cause vibration, where the activity is managed and controlled in such a way that no vibration from the activity is discernible beyond the boundary of the site.	Oppose

	Standard	Rules	Comment
	<p><i>We are concerned with the vagueness/openness of this rule in its current form.</i></p> <p><i>Any building work is likely to provide some vibration to neighbouring sites, for example, truck movements or the driving of piles. We feel that some vibration associated with general building work should not require resource consent and that the rule should have some consideration of the temporary nuisance caused by building work. It would also be useful to understand how vibration levels are determined, and some guidelines to manage vibration.</i></p>		
4.2.1(a)	Site coverage	Construction or alteration of a building where the site coverage does not exceed 60%.	Support
4.2.2(a)	Building height	Construction or alteration of a building where the building does not exceed a maximum height of 10m.	Support with Amendment
	<p><i>Support but rule too restrictive. We feel that building height in the Medium Density Residential Zone should be increased to 11m.</i></p> <p><i>This is to encourage variation in the design of the rooflines in this zone without the need for resource consent. A 10m height limit restricts the options of rooflines that can be constructed on a three storey building, thus not allowing for architectural or design variation. An alternative solution may be to include a rule that allows some additional height specifically for roof structure.</i></p>		
4.2.3(a)	Recession plane	<p>Construction or alteration of a building where recession plane meets 2.5m +45° from all side and rear boundaries.</p> <p>No recession planes are required from side or rear boundaries within the Medium Density Residential Activity Area where there is an existing or proposed common wall between two buildings.</p> <p>No recession planes are required from road boundaries and existing or proposed internal boundaries within a site.</p>	Support with Amendment
	<p><i>Support but with amendment. In general we support the use of recession planes to deal with boundary conditions, however we feel that the recession plane standards of this zone are far too restrictive and need to be more appropriate for the type of development that is anticipated to be constructed. We feel that the recession plane should be amended to allow for a typical two storey development height at 1m from the boundary.</i></p>		

	Standard	Rules	Comment
		<p><i>The current permitted standard restricts the ability to build two storeys within around 4m of any side/rear boundary, and three storeys within 7.5m of any side/rear boundary, without resource consent. We think that this will severely limit the building potential on a typical site in this zone. In fact, for the majority of sites in this zone, three storeys would not be viable without resource consent.</i></p> <p><i>This permitted standard is not consistent with the policies and objectives of the zone and does not encourage medium density development. In fact, this rule severely restricts the potential development of medium density housing in the zone and makes it difficult to construct anything other than that which is already permitted in the plan as a permitted activity. We feel this rule is contrary to the intention of this zone and undermines the stated objectives and policies.</i></p> <p><i>We would also like variation of the recession plane requirements dependent on the orientation of boundary to be considered. For example, building on a north facing boundary will have much less impact on a neighbouring property's sunlight than building on a south facing boundary.</i></p>	
4.2.4(a)	Yards	<p>(i) Construction or alteration of a building that is not located within the following yard setbacks: Front yards 2m Side yards 1m Rear yards 1m</p> <p>(ii) One accessory building may be located in a side and/or rear yard, provided that the building does not extend more than 6m along the length of any boundary.</p> <p>No yard requirements apply along side or rear boundaries where there is an existing or proposed common wall between two buildings.</p> <p>No yards are required along existing or proposed internal boundaries within a site.</p> <p>Eaves may encroach into any yard by up to 0.6 m.</p>	Support
4.2.5(a)	Permeable surface	Construction or alteration of a building where a minimum of 30% of the site area is a permeable surface.	Support with Amendment
	<p><i>Supportive in general, but we seek to have the standard decreased to a minimum of 20% of the net site area.</i></p> <p><i>We question whether 30% is a realistic standard in higher density developments.</i></p>		

	Standard	Rules	Comment
4.2.6(a)	Outdoor Living Space	(i) Construction or alteration of a building where each dwelling has a ground floor outdoor living space that: <ul style="list-style-type: none"> • Has a minimum area of 20m². • Has a minimum dimension of 3m. • Has direct access from and is adjoining to the dwelling to which it relates. • Is not occupied by any buildings, parking areas, or accessways. (ii) For a dwelling located entirely above ground floor the outdoor living space requirement can be satisfied by providing a balcony or roof terrace with a minimum area of 10m ² with a minimum dimension of 2m.	Support
4.2.7(a)	Accessory Building	Construction or alteration of an accessory building where: Development Standards 4F 4.2.1 (Site Coverage), 4F 4.2.2 (Building Height), 4F 4.2.3 (Recession Planes), 4F 4.2.4 (Yards) and 4F 4.2.5 (Permeable Surface) are complied with.	Support
4.2.8(a)	Screening and storage	All outdoor storage and servicing areas are screened so that they are not visible from a road or public space.	Support
4.2.9(a)	Demolition	The demolition of a building other than buildings listed in: Appendix Heritage 1 or 2 or in Appendix Significant Natural, Cultural and Archaeological Resources 1, in which case the relevant rules of Chapters 14E and 14F relating to demolition apply.	Support
4.3(a)	General Rules	Compliance with General Rules as per Chapter 14 of the District Plan	Support

4F Restricted Discretionary Activities

Standard	Activity	Discretion restricted to:	Comment
4.1.2 (b)	Home Occupations that do not meet the permitted activity standards	(i) The effects on the amenity of the surrounding residential area. (ii) The effects of non-compliance with the permitted activity standard that is not being met.	Support
4.1.3 (b)	Care Facilities, Residential Facilities,	(i) The effects on the amenity of the surrounding residential area.	Support

Standard	Activity	Discretion restricted to:	Comment
	Boarding Houses, Hostels and Visitor Accommodation accommodating more than 10 people on site including staff and residents	(ii) The effects on the safe and efficient movement of vehicle and pedestrian traffic.	
4.1.4 (b)	Childcare and Kohanga Reo Facilities that do not meet the permitted activity standards, if the number of children to be cared for at any one time does not exceed 30.	(i) The effects on the amenity of the surrounding residential area. (ii) The effects on pedestrian safety and the safe and efficient movement of vehicles. (iii) The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on adjacent streets and public spaces or adjacent residential sites.	Support
4.1.5 (a)	All Health Care Services with a maximum number of four practitioners (whether fulltime or part time)	(i) The effects on the amenity of the surrounding residential area. (ii) The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on adjacent streets and public spaces or adjacent residential sites.	Support
4.1.6 (a)	All Community Facilities (except for Childcare and Kohanga Reo Facilities), Marae, Education Facilities, Places of Assembly and Emergency Facilities	(i) The effects on the amenity of the surrounding residential area. (ii) The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on adjacent streets and public spaces or adjacent residential sites.	Support
4.1.7(a)	All Retirement Villages	(i) The effects on the amenity of the surrounding residential area. (ii) The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on adjacent streets and public spaces or adjacent residential sites. (iii) Whether the site is subject to any hazards, including being within any natural hazard overlay area. (iv) The capacity of the network infrastructure for water supply, wastewater, stormwater and land transport to service the proposed development. (v) Consistency with the Medium Density Design Guide.	Support
4.1.9 (b)	Light spill that does not meet the permitted development standards	The effects on amenity values of the surrounding area.	Support
4.1.10 (b)	Activities that would cause vibration, but that do not meet the permitted activities standards	The effects on amenity values of the surrounding area.	Support
4.2.1 (b)	Construction or alteration of a building that exceeds 60% site coverage	(i) The effects on the amenity of adjacent properties. (ii) The effects on the privacy of adjoining properties.	Support with Amendment

Standard	Activity	Discretion restricted to:	Comment
		(iii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space. (iv) Consistency with the Medium Density Design Guide.	
<i>Supportive but question how realistic stormwater management is on site with 60% coverage</i>			
4.2.2 (b)	Construction or alteration of a building that exceeds the maximum height of 10m	<ul style="list-style-type: none"> • The effects on the amenity of adjacent properties. • The effects on the privacy of adjoining properties. • The effects on shading of adjoining properties. • The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space. • Consistency with the Medium Density Design Guide 	Support with Amendment
<i>Support but with the maximum height increased to 11m, as identified in comments on rule 4.2.2(a)</i>			
4.2.3 (b)	Construction or alteration of a building that does not meet the permitted activity recession plane requirements	<ul style="list-style-type: none"> • The effects on the amenity of adjacent properties. • The effects on the privacy of adjoining properties. • The effects on shading of adjoining properties. • The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space. • Consistency with the Medium Density Design Guide 	Support
4.2.4 (b)	Construction or alteration of a building that does not meet the permitted yard requirements	<ul style="list-style-type: none"> • The effects on the amenity of adjacent properties. • The effects on the privacy of adjoining properties. • The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space. • Consistency with the Medium Density Design Guide 	Support
4.2.5 (b)	Construction or alteration of a building that does not meet the permitted permeable surface requirements	<ul style="list-style-type: none"> • The effects on the stormwater system. • The potential for increased surface ponding and flooding. • The mitigation of additional stormwater runoff through means such as onsite stormwater retention. • Consistency with the Medium Density Design Guide 	Support

