

1. MATTERS ADDRESSED

1.1 The Panel requested that Kāinga Ora address a number of points following its submissions:

- (a) A table recording Kāinga Ora's position by submission point in response to the s 42A reports;
- (b) The lawfulness of Kāinga Ora's proposed approach to flood hazard mapping;
- (c) Any response to the Kiwirail scaffolding diagram in relation to the proposed rail corridor setback;
- (d) Any response to the photos tabled by Ashley Roper, another submitter;
- (e) Updated Planning Maps recording differences from the Council's position, with narrative explanation.

2. SUBMISSION POINT TABLE

2.1 The tables sought are attached to this memorandum at Appendix A.

3. FLOOD HAZARD MAPPING – LAWFULNESS

3.1 The Panel was concerned about the lawfulness of flood hazard mapping outside the plan. It asked me to consider any other examples where plans relied on extrinsic material that is neither incorporated by reference nor "date-stamped".

3.2 I have considered this at length but cannot think of any other situations where extrinsic material is not "date-stamped" and is not incorporated by reference.

3.3 But I do not see that question as determinative of the lawfulness of the approach that Kāinga Ora promotes.

- 3.4 I refer to a s 42A supplementary report supporting the position adopted in Tauranga. That is in turn based on a memorandum of advice from Simpson Grierson explaining why this approach is lawful. Rather than repeat that reasoning, which I consider to be compelling, I provide a link to it in the following footnote.¹
- 3.5 As that advice notes, the maps simply act as extrinsic material to assist parties to determine whether they come within the definitions relating to flood hazards, from which the application of objectives, policies and rules follow. As it is put in Ms Williams' evidence, the maps are a "starting point",² but not determinative of application of the plan's rules addressing flood hazards.
- 3.6 The contest here is really a matter of planning preference. Kāinga Ora understands that its proposed approach is not how district plans have tended to address flood hazards previously. But orthodoxy does not make a particular approach the right one, and its disadvantages are significant. In areas where, due to stormwater protection works, the map becomes over-inclusive the risk is unnecessary restriction and cost being put on development. In areas where, for whatever reason, the flood hazard risk has expanded, the map becomes under-inclusive and development occurring despite the flood risk. Kāinga Ora does not consider that it can properly be said that the orthodox approach is "best practice". It is one approach of two or more available approaches.

4. KIWIRAIL SCAFFOLDING

- 4.1 Kāinga Ora has reviewed the evidence submitted by KiwiRail in support of its submission that a 5m yard setback should apply where a property boundary abuts the rail corridor, notably the diagram that was submitted in Appendix A of the evidence of Michael Brown (Corporate).
- 4.2 There are three elements of the response:

(a) Health and safety;

¹ https://www.tauranga.govt.nz/Portals/0/data/council/city_plan/plan_changes/pc27-s42ahearings-report.pdf. See Appendix 2.

² Evidence of Karen Williams, at [11.10].

- (b) Approaches to scaffolding; and
- (c) Whether the evidence is reliable so as to justify the proposed setback as a qualifying matter.

Relevant Health and Safety Regulations and Requirements

4.3 The first point is that to the extent Kiwirail's concern is about falling objects, there are relevant health and safety obligations which control the situation. The following sections of the WorkSafe Guidelines on Scaffolding in New Zealand³ ("Worksafe Guidelines") are relevant:

- (a) 'Section 3 – Managing Risks', which requires the Person Conducting Business or Undertaking (PCBU) to identify, assess and control hazards including in establishing scaffolding, with specific reference to live powerlines and falling objects.
- (b) 'Section 4.1 – Competency Requirements Based on Height of Scaffold', which requires the person permitted to erect a scaffold 5m and above to be a holder of an appropriate class of certificate of competence.
- (c) Section 12 – Scaffold Configurations, which provides for multiple types of scaffolding with various configurations and requirements.

4.4 The following clauses of the Health and Safety in Employment Regulations 1995 are also relevant:

- (a) Clause 53,⁴ which requires scaffolders hold a current certificate of competence with respect to the scale and complexity of the scaffold, including for scaffolds of which any part is 5m above the ground.
- (b) Figure 1: Table from WorkSafe Guidelines including requirements for scaffolds based on height.

³ <https://www.worksafe.govt.nz/topic-and-industry/working-at-height/scaffolding-in-new-zealand/#if-doc-20051>

⁴ <https://www.legislation.govt.nz/regulation/public/1995/0167/latest/DLM203111.html>

WORKSAFE POSITIONS BY HEIGHT OF SCAFFOLDING

HEIGHT	LEGAL REQUIREMENT	WORKSAFE POSITION
Any height	Section 36, HSWA Primary duty of care	> Scaffolding must comply with AS/NZS1576
0 – 3 metres		> Best Practice Guidelines for <i>Working at Heights 2012</i> state that if there is a potential for a person at work to fall from any height, reasonable and practicable steps must be taken to prevent harm from resulting > Erected by a 'competent person' > All scaffolds should comply with these guidelines
3 – 5 metres	Regulation 21, HSE Regulations Regulation 22, HSE Regulations	> Erected by a 'competent person' > All scaffolds should comply with these guidelines
5 – 33 metres	Regulation 53, HSE Regulations	> Scaffolding must comply with AS/NZS1576 > All scaffolds should comply with these guidelines > Erected, maintained, repaired, dismantled by a holder of a current certificate of competence
Greater than 33 metres		> Tube and coupler scaffolding higher than 33 metres is outside the scope of AS/NZS1576 Part 6 and these guidelines > Requires specific engineering design unless manufacturer's design and instructions cover more than 33 metres in height

Table 26: Requirements and WorkSafe positions by height

4.5 Further, the basis for the depicted “trajectory” of an item that could fall from the top of a scaffolding structure and the distance at which it would hit the ground level is unclear.

4.6 Nonetheless, screening of scaffolds is a very common practice and included as part of WorkSafe Guidelines for managing hazards.

Approaches to scaffolding – Tower and Mobile Scaffolds

4.7 The diagram submitted by Mr Brown has been prepared to exemplify, from the perspective of KiwiRail, the space required in order to establish scaffolding for to comply with WorkSafe Guidelines for constructing tower and mobile scaffolding, which is described in Section 12.3 of the WorkSafe Guidelines. In paragraph 5.14 of Mr Brown's evidence, he summarises the WorkSafe Guidelines *only* for tower and mobile scaffolding.

4.8 It is unclear why only tower and mobile scaffolding have been referred to.

4.9 Section 12 of the Worksafe Guidelines provides for eight different types of scaffolding configurations (noting that the eight different scaffold configurations are examples of the main types of scaffolding and the

guidelines do not include an exhaustive list of all scaffolding types or systems).

- 4.10 As described in the WorkSafe Guidelines, the spatial extent required safely for establishing tower and mobile scaffolding may necessarily be larger than other types of scaffolding as they are particularly prone to tipping over while in use. For example, the guidance for tower and mobile scaffolding to reduce the risk of tipping is to maintain a height to width ratio so that the top working platform is no more than 3x the minimum base dimension.⁵⁶
- 4.11 As such, if the height required for the scaffold requires a minimum base dimension that cannot be established within the available space at ground-level, tower and mobile scaffold would not be a safe or appropriate configuration for that height, and another scaffold configuration would reasonably need to be considered in order to manage the tipping hazard.
- 4.12 Under section 3 and 4 of the WorkSafe Guidelines and HSE Regulation 53, a Scaffolder with a certificate of competence would be required in order to establish a scaffold, identify and manage the risks, and construct a scaffold which was safe and suitable for the working environment, in which all hazards have been identified and controlled. If that cannot be achieved with a tower or mobile scaffold, then one of the other types will be needed.
- 4.13 Ultimately, there are various configurations of scaffolding (including the use of ladders) in which a Scaffolder is responsible for ensuring is fit for purpose and all hazards have been managed. The Tower and Mobile scaffold configuration is just an example and does not account for the many other more appropriate configurations that would be established when managing hazards and site constraints.

- 4.14 It is further noted that a Permit to Enter is required from KiwiRail for working within 5m of a rail line.⁷ This is considered a much more appropriate permitting / consenting requirement when considering the risks to the safe and efficient operation of the rail network. As described above, there are a number of suitable options for managing scaffolding adjacent to the rail corridor where a Permit to Enter would not be required.
- 4.15 In paragraph 5.16, reference is made to potential equipment required for drainage works and other mobile height access equipment. As with scaffolding, there are a number of site-specific and practical solutions to undertake work within confined spaces. This is an inadequate reason to justify a blanket 5m setback from the rail corridor.
- 4.16 In paragraph 5.19 of Mr Brown's evidence, reference is made to the risks of spray from water blasting and potential consequences for drivers and electrified rail lines. This is speculative, but more significantly, how would that be any different from a light shower, let alone heavy rainfall?

Justification – s 77J

- 4.17 KiwiRail has sought a 5m yard setback on all boundaries abutting the rail corridor, and a Restricted Discretionary Activity Status for infringement of the standard. Within Hutt City, this has a considerable spatial application due to the multiple train lines running through the urban environment.
- 4.18 The proposed 5m setback makes the MDRS required by the RMA less enabling. Kiwirail has not provided the justification required by s 77J and has not explained how such a blanket setback is the least restriction necessary to accommodate whatever qualifying matter it considers it is relying on.
- 4.19 The proposed setback is for 5m from the rail corridor, and not the rail lines. The rail corridor varies in size, and the distance from property

⁷ <https://www.kiwirail.co.nz/assets/Uploads/Our-network/Access-the-corridor/Permit-to-Enter-Poster.jpg>

boundaries to the actual rail lines varies considerably, as shown in the Paragraph 5 of 'Memorandum of Counsel on Behalf of KiwiRail Holdings Ltd Providing Further Information Following Hearing'.

4.20 I note for completeness that reporting officers for other Wellington Territorial Authorities implementing the NPS-UD, including Wellington City Council⁸ and Kāpiti Coast District Council,⁹ have rejected 5m setback proposed by KiwiRail due to insufficient evidence to warrant such a large setback.

5. ASHLEY ROPER

5.1 The Panel sought feedback from Ms Williams and Mr Rae as to whether the built outcomes within the photos attached to the statement of Mr Ashley Roper would be possible under the planning framework provided by Kāinga Ora.

5.2 I preface this response by noting Kāinga Ora's limited knowledge of the development. For example, it is unclear where the site is (eg, the MDRAA or HDRAA), under what planning provisions it received consent (eg, was it under those recently introduced by PC43), the reasons for requiring consent (and therefore what the relevant matters of discretion were and the guiding provisions), and whether written approvals were provided in support of the application.

5.3 The density standards introduced by the MDRS provide the "development envelope" within which proposals will be designed. Where any of these are breached, the matters of discretion will frame the assessment that the Council will consider effects within, and over which conditions of consent can be placed to mitigate such effects.

5.4 In terms of onsite landscaping and provision of green space, Kāinga Ora supports the MDRS relating to outdoor living space, and landscaping across both the MDRAA and HDRAA. In addition, it supports the Council's recommendation that 30% of the site is comprised of permeable surfaces. It is unclear, based on the

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[Paragraph 547 – s42A Report – High Density Residential Zone](#)

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[Paragraph 263 – Council Reply – Andrew Banks](#)

information available, whether the examples provided by Mr Roper (photos 2, 3, and 4) meet these standards.

- 5.5 The MDRS include setbacks and height in relation to boundary standards that would enable buildings to be constructed in proximity to the side yard boundary – as shown in photo 4 of Mr Roper’s evidence. The planning framework recommended in the evidence of Ms Williams and Mr Rae would not alter this outcome, but the MDRS are mandatory.
- 5.6 Notwithstanding compliance with broader density standards, any residential development exceeding three units in the MDRAA and HDRAA would require resource consent, which will enable a design-based assessment to be undertaken by the Council.
- 5.7 Ms Williams has recommended in her evidence amendments to the matters of discretion relevant to the rule framework for developments comprising more than 3 units to ensure adequate consideration of relevant design based outcomes, including how a development responds to its interface with the street/public environment, and achieving quality living environments. This should avoid poor outcomes but that will depend on the quality of the consenting process.
- 5.8 To guide this assessment, Ms Williams’ evidence also recommends a new Policy 4F 3.2E (in the Medium Density Residential Activity Area) and replacement Policy 4G 3.10 (in the High Density Residential Activity Area) to ensure adequate direction is provided within the Plan around the key design outcomes that should be considered in the assessment of a development proposal and the design outcomes and living environments that residential developments should achieve.
- 5.9 This framework provides discretion to ensure provision of quality onsite amenity, including how a proposed development is respectful of neighbouring sites.

6. PLANNING MAPS

6.1 The additional maps sought are attached to this memorandum at Appendix B.

Date: 16 May 2023



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Nick Whittington

Appendix A

PLAN CHANGE 56 - KĀINGA ORA - TABLE WITH UPDATED POSITION ON SUBMISSIONS FOLLOWING S42A REPORT RECOMMENDATIONS

TABLE 1. Updated Position on Kāinga Ora Primary Submissions

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
206.1	Centres Hierarchy	Review the Centres hierarchy and commercial provisions in the Commercial and Mixed-Use zones to improve national and regional consistency to enable and support increased intensification across the district.	Reject	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and this matter will be reconciled through this process.	6.2.1 - Strategic direction
206.2	Extent of Centres Zone	Expand Centre Zoning to reflect an increase in intensification anticipated in and around centres and rapid transit stops	Reject	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and this matter will be reconciled through this process.	6.2.3 - Commercial and other AAs
206.3	Residential Intensification Standards in Centres	Expand residential intensification standards to reflect an increase in intensification anticipated in and around centres and rapid transit stops.	Reject	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and this matter will be reconciled through this process.	6.2.2 - Residential
206.4	Consequential Amendments	Undertake any consequential changes necessary across the District Plan to address the matters raised above (regarding the Centres Hierarchy, extent of Centre zoning, and residential intensification standards)	Other	Kāinga Ora accepts the s42A recommendation(s), noting a review of the centres hierarchy will occur as part of the upcoming full district plan review.	6.1.2 - Whole of plan change
206.5	District Plan Wide Standards	Amend standards across the plan to be proportionate to the building height changes sought in this submission.	Other	Kāinga Ora continues to seek this relief.	6.1.2 - Whole of plan change
206.6	District Plan Wide Standards	Undertake any consequential changes necessary across the District Plan to address the matters raised above (regarding building height changes)	Other	Kāinga Ora continues to seek this relief, where relevant to matters addressed through evidence.	6.1.2 - Whole of plan change
206.7	District Plan Wide Qualifying Matters – method	All qualifying matters and supporting overlay provisions be relocated to chapter(s) contained within District-Wide section of the District Plan.	Accept in part	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and this matter will be reconciled through this process.	6.1.5 - Structure and format
206.8	Qualifying Matters – Heritage	Retain as notified.	Accept in part	Agree with s42A recommendation	6.3.1 - Heritage
206.9	District Plan wide Reference to Design Guides and design guidelines	Kāinga Ora seeks the Design Guides and design guidelines are removed from within the District Plan and are treated as non-statutory tool, outside of the District Plan.	Reject	Kāinga Ora continues to seek this relief; although recognises that the full district plan review will consider this issue in greater detail. Kāinga Ora continues to seek design based guidance within the policy framework of the residential chapters, noting the medium density design guide is currently inadequate for the scale and form of intensification anticipated through PC56.	6.1.2 - Whole of plan change
206.10		Delete all references to the Design Guides and design guidelines.	Reject	Kāinga Ora continues to seek this relief – particularly in the MDRAA and HDRAA chapters.	6.1.2 - Whole of plan change
206.11		Where particular design outcomes are to be achieved, these should be specifically stated in matters of discretion or assessment.	Reject	Kāinga Ora continues to seek this relief – particularly in the MDRAA and HDRAA chapters.	6.1.2 - Whole of plan change
206.12		Kāinga Ora seeks the opportunity to review these guidelines if they are to remain a statutory document.	Reject	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and this matter will be reconciled through this process.	6.1.2 - Whole of plan change
206.13	Chapter 1 – 1.10.1A Urban Environment -	Retain as notified	Accept	Agree with s42A recommendation	6.2.1 - Strategic direction

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
	Objective				
206.14	Chapter 1 – 1.10.1A Urban Environment - Policy 1	Amendments sought to reflect the intensification outcomes sought within the broader submission of Kāinga Ora.	Accept in part	Kāinga Ora continues to seek this relief, where relevant to matters addressed through evidence.	6.2.1 - Strategic direction
206.15	Chapter 1 – 1.10.1A Urban Environment - Policy 2	Retain as notified	Accept	Agree with s42A recommendation	6.2.1 - Strategic direction
206.16	Chapter 1 – 1.10.1A Urban Environment - Policy 3	Retain as notified	Accept	Agree with s42A recommendation	6.2.1 - Strategic direction
206.17	Chapter 1 – 1.10.1A Urban Environment - Policy 4	Retain as notified	Accept	Agree with s42A recommendation	6.2.1 - Strategic direction
206.18	Chapter 1 – 1.10.1A Urban Environment Explanations and Reasons	Retain as notified	Accept	Agree with s42A recommendation	6.2.1 - Strategic direction
206.19	Chapter 1 - 1.10.2 Amenity Values - Objective 1	Retain as notified	Accept	Agree with s42A recommendation	6.2.1 - Strategic direction
206.20	Chapter 1 - 1.10.2 Amenity Values - Objective 2	Retain as notified	Accept	Agree with s42A recommendation	6.2.1 - Strategic direction
206.21	Chapter 1 - 1.10.2 Amenity Values - Policy	Amendments sought	Reject	Noted and accept s42A recommendation. No longer being pursued.	6.2.1 - Strategic direction
206.22	Chapter 1 -1.10.3 Residential Activity - Policy 1	Amendments sought to reflect the intensification outcomes sought in the MDRAA and HDRAA	Accept in part	Agree with s42A recommendation	6.2.1 - Strategic direction
206.23	Chapter 1 -1.10.3 Residential Activity - Policy 2	Retain as notified	Accept	Agree with s42A recommendation	6.2.1 - Strategic direction
206.24	Chapter 1 -1.10.3 Residential Activity Explanation	Retain as notified	Accept in part	Agree with s42A recommendation	6.2.1 - Strategic direction
206.25	Chapter 1 -1.10.4 - Commercial Activity - Policy & explanation	Amendments sought	Reject	Noted and accept s42A recommendation. No longer being pursued.	6.2.1 - Strategic direction
206.26	Chapter 1 - 1.10.10 Heritage Policy (c)	Retain as notified	Accept	Agree with s42A recommendation	6.3.1 - Heritage
206.27	Chapter 1 – 1.10.11 Lessening Natural Hazards Flood Hazard Overlay	Remove natural hazard flooding overlay(s) from the District Plan statutory maps, and instead hold this information in non-statutory GIS maps.	Reject	Kāinga Ora continues to seek this relief, where relevant to matters addressed through evidence.	6.2.1 - Strategic direction
206.28	Chapter 1 –	Create of new definitions to <i>identify</i> flood hazards in the Plan.	Reject	Kāinga Ora continues to seek this relief, where relevant to	

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
206.29	1.10.11 Lessening Natural Hazards	Amend rule framework to enable rules to be linked to newly defined terms of Flood Hazards.		matters addressed through evidence.	6.2.1 - Strategic direction
206.30	Flood Hazard Overlay	Revise reference throughout plan from “flood hazard overlays” to “flood hazard areas”.			
206.31		Consequential changes to give effect to this submission (regarding the flood hazard submission points above), including addition of definitions below,			
206.32	Chapter 3 – Definitions	Add new definition for “Flood hazard – Stream corridor”	Reject	Kāinga Ora continues to seek this relief, where relevant to matters addressed through evidence. Kāinga Ora has not pursued through evidence a definition of a 1% annual exceedance probability flood, as this was not considered necessary to the rule framework.	6.1.7 - Definitions
206.33		Add new definition for “Flood hazard – Overland flowpath”			
206.34		Add new definition for “Flood hazard – Inundation”			
206.35		Add new definition for “High hazard area”			
206.36		Add new definition for “1% Annual exceedance probability flood”			
206.37	Chapter 1 – 1.10.11 Lessening Natural Hazards - Objective	Amendments sought	Reject	Noted and accept s42A recommendation. No longer being pursued.	6.2.1 - Strategic direction
206.38	Chapter 1 – 1.10.11 Lessening Natural Hazards - Policy	Amendments sought	Reject	Noted and accept s42A recommendation. No longer being pursued.	6.2.1 - Strategic direction
206.39	Chapter 1 – 1.10.11 Lessening Natural Hazards - Explanation and Reasons – Flood Hazard	Amendments Sought to <i>Flood Hazard</i> section	Reject	Kāinga Ora continues to seek this relief, where relevant to matters addressed through evidence.	6.2.1 - Strategic direction
206.40	Chapter 3 - Definitions Construction	Amendments sought	Reject	Noted and accept s42A recommendation. No longer being pursued.	6.1.7 - Definitions
206.41	Chapter 3 - Definitions Net Site Area	Retain as notified	Accept	Agree with s42A recommendation	6.1.7 - Definitions
206.42	Chapter 3 - Definitions Rapid Transit Stop	Retain as notified	Accept	Agree with s42A recommendation	6.1.7 - Definitions
206.43	Chapter 3 - Definitions Rapid Transit Stop	Retain as notified	Accept	Agree with s42A recommendation	6.1.7 - Definitions
206.44	Chapter 4 - Residential Mapping	Kāinga Ora seeks amendments to the planning maps to reflect the amendments sought to the commercial centres, centres hierarchy, and increased intensification of the HDRAA and MDRAA to better achieve well functioning urban environments and national and regional consistency.	Reject	Kāinga Ora continues to seek this relief, in part, where relevant to matters addressed through evidence. Kāinga Ora notes that the upcoming district plan review will more appropriately consider the full centres hierarchy. Scale of intensification being sought by Kāinga Ora has been refined and reduced, as described elsewhere in this table and within evidence of experts.	6.2.2 - Residential
206.45	Chapter 4 - Residential Mapping	The key changes sought are outlined in Appendix 2 of the submission.	Accept in part	Kāinga Ora continues to seek this relief, in part, where relevant to matters addressed through evidence.	6.2.2 - Residential
206.46	Chapter 4 - Residential Mapping	Seeks expansion of the HDRAA to apply to areas that are generally: i. Within a 15min/1200m walkable catchment from the edge of	Accept in part	Kāinga Ora continues to seek this relief, in part, where relevant to matters addressed through evidence.	6.2.2 - Residential

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
		<p>the city centre;</p> <p>ii. Increase the maximum height to 43m (12 storeys) within a 400m/5-10min walkable catchment from the city centre, demonstrated with a Height Variation Control overlay;</p> <p>Increase the maximum height to 29m (eight storeys) within a 800m/10min walkable catchment from the city centre, demonstrated with a Height Variation Control overlay;</p> <p>iv. Seek for the expansion of the HDRAA in 10min/800m walkable catchment from the edge of Petone Mixed Commercial Activity Areas;</p> <p>v. Increase the maximum heights to 36m (10 storeys) within a 400m/5-10min walkable catchment of the Petone commercial centre, demonstrated with a Height Variation Control overlay;</p> <p>vi. Seek for the expansion of the HDRAA in 10min/800m walkable catchment from rapid transit stops;</p> <p>vii. Seek for the expansion of the HDRAA in 10min/800m walkable catchment around the Suburban Mixed Use Activity Areas in Waterloo and Naenae; and</p> <p>iii. Increase the maximum heights to 29m (eight storeys) within a 400m/5-10min walkable catchment of the Waterloo and Naenae commercial areas, demonstrated with a Height Variation Control.</p>		<p>Kāinga Ora has reduced the areas in which it is seeking additional height through the HVC. It is no longer seeking additional height in the following scenarios:</p> <ul style="list-style-type: none"> • Where land is located within areas identified as being subject to a high coastal hazard (to align with NZCPS). In this case, Kāinga Ora is not proposing any additional intensification south of Jackson Street (Petone). This is based off the current modelling in PC56 of the high coastal hazard area. Kāinga Ora note that if the high hazard area is required to be extended inland, then the area subject to the additional height control should be modified/removed accordingly. • 43m within 400m of city centre (this has been reduced to 36m – consistent with how Kāinga Ora applies intensification around Metropolitan Centres) • 29m within 400-800m of city centre • 29m within 400m of Naenae and Waterloo centres 	
206.47	Chapter 4 - Residential Mapping	Rezone the residential areas surrounding the centres of Eastbourne, Stokes Valley, and Wainuiomata to MDRAA.	Reject	Kāinga Ora continues to seek this relief. Addressed in evidence of Kāinga Ora experts. This rezoning is sought in implementing Policy 3(d) of the NPS-UD.	6.2.2 - Residential
206.48	Chapter 4 - Residential Mapping	Apply a Height Variation Control of 18m height limit over the residential areas within a 5- 10min/400m walkable catchment of these centres – Eastbourne, Stokes Valley and Wainuiomata.	Reject	<p>Kāinga Ora continues to seek this relief. Addressed in evidence of Kāinga Ora experts. This outcome is sought in implementing Policy 3(d) of the NPS-UD.</p> <p>NB. Kāinga Ora has reduced the areas in which it is seeking additional height through the HVC and does not seek additional height in locations which are identified through PC56 as being subject to high coastal hazard areas – for example to the South of Jackson Street, Moera, and in parts of Eastbourne.</p>	6.2.2 - Residential
206.49	Chapter 4 - Residential Mapping	Apply the introduced Height Variation Control over residential areas within 400m of other identified centres – in Appendix 2. These are centres on Elizabeth Street, Burnside & Lockett streets, and Stelin & High streets.	Reject	Noted and accept s42A recommendation. The 18m height variation is no longer being pursued in these locations.	6.2.2 - Residential
206.50	Chapter 4 - Residential Mapping	Accept all changes sought from Kāinga Ora to the planning maps as shown in Appendix 2 of the submission.	Accept in part	<p>Kāinga Ora continues to seek this relief, in part, where relevant to matters addressed through evidence.</p> <p>The extent of intensification sought in the submission has been reduced and refined through evidence.</p>	6.2.2 - Residential
206.51	Chapter 4 - Residential Mapping	Other than the changes sought in this submission and in Appendix 2 of the submission, retain the zoning as notified.	Accept in part	Noted and accept s42A recommendation. There are locations where Kāinga Ora would recommend further reductions, such as to the west of SH2.	6.2.2 - Residential
206.52	Chapter 4 - Residential Mapping	Consequential amendments may be required to give effect to the changes sought and this submission.	Other	Kāinga Ora continues to seek this relief.	6.1.2 - Whole of plan change

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
206.53	Chapter 4 - Residential Opening paragraphs	Amendments sought to Medium Density Residential Activity Area and High Density Residential Activity Area sections of the introduction paras.	Accept in part	Kāinga Ora continues to seek this relief, in part, where relevant to matters addressed through evidence.	6.2.2 - Residential
206.54	Chapter 4A – General Residential Activity Area - Entire chapter	Delete as proposed	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.55	Chapter 4B – Special Residential Activity Area - Entire chapter	Delete as proposed	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.56	Chapter 4C – Historic Residential Activity Area - Entire chapter	Delete as proposed	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.57	Chapter 4F – 4F 1 Introduction/ Zone Statement	Amendments sought to introduction paras.	Accept in part	Kāinga Ora continues to seek this relief, in part, where relevant to matters addressed through evidence.	6.2.2 - Residential
206.58	Chapter 4F – 4F 1 Introduction/ Zone Statement	Move design guides outside the plan to be non- statutory documents.	Accept in part	Kāinga Ora continues to seek this relief, in part, where relevant to matters addressed through evidence.	6.2.2 - Residential
206.59	Chapter 4F – Objective 4F 2.1AA	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.60	Chapter 4F – Objective 4F 2.3	Amendments sought	Reject	Noted and accept s42A recommendation. No longer being pursued.	6.2.2 - Residential
206.61	Chapter 4F – Objective 4F 2.3A	Amendments sought	Reject	Kāinga Ora continues to seek refinements - addressed in evidence of Ms Williams	6.2.2 - Residential
206.62	Chapter 4F – Objective 4F 2.3AA	Amendments sought to recognise that a greater intensity of built form (4-5 storeys) is provided for around identified centres	Reject	Kāinga Ora continues to seek this relief. Addressed in evidence of Kāinga Ora experts	6.2.2 - Residential
206.63	Chapter 4F – Objective 4F 2.5	Retain as notified	Accept in part	Agree with s42A recommendation	6.2.2 - Residential
206.64	Chapter 4F – Objective 4F 2.8	Retain as notified.	Accept	Agree with s42A recommendation	6.3.3 - Sites of significance to Māori
206.65	Chapter 4F – Policy 4F 3.2	Amendments sought	Accept in part	Agree with s42A recommendation but seek a new policy to achieve relief sought (Policy 4F 3.2F in Ms Williams' evidence)	6.2.2 - Residential
206.66	Chapter 4F – Policy 4F 3.2A	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.67	Chapter 4F – Policy 4F 3.2B	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.68	Chapter 4F – Policy 4F 3.2C	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.69	Chapter 4F – Policy 4F 3.2D	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.70	Chapter 4F – Policy 4F 3.2E	Amendments sought to introduce a new policy outlining design based principles.	Reject	Kāinga Ora continues to seek this relief; although the relief sought has been refined through evidence of Ms Williams.	6.2.2 - Residential
206.71	Chapter 4F –	Insert design guidance directly into matters of discretion for the rule.	Reject	Kāinga Ora continues to seek this relief. Addressed in evidence	6.2.2 - Residential

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
	Policy 4F 3.2E			of Kāinga Ora experts	
206.72	Chapter 4F – Policy 4F 3.3	Retain as notified	Accept in part	Agree with s42A recommendation	6.2.2 - Residential
206.73	Chapter 4F – Policy 4F 3.4 Policy 4F 3.5	Delete as proposed	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.74	Chapter 4F – Policy 4F 3.6	Amendments sought	Accept in part	Agree with s42A recommendation	6.2.2 - Residential
206.75	Chapter 4F – Policy 4F 3.7	Delete as proposed	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.76	Chapter 4F – Policy 4F 3.8	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.77	Chapter 4F – Policy 4F 3.10	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.78	Chapter 4F – Policy 4F 3.13	Retain as notified	Accept	Agree with s42A recommendation	6.3.3 - Sites of significance to Māori
206.79	Chapter 4F – Rules 4F 4.1.1 to 4F 4.1.10	Retain as notified	Accept in part	Agree with s42A recommendation	6.2.2 - Residential
206.80	Chapter 4F – Rule 4F 4.11 Vegetation Removal	Delete entire proposed rule and replace with a permitted activity rule.	Reject	Noted and accept s42A recommendation. No longer being pursued.	6.2.2 - Residential
206.81	Chapter 4F – Rule 4F 4.2.1AA Number of Residential Units per Site	Amendments sought to rule framework	Accept in part	Kāinga Ora continues to seek this relief, although the extent to which changes are sought has been refined in the evidence of Ms Williams.	6.2.2 - Residential
206.82	Chapter 4F – Rule 4F 4.2.1AA Number of Residential Units per Site	Retain non-notification clauses.	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.83	Chapter 4F – Rule 4F 4.2.1 Building Coverage	Amendments sought to: <ul style="list-style-type: none"> Matters of discretion Removing reference to the assessment against the Medium Density Design Guide 	Reject	Kāinga Ora continues to seek this relief. Addressed in evidence of Kāinga Ora experts	6.2.2 - Residential
206.84					
206.86	Chapter 4F – Rule 4F 4.2.2 Building height	Amendment sought to enable heights of 18m through a Height Variation Control in identified locations	Reject	Kāinga Ora continues to seek this relief as it relates to Eastbourne, Wainuiomata, and Stokes Valley. Addressed in evidence of Kāinga Ora experts	6.2.2 - Residential
206.87		Amendments sought to: <ul style="list-style-type: none"> Matters of discretion Removing reference to the assessment against the Medium Density Design Guide 	Reject	Kāinga Ora continues to seek this relief. Addressed in evidence of Kāinga Ora experts	6.2.2 - Residential
206.88					
206.89					
206.90		Retain preclusion for public notification.	Accept	Agree with s42A recommendation	6.2.2 - Residential

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
206.91 206.92	Chapter 4F – Rule 4F 4.2.3 Height in relation to boundary	Amendment sought for a more enabling HIRB in locations where 18m height limit is to apply	Reject	Kāinga Ora continues to seek this relief. Addressed in evidence of Kāinga Ora experts	6.2.2 - Residential
206.93 206.94		Amendments sought to: <ul style="list-style-type: none"> Matters of discretion Removing reference to the assessment against the Medium Density Design Guide 	Reject	Kāinga Ora continues to seek this relief. Addressed in evidence of Kāinga Ora experts	6.2.2 - Residential
206.95		Retain preclusion for public notification.	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.96 206.97 206.98		Chapter 4F – Rule 4F 4.2.4 Setbacks	Amendments sought to: <ul style="list-style-type: none"> Matters of discretion Removing reference to the assessment against the Medium Density Design Guide 	Reject	Kāinga Ora continues to seek this relief. Addressed in evidence of Kāinga Ora experts
206.99	Retain preclusion for public notification.		Accept	Agree with s42A recommendation	6.2.2 - Residential
206.100	Chapter 4F – Rule 4F 4.2.4A Height in Relation to Boundary and Setbacks for Sites Abutting Marae in the Community Iwi Activity Area	Retain as notified.	Accept	Agree with s42A recommendation	6.3.3 - Sites of significance to Māori
206.101 206.102	Chapter 4F – Rule 4F 4.2.5 Permeable Surface	Amendments sought to: <ul style="list-style-type: none"> Matters of discretion Removing reference to the assessment against the Medium Density Design Guide 	Reject	Kāinga Ora continues to seek this relief. Addressed in evidence of Kāinga Ora experts	6.2.2 - Residential
		Introduce preclusion clause for limited notification	Accept	Kāinga Ora continues to seek this relief.	6.2.2 - Residential
206.103 206.104	Chapter 4F – Rule 4F 4.2.6 Outdoor Living Space	Delete: <ol style="list-style-type: none"> 4F 4.2.6(b)(iii) (list of design elements) Reference to assessment being made against the design guide 	Reject	Kāinga Ora continues to seek this relief. Addressed in evidence of Kāinga Ora experts	6.2.2 - Residential
		Introduce preclusion clause for limited notification	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.105	Chapter 4F – Rule 4F 4.2.7 Accessory Building	Introduce preclusion clause for public notification.	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.106	Chapter 4F – Rule 4F 4.2.8 Screening and storage	Delete: <ol style="list-style-type: none"> 4F 4.2.8(b)(iii) (list of design elements) Reference to assessment being made against the design guide 	Reject	Kāinga Ora continues to seek this relief. Addressed in evidence of Kāinga Ora experts	6.2.2 - Residential
206.107 206.108	Chapter 4F – Rule 4F 4.2.11 Outlook Space (per unit)	Delete: <ol style="list-style-type: none"> 4F 4.2.8(b)(iii) (list of design elements) Reference to assessment being made against the design guide 	Reject	Kāinga Ora continues to seek this relief. Addressed in evidence of Kāinga Ora experts	6.2.2 - Residential
		Introduce preclusion clause for limited notification	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.109 206.110	Chapter 4F – Rule 4F 4.2.12 Windows to Street	Delete: <ol style="list-style-type: none"> 4F 4.2.12(b)(iii) (list of design elements) Reference to assessment being made against the design guide 	Reject	Kāinga Ora continues to seek this relief. Addressed in evidence of Kāinga Ora experts	6.2.2 - Residential
		Introduce preclusion clause for limited notification	Reject	Kāinga Ora continues to seek this relief. Addressed in evidence of Kāinga Ora experts	6.2.2 - Residential

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
206.111	Chapter 4F – Rule 4F 4.2.13 Landscaped Area	Delete: 1. 4F 4.2.13(b)(ix) (list of design elements) 2. Reference to assessment being made against the design guide	Reject	Kāinga Ora continues to seek this relief. Addressed in evidence of Kāinga Ora experts	6.2.2 - Residential
206.112		Introduce preclusion clause for limited notification.	Reject	Kāinga Ora continues to seek this relief. Addressed in evidence of Kāinga Ora experts	6.2.2 - Residential
206.113	Chapter 4F 5 – 4F 5.1 Residential Heritage Precinct	1. Change to the boundary of the proposed heritage area HA-09 2. Change the title of heritage area HA-09 to Petone State Flats Housing Area	Reject	Kāinga Ora continues to seek this relief. Addressed in evidence of Kāinga Ora experts	6.3.1 - Heritage
206.114					
206.115	Chapter 4F 5 – 4F 5.1 Residential Heritage Precinct	Change to an overlay, not as a precinct.	Reject	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and this matter will be reconciled through this process.	6.2.2 - Residential
206.116	Chapter 4F 5 – 4F 5.1 Residential Heritage Precinct	Relocate provisions and rules to the District-wide chapter, rather than being located within the residential chapters	Reject	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and this matter will be reconciled through this process.	6.2.2 - Residential
206.117	Chapter 4F 5 – 4F 5.1 Residential Heritage Precinct	Change the activity status of demolition of buildings from permitted to discretionary.	Reject	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and this matter will be reconciled through this process.	6.3.1 - Heritage
206.118	Chapter 4F 5 – 4F 5.1 Residential Heritage Precinct	Make any consequential amendments to give effect to this submission and the relief/s sought.	Other	Kāinga Ora continues to seek this relief.	6.1.2 - Whole of plan change
206.119	Chapter 4G – High Density Residential Activity Area Mapping	Seeks amendments to the planning maps to reflect the amendments sought to the commercial centres, centres hierarchy, and increased intensification of the HDRAA and MDRAA to better achieve well-functioning urban environments and national and regional consistency.	Accept in part	Kāinga Ora continues to seek this relief; although the extent and scope of changes sought have been reduced and refined – as addressed in the evidence of Kāinga Ora experts. Key refinements in what is now being pursued relate to reductions in the scale of intensification sought around the city centre, and in proximity to Naenae and Waterloo. Kāinga Ora has reduced the areas in which it is seeking additional height through the HVC. It is no longer seeking additional height in the following scenarios: <ul style="list-style-type: none">Where land is located within areas identified as being subject to a high coastal hazard (to align with NZCPS). In this case, Kāinga Ora is not proposing any additional intensification south of Jackson Street (Petone). This is based off the current modelling in PC56 of the high coastal hazard area. Kāinga Ora note that if the high hazard area is required to be extended inland, then the area subject to the additional height control should be modified/removed accordingly.43m within 400m of city centre (this has been reduced to 36m – consistent with how Kāinga Ora applies intensification around Metropolitan Centres)29m within 400-800m of city centre29m within 400m of Naenae and Waterloo centres	6.2.2 - Residential
206.120		The key changes sought are outlined in Appendix 2.			
206.121		Seek expansion of the HDRAA and intensification within as follows: i. 15min/1200m walkable catchment from the edge of the city centre; ii. Increase the maximum height to 43m (12 storeys) within a 400m/5- 10min walkable catchment from the city centre, demonstrated with a Height Variation Control overlay; iii. Increase the maximum height to 29m (eight storeys) within a 800m/10min walkable catchment from the city centre, demonstrated with a Height Variation Control overlay; iv. 10min/800m walkable catchment from the edge of Petone Mixed Commercial Activity Areas; v. Increase the maximum heights to 36m (10 storeys) within a 400m/5-10min walkable catchment of the Petone commercial centre; demonstrated with a Height Variation Control overlay; vi. 10min/800m walkable catchment from rapid transit stops; vii. 10min/800m walkable catchment around the Suburban Mixed Use Activity Areas in Waterloo and Naenae; and Increase the maximum heights to 29m (eight storeys) within a 400m/5-10min walkable catchment of the Waterloo and Naenae commercial areas, demonstrated with a Height Variation Control.			