Standard	Activity	Discretion restricted to:	Comment
4.2.6 (b)	Construction or alteration of a building that does not meet the permitted outdoor living space requirements	<ul style="list-style-type: none"> The effects on the amenity for residents of the site, including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed. The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space. Consistency with the Medium Density Design Guide. 	Support
4.2.7 (b)	Construction or alteration of an accessory building that does not comply with one or more of the following standards: Development Standards 4A 4.2.2 (Site Coverage), 4A 4.2.3 (Building Height), 4A 4.2.4 (Recession Planes), 4A 4.2.5 (Yards) and 4A 4.2.6 (Permeable Surface)	<ul style="list-style-type: none"> The effects on the amenity of adjacent properties. The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space. 	Support
4.2.8 (b)	Construction or alteration of a building that does not meet the screening and storage requirements	<ul style="list-style-type: none"> The effects on the amenity of adjacent properties, the streetscape and adjoining public space. Consistency with the Medium Density Design Guide. 	Support

4F Discretionary Activities

Standard	Activity	Comment
4.1.4 (c)	Childcare and Kohanga Reo Facilities, where the number of children to be cared for at any one time exceeds 30.	Support
4.1.5 (b)	Health Care Services with more than four practitioners	Support

4F Non-complying Activities

Standard	Activity	Comment
	All activities that are not permitted activities, restricted discretionary activities or discretionary activities	Support

4A General Residential Activity Area

Overview of Objectives and Policies:

The General Residential Activity Area covers the majority of residential areas in Lower Hutt, typically characterised by low to medium density residential development of one and two storey homes. The proposed amendments seek to maintain the general character of the zone whilst allowing some moderate intensification through traditional infill and provision for minor dwellings, or some medium density development on larger sites through comprehensive residential development. Medium density development in this zone will require resource consent.

We are in general agreement with, and support, the objectives and policies for this zone.

4A 4 Rules

4A Permitted Activities

	Standard	Rules	Comment
4.1.1(a)	Residential activities		Support
4.1.2(a)	Home Occupations	(i) At least one person engaged in the home occupation is permanently living on site. (ii) No more than four people in total may work in the home occupation at any one time. (iii) Retail activities are limited to: <ul style="list-style-type: none"> • Goods produced on the site; or • Goods retailed online and not resulting in customer visits to the site; or • Goods ancillary and related to a service provided by the home occupation. (iv) The home occupation does not include the repair, alteration, restoration or maintenance of motor vehicles. (v) The home occupation does not involve the use of trucks or other heavy vehicles.	Support

	Standard	Rules	Comment
		(vi) The operational hours for visitors, customers, clients and deliveries to the home occupation is only between: 8:00am to 7:00pm Monday to Friday; and 9:00am to 6:00pm Saturday, Sunday and public holidays. (vii) Daily vehicle trips to and from the site generated by the home occupation do not exceed 20. (viii) All materials and goods stored, repaired or manufactured in association with the home occupation and all storage of refuse from the home occupation must be within buildings on the same site or screened from view at ground level.	
4.1.3(a)	Care Facilities, Residential Facilities, Boarding Houses, Hostels and Visitor Accommodation	Where the maximum number of people accommodated on site including guests, staff and permanent residents does not exceed 10.	Support
4.1.4(a)	Childcare and Kohanga Reo Facilities	Where the maximum number of children to be cared for at any one time does not exceed five.	Support
4.1.9(a)	Light Spill	(i) Artificial light does not result in added illuminance in excess of 8 lux measured at the window of any dwelling; and (ii) Light spill is avoided beyond the boundary of the site.	Support
4.1.10(a)	Vibration	Where the activity is managed and controlled in such a way that no vibration from the activity is discernible beyond the boundary of the site.	Oppose
	<p><i>We are concerned with the vagueness/openness of this rule in its current form.</i></p> <p><i>Any building work is likely to provide some vibration to neighbouring sites, for example, truck movements or the driving of piles. We feel that some vibration associated with general building work should not require resource consent and that the rule should have some consideration of the temporary nuisance caused by building work. It would also be useful to understand how vibration levels are determined, and some guidelines to manage vibration. We are not aware of any New Zealand standard for measuring vibration, and through conversation with engineers are uncertain of how this rule would be practicable to enforce.</i></p>		
4.2.1(a)	Number of dwellings per site	Up to two dwellings per site	Support
4.2.2(a)	Site coverage	Construction or alteration of a building where the site coverage does not exceed	Support

	Standard	Rules	Comment
		40%.	
4.2.3(a)	Building height	Construction or alteration of a building where the building does not exceed a maximum height of 8m.	Support
4.2.4(a)	Recession plane	Construction or alteration of a building where recession plane meets the following: 2.5m +45° from all side and rear boundaries. No recession planes are required from road boundaries and existing or proposed internal boundaries within a site.	Support
4.2.5(a)	Yards	(i) Construction or alteration of a building that is not located within the following yard setbacks: Front yards 3m Side yards 1m Rear yards 1m (ii) One accessory building may be located in a side and/or rear yard, provided that the building does not extend more than 6m along the length of any boundary. No yards are required along existing or proposed internal boundaries within a site. Eaves may encroach into any yard by up to 0.6 m.	Support
4.2.6(a)	Permeable surface	(i) Construction or alteration of a building where a minimum of 30% of the site area is a permeable surface.	Support
4.2.7(a)	Outdoor Living Space	(i) Each dwelling has a private outdoor living space that: <ul style="list-style-type: none"> • Has a minimum area of 50m². • Has a minimum dimension of 4m. • Has direct access from and is adjoining to the dwelling to which it relates. • Is not occupied by any buildings, parking areas, or accessways. 	Support

	Standard	Rules	Comment
		(ii) For a dwelling located entirely above ground floor the outdoor living space requirement can be satisfied by providing a balcony or roof terrace with a minimum area of 10m ² with a minimum dimension of 2m.	
4.2.8(a)	Accessory Building	(Development Standards 4A 4.2.2 (Site Coverage), 4A 4.2.3 (Building Height), 4A 4.2.4 (Recession Planes), 4A 4.2.5 (Yards) and 4A 4.2.6 (Permeable Surface) are complied with.	Support
4.2.9(a)	Minor Additional Dwelling	(i) Construction or alteration of one minor additional dwelling on an existing site, where it has an outdoor living space for the sole use of the residents of the minor dwelling that: <ul style="list-style-type: none"> • Has a minimum area of 20m². • Has a minimum dimension of 3m. • Has direct access from and is adjoining to the minor dwelling to which it relates. • Is not occupied by any buildings, parking areas, or accessways. (ii) Development Standards 4A 4.2.1 (Number of Dwellings per Site), 4A 4.2.2 (Site Coverage), 4A 4.2.3 (Building Height), 4A 4.2.4 (Recession Planes), 4A 4.2.5 (Yards) and 4A 4.2.6 (Permeable Surface) are complied with.	Support
4.2.11(a)	Demolition	The demolition of a building other than buildings listed in: Appendix Heritage 1 or 2 or in Appendix Significant Natural, Cultural and Archaeological Resources 1, in which case the relevant rules of Chapters 14E and 14F relating to demolition apply.	Support
5.6.2.1(a)	1 in 100 year flood extent	(i) The construction or alteration of a building within the 1 in 100-year Flood Extent, where it complies with the development standards under 4A 4.2 and: (ii) The floor level of all buildings is above the 1 in 100-year flood level; except: <ul style="list-style-type: none"> • Minor additions to existing buildings and structures are a Permitted Activity, provided • the floor level of additions is not below the floor level of the existing building or structure; and • the gross floor area of all additions does not exceed 20m² to the gross floor area of the building or structure existing as at 1 March 2005. 	Support

	Standard	Rules	Comment
		(iii) New accessory buildings do not exceed a total gross floor area of 20m ²	
5.7.2.1(a)	Primary and secondary river corridors	The construction of a new building or addition to an existing building within the Primary and Secondary River Corridors, if it complies with the development standards under 4A 4.2 and: <ul style="list-style-type: none"> • The gross floor area of the building or addition is no more than 20m²; and • The building or addition has a setback of at least 20m from a flood protection structure. 	Support
4.3(a)	General Rules	Compliance with General Rules as per Chapter 14 of the District Plan	Support

4A Restricted Discretionary Activities

Standard	Activity	Discretion restricted to:	Comment
4.1.2 (b)	Home Occupations that do not meet the permitted activity standards	(i) The effects on the amenity of the surrounding residential area. (ii) The effects of non-compliance with the permitted activity standard that is not being met.	Support
4.1.3 (b)	Care Facilities, Residential Facilities, Boarding Houses, Hostels and Visitor Accommodation accommodating more than 10 people on site including guests, staff and permanent residents	(i) The effects on the amenity of the surrounding residential area. (ii) The effects on the safe and efficient movement of vehicle and pedestrian traffic.	Support
4.1.4 (b)	Childcare and Kohanga Reo Facilities that do not meet the permitted activity standards, if the number of children to be cared for at any one time does not exceed 30.	(i) The effects on the amenity of the surrounding residential area. (ii) The effects on pedestrian safety and the safe and efficient movement of vehicles. (iii) The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on adjacent streets and public spaces or adjacent residential sites.	Support
4.1.5 (a)	All Health Care Services with a maximum number of four practitioners (whether fulltime or part time)	(i) The effects on the amenity of the surrounding residential area. (ii) The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on adjacent streets and public spaces or adjacent residential sites.	Support
4.1.6 (a)	All Community Facilities (except for	(i) The effects on the amenity of the surrounding residential area.	Support

	Childcare and Kohanga Reo Facilities), Marae, Education Facilities, Places of Assembly and Emergency Facilities	(ii) The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on adjacent streets and public spaces or adjacent residential sites.	
4.1.7(a)	All Retirement Villages	(i) The effects on the amenity of the surrounding residential area. (ii) The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on adjacent streets and public spaces or adjacent residential sites. (iii) Whether the site is subject to any hazards, including being within any natural hazard overlay area. (iv) The capacity of the network infrastructure for water supply, wastewater, stormwater and land transport to service the proposed development. (v) Consistency with the Medium Density Design Guide.	Support
4.1.9 (b)	Light spill that does not meet the permitted development standards	The effects on amenity values of the surrounding area.	Support
4.1.10 (b)	Activities that would cause vibration, but that do not meet the permitted activities standards	The effects on amenity values of the surrounding area.	Support
4.2.1 (b)	Three or more dwellings per site	(i) The effects on the amenity of adjacent properties. (ii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space. (iii) Whether the site is subject to any hazards, including being within any natural hazard overlay area (iv) The capacity of the network infrastructure for water supply, wastewater, stormwater and land transport to service the proposed development. (v) Any positive effects. (vi) Consistency with the Medium Density Design Guide.	Support
4.2.2 (b)	Construction or alteration of a building that exceeds 40% site coverage	(i) The effects on the amenity of adjacent properties. (ii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space. (iii) Consistency with the Medium Density Design Guide where the proposal involves two or more dwellings on one site.	Support
4.2.3 (b)	Construction or alteration of a building that exceeds the maximum height of 8m	(i) The effects on the amenity of adjacent properties. (ii) The effects on the privacy of adjoining properties.	Support

		<ul style="list-style-type: none"> (iii) The effects on shading of adjoining properties. (iv) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space. (v) Consistency with the Medium Density Design Guide where the proposal involves two or more dwellings on one site. 	
4.2.4 (b)	Construction or alteration of a building that does not meet the permitted activity recession plane requirements	<ul style="list-style-type: none"> (i) The effects on the amenity of adjacent properties. (ii) The effects on the privacy of adjoining properties. (iii) The effects on shading of adjoining properties. (iv) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space. (v) Consistency with the Medium Density Design Guide where the proposal involves two or more dwellings on one site. 	Support
4.2.5 (b)	Construction or alteration of a building that does not meet the permitted yard requirements	<ul style="list-style-type: none"> (i) The effects on the amenity of adjacent properties. (ii) The effects on the privacy of adjoining properties. (iii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space. (iv) Consistency with the Medium Density Design Guide where the proposal involves two or more dwellings on one site. 	Support
4.2.6 (b)	Construction or alteration of a building that does not meet the permitted permeable surface requirements	<ul style="list-style-type: none"> (i) The effects on the stormwater system. (ii) The potential for increased surface ponding and flooding. (iii) The mitigation of additional stormwater runoff through means such as onsite stormwater retention. (iv) Consistency with the Medium Density Design Guide where the proposal involves two or more dwellings on one site. 	Support
4.2.7 (b)	Construction or alteration of a building that does not meet the permitted outdoor living space requirements	<ul style="list-style-type: none"> (i) The effects on the amenity for residents of the site, including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed. (ii) The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space. (iii) Any positive effects that not meeting the standard has on the retention of vegetation or other site features that add to the amenity of the site and surrounding residential area. 	Support

		(iv) Consistency with the Medium Density Design Guide where the proposal involves two or more dwellings on one site.	
4.2.8 (b)	Construction or alteration of an accessory building that does not comply with one or more of the following standards: Development Standards 4A 4.2.2 (Site Coverage), 4A 4.2.3 (Building Height), 4A 4.2.4 (Recession Planes), 4A 4.2.5 (Yards) and 4A 4.2.6 (Permeable Surface)	(i) The effects on the amenity of adjacent properties. (ii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.	Support
4.2.9 (b)	Construction or alteration of a minor additional dwelling on an existing site that does not meet the permitted activity standards	(i) The ability of the site to accommodate the minor additional dwelling. (ii) The ability of the minor additional dwelling to contain all necessary residential activities and function as a standalone unit. (iii) The effects on the amenity and privacy of residents of the site. (iv) The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space. (v) Consistency with the Medium Density Design Guide.	Support
4.2.10 (a)	Comprehensive Residential Developments, where they comply with the following development standards: (i) The site coverage does not exceed 60%. (ii) The maximum height of buildings does not exceed 10m. (iii) The following recession plane requirements are being met: 2.5m +45° from all side and rear boundaries. No recession planes are required from road boundaries and existing or proposed internal	(i) The effects on the amenity of the surrounding residential area. (ii) The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on adjacent streets and public spaces or adjacent residential sites. (iii) Whether the site for the Comprehensive Residential Development is subject to any hazards, including being within any natural hazard overlay area. (iv) The capacity of the network infrastructure for water supply, wastewater, stormwater and land transport to service the proposed development. (v) Consistency with the Medium Density Design Guide	Support with Amendment

	standards for a 1 in 100 year flood extent	(iii) The flood hazard effects for land, buildings and structures off-site.	
5.7.2.1 (b)	Construction or alteration of a building when it fails to meet the permitted development standards for primary and secondary river corridors	(i) The proximity of buildings to flood protection structures; (ii) Adverse effects of the flood hazard on buildings and structures and on flood protection structures; and (iii) The risk to people of exposure to the flooding and erosion hazard.	Support

4A Discretionary Activities

Standard	Activity	Comment
4.1.4 (c)	Childcare and Kohanga Reo Facilities, where the number of children to be cared for at any one time exceeds 30.	Support
4.1.5 (b)	Health Care Services with more than four practitioners	Support
4.2.10 (b)	Construction or alteration of a Comprehensive Residential Development that does not meet the restricted discretionary activities standards	Support

4A Non-complying Activities

Standard	Activity	Comments
	All activities that are not permitted activities, restricted discretionary activities or discretionary activities	Support

2. ASSESSMENT UNDER THE MEDIUM DENSITY DESIGN GUIDE

We are generally supportive of the MDDG as a tool to guide development in the three proposed zones. The following comments identify some additional points that we would like considered or clarified in the document.

We would like to highlight the need for flexibility within the key design elements to encourage appropriate design solutions that take into account the variation in site conditions that will be encountered in these zones. In essence, different sites may require some flexibility in achieving a solution and that a rigid ‘one-size fits all’ approach will not work.

We are generally supportive of the zone descriptions, but have some suggestions to consider:

SUBURBAN MIXED USED (SMU):

Provide diversity and interest

4. Minimum 50% glazing coverage on GF street frontages.

- *Unglazed street frontages may provide spaces for variation in materials at street level or community notices, art, info etc?*

Integrate with Street and Neighbourhood

8. Verandah is required on street frontages where there is a pedestrian footpath

- *required on all street frontages, or main streets?*

Create Character and Sense of Place

9. Provide modulation and variation in material use

- *in all cases?*

11. Encourage landscape planting to soften edges

- *role of council in these zones to soften the impact of development, through design of streets that encourage pedestrian access, parking away from building frontages and landscaping of streets to encourage businesses to ‘spill out’ onto streets – also increase the amount of permeable areas / planting in these more developed areas – increase green space on street, street trees, mini-parks etc*

MEDIUM DENSITY RESIDENTIAL (MDR):

Variation and Legibility

“...dwellings should be clearly definable as individual units, designed and articulated to provide a sense of individuality.”

- *This can be simply achieved through use of different colour eg front doors, or a clearly defined housing form or repeating gable rooflines, or variation in landscaping from individual front gardens – doesn't have to be major/over the top use of materials, colours or forms. More clearly emphasised in 'sketch point 7 and 12'.*

Communal Access, Carparking, Laneways

General point:

- *highlight the potential of different solutions to carparking to reduce access points to a site and more creative solutions to reduce the need for large areas of carparking – perhaps some guidance.*

Outdoor Living Space

General point:

- *internal courtyards / gardens considered or mentioned?*

Consolidate Activities

3. General point:

- *GF outdoor space 20sqm (x3m) whereas 1f and above is 10sqm (x2m) – why necessarily have more at GF?*

Provide Diversity and Interest

8. “Windows and variation in materials should be provided on the end wall of each block of units”

- *Rather 'end wall treatments such as material variation or windows should be used to avoid blank end walls'.*

Respond to the Environment

9. “Building recession planes are required within the MDR, as well as where development adjoins other Residential Activity Areas.”

- *Impact of proposed development should consider the neighbouring uses and zones and assessed accordingly. Surely there should be a difference between the potential uses of MDR vs GR and the possibility that a neighbouring site zoned MDR (or SMU) may*

change to higher density in the future. Impacts on existing should be considered but may not need to be adhered to so strictly in the MDR especially if boundaries of neighbouring properties are south facing, already built up, or a long way from existing dwellings etc. Perhaps a distinction or variation to this text is required to allow for creative solutions on MDR to MDR zone boundaries. Currently a 15m wide site is required to even reach the 10m height limit, with recession planes enforced.

Create Character and a Sense of Place

13. "...individual units should be readily recognisable".