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
206.122	Chapter 4G – Mapping	viii.Rezone the residential areas surrounding the centres of Eastbourne, Stokes Valley, and Wainuiomata to MDRAA.	Reject	Kāinga Ora continues to seek this relief. Addressed in evidence of Kāinga Ora experts. This outcome is sought in implementing Policy 3(d) of the NPS-UD.	6.2.2 - Residential
206.123	Chapter 4G – Mapping	Apply a Height Variation Control of 18m height limit over the residential areas within a 5- 10min/400m walkable catchment of these centres – Eastbourne, Stokes Valley and Wainuiomata.	Reject	Kāinga Ora continues to seek this relief. Addressed in evidence of Kāinga Ora experts. This outcome is sought in implementing Policy 3(d) of the NPS-UD. NB. Kāinga Ora has reduced the areas in which it is seeking additional height through the HVC and does not seek additional height in locations which are identified through PC56 as being subject to high coastal hazard areas – for example parts of Eastbourne.	6.2.2 - Residential
206.124	Chapter 4G – Mapping	Apply the introduced Height Variation Control over residential areas within 400m of other identified centres – in Appendix 2. These are centres on Elizabeth Street, Burnside & Lockett Streets, and Stellin & High Streets.	Reject	Noted and accept s42A recommendation. The 18m height variation is no longer being pursued in these locations. Kāinga Ora recognises that HCC will undertake a review of its centres hierarchy through an upcoming plan review. Additional intensification in and around identified Local Centre Zones may be considered further by Kāinga Ora at that stage.	6.2.2 - Residential
206.125	Chapter 4G – Mapping	Accept all changes sought from Kāinga Ora to the planning maps as shown in Appendix 2 .	Accept in part	Kāinga Ora continues to seek this relief, in part, where relevant to matters addressed through evidence. The extent of intensification sought in the submission has been reduced and refined through evidence.	6.2.2 - Residential
206.126	Chapter 4G – Mapping	Other than the changes sought in this submission and in Appendix 2 , retain the zoning as notified	Accept in part	Noted and accept s42A recommendation. There are locations where Kāinga Ora would recommend further reductions, as per the evidence of Mr Rae, such as to the west of SH2.	6.2.2 - Residential
206.127	Chapter 4G – Mapping	Consequential amendments may be required to give effect to the changes sought and this submission.	Other	Kāinga Ora continues to seek this relief.	6.1.2 - Whole of plan change
206.128	Chapter 4G – Introduction/ Zone Statement	Amendments sought	Accept in part	Kāinga Ora continues to seek this relief, although relief sought is refined through evidence of Ms Williams.	6.2.2 - Residential
206.129	Chapter 4G – Objective 4G 2.1	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.130	Chapter 4G – Objective 4G 2.2	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.131	Chapter 4G – Objective 4G 2.3	Amendments sought	Reject	Kāinga Ora accepts the s42A recommendation	6.2.2 - Residential
206.132	Chapter 4G – Objective 4G 2.4	Amendments sought	Reject	Kāinga Ora continues to seek this relief; although the extent and scope of changes sought have been refined – as addressed in the evidence of Ms Williams and discussed further in Table 3 accompanying this table.	6.2.2 - Residential
206.133	Chapter 4G – Objective 4G 2.5	Amendments sought	Reject	Kāinga Ora accepts the s42A recommendation	6.2.2 - Residential
206.134	Chapter 4G – Objective 4G 2.6	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.135	Chapter 4G –	Retain as notified	Accept	Agree with s42A recommendation	6.3.3 - Sites of significance

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
	Objective 4G 2.7				to Māori
206.136	Chapter 4G – Objective 4G 2.8	Delete objective	Accept	Kāinga Ora continues to seek this relief	6.2.2 - Residential
206.137	Chapter 4G – Policy 4G 3.1	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.138	Chapter 4G – Policy 4G 3.2	Amendments sought	Reject	Kāinga Ora accepts the s42A recommendation	6.2.2 - Residential
206.139	Chapter 4G – Policy 4G 3.3	Retain as notified	Accept	Kāinga Ora considers changes to this policy are necessary as addressed in the evidence of Ms Williams and discussed further in Table 3 accompanying this table.	6.2.2 - Residential
206.140	Chapter 4G – Policy 4G 3.4	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.141	Chapter 4G – Policy 4G 3.5	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.142	Chapter 4G – Policy 4G 3.6	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.143	Chapter 4G – Policy 4G 3.7	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.144	Chapter 4G – Policy 4G 3.8	Amendments sought	Reject	Kāinga Ora continues to seek this relief; although the extent and scope of changes sought have been refined – as addressed in the evidence of Ms Williams.	6.2.2 - Residential
206.145	Chapter 4G – Policy 4G 3.9	Delete policy	Accept in part	Kāinga Ora agrees with the recommended change to remove reference to “maintenance” of amenity, however Kāinga Ora continues to seek the removal of this entire policy.	6.2.2 - Residential
206.146	Chapter 4G – Policy 4G 3.10	Amendments sought	Reject	Kāinga Ora continues to seek this relief; although the extent and scope of changes sought have been refined – as addressed in the evidence of Ms Williams.	6.2.2 - Residential
206.147	Chapter 4G – Policy 4G 3.10	Amendments sought	Accept in part	Kāinga Ora continues to seek this relief	6.2.2 - Residential
206.148	Chapter 4G – Policy 4G 3.11	Amendments sought	Accept in Part	Kāinga Ora accepts the s42A recommendation	6.2.2 - Residential
206.149	Chapter 4G – Policy 4G 3.12	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.150	Chapter 4G – Policy 4G 3.13	Amendments sought	Accept in part	Kāinga Ora accepts the s42A recommendation	6.2.2 - Residential
206.151	Chapter 4G – Policy 4G 3.14	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.152	Chapter 4G – Policy 4G 3.15	Retain as notified	Accept	Agree with s42A recommendation	6.3.3 - Sites of significance to Māori
206.153	Chapter 4G – Policy 4G 3.16	Deletion of policy sought	Accept in part	Kāinga Ora accepts the s42A recommendation	6.2.2 - Residential
206.154	Chapter 4G – Rules 4G 4.1.1	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
206.155	Chapter 4G – Rules 4G 4.1.2	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.156	Chapter 4G – Rules 4G 4.1.3	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.157	Chapter 4G – Rules 4G 4.1.4	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.158	Chapter 4G – Rules 4G 4.1.5	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.159	Chapter 4G – Rules 4G 4.1.6	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.160	Chapter 4G – Rules 4G 4.1.7	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.161	Chapter 4G – New Rule 4G 4.1.X	Introduce a new Permitted Activity Rule for community gardens (with consequential new definition)	Reject	Kāinga Ora accepts the s42A recommendation	6.2.2 - Residential
206.162	Chapter 4G – New Rule 4G 4.1.XX	Introduce a new Restricted Discretionary Activity Rule for Commercial Activities (up to 200m ² at ground floor of apartment buildings)	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts.	6.2.2 - Residential
206.163	Chapter 4G – Rules 4G 4.1.8 to 4G 4.1.10	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.164	Chapter 4G – Rule 4G 4.11 Vegetation Removal	Seek permitted activity status	Reject	Kāinga Ora accepts the s42A recommendation	6.2.2 - Residential
206.165	Chapter 4G – Rule 4G 4.2.1 Number of Residential Units per Site	Amendments sought to rule framework	Accept in part	<p>Kāinga Ora continues to seek this relief, although the extent to which changes are sought has been refined in the evidence of Ms Williams.</p> <p>Kāinga Ora sought a replacement rule in the submission, which was consistent with what was sought in High Density Residential Zones nationwide.</p> <p>Ms Williams has recommended refinements in Appendix A of evidence to align the rule more with the style and structure of that proposed by Council. Ms Williams supports a rule framework that applies where 4+ units are proposed, consistent with the MDRS, to enable a design based assessment to be undertaken.</p> <p>Changes proposed within Ms Williams' Appendix A have been developed in consultation with Mr Rae with regard to the relevant matters of discretion. These link back to the proposed amended Policy 4G 3.10.</p>	6.2.2 - Residential
206.166	Chapter 4G – Rule 4G 4.2.1 Number of Residential Units per Site	Amendments sought to rule framework, including matters of discretion and notification preclusion	Reject	Kāinga Ora continues to seek this relief, as refined in the evidence of Ms Williams.	6.2.2 - Residential
206.167	Chapter 4G –	Amendments sought to:	Reject	Kāinga Ora continues to seek this relief – as addressed in the	6.2.2 - Residential

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section	
206.168	Rule 4G 4.2.2 Building Coverage	<ul style="list-style-type: none"> Matters of discretion Removing reference to the assessment against the Medium Density Design Guide 		evidence of Kāinga Ora experts.		
206.169		Retain public notification preclusion.	Accept			
206.170	Chapter 4G – Rule 4G 4.2.3 Building height	Amendments sought to enable greater heights in areas identified for greater intensification	Reject	<p>Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts.</p> <p>NB. Kāinga Ora has reduced the areas in which it is seeking additional height through the HVC. It is no longer seeking additional height in the following scenarios:</p> <ul style="list-style-type: none"> Where land is located within areas identified as being subject to a high coastal hazard (to align with NZCPS). In this case, Kāinga Ora is not proposing any additional intensification south of Jackson Street (Petone). This is based off the current modelling in PC56 of the high coastal hazard area. Kāinga Ora note that if the high hazard area is required to be extended inland, then the area subject to the additional height control should be modified/removed accordingly. 43m within 400m of city centre (this has been reduced to 36m – consistent with how Kāinga Ora applies intensification around Metropolitan Centres) 29m within 400-800m of city centre 29m within 400m of Naenae and Waterloo centres. 	6.2.2 - Residential	
206.171		Increase maximum height around Naenae and Waterloo Commercial Activity Areas to 29m	Accept in part	Kāinga Ora accepts the s42A recommendation. Kāinga Ora is not pursuing additional height in the residential environment surrounding Naenae and Waterloo.		6.2.1 - Strategic direction
206.174		Retain public notification preclusion.	Accept	Agree with s42A recommendation		6.2.2 - Residential
206.175	Chapter 4G – Rule 4G 4.2.4 Height in relation to boundary	Amendments sought to provide a more flexible HIRB control (19m + 60° within 22m of the road frontage; 8m + 60° beyond this, and 4m + 60° on sites adjacent to MDRAA and heritage/SASM sites)	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.2.2 - Residential	
206.176		Amendments sought to:	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts		
206.177		<ul style="list-style-type: none"> Matters of discretion Removing reference to the assessment against the Medium Density Design Guide 				
206.178		Retain public notification preclusion.	Accept	Agree with s42A recommendation		
206.179						
206.180	Chapter 4G - Rule 4G 4.2.5 Setbacks	Amendments sought to remove 1.5m front yard requirement	Reject	Kāinga Ora accepts the s42A recommendation	6.2.2 - Residential	
206.181		Amendments sought to:	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts		
206.182		<ul style="list-style-type: none"> Matters of discretion Removing reference to the assessment against the Medium Density Design Guide 				
206.183		Seek preclusion of limited notification for breach to front yard aspect of this rule (if relief sought to delete front yard setback is not accepted)	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.2.2 - Residential	
206.184	Chapter 4G – Rule 4G 4.2.6 HIRB + Setbacks for	Retain as notified.	Accept	Agree with s42A recommendation	6.3.3 - Sites of significance to Māori	

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
	Sites Abutting Marae in the Community Iwi Activity Area				
206.185	Chapter 4G – Rule 4G 4.2.7 Permeable Surface	Delete the rule in its entirety.	Reject	Kāinga Ora accepts the s42A recommendation	6.2.2 - Residential
206.186	Chapter 4G – Rule 4G 4.2.8 Outdoor Living Space	Replace standard with alternative better suited to high density development (aligned with standard proposed by Porirua City Council)	Reject	Kāinga Ora accepts the s42A recommendation. Kāinga Ora is not pursuing the changes it sought in the submission to achieve alignment with PCC framework.	6.2.2 - Residential
206.187		Remove reference to assessment being made against the design guide	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.2.2 - Residential
206.188		Expand notification preclusion clause to also apply to limited notification.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.2.2 - Residential
206.189	Chapter 4G – Rule 4G 4.2.9 Accessory Building	Introduce: Preclusion clause for public notification.	Accept	Kāinga Ora accepts the s42A recommendation	6.2.2 - Residential
206.190	Chapter 4G – Rule 4G 4.2.10 Screening and storage	Delete: 1. 4G 4.2.10(b)(v) (list of design elements) 2. Reference to assessment being made against the design guide	Reject	Kāinga Ora continues to seek this relief for consistency with wider relief sought on these issues	6.2.2 - Residential
206.191	Chapter 4G – Rule 4G 4.2.11 Demolition	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.192	Chapter 4G – Rule 4G 4.2.12 Stormwater Retention	Retain as notified	Accept	Agree with s42A recommendation	6.2.2 - Residential
206.193	Chapter 4G – Rule 4G 4.2.13 Outlook Space (per unit)	Delete reference to assessment being made against the design guide	Reject	Kāinga Ora continues to seek this relief for consistency with wider relief sought on these issues	6.2.2 - Residential
206.194		Introduce preclusion clause for limited notification.	Accept	Agree with s42A recommendation	
206.195	Chapter 4G – Rule 4G 4.2.14 Windows to Street	Delete: 1. 4G 4.2.14(b)(iii) (list of design elements) 2. Reference to assessment being made against the design guide	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.2.2 - Residential
206.196		Introduce preclusion clause for limited notification.	Reject		
206.197	Chapter 4G – Rule 4F 4.2.13 Landscaped Area	Delete: 1. 4G 4.2.15(b)(viii) (list of design elements) 2. Reference to assessment being made against the design guide	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.2.2 - Residential
206.198		Introduce preclusion clause for limited notification.			
206.199	Chapter 4G 5 – 4G 5.2 Residential Heritage Precinct	Relocate provisions and rules to a District wide chapter, rather than being located within the residential chapters, with all relevant consequential changes.	Reject	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and this matter will be reconciled through this process.	6.2.2 - Residential
206.200	Chapter 4G 5 – 4G 5.2 Residential Heritage Precinct	Change the provisions to an overlay instead of a precinct in the Plan.	Reject	Kāinga Ora continues to seek this relief	6.2.2 - Residential
206.201	Chapter 4G 5 – 4G 5.2	Change to the boundary of the proposed heritage area HA-09	Reject	Kāinga Ora continues to seek this relief – as addressed in the	6.2.2 - Residential

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
	Residential Heritage Precinct	(consistent with the amendments shown on the map attached at Appendix 2).		evidence of Kāinga Ora experts	
206.202		(a) Change the title of heritage area HA-09 to: Petone State Flats Housing Area	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.2.2 - Residential
206.203		Kāinga Ora seeks the exclusion of 2-6 East St. and 82 Adelaide St.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.1 - Heritage
206.204		Seeks the exclusion of the star-flats at 80 Adelaide St.	Reject		6.3.1 - Heritage
206.205		Seeks the exclusion of 81-89 Adelaide St.	Reject		6.3.1 - Heritage
206.206	Commercial Centres hierarchy	Review the Centres hierarchy and commercial and residential intensification provisions in the Commercial (Centres) and Mixed-Use zones to improve national and regional consistency and increase density and heights across the board.	Reject	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and this matter will be reconciled through this process.	6.2.3 - Commercial and other AAs
206.207	Commercial Centres hierarchy	Expand Centre Zoning and residential intensification standards to reflect an increase in intensification anticipated in and around centres and rapid transit stops, and where necessary introduce new chapters.	Reject	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and this matter will be reconciled through this process.	6.2.3 - Commercial and other AAs
206.208	Commercial Centres hierarchy	The revised centres hierarchy would then translate into an updated centres zoning framework, with clear objectives in each zone stating the intended role and purpose and articulating the planned built urban environment for each zone.	Reject	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and this matter will be reconciled through this process.	6.2.3 - Commercial and other AAs
206.209	Commercial Centres hierarchy	Undertake any consequential changes necessary across Plan Change 56 to address the matters raised above.	Other	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and this matter will be reconciled through this process.	6.1.2 - Whole of plan change
206.210	Chapter 5 Commercial Introduction	Amendments sought	Accept in part	Kāinga Ora accepts the s42A recommendation(s)	6.2.3 - Commercial and other AAs
206.211					
206.212	Chapter 5A Policy of 5A 1.1.1	Retain as notified	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.213	Chapter 5A Explanation and Reasons of section 5A 1.1.1 Capacity of the Central Commercial Activity Area	Amendments sought	Reject	Kāinga Ora accepts the s42A recommendation(s)	6.2.3 - Commercial and other AAs
206.214	Chapter 5A - Explanation and Reasons of section 5A.1.1.4 Incompatibility between Different Activities	Amendments sought	Reject	Kāinga Ora accepts the s42A recommendation(s)	6.2.3 - Commercial and other AAs
206.215					
206.216	Chapter 5A - Policies of section 5A 1.2.1 Quality of Buildings and Open Spaces	Retain as notified	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.217	Chapter 5A -	Retain as notified	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
	Explanation and Reasons of section 5A 1.2.1 Quality of Buildings and Open Spaces				
206.218	Chapter 5A - Objective of section 5A.1.2.3 Adjoining Residential Areas	Amendments sought.	Accept in part	Kāinga Ora accepts the s42A recommendation(s)	6.2.3 - Commercial and other AAs
206.219	Chapter 5A - Policy of section 5A.1.2.3 Adjoining Residential Areas	Amendments sought	Accept in part	Kāinga Ora accepts the s42A recommendation(s)	6.2.3 - Commercial and other AAs
206.220	Chapter 5A - Explanation and Reasons of section 5A 1.2.3	Amendments sought	Reject	Kāinga Ora accepts the s42A recommendation(s)	6.2.3 - Commercial and other AAs
206.221	Chapter 5A - 5A 2.1.1(a)	Retain as notified and delete as proposed	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.222	Chapter 5A - 5A 2.1.1(b)	Retain as notified and delete as proposed	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.223	Chapter 5A - 5A 2.1.1(g)	Retain as notified and delete as proposed	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.224	Chapter 5A - 5A 2.1.1(h)	Retain as notified and delete as proposed	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.225	Chapter 5A - 5A 2.1.1(k)	Retain as notified and delete as proposed	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.226	Chapter 5A - 5A 2.2(b)	Retain as notified and delete as proposed	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.227	Chapter 5A C- 5A 2.2.1(b)	Retain as notified and delete as proposed	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.228	Chapter 5A - 5A 2.3(b)	Retain as notified and delete as proposed	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.229	Chapter 5A - 5A 2.3(c)	Retain as notified and delete as proposed	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.230	Chapter 5A - 5A 2.3(e)	Retain as notified and delete as proposed	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.231	Chapter 5A - 5A 2.3(j)	Retain as notified and delete as proposed	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.232	Chapter 5A - Appendices Central Commercial 1 Precincts	Delete as proposed	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.233	Chapter 5A -	Delete as proposed	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
	Appendices Central Commercial 2 Maximum Height				
206.234	Chapter 5A - Appendices Central Commercial 5 Wind Protection	Delete as proposed	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.235	Chapter 5A - Appendices Central Commercial 6 - Wind Report	Delete as proposed	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.236	Chapter 5A - Entire chapter and Appendix 8 – Central Commercial Design Guide	1. Kāinga Ora seeks the Design Guidelines are removed from within the District Plan and are treated as non-statutory tool	Reject	Kāinga Ora accepts the s42A recommendation(s) in relation to the commercial design guides, noting a full plan review is imminent and Kāinga Ora anticipates that this matter will be reconciled through this process.	6.2.3 - Commercial and other AAs
206.237					
206.238					
206.239					
206.240	Chapter 5B Petone Commercial Activity Area Entire chapter and zoning framework	Review the Centres hierarchy and commercial and residential intensification provisions in the Commercial (Centres) and Mixed-Use zones to improve national and regional consistency and increase density and heights across the board.	Reject	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and Kāinga Ora anticipates that this matter will be reconciled through this process.	6.2.3 - Commercial and other AAs
206.241	Chapter 5B Petone Commercial Activity Area Entire chapter and zoning framework	The revised centres hierarchy would then translate into an updated centres zoning framework, with clear objectives in each zone stating the intended role and purpose and articulating the planned built urban environment for each zone.	Reject	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and Kāinga Ora anticipates that this matter will be reconciled through this process.	6.2.3 - Commercial and other AAs
206.242	Chapter 5B Petone Commercial Activity Area Entire chapter and zoning framework	Seeks that the Petone commercial activity areas to be treated and recognised as a metropolitan centre to seek regional consistency.	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.243	Chapter 5B Petone Commercial Activity Area Entire chapter and zoning framework	Undertake any consequential changes necessary across Plan Change 56 to address the matters raised above.	Other	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and Kāinga Ora anticipates that this matter will be reconciled through this process.	6.1.2 - Whole of plan change
206.244	Chapter 5B - Policies in section 5B 1.2.1 - Area 1 Distinctive Character and Built Form of the Area on Jackson Street generally between Victoria and Cuba Streets	Amendments sought	Reject	Kāinga Ora accepts the s42A recommendation(s)	6.2.3 - Commercial and other AAs
206.245	Chapter 5B -	Amendments sought	Accept	Kāinga Ora accepts the s42A recommendation(s)	6.2.3 - Commercial and other AAs