- *Again, can be simple eg different coloured front doors, obvious numbering etc – doesn't have to be complex.*

GENERAL RESIDENTIAL (GR):

Design Opportunities

3. "...along with street tree planting..."

- *Is there help/guidance from the council to integrate street tree planting and new developments and increase the interaction between new development and public space?*

1.1 Building Height

In general agreement but would like to see some acknowledgement of the location of building massing in relation to sunlight, boundary and compass direction. For example, building on the south boundary of a neighbouring site will have limited impact on sunlight for the site to the north. Walls can also have positive impacts such as helping to produce enclosure, or protection from wind.

We think that the 10m height restriction should be raised to 12m in the SMU zone to allow for a ground floor of 3.5m stud height, three storeys, and allow for varied types and designs of roofing. We think the height restriction should be raised to 11m in the MDR zone to allow for variation in roof design. This will enable increased diversity and interest of buildings in the SMU and MDR areas.

1.2 Recession Planes and Setbacks

We think the recession plane and setbacks should be relaxed on sites within the MDR and abutting other MDR or SMU sites. This is discussed in more detail in the submission on rule 4.2.3(a) in the previous section. We also think that the recession planes should take into account the orientation of the boundary relative to north.

We are not convinced that the sketches shown to illustrate the types of development possible in the SMU and MDR zones, and as shown in the CRD are possible within the current building height and recession planes when considering foundation, floor and roof thicknesses, particularly with the rooflines as shown.

1.3 Outdoor Living Space

We think the 50m² outdoor living space for residential infill should be reduced to 35m².

1.4 Open Space and Boundary Treatments

Is there any reduction to private space requirements if a larger area of communal green space is provided within the development?

1.5 Entrances, Carparking and Garages

Supportive of requirements

1.6 On Site Stormwater Management

Whilst we are generally supportive of the reducing run-off from sites we feel that the Council could do more to help add the development of good practicable on site stormwater management. This could include good practice guidance or material on suitable solutions. We also feel this issue is city wide and could be better managed over time through redevelopment of public spaces such as streets and parks to include some stormwater attenuation. It may also be worthwhile investigating the potential for Council and developers to create stormwater attenuation areas in berms or in streets as part of the development process, particularly on larger sites.

In SMU areas in particular, but also the MDR, it may be beneficial for the Council to consider the future development of these areas and identify opportunities in public areas for stormwater management opportunities that could be developed over time, and link in with, or provide additional support to on-site stormwater management in new developments.

1.7 End/Side Wall Treatment

This section could make more reference to the wide diversity of potential ways there are to mitigate blank end walls.

1.8 Building Materials

High quality, low maintenance materials should be a consideration for all new development. There are no particularly onerous implications of materials choice for the majority of higher density development (terraces, semi-detached and detached two and three storey housing) over ‘traditional’ development, with the potential exception of apartments. The standard for the quality and durability of materials is controlled by the Building Code.

1.9 Storage and Service Areas

Supportive of requirements

1.10 Privacy and Safety

Supportive of requirements

1.11 Landscaping

Generally supportive of the need to incorporate landscaping into the development process, however would be useful for Council to provide more guidance on the types of plants and trees that thrive in the conditions particular to Lower Hutt.

We would also advocate for Council to factor in and/or assist new developments, particularly in higher density areas, with clear plans for the landscaping of berms areas, public streets and spaces in the SMU and, perhaps, the MDR. These public streets and spaces are important in providing green links, outlooks and recreation spaces in higher density areas and can work in unison with new development to create pleasant environments.

3. ADDITIONAL COMMENTS

3.1 A number of the proposed Rules commence with the wording “Construction or alteration of a building is a permitted activity if...”. For example,

Rule 4A 4.2.2 “Construction or alteration of a building is a permitted activity if the site coverage does not exceed 40%”.

This wording is ambiguous where it relates to alterations, as it could be interpreted as applying on the existing building before alterations, rather than after the alterations have been undertaken. We suggest this be clarified by the following revision:

“Construction or alteration of a building is a permitted activity if the site coverage after construction is finished does not exceed 40%”.

3.2 Rule 4A 4.2.10 Comprehensive Residential Developments

Correct page 207 as follows:

(xi) Consistency with the ~~Hutt City Suburban Centre and Residential Design Guide~~ Medium Density Design Guide.

(b) Construction or alteration of a Comprehensive Residential Development that does not meet the above ~~permitted~~ restricted discretionary activity standards is a discretionary activity.

4. MAPS

We support the zones as identified, but have suggested some amendments for consideration, attached at Appendix 1.

We see an opportunity for the wide streets and public open spaces in these centres to be redeveloped by Council over time to support the increased density. Improving the streets and spaces, pedestrian areas, connections to transport and green spaces, incorporating stormwater mitigations and landscaping would help to create a sense of place and be of benefit to new developments in the area.

Submitted By: Team at Design Network Architecture Ltd

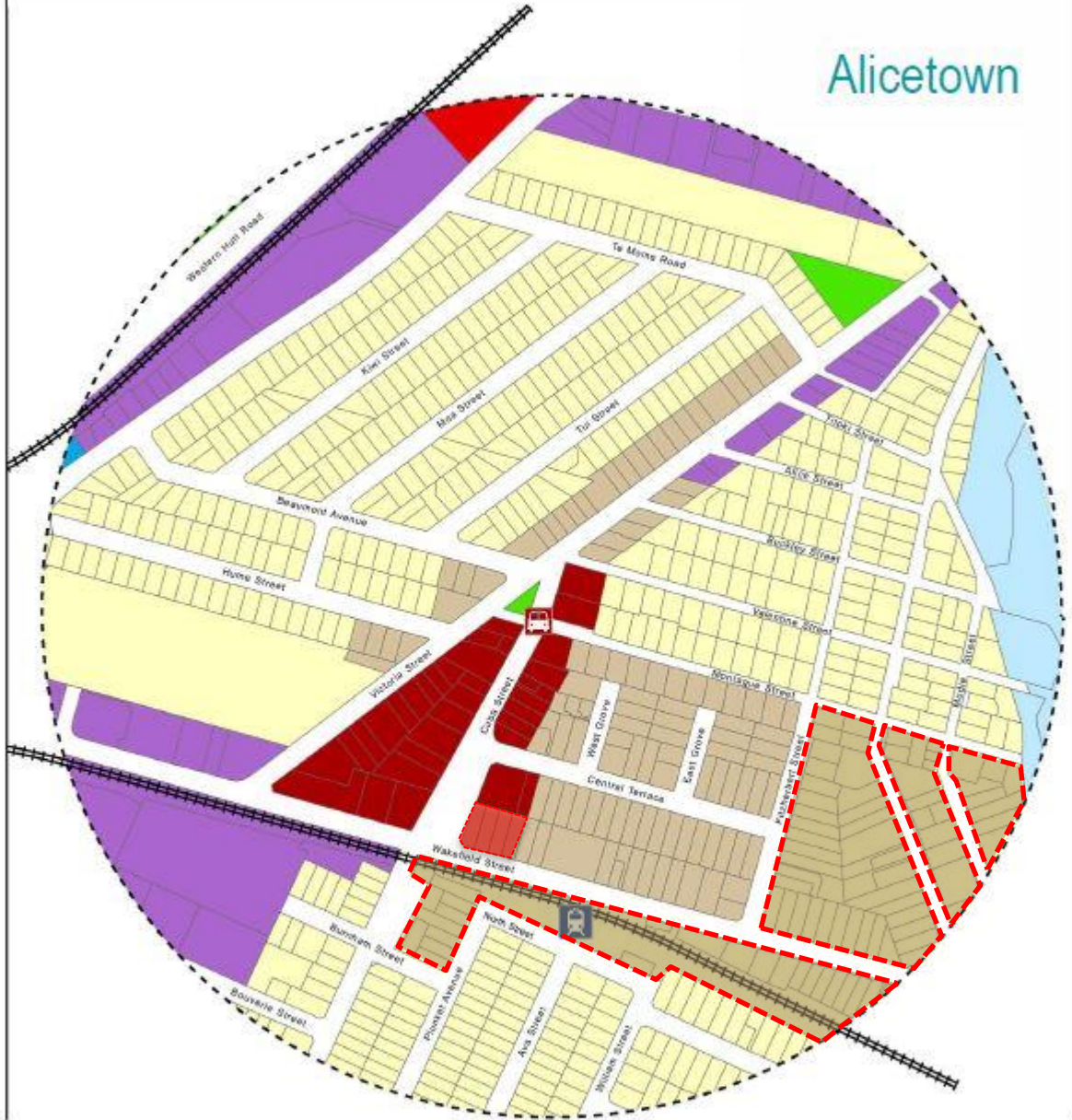
A handwritten signature in blue ink, appearing to read 'M. C. Elmer'.

DIRECTOR

APPENDIX 1: MAPS

Proposed Plan Change 43 – Residential and Suburban Mixed Use

Alicetown



	Medium Density Residential		General Residential		General Recreation
	Suburban Mixed Use		Special Commercial		River Recreation
			General Business		Community IWI

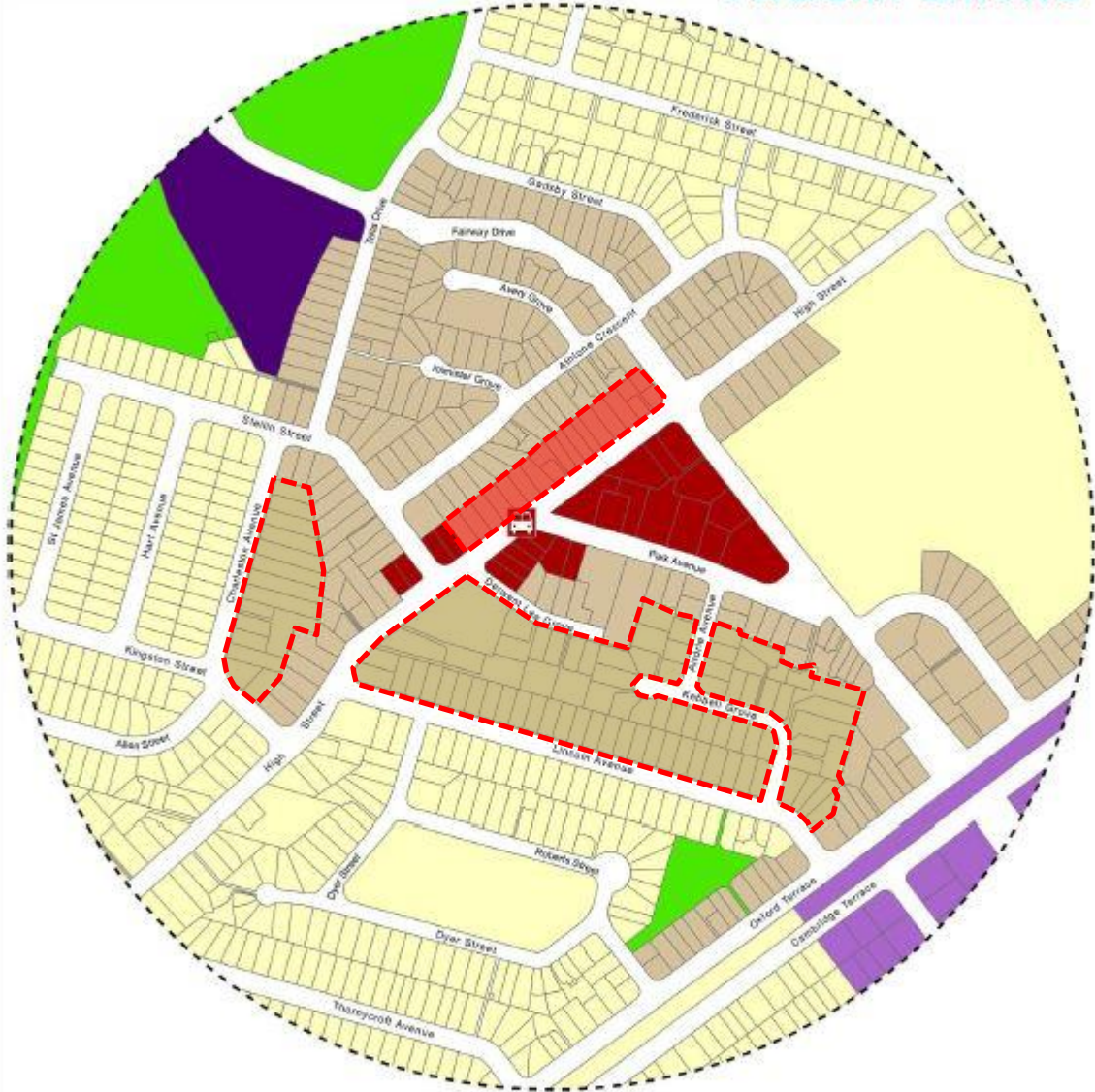


 POTENTIAL SMU

 POTENTIAL MDR

Proposed Plan Change 43 – Residential and Suburban Mixed Use

Avalon/Park Ave



	Medium Density Residential		General Residential		General Business
	Suburban Mixed Use		Avalon Business		General Recreation

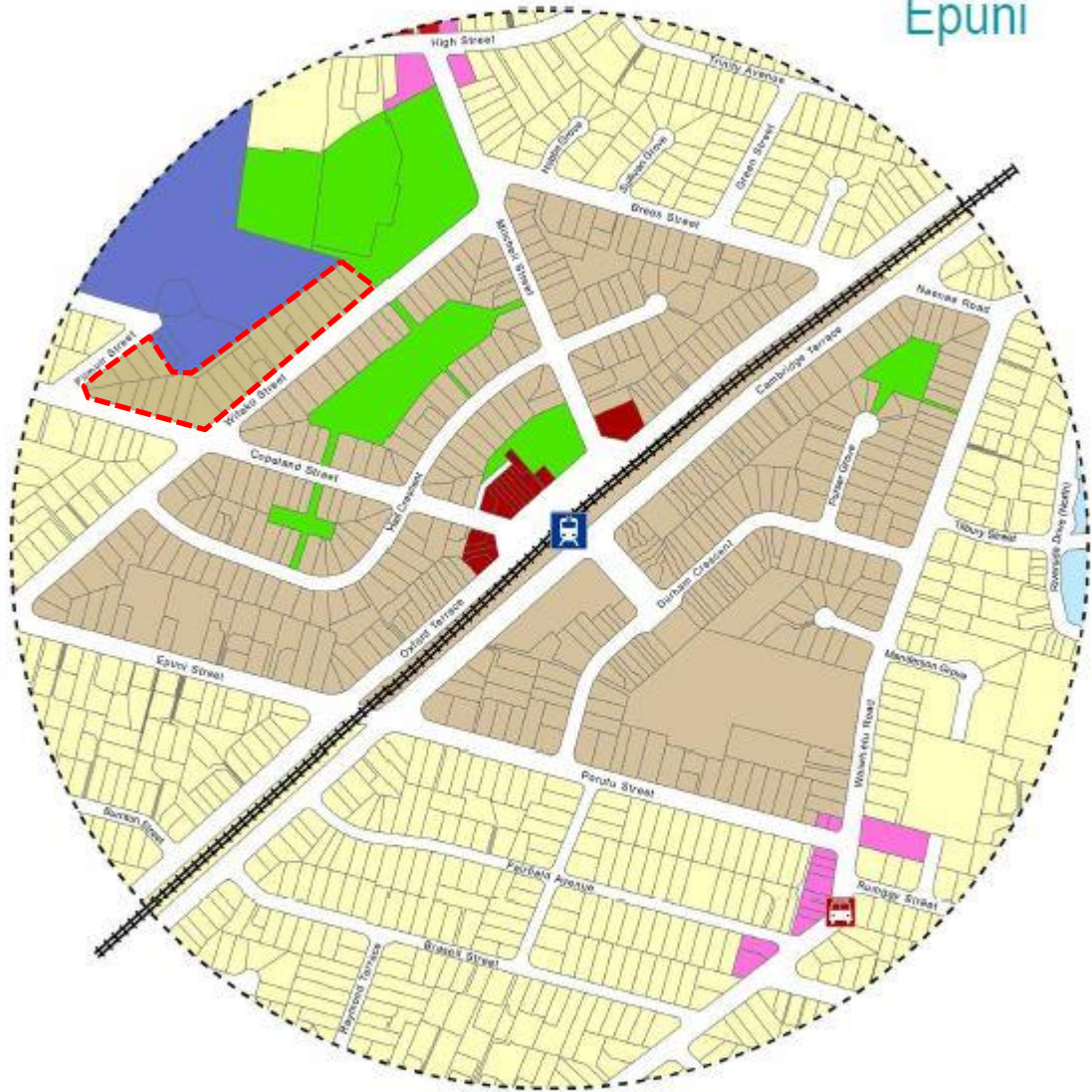


 POTENTIAL SMU

 POTENTIAL MDR

Proposed Plan Change 43 – Residential and Suburban Mixed Use

Epuni



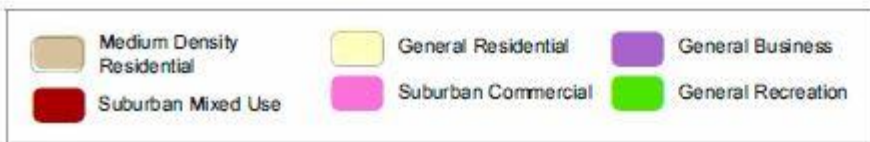
	Medium Density Residential		General Residential		General Recreation
	Suburban Mixed Use		Special Commercial		River Recreation
			Suburban Commercial		Community Health