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
	Objective within 5B 1.2.3 - Area 2 - Character and Building Form and Quality within Area 2 Petone Mixed Use				
206.246	Chapter 5B Petone Commercial Activity Area Policies in section 5B 1.2.3 - Area 2 - Character and Building Form and Quality within Area 2 Petone Mixed Use	Retain as notified.	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.247	Chapter 5B - Area 1 Permitted Activity Condition 5B 2.1.1.1(b) Maximum Height of Buildings and Structures	Amendments sought to enable additional height in areas outside of the Jackson Street heritage area	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts. Kāinga Ora has, however, reduced the height it is seeking in these areas from 53m to 36m.	6.2.3 - Commercial and other AAs
206.248	Chapter 5B - Area 1 Permitted Activity Condition 5B 2.1.1.1(d) Sites abutting residential activity areas	Retain as notified	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.249	Chapter 5B - Area 1 Restricted Discretionary Activity Rule 5B 2.1.2(a)	Amend rule, if required, to clarify that the rule is only intended to enable works under the new Permitted Activity Rules 5B 2.1.1 (f) and 5B 2.1.1 (g).	Reject	Kāinga Ora accepts the s42A recommendation(s)	6.2.3 - Commercial and other AAs
206.250	Chapter 5B - Area 1 Restricted	Seek changes to notification preclusions	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.251	Discretionary Activity Rule 5B 2.1.2(a)	Introduce new restricted discretionary rule for works that do not comply with 5B 2.1.1.1 Permitted Activity Conditions	Reject	Kāinga Ora accepts the s42A recommendation(s)	6.2.3 - Commercial and other AAs
206.252		Consequential changes to give effect to these changes	Other		6.1.2 - Whole of plan change
206.253	Chapter 5B-Permitted Activity 5B2.2.1.1(a) Maximum height and recession plane of buildings and structures	Retain as notified	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.254	Chapter 5B- Area 2 Permitted Activity Condition 5B 2.2.1.1(b) Minimum yard and setback requirements	Delete as proposed	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.255	Chapter 5B - Area 2	Retain as notified	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
	Permitted Activity 5B 2.2.1.1(d) Landscaping and screening				
206.256	Chapter 5B- Area 2 Permitted Activity Condition 5B 2.2.1.1(e) Sites abutting Residential Activity Areas	Retain as notified	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.257	Chapter 5B - Area 2 Permitted Activity Condition 5B 2.2.1.1(i) Outdoor Living Areas for Residential Activities	Amendments sought to enable a proportion of above ground units to have Juliet balconies. This flexibility offers an alternative to requiring balconies for every apartment in a new apartment building in recognition of the more intensive nature of development enabled in this zone. This is consistent with what is proposed by PCC. Notification preclusions also sought.	Reject	Kāinga Ora accepts the s42A recommendation(s)	6.2.3 - Commercial and other AAs
206.258	Chapter 5B - Area 2 Rule 5B 2.2.2	Supports the deletion of arm (b) of this rule.	Accept	Kāinga Ora accepts the s42A recommendation(s)	6.2.3 - Commercial and other AAs
206.259		Amendments sought to enable <i>residential facilities</i> to be considered under the RDA activity status, rather than escalating to Discretionary	Reject	Kāinga Ora continues to seek this relief	6.2.3 - Commercial and other AAs
206.260	Chapter 5B - Area 2 Rule 5B 2.2.2.1(a) Matters in which the Council has Restricted its Discretion	Amendments sought to remove reference to design guides and instead articulate key design outcomes within the rule framework.	Reject	Kāinga Ora continues to seek this relief, but acknowledges that the upcoming full plan review is likely to further consider this issue.	6.2.3 - Commercial and other AAs
206.261		Seeks deletion of natural hazards as one of the matters of discretion, noting a natural hazard chapter is being introduced into the plan through PC56, so this will duplicate those specific provisions.	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.262	Chapter 5B - Area 2 Rule 5B 2.2.2.1(b) Matters in which the Council has Restricted its Discretion	Delete as proposed	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.263	Chapter 5B - Area 2 Rule 5B 2.2.2.2(b)	Delete as proposed	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.264	Chapter 5B - Appendix 8 Petone Commercial 8 (maximum heights for Petone Commercial Activity Area 2)	Delete as proposed	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.265	Chapter 5B - Appendices Design guides	Seeks the Design Guidelines are removed from within the District Plan and are treated as non- statutory tool, outside of the District Plan. Provisions and matters of assessment should articulate desired design outcomes.	Reject	Kāinga Ora continues to seek this relief, but acknowledges that the upcoming full plan review is likely to further consider this issue.	6.2.3 - Commercial and other AAs
206.266					
206.267					
206.268					
206.269	Chapter 5E Suburban Mixed Use Activity Area - Entire chapter and zoning framework	Review the Centres hierarchy and commercial and residential - intensification provisions in the Commercial (Centres) and Mixed-Use zones to improve national and regional consistency and increase density and heights across the board.	Reject	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and Kāinga Ora anticipates that this matter will be reconciled through this process.	6.2.3 - Commercial and other AAs

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
206.270	Chapter 5E Suburban Mixed Use Activity Area Entire chapter and zoning framework	Kāinga Ora seeks the expansion of the Suburban Mixed Use Area Zone to cover the most of the Naenae commercial area. This change emphasises the role and function of the Naenae commercial centre in the district and wider urban environment.	Reject	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and Kāinga Ora anticipates that this matter will be reconciled through this process.	6.2.3 - Commercial and other AAs
206.271	Chapter 5E Suburban Mixed Use Activity Area Entire chapter and zoning framework	Expand the spatial extent of Naenae Suburban Mixed Use Activity Area to encompass adjacent General Business Activity Area and increase the height limits to 36m.	Reject	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and Kāinga Ora anticipates that this matter will be reconciled through this process.	6.2.3 - Commercial and other AAs
206.272	Chapter 5E Suburban Mixed Use Activity Area Entire chapter and zoning framework	Increase the height limit in the Suburban Mixed Use Areas of Naenae and Waterloo to 36m	Accept in Part	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.273	Chapter 5E - Entire chapter and zoning framework	Support height limit of 22m where proposed in PC56, and seek application of a broader 22m height limit across all other centres (other than identified in this submission across the Hutt City. Considers that there are a number of commercial centres in Hutt City that are considered local centres.	Other	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and Kāinga Ora anticipates that this matter will be reconciled through this process.	6.2.3 - Commercial and other AAs
206.274	Chapter 5E - Entire chapter and zoning framework	Rezone the properties at 304-306 Waiwhetū Road, 3, 5, 5A & 5B Rungay St from HDRAA to Suburban Mixed Use Activity Area.	Reject	Kāinga Ora accepts the s42A recommendation(s)	6.2.3 - Commercial and other AAs
206.275	Chapter 5E - 5E1 Introduction/Zone Statement	Amendments sought to signal the strategic importance of Naenae and Waterloo centres and resulting level of intensification in and around these centres	Accept in part	Kāinga Ora accepts the s42A recommendation(s)	6.2.3 - Commercial and other AAs
206.276	Chapter 5E - Objective 5E 2.2	Retain as notified	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.277	Chapter 5E - Objective 5E 2.3	Retain as notified	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.278	Chapter 5E - Objective 5E 2.4	Amendments sought to recognise the planned urban built form outcomes of the zone.	Accept in part	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.279	Chapter 5E - Objective 5E 2.6	Delete as notified	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.280	Chapter 5E - Policy 5E 3.5	Amendments sought to recognise the planned urban built form outcomes of the zone	Accept in part	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.281	Chapter 5E - Policy 5E 3.6	Retain as notified	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.282	Chapter 5E - Policy 5E 3.7	Amendments sought to more clearly articulate the intended management of zone interface effects	Accept in part	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.283	Chapter 5E - Policy 5E 3.10	Delete as notified	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.284	Chapter 5E - Rule 5E 4.1.4 Residential Activities	Amendments sought – summarised as follows: <ul style="list-style-type: none"> Refer to “residential units” rather than “dwellings” Amend matters of discretion to remove reference to design elements and the medium density design guide. 	Accept in part	Agree with s42A recommendation with regard to change to “residential unit”. Kāinga Ora continues to seek changes to the matters of discretion and reference to the medium density design guide, as addressed in the expert evidence.	6.2.3 - Commercial and other AAs
206.285		Seek preclusion of public and limited notification	Accept in part	Agree with s42A recommendation	6.2.3 - Commercial and other AAs

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
206.286	Chapter 5E - Rule 5E 4.1.5 Care Facilities, Residential Facilities, Boarding Houses, Hostels and Visitor Accommodation	Amendments sought to matters of discretion to remove reference to design elements and the medium density design guide.	Reject	Kāinga Ora continues to seek changes to the matters of discretion and reference to the medium density design guide, as addressed in the expert evidence.	6.2.3 - Commercial and other AAs
206.287		Seek preclusion of public and limited notification	Accept in part	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.288	Chapter 5E - Rule 5E 4.2.1 Building height	Amendments sought to increase building heights to 22m or 36m, depending on identified locations in submission	Reject	Kāinga Ora accepts the s42A recommendation(s), noting a full plan review is imminent and Kāinga Ora anticipates that this matter will be revisited through this process.	6.2.3 - Commercial and other AAs
206.289		Amendments sought to matters of discretion to remove reference to design elements and the medium density design guide.	Reject	Kāinga Ora continues to seek changes to the matters of discretion and reference to the medium density design guide, as addressed in the expert evidence.	6.2.3 - Commercial and other AAs
206.290	Chapter 5E - Rule 5E 4.2.3 Yards	Retain as notified	Accept	Agree with s42A recommendation	6.2.3 - Commercial and other AAs
206.291	Chapter 5E - Rule 5E 4.2.4 Outdoor living space	Amendments sought to enable a proportion of above ground units to have Juliet balconies. This flexibility offers an alternative to requiring balconies for every apartment in a new apartment building in recognition of the more intensive nature of development enabled in this zone. This is consistent with what is proposed by PCC.	Accept in part	Kāinga Ora accepts the s42A recommendation(s)	6.2.3 - Commercial and other AAs
206.292	Chapter 5E - Rule 5E 4.2.4	Amendments sought to matters of discretion to remove reference to design elements and the medium density design guide.	Reject	Kāinga Ora continues to seek this relief for consistency with wider relief sought on these issues	6.2.3 - Commercial and other AAs
206.293	Outdoor living space	Notification preclusions also sought.	Accept in part	Kāinga Ora accepts the s42A recommendation(s)	6.2.3 - Commercial and other AAs
206.294	Chapter 11 – Subdivision Objective (b) Section 11.1.3 Natural Hazards	Retain as notified	Accept	Agree with s42A recommendation	6.3.2 - Natural hazards
206.295	Chapter 11 – Subdivision Policies of section 11.1.3 - Natural Hazards	Amendments sought to align more consistently with other Councils in the Wellington region.	Reject	Kāinga Ora accepts the s42A recommendation(s). No changes are being pursued.	6.3.2 - Natural hazards
206.296	Chapter 11 – Subdivision Objective 2 Section 11.1.4 Special Areas	Retain as notified	Accept	Agree with s42A recommendation	6.2.4 - Subdivision
206.297	Chapter 11 – Subdivision Policy b Section 11.1.4 Special Areas	Amendments sought to better achieve both the outcome sought by the policy, and the underlying zone	Reject	Kāinga Ora accepts the s42A recommendation(s)	6.2.4 - Subdivision
206.298		Consequential changes are also sought as per the Residential Heritage submission points whereby Kāinga Ora seeks that all heritage provisions are an overlay and not a precinct			
206.299	Chapter 11 - Subdivision 11.2.2 Controlled Activities	Introduce non-notification clause for Rule - 11.2.2 for both public and limited notification.	Reject	Kāinga Ora continues to seek this relief as addressed in expert evidence	6.2.4 - Subdivision
206.300	Chapter 11 – Subdivision 11.2.2.1 Controlled Activity Standard and Terms (a) Allotment Design	Amendments sought to align with regional consistency regarding minimum shape dimension for vacant allotment.	Reject	Kāinga Ora continues to seek this relief to achieve regional consistency	6.2.4 - Subdivision
206.301	Chapter 11 – Subdivision 11.2.3	Amendments sought to introduce a new RDA rule framework for subdivisions that do not meet the Standards and Terms of the	Reject	Kāinga Ora accepts the s42A recommendation(s)	6.2.4 - Subdivision

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
206.302	Restricted Discretionary Activities	Controlled Activity Rule (a) Allotment Design for Medium Density Residential Activity Area and High Density Residential Activity Area. This is consistent with the activity status that is applied in both the WCC, and PCC proposed district plans for the same aspect of non-compliance.			
206.303					
206.304	Chapter 11 – Subdivision 11.2.3.1 Restricted Discretionary Activities – Matters of Discretion	Consequential changes sought to introduce new matters of discretion relevant to this new rule in 11.2.3.1 based on changes sought in submission points above	Reject	Kāinga Ora accepts the s42A recommendation(s). No changes are being pursued.	6.2.4 - Subdivision
206.305	Subdivision 11.2.3.1	Consequential change to remove reference to Flood Hazard Overlay in 11.2.3.1(d).	Reject	Kāinga Ora continues to seek this relief	6.3.2 - Natural hazards
206.306	Chapter 11 – Subdivision 11.2.4 Discretionary Activities	Amend with consequential changes.	Other	Kāinga Ora accepts the s42A recommendation(s).	6.1.2 - Whole of plan change
206.307	Chapter 11 – Subdivision 11.2.5 Non-Complying Activities	Retain as notified	Accept	Agree with s42A recommendation	6.3.2 - Natural hazards
206.308	Chapter 14H Natural Hazards Flood Hazard Overlay	Remove natural hazard flooding overlay(s) from the District Plan statutory maps, and instead hold this information in non-statutory GIS maps	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.309	Chapter 14H Natural Hazards Flood Hazard Overlay	Creation of new definitions to identify flood hazards in the Plan	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.310	Chapter 14H Natural Hazards Flood Hazard Overlay	Amended rule framework to enable rules to be linked to newly defined terms of Flood Hazards	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.311	Chapter 14H Natural Hazards Flood Hazard Overlay	Revise reference throughout plan to delete “flood hazard overlay”	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.312	Chapter 14H Natural Hazards Flood Hazard Overlay	Consequential changes to give effect to this submission	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.313	Chapter 14H Natural Hazards Introduction	Amendments to remove reference to flood hazard “overlays”	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.314		Amend Introduction to be more concise.	Reject	Kāinga Ora continues to seek this relief	6.3.2 - Natural hazards
206.315		Refine and reduce content of provisions by defining terms in the Definitions section	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.316		Amendments are sought to give effect to the relief sought to remove reference to natural hazard overlays insofar as it relates to flooding.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.317	Chapter 14H Natural Hazards Policy 14H 1.1 Levels of Risk	Amendments are sought to give effect to the relief sought to remove reference to natural hazard overlays insofar as it relates to flooding.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.318	Chapter 14H - Policy 14H 1.3 Additions to Buildings in an	Amendments are sought to give effect to the relief sought to remove reference to natural hazard overlays insofar as it relates to flooding.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.319		Amendment to introduce a note that states that the Council holds	Reject	Kāinga Ora continues to seek this relief – as addressed in the	6.3.2 - Natural hazards

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
	identified Inundation Area of the Flood Hazard Overlay	publicly available information showing the modelled extent of hazard flooding areas – as part of the package of wider changes sought.		evidence of Kāinga Ora experts	
206.320	Chapter 14H - Policy 14H 1.4 Additions to	Amendments are sought to give effect to the relief sought to remove reference to natural hazard overlays insofar as it relates to flooding.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.321	Buildings within the Overland Flowpaths and Stream Corridors of the Flood Hazard Overlays	Amendment to introduce a note that states that the Council holds publicly available information showing the modelled extent of hazard flooding areas – as part of the package of wider changes sought.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.322	Chapter 14H - Policy 14H 1.5 New	Amendments are sought to give effect to the relief sought to remove reference to natural hazard overlays insofar as it relates to flooding.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.323	residential units, commercial activities or retail activities within the identified Inundation Areas of the Flood Hazard Overlays	Amendment to introduce a note that states that the Council holds publicly available information showing the modelled extent of hazard flooding areas – as part of the package of wider changes sought.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.324	Chapter 14H - Policy 14H 1.6 New	Amendments are sought to give effect to the relief sought to remove reference to natural hazard overlays insofar as it relates to flooding.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.325	residential units, commercial activities or retail activities within the Overland Flowpaths of the Flood Hazard Overlays	Amendment to introduce a note that states that the Council holds publicly available information showing the modelled extent of hazard flooding areas – as part of the package of wider changes sought.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.326	Chapter 14H - Policy 14H 1.7 New	Amendments are sought to give effect to the relief sought to remove reference to natural hazard overlays insofar as it relates to flooding.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
	residential units, commercial activities or retail activities within the Stream Corridors of the Flood Hazard Overlays				
206.327	Chapter 14H - Policy 14H 1.7 New	Amendment to introduce a note that states that the Council holds publicly available information showing the modelled extent of hazard flooding areas – as part of the package of wider changes sought.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
	residential units, commercial activities or retail activities within the Stream Corridors of the Flood Hazard Overlays				
206.328	Chapter 14H - Rule 14H 2.2 Additions to	Amendments are sought to give effect to the relief sought to remove reference to natural hazard overlays insofar as it relates to flooding.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.329	residential buildings in the Inundation	Amendments are sought to give effect to the relief sought to remove reference to natural hazard overlays insofar as it relates to flooding.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.330	Area, Overland Flow	Amendments are sought to give effect to the relief sought to remove reference to natural hazard overlays insofar as it relates to flooding.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards

Sub. Ref.	Amendment / Provision	Decision requested by submitter	S42A Officers Recommendation	Kāinga Ora position following s42A reports	S42A Report section
206.331	Path or Stream Corridor Flood Hazard Overlays	Amendment to introduce a note that states that the Council holds publicly available information showing the modelled extent of hazard flooding areas – as part of the package of wider changes sought.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.332	Chapter 14H - Rule 14H 2.3 New residential units, commercial activities or retail activities in the Inundation Area of the Flood Hazard Overlay	Amendments are sought to give effect to the relief sought to remove reference to natural hazard overlays insofar as it relates to flooding.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.333	Chapter 14H - Rule 14H 2.4 New residential units, commercial activities or retail activities that are within the Overland Flowpaths of the Flood Hazard Overlay	Amendment to introduce a note that states that the Council holds publicly available information showing the modelled extent of hazard flooding areas – as part of the package of wider changes sought.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.334	Chapter 14H - Rule 14H 2.5 New residential units, commercial activities or retail activities that are within the Stream Corridors of the Flood Hazard Overlay	Amendments are sought to give effect to the relief sought to remove reference to natural hazard overlays insofar as it relates to flooding.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.335	Chapter 14M - Wind Entire chapter	Amendment to introduce a note that states that the Council holds publicly available information showing the modelled extent of hazard flooding areas – as part of the package of wider changes sought.	Reject	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards
206.336	14M - Wind Entire chapter	Amend the height limit at which point a wind assessment and/or resource consent is required to 20m.	Accept in part	Kāinga Ora has not brought evidence on this matter, but continues to seek this relief.	6.2.7 - Wind
206.337	Chapter 14H - Rule 14H 2.5 New residential units, commercial activities or retail activities that are within the Stream Corridors of the Flood Hazard Overlay	Amendments are sought to give effect to the relief sought to remove reference to natural hazard overlays insofar as it relates to flooding.	Reject Accept in part	Kāinga Ora continues to seek this relief – as addressed in the evidence of Kāinga Ora experts	6.3.2 - Natural hazards

ANALYSIS OF KĀINGA ORA FURTHER SUBMISSIONS

TABLE 2. Updated Position on Kāinga Ora Further Submissions

Submitter	Submission No.	Decision Requested	Kāinga Ora Further Sub No.	Decision Requested	Further Sub S42A Recommendation	Kāinga Ora position following s42A report
Ara Poutama Aotearoa - Department of Corrections	111.002	Add a new definition for “Residential Activity”	F17.1	Allow	Accept in part	Kāinga Ora supports the s42A recommendation.
Ara Poutama Aotearoa - Department of Corrections	111.004	Add a new definition for “Household”	F17.2	Disallow	Accept	Kāinga Ora supports the s42A recommendation.
Wellington Regional Council	149.007	Insert a new Papakāinga chapter which includes objectives, policies and rules that enable Papakāinga to be developed.	F17.3	Allow	Reject	Kāinga Ora supports the s42A recommendation.

Wellington Regional Council	149.021	Introduce a new qualifying matter relating to indigenous biodiversity (applicable broadly)	F17.4	Disallow	Accept	Kāinga Ora supports the s42A recommendation.
Wellington Regional Council	149.056	Include a rule and associated standard that requires EV or e-bike charging stations, including for residential development	F17.5	Disallow	Other	Kāinga Ora supports the s42A recommendation.
Wellington Regional Council	149.057	Include as a matter of control or discretion for subdivision and residential development a requirement to consider the extent to which the development provides for zero or low carbon, public and active transport modes.	F17.6	Disallow	Accept	Kāinga Ora supports the s42A recommendation.
Wellington Regional Council	149.073	Include as a matter of control or discretion for subdivision “the extent to which the development will avoid the potential reverse sensitivity on the health of people, the amenity and nuisance effects”.	F17.7	Disallow	Accept in part	Kāinga Ora accepts the s42A recommendation.
Wellington Regional Council	149.082	Include a non-complying activity rule where any required financial contribution is not paid	F17.8	Disallow	Reject	Kāinga Ora does not consider that a rule framework requiring a non-complying activity status consent for failure to pay development contribution to be practical or appropriate in an RMA effects based regime.
Wellington Regional Council	149.097	Include a RDA or DA rule for high trip generating activities subject to a travel demand management plan being provided. Include a matter of control or discretion, the extent to which the travel demand management plan will minimise reliance on private vehicles and maximise public and active transport modes.	F17.9	Disallow	Other	Kāinga Ora supports the s42A recommendation.
Wellington Regional Council	149.101	Insert a rule condition that prescribes thresholds requiring when consent applicants need to prepare Travel Demand Management Plans. The thresholds can be size of the subdivision, number of dwellings, people, floor size of retail development etc. Develop policy direction to manage effects of high trip generating activities on the transport network by requiring travel demand management plan	F17.10	Disallow	Other	Kāinga Ora supports the s42A recommendation.
New Zealand Transport Agency (Waka Kotahi)	151.002	Recognise the relocated Melling railway station and pedestrian and cycle facilities within the proposed plan change and enable increased urban density within its walkable catchment.	F17.11	Allow	Accept in part	Kāinga Ora continues to support this submission point.
New Zealand Transport Agency (Waka Kotahi)	151.012	Include additional matters of discretion to the rule in the MDRAA managing multi-unit residential development to include effects on the safety and efficiency of the transport network and access to active modes.	F17.12	Disallow	Accept in part	Kāinga Ora supports the s42A recommendation.
New Zealand Transport Agency (Waka Kotahi)	151.024	Include additional matters of discretion to the rule in the HDRAA managing multi-unit residential development to include effects on the safety and efficiency of the transport network and access to active modes.	F17.13	Disallow	Accept in part	Kāinga Ora supports the s42A recommendation.
New Zealand Transport Agency (Waka Kotahi)	151.035	Include amendments to the financial contributions rules to allow financial contributions to be collected for access to, or provision for, all transport modes including walking, cycling and public transport.	F17.14	Disallow	Accept in part	Kāinga Ora supports the s42A recommendation.
Transpower New Zealand Limited	153.008	Introduce a new definition for “qualifying matter area”	F17.15	Disallow	Accept	Kāinga Ora supports the s42A recommendation.
Transpower New Zealand Limited	153.012	Amend Policy 4F 3.2 (a mandatory MDRS policy) to introduce consideration of qualifying matters	F17.16	Disallow	Accept in part	Kāinga Ora supports the s42A recommendation.
Wellington Electricity Lines Ltd	158.001	Apply qualifying matters’ in relation to two substations sites to the extent that abutting HDRAA and MDRAA properties cannot develop (as a permitted activity) multi-unit housing only 1.0m setback for the boundary.	F17.17	Disallow	Accept	Kāinga Ora supports the s42A recommendation.
Wellington Electricity	158.002	That all activities and development must comply with the provisions of the underlying Residential Activity Area of the operative district plan.	F17.18	Disallow	Accept	Kāinga Ora supports the s42A recommendation.

Lines Ltd						
Wellington Electricity Lines Ltd	158.003	That the two sites identified in the submission are identified on planning map overlays with appropriate annotations to the effect that either medium or high-density housing developments on abutting sites will require a land use consent as a RDA, with appropriate reverse sensitivity mitigation being inherent to the development.	F17.19	Disallow	Accept	Kāinga Ora supports the s42A recommendation.
Wellington Electricity Lines Ltd	158.004	Should Council consider the ISPP process unable to adopt the relief sought elsewhere in the submission, that the permitted activity performance standards contained within PC56 for High and Medium Density housing include reference to the potential effects of Regionally Significant Infrastructure, in particular linking the provisions to the Objective and Policies under section 13.1.2 of the District Plan.	F17.20	Disallow	Accept	Kāinga Ora supports the s42A recommendation.
EQC (Toka Tū Ake)	180.001	Amend chapter to include liquefaction and slope stability as qualifying matters and implement policies and rules to restrict intensification and development in areas where the risk of these hazards is greatest.	F17.21	Disallow	Accept in part	Kāinga Ora supports the s42A recommendation.
EQC (Toka Tū Ake)	180.002	Add Overlays section and planning maps to include liquefaction and slope stability hazard overlays.	F17.22	Disallow	Accept in part	Kāinga Ora supports the s42A recommendation.
KiwiRail	188.001	Amend Rule 4F 4.2.4(a) to require a 5m setback from a boundary with a rail corridor.	F17.23	Disallow	Accept	Kāinga Ora would accept a 1.5m setback applicable to boundaries abutting the rail corridor (as introduced in Porirua). Would seek this as a separate rule.
KiwiRail	188.002	Amend Rule 4F 4.2.4(b) matters of discretion to include “The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor”.	F17.24	Disallow	Accept	Kāinga Ora would accept a separate rule managing this, with a 1.5m setback. Matter of discretion to be limited to “The location, size and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor”.
KiwiRail	188.003	Amend Rule 4G 4.2.5(a) to require a 5m setback from a boundary with a rail corridor.	F17.25	Disallow	Accept	Kāinga Ora would accept a 1.5m setback applicable to boundaries abutting the rail corridor (as introduced in Porirua). Would seek this as a separate rule.
KiwiRail	188.004	Amend Rule 4G 4.2.5(b) matters of discretion to include “The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor”.	F17.25	Disallow	Accept	Kāinga Ora would accept a separate rule managing this, with a 1.5m setback. Matter of discretion to be limited to “The location, size and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor”.
KiwiRail	188.005	Amend Rule 4G 5.3.3.1(a) matters of discretion to include a 5m setback from boundary with a rail corridor and matter of discretion stating “The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor”.	F17.26	Disallow	Accept	Kāinga Ora would accept a separate rule managing this, with a 1.5m setback. Matter of discretion to be limited to “The location, size and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor”.
KiwiRail	188.006	Amend Rule 5E 4.2.3(a) to require a 5m setback from a boundary with a rail corridor.	F17.26	Disallow	Accept	Kāinga Ora would accept a separate rule managing this, with a 1.5m setback.
KiwiRail	188.007	Amend Rule 5E 4.2.3(b) matters of discretion to include “The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor”.	F17.27	Disallow	Accept	Kāinga Ora would accept a separate rule managing this, with a 1.5m setback. Matter of discretion to be limited to “The location, size and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor”.
KiwiRail	188.008	Amend Rule 6A 2.1.1(b) to require a 5m setback from a boundary with a rail corridor.	F17.28	Disallow	Accept	Kāinga Ora would accept a 1.5m setback.
KiwiRail	188.009	Seek RDA rule framework at 6A 2.3 where non-compliance is has with 5m setback requirements	F17.29	Disallow	Accept	Kāinga Ora would accept a RDA rule where compliance is not achieved with a 1.5m setback.
KiwiRail	188.010	Seek amendments to Rule 6A 2.3.1 matters of discretion where non-compliance with 5m setback from boundary with a rail corridor to include “The location and design of the building	F17.30	Disallow	Accept	Kāinga Ora would accept a 1.5m setback. Matter of discretion to be limited to “The location, size and design

		as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor”.				of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor”.
KiwiRail	188.011	Amend Rules in 14A – Standard 6 so that the district-wide provisions for rail noise and vibration be increased to apply within 100m (noise) and 60m (vibration) from the rail corridor.	F17.31	Disallow	Other	Kāinga Ora continues to oppose this submission. This is not an issue that should be addressed through the PC56 IPI, if changes are to be made, this should be considered through the upcoming full plan review process.
KiwiRail	188.012	seek that the matters of discretion in Rule 14A.5.1 be updated to specifically direct consideration of noise and vibration effects from the railway network.	F17.32	Disallow	Other	Kāinga Ora continues to oppose this submission. This is not an issue that should be addressed through the PC56 IPI, if changes are to be made, this should be considered through the upcoming full plan review process.

KĀINGA ORA - TABLE COMPARING AMENDMENTS SOUGHT IN SUBMISSIONS, TO THOSE RECOMMENDED IN EVIDENCE (APPENDIX A) OF KAREN WILLIAMS (PLANNING)

Table 3. Comparison of submission points to recommended changes in evidence

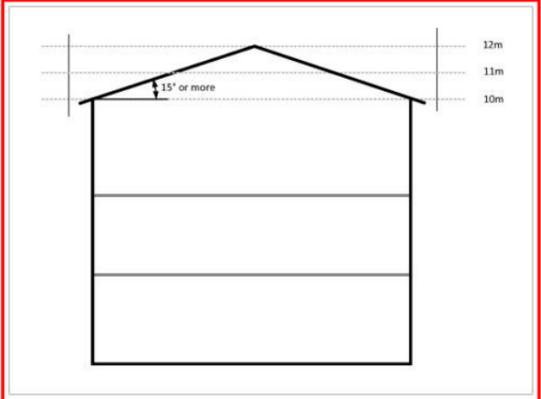
Sub. Ref.	Amendment / Provision	Changes sought in submission by Kāinga Ora Red Text – Council's recommended changes Blue Text - Changes recommended by Kāinga Ora.	Changes recommended in evidence of Karen Williams Red Text – Council's recommended changes Blue Text - Changes recommended by Kāinga Ora.	Comments on scope of changes
Chapter 1 – Strategic Matters and Chapter 3 - Definitions				
206.14	Chapter 1 – 1.10.1A Urban Environment - Policy 1	<p><u>Provide for building height and density of urban form that enables:</u></p> <p>a) <u>as much development capacity as possible within the Central Commercial Activity Area and Petone Commercial Activity Area - 2.</u></p> <p>b) <u>building heights of at least 6 storeys, with greater intensification enabled in identified Height Variation Control areas:</u></p> <p>i. <u>within the Petone Commercial Activity Area -1.</u></p> <p>ii. <u>within a walkable catchment of the Central Commercial and Petone Commercial Activity Areas.</u></p> <p>iii. <u>within a walkable catchment of rapid transit stops.</u></p> <p>iv. <u>within the suburban centres of Avalon, Eastbourne, Moera, Stokes Valley and Wainuiomata, and</u></p> <p>v. <u>Within a walkable catchment adjacent to the suburban centres of Naenae, Waterloo, Avalon and Moera.</u></p> <p>c) <u>building heights of at least 4-5 storeys adjacent to within a walkable catchment of the identified suburban centres, including of Eastbourne, Stokes Valley, and Wainuiomata, and building heights of at least 3 storeys in the remainder of the urban environment, excluding Hill Residential and Landscape Protection Residential Activity Areas.</u></p>	<p><u>Provide for building height and density of urban form that enables:</u></p> <p>(a) <u>as much development capacity as possible within the Central Commercial Activity Area and Petone Commercial Activity Area 2.</u></p> <p>(b) <u>building heights of at least 6 storeys:</u></p> <p>(i) <u>within the Petone Commercial Activity Area 1.</u></p> <p>(i) <u>within a walkable catchment of the Central Commercial and Petone Commercial Activity Areas, with greater intensification enabled in identified Height Variation Control areas.</u></p> <p>(ii) <u>within a walkable catchment of rapid transit stops.</u></p> <p>(iii) <u>within and adjacent to the suburban centres of Avalon, Eastbourne, and Moera, Stokes Valley and Wainuiomata, and</u></p> <p>(iv) adjacent to the suburban centres of Avalon and Moera.</p> <p>(c) <u>building heights of 5 storeys in the Medium Density Residential Activity Area adjacent to the suburban centres of Eastbourne, Stokes Valley, and Wainuiomata, and</u></p> <p>(d) <u>building heights of at least 3 storeys in the remainder of the urban environment, excluding Recreation, Hill Residential and Landscape Protection Residential Activity Areas.</u></p>	<p>Changes recommended in evidence are largely consistent with submission. Small immaterial changes.</p> <p>NB. There is a numeration error in the Roman numerals within the evidence of Ms Williams.</p>
206.32	Chapter 3 – Definitions Add new definition for "Flood hazard – Stream corridor"	<p><u>Flood Hazard – Stream Corridor</u> <u>Corridor consisting of a buffer of five metres either side of the centre of the stream, where in a 1% AEP flood event (assuming 15% increase in rainfall under climate change) the water depth exceeds 1m and the water velocity is greater than 2m per second.</u></p> <p><i>Note: The Council holds publicly available information showing the modelled extent of flooding affecting specific properties in its GIS viewer. The maps are non-statutory and can be reviewed to take account of any property specific information.</i></p>	<p><u>Stream Corridor</u> <u>Corridor consisting of a buffer of five metres either side of the centre of the stream, where in a 1% AEP flood event (assuming 20% increase in rainfall under climate change) the water depth exceeds 1m and the water velocity is greater than 2m per second.</u></p> <p><i>Note: The Council holds publicly available information showing the modelled extent of flooding affecting specific properties in its GIS viewer. The maps are non-statutory and can be reviewed to take account of any property specific information.</i></p>	<p>Changes recommended in evidence are largely consistent with submission.</p> <p>Recommended definition in evidence has been slightly adjusted to take account of increased climate change induced rainfall (from 15% in submission to 20% in evidence), to account for WWL modelling levels.</p> <p>Small changes remain in scope.</p>
206.33	Chapter 3 – Definitions Add new definition for "Flood hazard – Overland flowpath"	<p><u>Flood Hazard – Overland Flowpath</u> <u>Area of land that conveys stormwater when the pipe or stream network capacity is exceeded or blocked in a 1% AEP flood event (assuming 15% increase in rainfall under climate change).</u></p> <p><i>Note: The Council holds publicly available information showing the modelled extent of flooding affecting specific properties in its GIS viewer. The maps are non-statutory and can be reviewed to take account of any property specific information.</i></p>	<p><u>Overland Flowpath</u> <u>Area of land that conveys stormwater when the pipe or stream network capacity is exceeded or blocked in a 1% AEP flood event (assuming 20% increase in rainfall under climate change).</u></p> <p><i>Note: The Council holds publicly available information showing the modelled extent of flooding affecting specific properties in its GIS viewer. The maps are non-statutory and can be reviewed to take account of any property specific information.</i></p>	<p>Changes recommended in evidence are largely consistent with submission.</p> <p>Recommended definition in evidence has been slightly adjusted to take account of increased climate change induced rainfall (from 15% in submission to 20% in evidence), to account for WWL modelling levels.</p> <p>Small changes remain in scope.</p>
206.34	Chapter 3 – Definitions Add new definition for "Flood hazard – Inundation"	<p><u>Flood Hazard - Inundation</u> <u>Area of ponding that is greater than 50mm in depth in 1% AEP flood event (assuming 15% increase in rainfall under climate change) and which has low velocity flows.</u></p> <p><i>Note: The Council holds publicly available information showing the modelled extent of flooding affecting specific properties in its GIS viewer. The maps are non-statutory and can be reviewed to take account of any property specific information.</i></p>	<p><u>Inundation Area</u> <u>Area of ponding that is greater than 50mm in depth in 1% AEP flood event (assuming 20% increase in rainfall under climate change) and which has low velocity flows.</u></p> <p><i>Note: The Council holds publicly available information showing the modelled extent of flooding affecting specific properties in its GIS viewer. The maps are non-statutory and can be reviewed to take account of any property specific information.</i></p>	<p>Changes recommended in evidence are largely consistent with submission.</p> <p>Recommended definition in evidence has been slightly adjusted to take account of increased climate change induced rainfall (from 15% in submission to 20% in evidence), to account for WWL modelling levels.</p> <p>Small changes remain in scope.</p>
206.35	Chapter 3 – Definitions	<u>High Hazard Area</u>	<u>High Hazard Area</u>	Changes recommended in evidence are

Sub. Ref.	Amendment / Provision	Changes sought in submission by Kāinga Ora Red Text – Council's recommended changes Blue Text - Changes recommended by Kāinga Ora.	Changes recommended in evidence of Karen Williams Red Text – Council's recommended changes Blue Text - Changes recommended by Kāinga Ora.	Comments on scope of changes
	Add new definition for "High hazard area"	<p><u>Land within any of the following Natural and Coastal Hazard Areas:</u> a) <u>Tsunami Hazard – 1:100 year scenario inundation extent; or</u> b) <u>Coastal Hazard – existing coastal inundation extent with a 1:100 year storm;</u> c) <u>Flood Hazard - Stream Corridor (1:100 year inundation event + 1m sea level rise); or</u> d) <u>Wellington Fault Rupture (within 20m of known fault)</u></p> <p><u>Note: The Council holds publicly available information showing the modelled extent of flooding affecting specific properties in its GIS viewer. The maps are non-statutory and can be reviewed to take account of any property specific information.</u></p>	<p><u>Land within any of the following Natural and Coastal Hazard Areas:</u> a) <u>Tsunami Hazard – 1:100 year scenario inundation extent; or</u> b) <u>Coastal Hazard – existing coastal inundation extent with a 1:100 year storm;</u> c) <u>Stream Corridor (1:100 year inundation event + 1m sea level rise); or</u> d) <u>Wellington Fault Rupture (within 20m of known fault)</u></p> <p><u>Note: The Council holds publicly available information showing the modelled extent of flooding affecting specific properties in its GIS viewer. The maps are non-statutory and can be reviewed to take account of any property specific information.</u></p>	largely consistent with submission. Recommended definition in evidence has been slightly adjusted to take account of increased climate change induced rainfall (from 15% in submission to 20% in evidence), to account for WWL modelling levels. Small changes remain in scope.
206.39	Chapter 1 – 1.10.11 Lessening Natural Hazards - Explanation and Reasons – Flood Hazard Amendments Sought to Flood Hazard section	<p>Flood Hazard The Hutt River, Wainuiomata River and local streams have the potential to overflow their banks during long continuous periods of rainfall. <u>Three flood hazards overlays have been identified to inform areas at risk to flooding. These are Stream Corridor, Overland Flowpath and Inundation Areas.</u></p> <p><u>The Inundation Area Overlay identifies is the modelled extent of inundation expected in a 1:100 year flood event. In these areas it may be necessary to mitigate the impacts of flooding.</u></p> <p><u>The Overland Flowpath Overlay identifies is the modelled path followed by rainwater during a 1:100 year storm event. In these areas it is necessary to manage development to ensure overland flowpaths are not impeded.</u></p> <p><u>The Stream Corridor Overlay identifies is the modelled extent of rivers and streams during a 1:100 year storm event. It is necessary to avoid development in these areas due to the risks associated with the velocity and volume of water flow during the storm event.</u></p> <p><u>The overlays applied identified flood hazard areas incorporate the anticipated effects of climate change such as sea level rise and increased rainfall intensity.</u></p> <p><u>Note: The Council holds publicly available information showing the modelled extent of flooding affecting specific properties in its GIS viewer. The maps are non-statutory and can be reviewed to take account of any property specific information.</u></p> <p><u>In areas where the risk of flooding is medium to high the scale of density and development is limited, being set aside as rural and open space.</u></p>	<p>Flood Hazard Flood Hazard The Hutt River, Wainuiomata River and local streams have the potential to overflow their banks during long continuous periods of rainfall. <u>Three flood hazards overlays have been identified to inform areas at risk to flooding. These are Stream Corridor, Overland Flowpath and Inundation Areas.</u></p> <p><u>The Inundation Area Overlay identifies is the modelled extent of inundation expected in a 1:100 year flood event. In these areas it may be necessary to mitigate the impacts of flooding. These are considered to be low flood hazard areas.</u></p> <p><u>The Overland Flowpath Overlay identifies is the modelled path followed by rainwater during a 1:100 year storm event. In these areas it is necessary to manage development to ensure overland flowpaths are not impeded. These are considered to be medium flood hazard areas.</u></p> <p><u>The Stream Corridor Overlay identifies is the modelled extent of rivers and streams during a 1:100 year storm event. It is necessary to avoid development in these areas due to the risks associated with the velocity and volume of water flow during the storm event. These are considered to be high flood hazard areas.</u></p> <p><u>The identified flood hazard areas overlays applied incorporate the anticipated effects of climate change such as sea level rise and increased rainfall intensity.</u></p> <p><u>Note: The Council holds publicly available information showing the modelled extent of flooding affecting specific properties in its GIS viewer. The maps are non-statutory and can be reviewed to take account of any property specific information.</u></p> <p><u>In areas where the risk of flooding is medium to high the scale of density and development is limited, being set aside as rural and open space.</u></p>	Changes recommended in evidence are largely consistent with submission. Additional text is included against each identified flood hazard to explain its hazard profile (i.e. low, medium, or high). This change is immaterial and within scope, but also a useful addition to the explanatory text. Small changes remain in scope.
Chapter 4F – Medium Density Residential Activity Area (MDRAA)				
206.53	Chapter 4 - Residential Opening paragraphs	<p>(f) Medium Density Residential Activity Area This area provides opportunity for a variety of medium residential developments such as detached dwellings, terraced housing and low-rise apartments. It is mostly located around selected suburban centres and close to transport hubs and acts as a transitional area between higher density mixed use areas and low to medium density residential activity areas.</p> <p><u>The Medium Density Residential Activity Area covers a significant portion of Lower Hutt's residential areas, including areas in the Hutt Valley floor, Western Hills, Stokes Valley, Wainuiomata and Eastern Bays. The Medium Density Residential Activity Area typically covers areas that have a lower level of access to commercial centres, community facilities and rapid transit services than areas in the High Density Residential Activity Area.</u></p>	<p>(f) Medium Density Residential Activity Area This area provides opportunity for a variety of medium residential developments such as detached dwellings, terraced housing and low-rise apartments. It is mostly located around selected suburban centres and close to transport hubs and acts as a transitional area between higher density mixed use areas and low to medium density residential activity areas.</p> <p><u>The Medium Density Residential Activity Area covers a significant portion of Lower Hutt's residential areas, including areas in the Hutt Valley floor, Western Hills, Stokes Valley, Wainuiomata and Eastern Bays. The Medium Density Residential Activity Area typically covers areas that have a lower level of access to commercial centres, community facilities and rapid transit services than areas in the High Density Residential Activity Area.</u></p> <p><u>However, building heights and densities are expected to change over time. A mix of low to medium density residential development is permitted in the Medium Density Residential Activity Area. This includes stand-alone, and</u></p>	Changes recommended in evidence are largely consistent with submission. Small change in evidence version, where reference to enabling greater intensification around Naenae and Waterloo has been removed, to reflect refinements made to mapping (where 29m Height Variation Control around these centres is no longer being pursued). Small changes remain in scope.