 POTENTIAL MDR

Proposed Plan Change 43 – Residential and Suburban Mixed Use

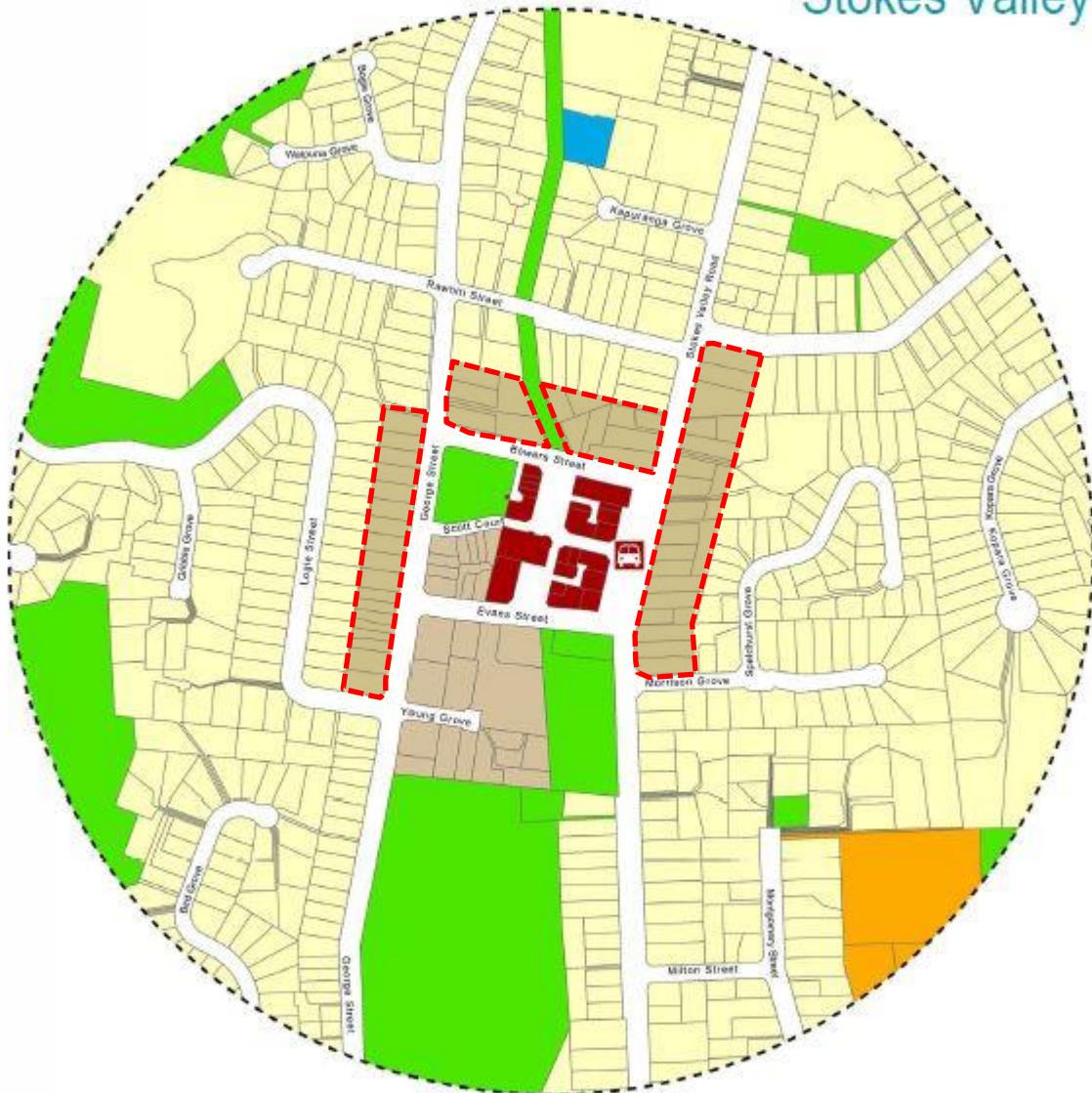
Naenae



POTENTIAL MDR

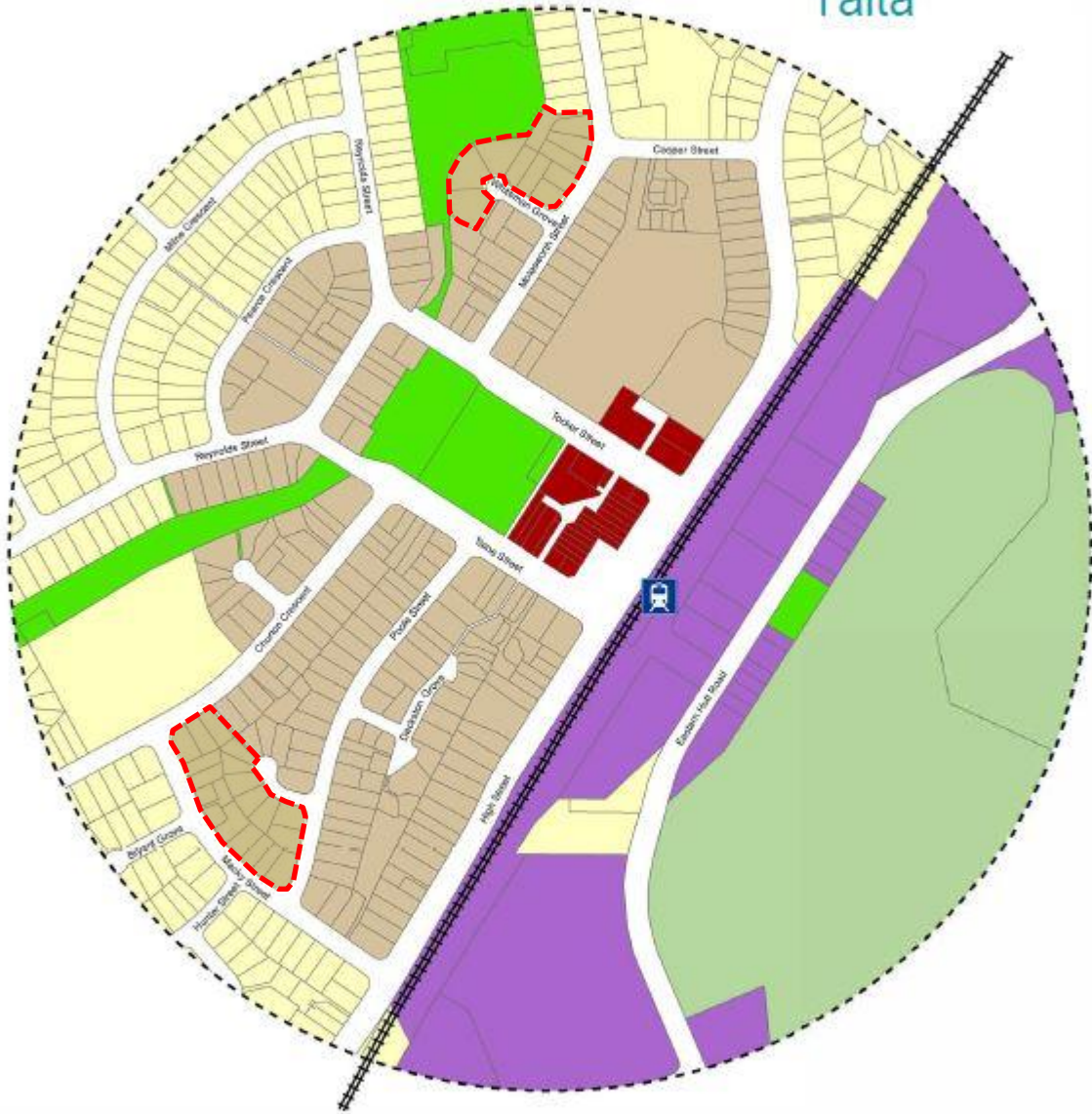
Proposed Plan Change 43 – Residential and Suburban Mixed Use

Stokes Valley



Proposed Plan Change 43 – Residential and Suburban Mixed Use

Taita



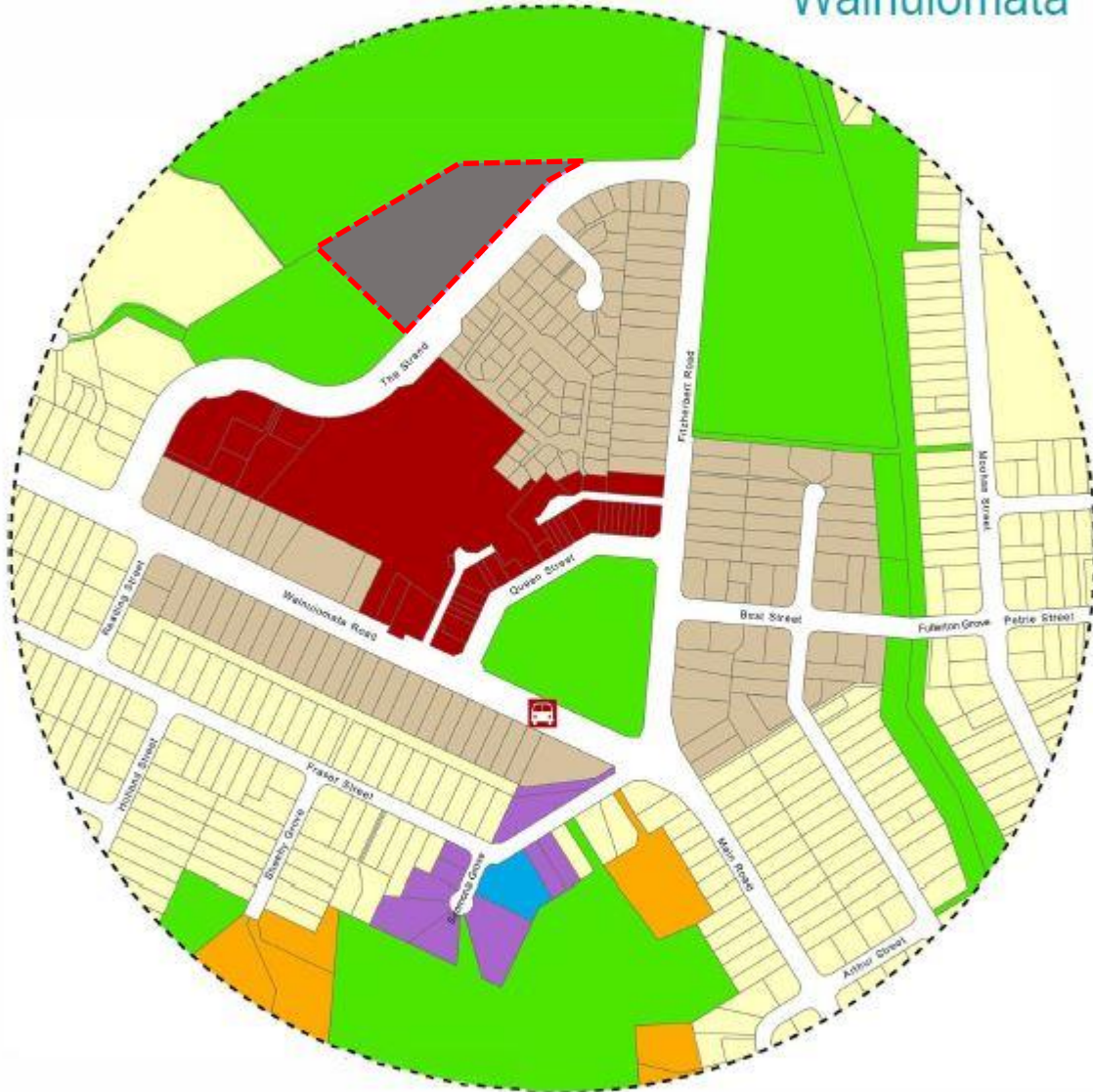
	Medium Density Residential		General Residential		General Recreation
	Suburban Mixed Use		General Business		Passive Recreation



 POTENTIAL MDR

Proposed Plan Change 43 – Residential and Suburban Mixed Use

Wainuiomata



	Medium Density Residential		General Residential		General Business
	Suburban Mixed Use		Hill Residential		General Recreation
			Suburban Commercial		Community MI

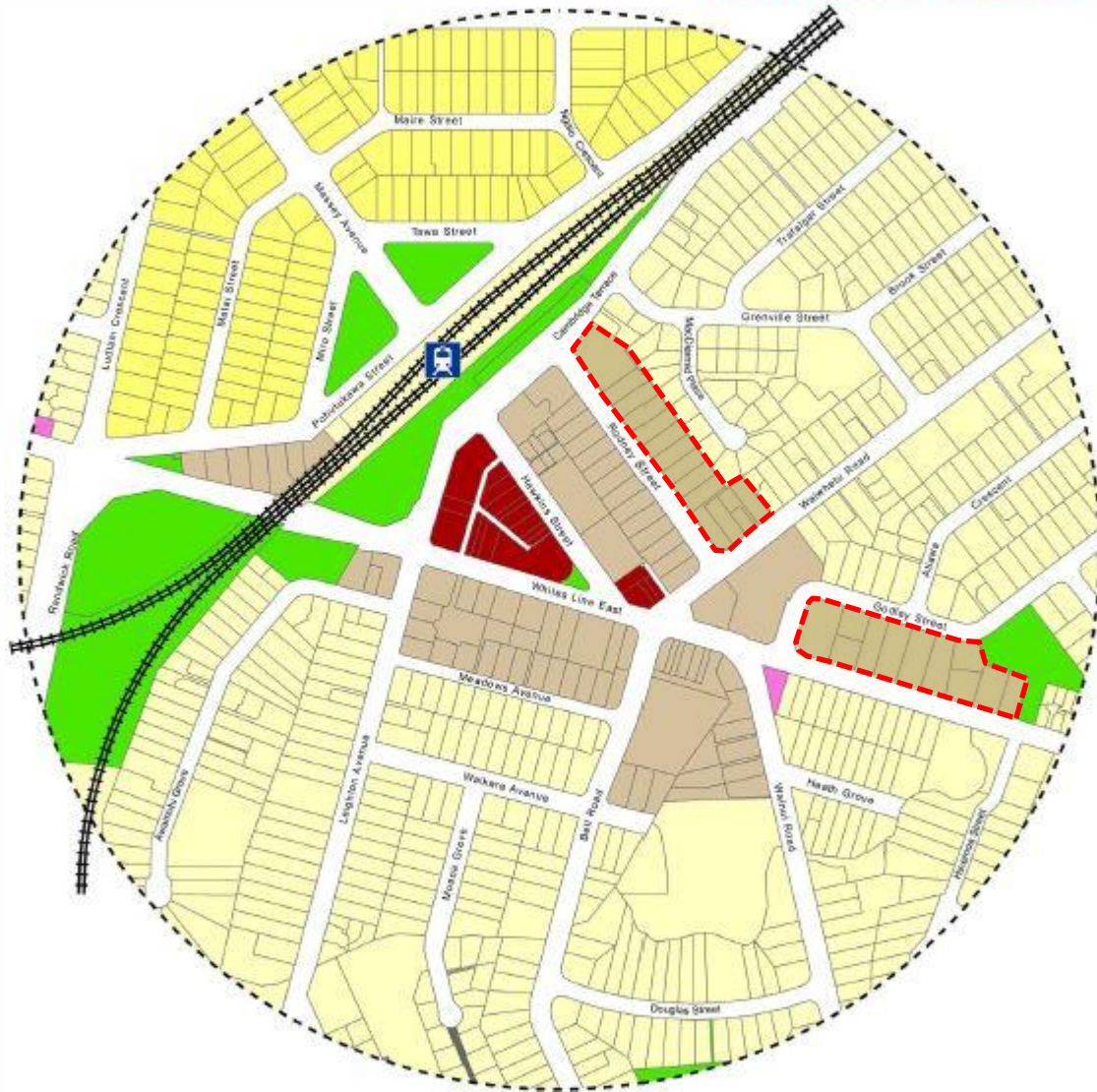
HUTT CITY
TE AWA KAIRANGI



POTENTIAL SMU (OR MDR)

Proposed Plan Change 43 – Residential and Suburban Mixed Use

Waiwhetu/Woburn



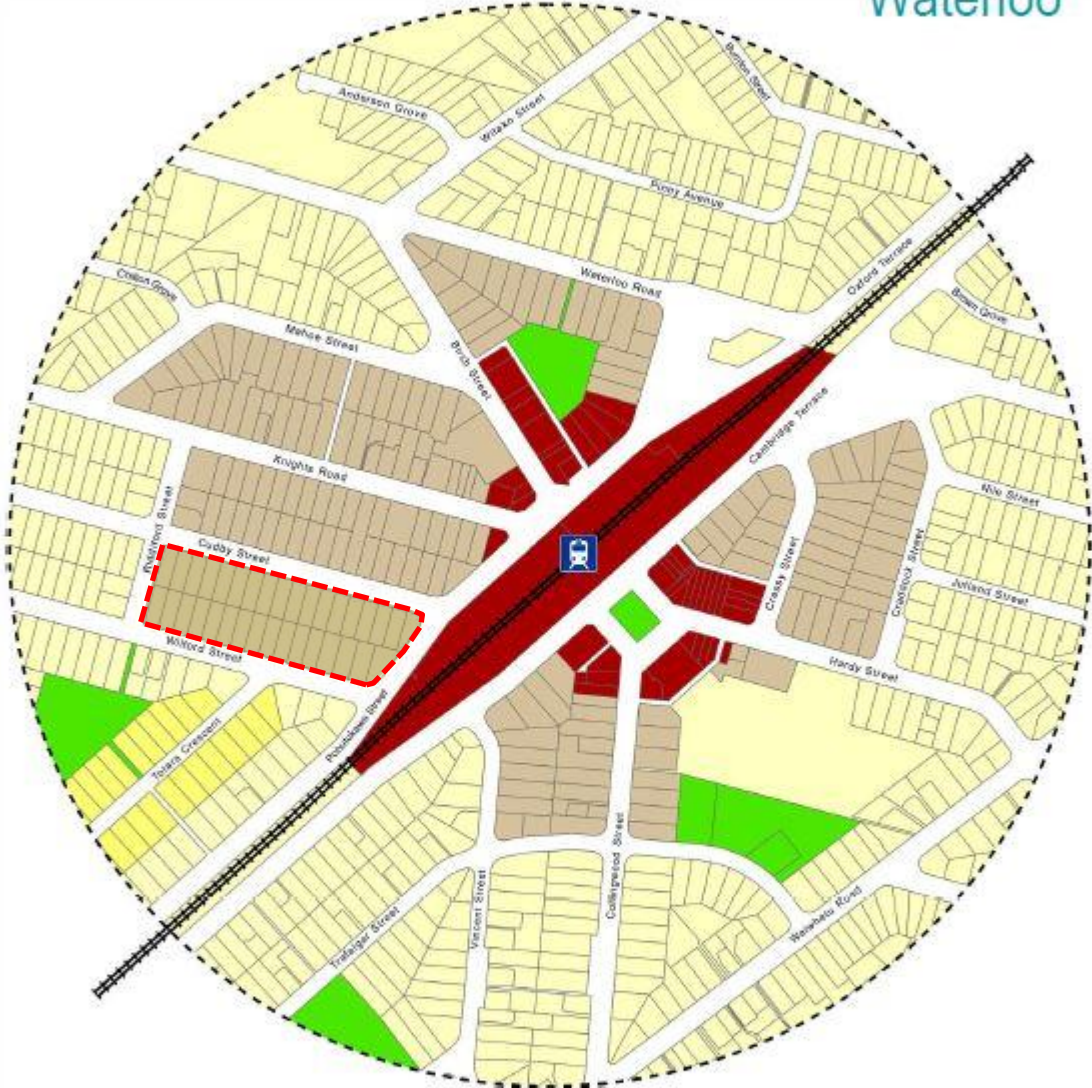
	Medium Density Residential		General Residential		Suburban Commercial
	Suburban Mixed Use		Special Residential		General Recreation