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		<p>However, building heights and densities are expected to change over time. A mix of low to medium density residential development is permitted in the Medium Density Residential Activity Area. This includes stand-alone, and multi-unit developments (such as semidetached, and terraced housing, and low-rise apartments) of three storeys. Some areas within the Medium Density Residential Activity Area have also been identified as being suitable to accommodate a higher density of residential development, subject to scale and design. These areas are within a walkable catchment of a local centre and are supported by a well-functioning urban environment. Resource consent is required for higher density development that does not meet the development standards for the zone.</p> <p>(g) High Density Residential Activity Area The High Density Residential Activity Area covers residential areas with good access to a range of commercial activities, community facilities and public transport. This includes areas surrounding train stations, the Lower Hutt city centre, Petone metropolitan centre and some suburban centres.</p> <p>Opportunities for a variety of medium and high density residential developments such as detached dwellings, terraced housing and lowrise apartments are provided for in this Activity Area. Higher density development is enabled in the High Density Residential Activity Area by permitting multi-unit developments of up to three-storey buildings and enabling taller buildings through a resource consent process. The High Density Residential Activity Area anticipates a built urban environment of at least six storeys, with greater intensification enabled in identified areas surrounding the Lower Hutt city centre and Petone, Naenae and Waterloo.</p>	<p>multi-unit developments (such as semi-detached, and terrace housing, and low-rise apartments) of three storeys. Some areas within the Medium Density Residential Activity Area have also been identified as being suitable to accommodate a more intensive form of residential development, subject to scale and design. These areas are adjacent to the centres at Wainuiomata, Eastbourne, and Stokes Valley and are supported by a well-functioning urban environment. Resource consent is required for higher-density development that does not meet the development standards for the zone.</p> <p>(g) High Density Residential Activity Area The High Density Residential Activity Area covers residential areas with good access to a range of commercial activities, community facilities and public transport. This includes areas surrounding train stations, the Lower Hutt city centre, Petone metropolitan centre and suburban centres.</p> <p>Opportunities for a variety of medium and high density residential developments such as detached dwellings, terraced housing and low-rise apartments are provided for in this Activity Area. Higher density development is enabled in the High Density Residential Activity Area by permitting multi-unit developments of up to three-storey buildings and enabling taller buildings through a resource consent process. The High Density Residential Activity Area anticipates a built urban environment of at least six storeys, with greater intensification enabled in identified areas surrounding the Lower Hutt city centre and Petone commercial areas.</p>	
206.61	Chapter 4F – Objective 4F 2.3A	<p>Recognise that the neighbourhood's planned urban built character is defined through the flexibility of individual developments to take any low to reflecting a medium density form of up to three storeys.</p>	<p>Recognise that the neighbourhood's planned urban built character is defined through the flexibility of individual developments to take any low to a medium density form of up to three storeys.</p>	Changes recommended in evidence are largely consistent with submission and are within scope.
206.62	Chapter 4F – Objective 4F 2.3AA [New Objective]	<p>NEW OBJECTIVE 4F 2.3AA A greater intensity of built form (4-5 storeys) is provided for around identified centres that are supported by a well-functioning urban environment.</p>	<p>NEW OBJECTIVE 4F 2.3AA A greater intensity of built form of up to 5 storeys is provided for around identified centres that are supported by a well-functioning urban environment.</p>	Changes recommended in evidence are largely consistent with submission. Recommended wording in evidence makes it clear that a 5 storey-built form is anticipated. Small changes remain in scope.
206.70	Chapter 4F – Policy 4F 3.2E	<p>NEW POLICY 4F 3.2E Provide for residential intensification of a site where it can be demonstrated that the development contributes positive design outcomes and living environments, taking into consideration the following design objectives as relevant to the specific site, development type, and the planned urban built environment of the zone:</p> <p><i>Built form:</i></p> <ol style="list-style-type: none"> 1. Optimise the quality of the built outcome with an integrated, comprehensive design approach. 2. Achieve a positive frontage to the street. 3. Achieve visual interest and avoid visual monotony while also achieving aesthetic coherence and integration. 4. Achieve driveways, manoeuvring and parking areas that are safe, convenient and attractive. <p><i>Amenity and well-being</i></p> <ol style="list-style-type: none"> 5. Integrate building form and open space design to achieve high internal amenity and form well-located and usable private open spaces. 6. Achieve reasonable sunlight, daylight and outlook. 	<p>NEW POLICY 4F 3.2E Provide for residential intensification of a site where it achieves positive urban design outcomes and living environments, taking into consideration the following design principles, development type, and the planned urban built environment of the zone:</p> <ol style="list-style-type: none"> 1. Ensure the building location, form and appearance is comprehensively designed with the landscape and is compatible with the planned urban built character of the zone. 2. Achieve a positive frontage that engages and interacts with the street with a focus on human activity and scale. 3. Achieve visual interest and aesthetic coherence using architectural and landscape design techniques. 4. Minimise the impact of driveways, manoeuvring and parking areas on the quality of the site and street, while ensuring safety. 5. Integrate building form and open space design to achieve high amenity, safe and functional outcomes for residents in both private and communal spaces, while respectful of neighbouring sites. 	Changes recommended in evidence are largely consistent with submission. Refinements have been made to simplify some strands of the policy, but the updated policy recommended in evidence continues to seek the same outcomes. Small changes remain in scope.

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		<p>7. Provide reasonable internal visual privacy for all units within a development.</p> <p>8. Ensure outdoor living areas are well located, functional for the intended use, and high quality.</p> <p>9. Achieve visual amenity, safety and functionality with planting.</p> <p>10. Achieve high quality, legible and efficient circulation.</p> <p>11. Provide for servicing that is suitably generous, convenient and visually discreet.</p>	<p>6. Achieve reasonable sunlight, daylight, and outlook for all residential units and associated outdoor spaces where possible, while minimising overlooking of neighbouring living and private outdoor spaces.</p> <p>7. Provide reasonable internal visual privacy for all units through well considered location of elements, rather than relying on window coverings.</p> <p>8. Achieve quality, legible, safe and efficient circulation.</p> <p>9. Provide for servicing that is suitably generous, convenient, and visually discreet.</p>	
206.65	Chapter 4F – Policy 4F 3.2	<p>Enable a variety of housing types with a mix of densities within the Medium Density Residential Activity Area, including three storey attached and detached dwellings and low-rise apartments, and additional height and density in areas of high accessibility to public transport, commercial amenity and community services.</p>	<p>NEW POLICY 4F 3.2F</p> <p>Provide for additional height and density identified areas that are adjacent to the centres in Wainuiomata, Eastbourne, and Stokes Valley, which are well serviced by commercial activities and community services</p>	<p>Kāinga Ora sought an amendment to Policy 4F3.2 to articulate that additional height around local centres was to be enabled (NPS-UD Policy 3(d)). However, this relief was rejected by the s42A report, as policy 4F3.2 is a mandatory MDRS policy and the changes sought could not be accommodated.</p> <p>Ms Williams therefore recommends a new policy in evidence, to give effect to this submission point. This policy will give effect to recommended new Objective 4F 2.3AA.</p> <p>The version in Ms Williams evidence also only specifically refers to enabling intensification around the identified centres of Wainuiomata, Eastbourne and Stokes Valley, to reflect the reduced extent of the 18m areas.</p> <p>This is a consequential change to outcome sought in submissions 206.62 and 206.65 and is broadly within scope.</p>
206.81 206.82	Chapter 4F – Rule 4F 4.2.1AA Number of Residential Units per Site	<p>REPLACEMENT RULE SOUGHT</p> <p>1. No more than three residential units occupy the site; and 2. Compliance with the following standards is achieved:</p> <p>i. 4F 4.2.1 - building coverage ii. 4F 4.2.2 – building height; iii. 4F 4.2.3 – HIRTB; iv. 4F 4.2.4 –only in relation to the rear/side yard boundary setback v. 4F 4.2.11 – outlook space</p> <p>Activity status: Restricted discretionary Where: a. Compliance is not achieved with 4F 4.2.1AA(1);</p> <p>Matters of discretion are restricted to: 1. The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood; 2. The development contributes to a safe and attractive public realm and streetscape; 3. The extent and effects on the three waters infrastructure, achieved by demonstrating that at the point of connection the infrastructure has the capacity to service the development; and 4. The degree to which the development delivers quality on-site amenity and occupant privacy that is appropriate for its scale.</p> <p>Activity status: Restricted discretionary Where: b. Compliance is not achieved with 4F 4.2.1AA(2).</p> <p>Matters of discretion are restricted to:</p>	<p>a) Up to three residential units per site are a permitted activity.</p> <p>b) Four or more residential units per site are a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>(i) The planned urban built character for the Medium Density Residential Activity Area.</p> <p>(ii) The matters in Policies 4F 3.2B, 4F 3.2E, and 4F 3.8.</p> <p>(iii) The on-site amenity for future occupants of the development.</p> <p>(iii) The extent to which the development, building design, siting and external appearance achieves an urban design outcome that:</p> <p>a. Contributes to attractive and safe streets and public open spaces, and provides safe pedestrian access to buildings from the street;</p> <p>b. Achieves quality onsite living environments</p> <p>(iv) The capacity of the network infrastructure for water supply, wastewater, stormwater and land transport to service the proposed development.</p> <p>(v) Any positive effects, including positive effects of increasing housing capacity and variety.</p>	<p>Kāinga Ora sought a replacement rule in the submission, which reflected a rule framework Kāinga Ora has sought nationally.</p> <p>The relief sought has been refined in the evidence of Ms Williams, to instead follow the rule framework within the Hutt City plan.</p> <p>Changes have been made to specific wording in the recommended matters of discretion, but the outcomes sought remain the same.</p> <p>Changes proposed within Ms Williams' Appendix A have been developed in consultation with Mr Rae with regard to the relevant matters of discretion. These link back to the proposed Policy 4F 3.2E.</p> <p>The changes remain in scope.</p>

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		<p><u>1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard.</u></p> <p>Notification: 1. An application for resource consent which complies with 4.2.1AA(1) but does not comply with 4.2.1AA(2) is precluded from being publicly notified. 2. An application for resource consent made which does not comply with 4.2.1AA(1) but complies with 4.2.1AA(2) is precluded from being either publicly or limited notified. 3. An application for resource consent made which does not comply with 4.2.1AA(1) and 4.2.1AA(2) but complies 4F 4.2.2 – building height and 4F 4.2.1 – building coverage is precluded from being either publicly or limited notified.</p> <p>(a) Up to three residential units per site are a permitted activity. (b) Four or more residential units per site are a restricted discretionary activity.</p> <p>Discretion is restricted to: (i) The planned urban built character for the Medium Density Residential Activity Area. (ii) The matters in Policies 4F 3.2B and 4F 3.8. (iii) The on-site amenity for future occupants of the development. (iv) The capacity of the network infrastructure for water supply, wastewater, stormwater and land transport to service the proposed development. (v) Any positive effects, including positive effects of increasing housing capacity and variety. (vi) The following design elements: 1. Building height 2. Recession planes and setbacks 3. Indoor and outdoor living spaces 4. Open space and boundary treatments 5. Entrances, carparking and garages 6. Onsite stormwater management 7. End / side wall treatment 8. Building materials 9. Bike parking, storage and service areas 10. Privacy and safety 11. Landscaping</p> <p>When considering the Council will be guided by its Medium Density Design Guide.</p> <p>Public and limited notification is precluded for resource consent applications under Rule 4F 4.2.11A(b).</p>	<p>(vi) <u>The effects on the safety and efficiency of the transport network (including pedestrians, cyclists, and vehicles).</u></p> <p>(vii) The following design elements:</p> <ol style="list-style-type: none"> 1. Building height 2. Recession planes and setbacks 3. Indoor and outdoor living spaces 4. Open space and boundary treatments 5. Entrances, carparking and garages 6. Onsite stormwater management 7. End / side wall treatment 8. Building materials 9. <u>Bike parking, storage, and service areas Provision for access to active modes including bike and mobility vehicle parking, storage, and service areas</u> 10. Privacy and safety 11. Landscaping <p>When considering the design outcomes of the development matters in (vii), the Council will be principally guided by its Medium Density Design Guide.</p> <p><u>Public and limited notification is precluded for resource consent applications under Rule 4F 4.2.1AA(b).</u></p>	
206.83 206.84	Chapter 4F – Rule 4F 4.2.1 Building Coverage	<p>Discretion is restricted to: (iaa) <u>The planned urban built character for the Medium Density Residential Activity Area.</u> (i) The effects on the privacy of adjoining sites. (ii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.</p> <p>Note: When addressing or assessing potential effects in relation to matters (i) and (ii) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium Density Design Guide.</p> <p><u>Public notification is precluded for resource consent applications under Rule 4F 4.2.1(b).</u></p>	<p>(a) Construction or alteration of a building is a permitted activity if: (i) The site coverage <u>building coverage</u> does not exceed 60% <u>50%</u>.</p> <p>(b) Construction or alteration of a building that exceeds 60% site coverage <u>50% building coverage</u> is a restricted discretionary activity.</p> <p>Discretion is restricted to: (iaa) <u>The planned urban built character for the Medium Density Residential Activity Area.</u> (i) <u>The effects on the privacy of adjoining sites. Dominance, privacy and shading effects on adjoining sites.</u> (ii) <u>The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space. Streetscape and visual amenity effects</u></p>	<p>Changes have been made to specific wording in the recommended matters of discretion in the evidence of Ms Williams, to refine the matters of discretion to the actual effects while also simplifying the framework across the residential zones.</p> <p>The changes remain in scope.</p>

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			<p><u>Note: When addressing or assessing potential effects in relation to matters (i) and (ii) above, applicants and the Council can be informed by the relevant outcomes identified in the <i>Medium Density Design Guide</i>.</u></p> <p>Public notification is precluded for resource consent applications under Rule 4F 4.2.1(b).</p> <p>Links to: Objectives 4F 2.2, 4F 2.3, 4F 2.4, 4F 2.5 Policies 4F 3.2, 4F 3.2A, 4F 3.2B, 4F 3.3, 4F 3.4, 4F 3.5, 4F 3.6, 4F 3.8</p>	
206.86 206.87 206.88 206.89 206.90	Chapter 4F – Rule 4F 4.2.2 Building height	<p>(a) Construction or alteration of a building is a permitted activity if:</p> <ul style="list-style-type: none"> i. The building does not exceed a maximum height of 40m 11m except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m where the entire roof slopes 15 degrees or more. ii. <u>18m on sites subject to the Height Variation Control shown on the planning Maps</u> <p>(b) Construction or alteration of a building that does not comply with Rule 4F 4.2.2(a) is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>(iaa) The planned urban built character for the Medium Density Residential Activity Area.</p> <ul style="list-style-type: none"> (i) The effects on the privacy of adjoining sites. (ii) The effects on shading of adjoining sites <u>including the impacts of shading on their primary internal and external living areas throughout the year.</u> (iii) The effects on the amenity of the surrounding residential area and adjoining streetscape. (iiia) The effects of shading and additional building bulk on any public open space or recreational grounds and their ability to provide outdoor amenity to users. (iiib) Any design features or articulation to reduce the bulk of the building when viewed from neighbouring properties. (iv) <u>The following mixed use and medium density residential development design elements:</u> <ol style="list-style-type: none"> 1. Building height 2. Recession planes and setbacks 3. Indoor and outdoor living spaces 4. Open space and boundary treatments 5. Entrances, carparking and garages 6. Onsite stormwater management 7. End / side wall treatment 8. Building materials 9. Bike parking, storage and service areas 10. Privacy and safety 11. Landscaping <p><u>When considering the matters in (iv), the Council will be principally guided by its Medium Density Design Guide.</u></p> <p><u>Public notification is precluded for resource consent applications under Rule 4F 4.2.2(b).</u></p>	<p>(a) Construction or alteration of a building is a permitted activity if:</p> <ul style="list-style-type: none"> (i) The building does not exceed a maximum height of 40m 11m except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m where the entire roof slopes 15 degrees or more. (ii) <u>The building is within a specific 18m height control overlay shown on the District Plan map and does not exceed the maximum height shown for that overlay.</u>  <p>(b) Construction or alteration of a building that exceeds the maximum height of 10m is a restricted discretionary activity.</p> <p>(b) <u>Construction or alteration of a building that does not comply with Rule 4F 4.2.2(a) is a restricted discretionary activity.</u></p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> (iaa) <u>The planned urban built character for the Medium Density Residential Activity Area.</u> (i) <u>The effects on the privacy of adjoining sites. Dominance, privacy and shading effects on adjoining sites.</u> (ii) <u>The effects on shading of adjoining sites including the impacts of shading on their primary internal and external living areas throughout the year. Streetscape and visual amenity effects.</u> (iii) The effects on the amenity of the surrounding residential area and adjoining streetscape. (iiia) The effects of shading and additional building bulk on any public open space or recreational grounds and their ability to provide outdoor amenity to users. (iiib) Any design features or articulation to reduce the bulk of the building when viewed from neighbouring properties. 	<p>Kāinga Ora sought a height variation control (18m) to apply to identified areas within the MDRAA around key centres in the submission, which reflected a rule framework Kāinga Ora has sought nationally to give effect to NPS-UD Policy 3(d).</p> <p>Changes have been made to specific wording in the recommended matters of discretion in the evidence of Ms Williams, to refine the MOD to the actual effects while also simplifying the framework. The outcomes sought remain the same.</p> <p>The changes remain in scope.</p> <p>References are also made to the recommended new objective and policy at the bottom of the rule framework, noting these new provisions are recommended by Ms Williams to implement NPS-UD Policy 3(d).</p>

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			<p>(iv) The following mixed use and medium density residential development design elements:</p> <ol style="list-style-type: none"> 1. Building height 2. Recession planes and setbacks 3. Indoor and outdoor living spaces 4. Open space and boundary treatments 5. Entrances, carparking and garages 6. Onsite stormwater management 7. End / side wall treatment 8. Building materials 9. Bike parking, storage and service areas 10. Privacy and safety 11. Landscaping <p>When considering the matters in (iv), the Council will be principally guided by its Medium Density Design Guide.</p> <p>Public notification is precluded for resource consent applications under Rule 4F 4.2.2(b).</p> <p>Links to: Objectives 4F 2.2, 4F 2.3, 4F 2.3AA, 4F 2.4, 4F 2.5 Policies 4F 3.2, 4F 3.2A, 4F 3.2B, 4F 2.3E, 4F 3.3, 4F 3.4, 4F 3.5, 4F 3.6, 4F 3.8</p>	
206.91 206.92 206.93 206.94 206.95	Chapter 4F – Rule 4F 4.2.3 Height in Relation to Boundary	<p>a) Construction or alteration of a building is a permitted activity if the following recession plane height in relation to boundary requirements are being met:</p> <p>(i) 3.5m +45° 4m +60° from all side and rear boundaries; <u>or</u></p> <p>(ii) <u>Within areas subject to a height variation control to enable 18m only:</u></p> <ol style="list-style-type: none"> <u>a. 60° recession plane measured from a point 6 metres vertically above ground level along the first 22 metres of the side boundary as measured from the road frontage; and</u> <u>b. 60° recession plane measured from a point 4 metres vertically above ground level at:</u> <ol style="list-style-type: none"> <u>i. Any boundary further than 22 metres from the road frontage; and</u> <u>ii. The common boundary of any site outside of the height variation control</u> <p>[...]</p> <p><u>Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.</u></p> <p><u>This standard does not apply to:</u></p> <ol style="list-style-type: none"> <u>(a) A boundary with a road,</u> <u>(b) Existing or proposed internal boundaries within a site, and</u> <u>(c) Site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.</u> <p>(b) Construction or alteration of a building that does not meet the recession plane height in relation to boundary requirements Rule 4F 4.2.3(a) is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p><u>(iaa) The planned urban built character for the Medium Density Residential Activity Area.</u></p>	<p>(a) Construction or alteration of a building is a permitted activity if the following recession plane height in relation to boundary requirements are being met:</p> <p>(i) 3.5m +45° 4m +60° from all side and rear boundaries; <u>or</u></p> <p>(ii) <u>Within areas subject to an 18m height variation control overlay:</u></p> <ol style="list-style-type: none"> <u>a. 6m + 60° along the first 21.5m of the side boundary as measured from the road frontage; and</u> <u>b. 4m + 60° at any boundary further than 21.5m from the road frontage and along any common boundary with a site within the MDRAA that is located outside of the height variation control overlay.</u> <p>(ii) For sites adjoining other Residential Activity Areas the recession plane requirements of the adjoining Residential Activity Area shall be complied with at the shared boundary.</p>	<p>Kāinga Ora sought a flexible HIRB in locations where the proposed height variation control (18m) would apply, which reflected a rule framework Kāinga Ora has sought nationally to give effect to NPS-UD Policy 3(d).</p> <p>Changes have been made to specific wording in the recommended matters of discretion in the evidence of Ms Williams, to refine the MOD to the actual effects while also simplifying the framework. The outcomes sought remain the same.</p> <p>These changes remain in scope.</p> <p>Changes have also been recommended in the evidence version of this standard in Ms Williams' evidence, where exclusions to the HIRB standard are recommended where they relate to boundaries adjoining commercial sites, chimneys, and aerials. These changes are in addition to outcomes sought in the original submission, and are consistent with what has been sought in the submission on the HDRAA HIRB rule.</p>

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		<p>(i) The effects on the privacy of adjoining sites.</p> <p>(ii) The effects on shading of adjoining sites, <u>including the impacts of shading on their primary internal and external living areas.</u></p> <p>(iii) The effects on the amenity of the surrounding residential <u>area</u> and adjoining streetscape.</p> <p><u>(iv) The impacts of shading and additional building bulk on any public open space or recreational grounds and their ability to provide outdoor amenity to users.</u></p> <p><u>(v) The following design elements:</u></p> <ol style="list-style-type: none"> 1. <u>Building height</u> 2. <u>Recession Planes</u> 3. <u>End / side wall treatment</u> 4. <u>Privacy and safety</u> <p><u>Note: When addressing or assessing potential effects in relation to matters (i) to (vi) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium Density Design Guide.</u></p> <p>Public notification is precluded for resource consent applications under Rule 4F 4.2.3(b).</p>	<div data-bbox="1507 277 2077 709" data-label="Diagram"> </div> <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> <p><u>Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.</u></p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> (a) <u>A boundary with a road.</u> (b) <u>Existing or proposed internal boundaries within a site, and</u> (c) <u>Site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.</u> (d) <u>Boundaries adjoining a commercial or business zone.</u> (e) <u>Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height in relation to boundary by more than 1m, and</u> (f) <u>Antennas, aerials, satellite dishes (less than 1m in diameter), flues, and architectural features (e.g., finials, spires) provided these do not exceed the height in relation to boundary by more than 3m measured vertically</u> <p>(b) Construction or alteration of a building that does not meet the recession plane <u>height in relation to boundary</u> requirements is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> (iaa) <u>The planned urban built character for the Medium Density Residential Activity Area.</u> (i) <u>The effects on the privacy of adjoining sites. Dominance, privacy and shading effects on adjoining sites.</u> (ii) <u>The effects on shading of adjoining sites, including the impacts of shading on their primary internal and external living areas.</u> (iii) The effects on the amenity of the surrounding residential area and adjoining streetscape. Streetscape and visual amenity effects. 	

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			<p>(iv) The impacts of shading and additional building bulk on any public open space or recreational grounds and their ability to provide outdoor amenity to users.</p> <p>(v) The following design elements:</p> <p>1. Building height</p> <p>2. Recession Planes</p> <p>3. End / side wall treatment</p> <p>4. Privacy and safety</p> <p>Note: When addressing or assessing potential effects in relation to matters (i), (ii) and (iii) (i) to (v) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium Density Design Guide.</p> <p>Public notification is precluded for resource consent applications under Rule 4F 4.2.3(b).</p> <p>Links to:</p> <p>Objectives 4F 2.2, 4F 2.3, 4F 2.4, 4F 2.5</p> <p>Policies 4F 3.2, 4F 3.3, 4F 3.4, 4F 3.5, 4F 3.6, 4F 3.8</p>	
206.96 206.97 206.98 206.99	Chapter 4F – Rule 4F 4.2.4 Setbacks	<p>a) Construction or alteration of a building is a permitted activity if:</p> <p>...</p> <p>(i) Buildings are set back from the relevant boundary by the minimum depth listed below:</p> <p>Front yard: 1.5m</p> <p>Side yard: 1m</p> <p>Rear yard: 1m (excluded on corner sites)</p> <p>This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed. Eaves may encroach into any yard by up to 0.6m.</p> <p>(b) Construction or alteration of a building that does not meet the yard setback requirements is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>(iaa) The planned urban built character for the Medium Density Residential Activity Area.</p> <p>(i) The effects on the privacy of adjoining sites.</p> <p>(ii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.</p> <p>(iii) The effect from any building bulk and its proximity to the main internal and external living areas of adjoining residential properties.</p> <p>(iv) The following design elements:</p> <p>1. Building height</p> <p>2. Recession Planes</p> <p>3. End / side wall treatment</p> <p>4. Privacy and safety</p> <p>Note: When addressing or assessing potential effects in relation to matters (iaa) to (iv) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium Density Design Guide.</p> <p>Public notification is precluded for resource consent applications under Rule 4F 4.2.4(b).</p>	<p>(a) Construction or alteration of a building is a permitted activity if:</p> <p>(i) The building is not located within the following yard setbacks:</p> <p style="padding-left: 40px;">Front yards: 2m</p> <p style="padding-left: 40px;">Side yards: 1m</p> <p style="padding-left: 40px;">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 and is not located in a yard that is directly adjoining the rail corridor.</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 yard requirements apply along existing or proposed internal boundaries within a site.</p> <p>Eaves may encroach into any yard by up to 0.6m.</p> <p>(i) Buildings are set back from the relevant boundary by the minimum depth listed below</p> <p style="padding-left: 40px;">Front yard: 1.5m</p> <p style="padding-left: 40px;">Side yard: 1m</p> <p style="padding-left: 40px;">Rear yard: 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 and is not located in a yard that is directly adjoining the rail corridor.</p> <p>This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</p> <p>Eaves may encroach into any yard by up to 0.6m.</p> <p>(b) Construction or alteration of a building that does not meet the yard setback requirements is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p>	<p>Changes have been made to specific wording in the recommended matters of discretion in the evidence of Ms Williams, to refine the MOD to the actual effects while also simplifying the framework. The outcomes sought remain the same. These changes remain in scope.</p> <p>Changes have also been recommended in the evidence version of this standard in Ms Williams' evidence, where exclusions to the side and rear yard setback are recommended to more readily enable small accessory buildings within residential sites (e.g. garden sheds etc). These changes are in addition to outcomes sought in the original submission.</p> <p>On a related matter, as detailed in the accompanying table analysing Kāinga Ora further submission points (F17.23 – F17.30), Kāinga Ora would accept a separate rule being introduced, which required a 1.5m setback from the rail corridor. Kāinga Ora would also support the requested matters of discretion sought by KiwiRail in relation to this specific matter, being "The location, size and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor"</p>

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			<p>(iaa) The planned urban built character for the Medium Density Residential Activity Area.</p> <p>(i) The effects on the privacy of adjoining sites. Dominance, privacy and shading effects on adjoining sites.</p> <p>(ii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space. Streetscape and visual amenity effects.</p> <p>(iii) The effect from any building bulk and its proximity to the main internal and external living areas of adjoining residential properties.</p> <p>(iv) The following design elements:</p> <ol style="list-style-type: none"> 1. Building height 2. Recession Planes 3. End / side wall treatment 4. Privacy and safety <p>Note: When addressing or assessing potential effects in relation to matters (i) and (ii) (iaa) to (iv) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium-Density Design Guide.</p> <p>Public notification is precluded for resource consent applications under Rule 4F 4.2.4(b).</p> <p>Links to: Objectives 4F 2.2, 4F 2.3, 4F 2.4, 4F 2.5 Policies 4F 3.2, 4F 3.3, 4F 3.4, 4F 3.5, 4F 3.6, 4F 3.8</p>	
206.101 206.102	Chapter 4F – Rule 4F 4.2.5 Permeable Surface	<p>a. Construction or alteration of a building, or new impermeable surfaces, is a permitted activity, if:</p> <p>(i) A minimum of 30% of the site area is a permeable surface.</p> <p>b. Construction or alteration of a building, or new impermeable surfaces, that do not meet the above permitted permeable surface requirements is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ol 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) The following mixed use and medium density residential development design elements: <ol style="list-style-type: none"> 1. Building height 2. Recession planes and setbacks 3. Indoor and outdoor living spaces 4. Open space and boundary treatments 5. Entrances, carparking and garages 6. Onsite stormwater management 7. End / side wall treatment 8. Building materials 9. Bike parking, storage and service areas 10. Privacy and safety 11. Landscaping <p>When considering the matters in (v), the Council will be principally guided by its Medium Density Design Guide.</p>	<p>(a) Construction or alteration of a building, or new impermeable surfaces, is a permitted activity, if:</p> <p>(i) A minimum of 30% of the site area is a permeable surface.</p> <p>(b) Construction or alteration of a building, or new impermeable surfaces, that do not meet the above permitted permeable surface requirements is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ol 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) The following mixed use and medium density residential development design elements: <ol style="list-style-type: none"> 1. Building height 2. Recession planes and setbacks 3. Indoor and outdoor living spaces 4. Open space and boundary treatments 5. Entrances, carparking and garages 6. Onsite stormwater management 7. End / side wall treatment 8. Building materials 9. Bike parking, storage and service areas 	The changes sought in the submission are consistent with those recommended in the evidence of Ms Williams. There is no question of scope.

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		Public and limited notification is precluded for resource consent applications under Rule 4F 4.2.5.	<p>10. Privacy and safety</p> <p>11. Landscaping</p> <p>When considering the matters in (iv), the Council will be principally guided by its Medium Density Design Guide.</p> <p>Public and limited notification is precluded for resource consent applications under Rule 4F 4.2.5(b).</p> <p>Links to: Objectives 4F 2.6 Policies 4F 3.2, 4F 3.3, 4F 3.4, 4F 3.5, 4F 3.9, 4F 3.10</p>	
206.103 206.104	Chapter 4F – Rule 4F 4.2.6 Outdoor Living Space	<p>Delete: 1. 4F 4.2.6(b)(iii) (list of design elements) 2. Reference to assessment being made against the design guide</p> <p>Introduce: 3. Notification preclusion clause for limited notification.</p>	<p>(a) Construction or alteration of a building is a permitted activity if:</p> <p>(i) Each dwelling has an outdoor living space that:</p> <ol style="list-style-type: none"> 1. Has a minimum area of 20m². 2. Has a minimum dimension of 3m. 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. <p>(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.</p> <p>(iii) Each residential unit at ground floor level has an outdoor living space that is at least 20m² and comprises ground floor, balcony, patio, or roof terrace space that:</p> <ol style="list-style-type: none"> 1. Where located at ground level, has no dimension less than 3m; 2. Where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8m; 3. Is accessible from the residential unit; and 4. May be: <ol style="list-style-type: none"> i. Grouped cumulatively by area in one communally accessible location, or ii. Located directly adjacent to the unit; and 5. Is free of buildings, parking spaces, and servicing and manoeuvring areas. <p>(iv) Each residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:</p> <ol style="list-style-type: none"> 1. Is at least 8m and has a minimum dimension of 1.8m; and 2. Is accessible from the residential unit; and 3. May be: <ol style="list-style-type: none"> i. Grouped cumulatively by area in one communally accessible location, in which case it may be located at ground level; or ii. Located directly adjacent to the unit. 	The changes sought in the submission are consistent with those recommended in the evidence of Ms Williams. There is no question of scope.

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			<p>(b) Construction or alteration of a building that does not meet the outdoor living space requirements is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>(iaa) <u>The planned urban built character for the Medium Density Residential Activity Area.</u></p> <p>(i) The effects on the amenity for residents of the site, including access to sunlight and open space and accessibility of the outdoor living space proposed.</p> <p>(ia) <u>The design, layout, access for residents, functionality, and on-going maintenance (including legal instruments) of any communal space provided on site to provide outdoor living.</u></p> <p>(ib) <u>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.</u></p> <p>(ic) <u>The usability and functionality of the proposed outdoor living area for future occupants.</u></p> <p>(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.</p> <p>(iii) The following mixed use and medium density residential development design elements:</p> <ol style="list-style-type: none"> 1. Building height 2. Recession planes and setbacks 3. Indoor and outdoor living spaces 4. Open space and boundary treatments 5. Entrances, carparking and garages 6. On-site stormwater management 7. End / side wall treatment 8. Building materials 9. Bike parking, storage and service areas 10. Privacy and safety 11. Landscaping <p>When considering the matters in (iii), the Council will be principally guided by its Medium Density Design Guide.</p> <p><u>Public and limited notification is precluded for resource consent applications under Rule 4F 4.2.6(b).</u></p> <p>Links to: Objectives 4F 2.4, 4F 2.5 Policies 4F 3.2, 4F 3.2C, 4F 3.5, 4F 3.7, 4F 3.8</p>	
206.106	Rule 4F 4.2.8 Screening and storage	Delete: 1. 4F 4.2.8(b)(iii) (list of design elements) 2. Reference to assessment being made against the design guide	<p>(a) Construction or alteration of a building is a permitted activity if:</p> <p>(i) All outdoor storage and servicing areas are screened so that they are not visible from a road or public space.</p> <p>(b) Construction or alteration of a building that does not meet the screening and storage requirements is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>(i) The effects on the amenity of adjoining sites.</p>	The changes sought in the submission are consistent with those recommended in the evidence of Ms Williams. There is no question of scope.

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			<p>(ii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.</p> <p>(iii) The following mixed use and medium density residential development design elements:</p> <ol style="list-style-type: none"> 1. Building height 2. Recession planes and setbacks 3. Indoor and outdoor living spaces 4. Open space and boundary treatments 5. Entrances, carparking and garages 6. On-site stormwater management 7. End / side wall treatment 8. Building materials 9. Bike parking, storage and service areas 10. Privacy and safety 11. Landscaping <p>When considering the matters in (iii), the Council will be principally guided by its Medium Density Design Guide.</p> <p>Links to: Objectives 4F-2.2, 4F 2.4, 4F 2.5 Policies 4F 3.2, 4F 3.3, 4F 3.4, 4F 3.5, 4F 3.8</p>	
206.107 206.108	Rule 4F 4.2.11 Outlook Space (per unit)	<p>Delete: 1. 4F 4.2.8(b)(iii) (list of design elements) 2. Reference to assessment being made against the design guide</p> <p>Introduce: 3. Notification preclusion clause for limited notification.</p>	<p>(a) Construction or alteration of a building is a permitted activity if:</p> <p>(i) <u>Outlook space is provided for each residential unit as specified in this rule.</u></p> <p>(ii) <u>Outlook space is provided from habitable room windows as shown in the diagram below:</u></p> <div data-bbox="1427 1226 2027 1675" data-label="Diagram"> <p>The diagram illustrates a habitable room with a principal living room. A window is shown on the right wall. An outlook space is defined as a rectangular area outside the window. The outlook space is 4m wide and 4m deep. The window is 1m wide and 1m high. The centre point of the window is marked. The outlook space is shown to be adjacent to the window.</p> </div> <p>(ii) <u>The minimum dimensions for a required outlook space are:</u></p> <ol style="list-style-type: none"> (a) <u>A principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and</u> (b) <u>All other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.</u> 	The changes sought in the submission are consistent with those recommended in the evidence of Ms Williams. There is no question of scope.

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			<p>(iii) <u>The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.</u></p> <p>(iv) <u>Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.</u></p> <p>(v) <u>Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.</u></p> <p>(vi) <u>Outlook spaces may be under or over a balcony.</u></p> <p>(vii) <u>Outlook spaces required from different rooms within the same building may overlap.</u></p> <p>(viii) <u>Outlook spaces must:</u></p> <p style="padding-left: 20px;">(a) <u>Be clear and unobstructed by buildings; and</u></p> <p style="padding-left: 20px;">(b) <u>Not extend over an outlook space or outdoor living space required by another dwelling.</u></p> <p>(b) <u>Construction or alteration of a building that does not comply with one or more of the standards listed above is a restricted discretionary activity.</u></p> <p><u>Discretion is restricted to:</u></p> <p>(i) <u>The planned urban built character for the Medium Density Residential Activity Area.</u></p> <p>(ii) <u>The matters in Policy 4F 3.2D.</u></p> <p>(iii) <u>The effects on internal privacy of future occupants resulting from a reduced outlook.</u></p> <p>(iv) <u>The effects on the level of sunlight to internal living areas from a reduced outlook.</u></p> <p>(v) <u>Any mitigation factors such as view or landscaping that compensates for a reduced outlook.</u></p> <p><u>When considering the matters in (ii), the Council will be principally guided by its Medium Density Design Guide.</u></p> <p><u>Public and limited notification is precluded for resource consent applications under Rule 4F 4.2.11(b).</u></p>	
206.109 206.110	Rule 4F 4.2.12 Windows to Street	<p>Delete: 1. 4F 4.2.12(b)(iii) (list of design elements) 2. Reference to assessment being made against the design guide</p> <p>Introduce: 3. Notification preclusion clause for limited notification.</p>	<p>(a) <u>Construction or alteration of a building is a permitted activity if:</u></p> <p style="padding-left: 20px;">(i) <u>Residential units facing the street have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors.</u></p> <p>(b) <u>Construction or alteration of a building that does not comply with the above standard is a restricted discretionary activity.</u></p> <p><u>Discretion is restricted to:</u></p> <p>(i) <u>The planned urban built character for the Medium Density Residential Activity Area.</u></p> <p>(ii) <u>The matters in Policy 4F 3.8.</u></p> <p><u>(iii) The following design elements:</u></p> <p style="padding-left: 20px;"><u>1. Open space and boundary treatments.</u></p> <p style="padding-left: 20px;"><u>2. Entrances, carparking and garages.</u></p> <p style="padding-left: 20px;"><u>3. End / side wall treatment.</u></p> <p style="padding-left: 20px;"><u>4. Privacy and safety.</u></p> <p style="padding-left: 20px;"><u>5. Landscaping.</u></p>	The changes sought in the submission are consistent with those recommended in the evidence of Ms Williams. There is no question of scope.

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			<p>When considering the matters in (iii), the Council will be principally guided by its Medium Density Design Guide.</p> <p>Public and limited notification is precluded for resource consent applications under Rule 4F 4.2.12(b).</p>	
206.111 206.112	Rule 4F 4.2.13 Landscaped Area	<p>Delete: 1. 4F 4.2.13(b)(ix) (list of design elements) 2. Reference to assessment being made against the design guide</p> <p>Introduce: 3. Preclusion clause for limited notification.</p>	<p>(a) Construction or alteration of a building is a permitted activity if the following landscaped area standards are met:</p> <p>(i) A residential unit at ground floor level has a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.</p> <p>(ii) The landscaped area may be located on any part of the development site and does not need to be associated with each residential unit.</p> <p>(b) Construction or alteration of a building that does not comply with either of the standards listed above is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>(i) The planned urban built character for the Medium Density Residential Activity Area.</p> <p>(ii) The matters in Policy 4F 3.2D.</p> <p>(iii) The accommodation of any visually prominent or established vegetation on the site into the landscaping design and the visual effects from the loss of any existing visually prominent or established vegetation on the local streetscape and visual amenity values of the local area.</p> <p>(iv) The amenity provided by the proposed landscaping to future occupants of the site.</p> <p>(v) The proposed measures and ownership of the landscaping to ensure on-going maintenance.</p> <p>(vi) The timing of the implementation of the landscaping relative to the proposed development</p> <p>(vii) The appropriateness of the proposed species for the local area and their ability to service the local climate.</p> <p>(viii) The appropriateness of the species to be planted for the spaces that have been allowed, and</p> <p>(ix) The following design elements:</p> <ol style="list-style-type: none"> 1. Building height 2. Recession planes and setbacks 3. Indoor and outdoor living spaces 4. Open space and boundary treatments 5. Entrances, carparking and garages 6. On-site stormwater management 7. End / side wall treatment 8. Building materials 9. Bike parking, storage and service areas 10. Privacy and safety 11. Landscaping <p>When considering the matters in (ix), the Council will be principally guided by its Medium Density Design Guide.</p>	The changes sought in the submission are consistent with those recommended in the evidence of Ms Williams. There is no question of scope.