 POTENTIAL MDR

Proposed Plan Change 43 – Residential and Suburban Mixed Use

Waterloo



	Medium Density Residential		General Residential		General Recreation
	Suburban Mixed Use		Special Residential		



 POTENTIAL MDR

Sections of Plan Change 43 to appeal

AMENDMENT 60 [New Chapter 4A General Residential Activity Area (4A 4 Rules)] Add a new Rule 4A 4.2.2 Site Coverage

Rule 4A 4.2.2 Site Coverage

(a) Construction or alteration of a building is a permitted activity if:
(i) The site coverage does not exceed 40%.
(b) Construction or alteration of a building that exceeds 40% site coverage is a restricted discretionary activity.
Discretion is restricted to:
(i) The effects on the amenity of adjacent properties adjoining sites.
(ii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.
(iii) Consistency with the Medium Density Design Guide where the proposal involves two or more dwellings on one site. Where the proposal is for two or more dwellings, the following mixed use and medium density residential development design elements:
a) Building height
b) Recession planes and setbacks
c) Indoor and outdoor living spaces
d) Open space and boundary treatments
e) Entrances, carparking and garages
f) On-site stormwater management
g) End / side wall treatment
h) Building materials
i) Bike parking, storage and service areas
j) Privacy and safety
k) Landscaping
l) Historic character in Petone-Moera
<u>When considering the matters in (iii), the Council will be principally guided by its Medium Density Design Guide.</u>
Links to: Objectives 4A 2.3, 4A 2.4 Policies 4A 3.1, 4A 3.2, 4A 3.4, 4A 3.6, 4A 3.7, 4A 3.8

example
of restricted
discretionary
matters that
we suggest
be reduced
(across all
activity areas)

AMENDMENT 61 [New Chapter 4A General Residential Activity Area (4A 4 Rules)] Add a new Rule 4A 4.2.3 Building Height

Rule 4A 4.2.3 Building Height

(a) Construction or alteration of a building is a permitted activity if:
(i) The building does not exceed a maximum height of 8m.
(b) Construction or alteration of a building that exceeds the maximum height of 8m is a restricted discretionary activity.

more dwellings, the following mixed use and medium density residential development design elements:

- a) Building height
- b) Recession planes and setbacks
- c) Indoor and outdoor living spaces
- d) Open space and boundary treatments
- e) Entrances, carparking and garages
- f) On-site stormwater management
- g) End / side wall treatment
- h) Building materials
- i) Bike parking, storage and service areas
- j) Privacy and safety
- k) Landscaping
- l) Historic character in Petone-Moera

When considering the matters in (iv), the Council will be principally guided by its Medium Density Design Guide.

Links to:

Objective 4A 2.5

Policy 4A 3.9

AMENDMENT 65 [New Chapter 4A General Residential Activity Area (4A 4 Rules)]
Add a new Rule 4A 4.2.7 Outdoor Living Space

Rule 4A 4.2.7 Outdoor Living Space

(a) Construction or alteration of a building is a **permitted** activity if:

(i) Each dwelling has a private outdoor living space that:

1. Has a minimum area of 50m².
2. Has a minimum dimension of 4m.
3. Has direct access from and is adjoining to the dwelling to which it relates.
4. Is not occupied by any buildings, parking areas, or accessways.

(ii) For a dwelling located entirely above ground floor the outdoor living space requirement can be satisfied by providing a balcony or roof terrace with a minimum area of 10m² with a minimum dimension of 2m.

(b) Construction or alteration of a building that does not meet the outdoor living space requirements is a **restricted discretionary** activity.

Discretion is restricted to:

- (i) The effects on the amenity for residents of the site, including access to sunlight and open space and the usability, orientation and accessibility of the outdoor living space proposed.
- (ii) The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.

AMENDMENT 70 [New Chapter 4A General Residential Activity Area (4A 4 Rules)]
Add a new Note 4A 4.3 General Rules

Note 4A 4.3 General Rules

(a) All activities must comply with the General Rules in Chapter 14.

AMENDMENT 70A [New Chapter 4A General Residential Activity Area (4A 4 Rules)]
Introduce a new Rule 4A 4.2.X Stormwater Retention

Rule 4A 4.2.X Stormwater Retention

(a) Construction or alteration of a building is a permitted activity if:

(i) A rainwater tank is provided for the building that collects all rainwater from the roof of the building. The rainwater tank must have the following volumes:

Roof area of 100m² or less - 2,000 litre capacity.

Roof area of 100m² to 200m² - 3,000 litre capacity.

Roof area of more than 200m² - 5,000 litre capacity.

The tank must meet the specifications, and be installed in accordance with Acceptable Solution #1 from the Wellington Water guide *Managing Stormwater Runoff, The use of raintanks for hydraulic neutrality, Acceptable solution #1 dated June 2019* (Appendix General Residential X).

No rainwater tank is required for the construction of an Accessory Building.

(b) Construction or alteration of a building that that does not meet the rainwater tank requirements is a restricted discretionary activity.

Discretion is restricted to:

(i) The effects on the stormwater system.

(ii) The potential for increased surface ponding and flooding.

(iii) The mitigation of additional stormwater runoff through other means.

Links to:

Objective 4A 2.5

Policy 4A 3.9

Amendments to Chapter 11 Subdivision

AMENDMENT 188 [Chapter 11 Subdivision (11.1.1 Allotment Standards)]
Amend Policy 11.1.1 (a)

Policy

- (a) To ensure that allotments in lower density residential areas and rural zones have minimum design standards such as, minimum size, shape and frontage, which are suitable for the proposed use or development.

AMENDMENT 189 [Chapter 11 Subdivision (11.1.1 Allotment Standards)]
Add Policy 11.1.1 (b)

- (b) To provide flexibility in lot size, shape and frontage within Commercial, Mixed Use, General Residential and Medium Density Residential Activity Areas to enable diversity of commercial and residential development size and density.

AMENDMENT 190 [Chapter 11 Subdivision (11.2.2 Controlled Activities)]
Add Controlled Activities (e) and (k) and amend subsequent numbering

11.2.2 Controlled Activities

All subdivisions in the following activity areas are Controlled Activities except where provided for as Permitted or Discretionary Activities:

- (a) General Residential Activity Area
- (b) Hill Residential Activity Area
- (c) Landscape Protection Residential Activity Area
- (d) Special Residential Activity Area
- (e) Medium Density Residential Activity Area
- (ef) General Business Activity Area
- (fg) Special Business Activity Area
- (gh) Rural Residential Activity Area
- (hj) General Rural Activity Area
- (ij) Suburban Commercial Activity Area
- (k) Suburban Mixed Use Activity Area
- (jl) Central Commercial Activity Area

...

AMENDMENT 191 [Chapter 11 Subdivision (11.2.2.1 Standards and Terms)]
Amend Standard and Terms 11.2.2.1 (a) Allotment Design – General Residential Activity Area

11.2.2.1 Standards and Terms

All Controlled Activity subdivisions shall comply with the following Standards and Terms:

(a) Allotment Design

The minimum size of an allotment shall exclude rights of way and access legs to a rear site.

General Residential Activity Area

Minimum size of allotment: 400m²

No minimum size is required if:

(i) For every allotment where there is an existing dwelling:

There is no increase in the degree of non-compliance with the relevant General Residential Development Standards specified in 4A 4.2 and 4A 5. Where subdivision is proposed between dwellings that share a common wall, recession plane and yard requirements shall not apply along the length of the common wall.

(ii) For every allotment where there is no existing dwelling, or for which no existing land use consent for a dwelling has been granted, or is being concurrently granted (in the case of joint land use and subdivision applications):

It can be demonstrated that it is practicable to construct on all allotments, as a permitted activity, a dwelling which complies with all relevant General Residential Development Standards specified in 4A 4.2 and 4A 5.

Minimum frontage: 3m to ensure that there is drive-on access to the allotment. For rear allotments the 3m frontage may be satisfied through a registered Right of Way outside the title (outside legal boundaries of the allotment).

Shape factor: All allotments must be able to contain a rectangle measuring 10m by 15m. Such a rectangle must be clear of any yard or right of way and have a suitable building platform.

No shape factor is required if:

(i) For every allotment where there is no existing dwelling, or for which no existing land use consent for a dwelling has been granted, or is being concurrently granted (in the case of joint land use and subdivision applications)

It can be demonstrated that it is practicable to construct on all allotments, as a permitted activity, a dwelling which complies with all relevant General Residential Development Standards specified in 4A 4.2 and 4A 5.