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			Public <u>and limited</u> notification is precluded for resource consent applications under Rule 4F 4.2.13(b).	
Chapter 4G – High Density Residential Activity Area (HDRAA)				
206.128	Chapter 4G –Introduction/ Zone Statement	<p>4G 1 Introduction / Zone Statement</p> <p><u>The High Density Residential Activity Area covers residential areas with a higher level of access to commercial activities and community facilities. This includes areas surrounding train stations, the Lower Hutt city centre and Petone metropolitan centre as well as some suburban centres.</u></p> <p><u>While areas in the High Density Residential Activity Area are predominantly residential in nature, non-residential activities are provided for within the Activity Area where they are compatible with residential activities.</u></p> <p><u>The planned urban built character for the High Density Residential Activity Area is high density residential development, including detached dwellings, terraced housing and apartments. The planned urban built character of the High Density Residential Activity Area includes buildings of at least six storeys in most of the Activity Area. The urban built character of an area will arise from the flexibility provided for by the Plan for individual development to take any low to high density form. This supports increasing the capacity and choice of housing within neighbourhoods. It is anticipated that the appearance of neighbourhoods in the High Density Residential Activity Area It is expected that the urban built form of an area will change over time as the number of high density residential developments increases including through increased opportunities for terraced housing and apartments.</u></p> <p><u>Built development is provided for in the High Density Residential Activity Area through a range of permitted activities and development standards that permit three six dwellings per site and buildings of up to six storeys in most of the Activity Area and four storeys for areas in Eastbourne, Stokes Valley and Wainuiomata. Some areas have been identified as being suited to a more intensive built form through increased building heights than the standard zone height. These areas are located within a walkable catchment of the City Centre and Petone Commercial Activity Area, Naenae and Waterloo. They are identified on the planning maps as Height Variation Controls.</u></p> <p>[...]</p> <p><u>If a proposed development does not meet the development standards, resource consent is required in order to: Development of seven or more residential units is also encouraged through the policy framework and provided for through a resource consenting process in order to:</u></p> <ol style="list-style-type: none"> i. <u>achieve a high quality built environment;</u> ii. <u>manage the effects of development on neighbouring sites;</u> iii. <u>achieve high quality living environments; and</u> iv. <u>achieve attractive and safe streets and public spaces.</u> <p><u>Residential development that infringes 1 or more standards is also provided for through a resource consenting process. The resource consent process enables the design and layout, as well as potential or actual effects on the environment, of development to be assessed, recognising that quality design is increasingly important as the scale and density of development increases. Council provides design guidance for residential developments through design guides that sit outside the plan.</u></p>	<p>4G 1 Introduction / Zone Statement</p> <p><u>The High Density Residential Activity Area covers residential areas with a higher level of access to commercial activities and community facilities. This includes areas surrounding train stations, the Lower Hutt city centre and Petone metropolitan centre as well as some suburban centres.</u></p> <p><u>While areas in the High Density Residential Activity Area are predominantly residential in nature, non-residential activities are provided for within the Activity Area where they are compatible with residential activities.</u></p> <p><u>The planned urban built character for the High Density Residential Activity Area is high density residential development, including detached dwellings residential units, terraced housing and apartments. The urban built character of an area will arise from the flexibility provided for by the Plan for individual developments to take any low to high density form. This supports increasing the capacity and choice of housing within neighbourhoods. It is anticipated that the appearance of neighbourhoods in the High Density Residential Activity Area will change over time, including through increased opportunities for terraced housing and apartments.</u></p> <p><u>Built development is provided for in the High Density Residential Activity Area through a range of permitted activities and development standards that permit three dwellings residential units per site and buildings of up to at least six storeys. in most of the Activity Area and four storeys for areas in Eastbourne, Stokes Valley and Wainuiomata. Some areas have been identified as being suited to a more intensive built form through increased building heights than the standard zone height. These areas are located within a walkable catchment of the City Centre and Petone Commercial Activity Area. They are identified on the planning maps as Height Variation Controls.</u></p> <p><u>Standards for built development may be modified and/or limited by qualifying matters. Development standards also address:</u></p> <ol style="list-style-type: none"> i. <u>the impacts of built development on adjoining sites and the streetscape,</u> ii. <u>stormwater management, and</u> iii. <u>provision of open space for residents.</u> <p><u>If a proposed development does not meet the development standards, resource consent is required in order to:</u></p> <ol style="list-style-type: none"> i. <u>achieve a high quality built environment;</u> ii. <u>manage the effects of development on neighbouring sites;</u> iii. <u>achieve high quality living environments; and</u> iv. <u>achieve attractive and safe streets and public spaces.</u> <p><u>For developments requiring resource consent, these will be assessed against the policy framework set out by the relevant residential and overlay chapters. The resource consent process enables the design and layout of development to be assessed, recognising that quality design is increasingly important as the scale and density of development increases. Council provides design guidance for residential developments through design guides that sit outside the plan.</u></p>	<p>The changes sought in the submission are generally consistent with those recommended in the evidence of Ms Williams.</p> <p>Additional height is no longer being pursued by Kāinga Ora in the residential environments around the centres of Naenae and Waterloo through Plan Change 56. This revised position is reflected in the revised wording recommended in the evidence of Ms Williams.</p> <p>Ms Williams supports a maximum permitted threshold of 3 units in the HDRAA before a design-based assessment is required (KO sought this threshold to sit above 6 units). This is reflected in the provisions recommended in her evidence.</p> <p>There is no question of scope.</p>

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		<u>The planned urban built character of the High Density Residential Activity Area includes buildings of at least six storeys in most of the Activity Area and at least four storeys in Eastbourne, Stokes Valley and Wainuiomata. As buildings of this scale are likely to breach one or more development standard, resource consent is likely to be required. However, buildings of at least six storeys must be enabled within the walkable catchments of Lower Hutt city centre, Petone metropolitan centre and the city's train stations.</u>	The planned urban built character of the High Density Residential Activity Area includes buildings of at least six storeys in most of the Activity Area and at least four storeys in Eastbourne, Stokes Valley and Wainuiomata. <u>As buildings of this scale are likely to breach one or more development standard, resource consent is likely to be required. However, noting that buildings of at least six storeys must be enabled within the walkable catchments of Lower Hutt city centre, Petone metropolitan centre and the city's train stations.</u>	
206.132	Chapter 4G - Objective 4G 2.4	Objective 4G 2.4 <u>Recognise that the neighbourhood's planned urban built character is defined through the flexibility of individual developments to take:</u> i. Any low to medium density form of up to three storeys, or ii. A form of up to six storeys that achieves, for that development, the best practicable amenity outcomes for adjoining sites, or iii. A taller form if compatible with the amenity levels associated with high density residential development of six storeys.	Objective 4G 2.4 <u>Recognise that the neighbourhood's-The form, appearance and amenity of neighbourhoods within the High Density Residential Zone Activity Area will change over time to reflect a more intensive urban built form. The High Density Residential Activity Area planned urban built character is defined through the flexibility of individual developments to take:</u> i. <u>Any low to medium density form of up to three storeys, or</u> ii. <u>A more intensive scale, form and typology of development compared with the Medium Density Residential Activity Area, with A-form buildings of up to at least six storeys being enabled.</u> iii. <u>Greater intensification in proximity to the city's key commercial areas. that achieves, for that development, the best practicable amenity outcomes for adjoining sites, or</u> iv. <u>A taller form if compatible with the amenity levels associated with high density residential development of six storeys.</u>	The changes recommended in the evidence of Ms Williams are more extensive than those sought in the submission. Upon closer review, Ms Williams determined that the Objectives in the HDRAA do not clearly articulate the planned urban built form outcomes of the zone. Objective 4G 2.4 as recommended by the Council blends amenity and built form directives, which provides an unclear framework. Ms Williams has therefore recommended further changes, to more clearly express the planned built form outcomes. The recommendations to Obj 4G 2.4 in Ms Williams evidence also draw from changes sought by Kāinga Ora against Obj 4G 2.3. Overall, while the recommended wording in the submission differs to the wording recommended in Ms Williams' evidence, the latter more clearly expresses the outcome sought within the submission, being to <i>"articulate the change more clearly in character that is anticipated in the planned urban built environment of the High Density Residential Activity Area."</i> As outlined at 5.15 of Ms Williams' evidence "The section 32 report notes that the objective is intentionally focused on the planned character (as opposed to the existing character) given the degree of change anticipated to occur within the zone because of the mandatory MDRS and the need to enable greater building heights and densities in accordance with Policy 3 of the NPS-UD. I consider my recommended revisions more clearly achieve this purpose, with a clearer focus on the outcomes directed by the NPS-UD. While I acknowledge my changes remove specific reference to provision of amenity levels with regard to more intensive development, I consider the balance of objectives provide adequate coverage of this issue. I have also recommended changes to Policy 4G 3.3 to give effect to this objective."
206.139	Chapter 4G – Policy 4G 3.3	No changes sought	Policy 4G 3.3 <u>Enable buildings of up to at least six storeys, and buildings of more than six storeys where compatible with the amenity levels associated with high density six storey residential development, with greater height and density enabled around the city's key commercial areas.</u>	Kāinga Ora did not seek changes to this policy in its submission. Ms Williams does recommend changes, which flow from the changes recommended by Ms Williams to Obj 4G 2.4 above.

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206.144	Chapter 4G – Policy 4G 3.8	<p>Policy 4G 3.8</p> <p>Manage the effects of built development on adjoining sites and the street by controlling height, bulk and form of built development.</p> <p>Manage the effects of built form that does not meet the permitted activity standards for height in relation to boundary, building set back, site coverage or height standards, by ensuring adequate provision of privacy and access to sunlight is made to neighbouring residential properties internal and external living areas, and the impact of building bulk and dominance is mitigated or remedied through design responses.</p>	<p>Policy 4G 3.8</p> <p>Manage the effects of built development on adjoining sites and the street by controlling height, height in relation to boundary, setbacks, and building coverage bulk and form of built development to ensure adequate provision of privacy and access to sunlight is made to neighbouring residential properties internal and external living areas, and the impact of building bulk is mitigated or remedied through design responses.</p>	The changes sought in the submission are generally consistent with those recommended in the evidence of Ms Williams.
206.145	Chapter 4G – Policy 4G 3.9	<p>Require the design of built development of up to three storeys to maintain a reasonable level of privacy and sunlight access for adjoining sites.</p>	<p>Policy 4G 3.9</p> <p>Require the design of built development of up to three storeys to maintain a reasonable level of make adequate provision for privacy and sunlight access for adjoining sites.</p>	Kāinga Ora continues to seek deletion of this policy, noting that the broad range of alternative policies within Chapter 4G make adequate provision for amenity (including Policy 4G 3.8).
	Chapter 4G – Policy 4G 3.10	<p>Encourage high density residential development that contributes positive design outcomes and living environments. Manage the design of built development of more than three storeys and up to six storeys to achieve the best practicable outcomes for privacy, sunlight, and appearance including by:</p> <ul style="list-style-type: none"> i. Encouraging buildings on front sites to be located close to the street. ii. Encouraging buildings to be planned to be compatible with possible future developments on neighbouring sites, including through the position of walls likely to be future common walls, accessways, communal open space and parking areas. iii. Encouraging the orientation of key windows and outdoor living spaces in units to face toward the street and rear of the site, rather than the sides. iv. Encouraging windows to be designed to minimise overlooking or looking into windows or outdoor living spaces of other close residential units. v. Encouraging outdoor living spaces to achieve a good level of privacy by being screened from windows or outdoor living spaces of other close residential units. vi. Encouraging outdoor living spaces to be located to achieve a good level of privacy and access to sunlight while minimising impacts on privacy and access to sunlight of other close residential units, and vii. Encouraging the appearance of end wall and boundary treatments to take into account their proposed context, and the possible future context given the flexible options available on adjoining sites. 	<p>Policy 4G 3.10</p> <p>Manage the design of built development of more than three storeys and up to six storeys to achieve the best practicable outcomes for privacy, sunlight, and appearance including by:</p> <ul style="list-style-type: none"> i. Encouraging buildings on front sites to be located close to the street. ii. Encouraging buildings to be planned to be compatible with possible future developments on neighbouring sites based on the planned urban building character, including through the position of walls likely to be future common walls, accessways, communal open space and parking areas. iii. Encouraging the orientation of key windows and outdoor living spaces in units to face toward the street and rear of the site, rather than the sides. iv. Encouraging windows to be designed to minimise overlooking or looking into windows or outdoor living spaces of other close residential units. v. Encouraging outdoor living spaces to achieve a good level of privacy by being screened from windows or outdoor living spaces of other close residential units. vi. Encouraging outdoor living spaces to be located to achieve a good level of privacy and access to sunlight while minimising impacts on privacy and access to sunlight of other close residential units, and vii. Encouraging the appearance of end wall and boundary treatments to take into account their proposed context, and the possible future context given the flexible options available on adjoining sites. <p>Provide for residential intensification of a site where it achieves positive urban design outcomes and living environments, taking into consideration the following design principles, development type, and the planned urban built environment of the High Density Residential Activity Area:</p> <ol style="list-style-type: none"> 1. Ensure the building location, form and appearance is comprehensively designed with the landscape and is compatible with the planned urban built character of the High Density Residential Activity Area. 2. Achieve a positive frontage that engages and interacts with the street with a focus on human activity and scale. 3. Achieve visual interest and aesthetic coherence using architectural and landscape design techniques. 	<p>The changes recommended in the evidence of Ms Williams are more extensive than those sought in the submission.</p> <p>Upon closer review, Ms Williams determined that the Council's recommended HDRAA policy framework does not sufficiently provide for quality design outcomes, which contributes to a well-functioning urban environment.</p> <p>The changes recommended to this policy are, however, identical to those recommended by Ms Williams for the design-based policy within the MDRAA. This assists in the wider consideration of scope, as similar outcomes have been sought by Kāinga Ora elsewhere in the Plan Change.</p>

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			<p>4. <u>Minimise the impact of driveways, manoeuvring and parking areas on the quality of the site and street, while ensuring safety.</u></p> <p>5. <u>Integrate building form and open space design to achieve high amenity, safe and functional outcomes for residents in both private and communal spaces, while respectful of neighbouring sites.</u></p> <p>6. <u>Achieve reasonable sunlight, daylight, and outlook for all residential units and associated outdoor spaces where possible, while minimising overlooking of neighbouring living and private outdoor spaces.</u></p> <p>7. <u>Provide reasonable internal visual privacy for all units through well considered location of elements, rather than relying on window coverings.</u></p> <p>8. <u>Achieve quality, legible, safe and efficient circulation.</u></p> <p>9. <u>Provide for servicing that is suitably generous, convenient, and visually discreet.</u></p>	
206.162	<p>Chapter 4G – New Rule 4G 4.1.XX</p> <p>Introduce a new Restricted Discretionary Activity Rule for Commercial Activities (up to 200m² at ground floor of apartment buildings)</p>	<p><u>Commercial Activity</u></p> <p><u>1. Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p>a) <u>The commercial activity is limited to the ground floor tenancy of an apartment building;</u></p> <p>b) <u>The total gross floor area of commercial activity does not exceed 200m²;</u></p> <p>c) <u>The commercial activity does not include the repair, alteration, restoration or maintenance of motor vehicles.</u></p> <p>d) <u>The hours of operation are between:</u></p> <p>i. <u>7.00am and 9.00pm Monday to Friday; and</u></p> <p>ii. <u>8.00am and 7.00pm Saturday, Sunday and public holidays.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The effects on the amenity of the surrounding residential area.</u></p> <p>2. <u>The effects on pedestrian safety and the safe and efficient movement of vehicles.</u></p> <p>3. <u>The activity contributes positively to the urban environment and achieves attractive and safe streets.</u></p> <p><u>2. Activity status: Discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance is not achieved with 4G 4.1XX-1.a - 4G 4.1XX -1.d.</u></p>	<p><u>New Rule 4G 4.1.XX - Commercial Activity</u></p> <p><u>(a) Commercial activities are Restricted Discretionary activities where:</u></p> <p>(i) <u>The commercial activity is limited to the ground floor tenancy of an apartment building;</u></p> <p>(ii) <u>The total gross floor area of the commercial activity/activities does not exceed 200m²;</u></p> <p>(iii) <u>The commercial activity does not include the repair, alteration, restoration or maintenance of motor vehicles.</u></p> <p>(iv) <u>The hours of operation are between:</u></p> <p>i. <u>7.00am and 9.00pm Monday to Friday; and</u></p> <p>ii. <u>8.00am and 7.00pm Saturday, Sunday and public holidays.</u></p> <p><u>Discretion is restricted to:</u></p> <p>(i) <u>The extent to which the intensity and scale of the activity may adversely affect the amenity of the surrounding residential area.</u></p> <p>(ii) <u>Whether the business is compatible with the character of the surrounding neighbourhood, or whether it would be better located in a Centre.</u></p> <p>(iii) <u>The effects on pedestrian safety and the safe and efficient movement of vehicles.</u></p> <p>(iv) <u>The activity contributes positively to the urban environment and achieves attractive and safe streets.</u></p> <p>(v) <u>Cumulative effects.</u></p> <p><u>(b) Activity status: Discretionary where:</u></p> <p>1. <u>Compliance is not achieved with 4G 4.1XX-a.i - 4G 4.1XX -a.iv.</u></p> <p><u>Links to:</u></p> <p><u>Objective 4G 2.1 and Policy 4G 3.1</u></p>	<p>The changes sought in the submission are generally consistent with those recommended in the evidence of Ms Williams.</p> <p>There are two additional matters of discretion recommended in Appendix A in the evidence of Ms Williams, which is to achieve consistency with what has been recommended in other districts in the region.</p> <p>No scope issue anticipated.</p>
206.165 206.166	<p>Chapter 4G – Rule 4G 4.2.1</p> <p>Number of Residential Units per Site</p>	<p><u>Rule 4G 4.2.1 - Number of Residential Units Dwellings per Site</u></p> <p><u>[Kāinga Ora sought a replacement rule]</u></p> <p>1. <u>No more than six residential units occupy the site; and</u></p> <p>2. <u>Compliance with the following standards is achieved:</u></p> <p>i. <u>4G 4.2.2 - building coverage</u></p> <p>ii. <u>4G 4.2.3 – building height;</u></p> <p>iii. <u>4G 4.2.4 – HIRTB;</u></p>	<p>(a) <u>Up to three dwellings residential units per site are a permitted activity.</u></p> <p>(b) <u>Four or more dwellings residential units per site are a restricted discretionary.</u></p> <p><u>Discretion is restricted to:</u></p> <p>(i) <u>The planned urban built character for the High Density Residential Activity Area, including the requirements to</u></p>	<p>Kāinga Ora sought a replacement rule in the submission, which was consistent with what was sought High Density Residential Zones throughout NZ.</p> <p>Ms Williams has recommended refinements in Appendix A of evidence to align the rule more with the style and structure of that proposed by Council. Ms Williams supports a rule</p>

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		<p>iv. <u>4G 4.2.5 –only in relation to the rear/side yard boundary setback</u></p> <p>v. <u>4G 4.2.13 – outlook space</u></p> <p>Activity status: Restricted discretionary</p> <p>Where: a. <u>Compliance is not achieved with 4G 4.2.1(1):</u></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <u>The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood;</u> <u>The development contributes to a safe and attractive public realm and streetscape;</u> <u>The extent and effects on the three waters infrastructure, achieved by demonstrating that at the point of connection the infrastructure has the capacity to service the development; and</u> <u>The degree to which the development delivers quality on-site amenity and occupant privacy that is appropriate for its scale.</u> <p>Activity status: Restricted discretionary</p> <p>Where: b. <u>Compliance is not achieved with 4G 4.2.1(2).</u></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <u>The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard.</u> <p>Notification:</p> <ol style="list-style-type: none"> <u>An application for resource consent which complies with 4G 4.2.1(1) but does not comply with 4G 4.2.1(2) is precluded from being publicly notified.</u> <u>An application for resource consent made which does not comply with 4G 4.2.1(1) but complies with 4G 4.2.1(2) is precluded from being either publicly or limited notified.</u> <u>An application for resource consent made which does not comply with 4G 4.2.1(1) and 4G 4.2.1(2) but complies 4G 4.2.3 – building height and 4G 4.2.1 - building coverage is precluded from being either publicly or limited notified.</u> <p><u>(a) Up to three residential units per site are a permitted activity.</u> <u>(b) Four or more residential units per site are a restricted discretionary activity.</u></p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <u>The planned urban built character for the High Density Residential Activity Area.</u> <u>The matters in Policies 4G 3.5, and 4G 3.12.</u> <u>The matters in Policies 4G 3.10 and 4G 3.11, if the development is four or more storeys.</u> <u>The on-site amenity for future occupants of the development.</u> <u>The capacity of the network infrastructure for water supply, wastewater, stormwater and land transport to service the proposed development.</u> <u>Any positive effects, including positive effects of increasing housing capacity and variety.</u> <u>The following design elements:</u> <ol style="list-style-type: none"> <u>Building height</u> <u>Recession planes and setbacks</u> <u>Indoor and outdoor living spaces</u> <u>Open space and boundary treatments</u> <u>Entrances, carparking and garages</u> <u>Onsite stormwater management</u> <u>End / side wall treatment</u> <u>Building materials</u> <u>Bike parking, storage, and service areas Provision for access to active modes including bike and mobility vehicle parking, storage, and service areas</u> <u>Privacy and safety</u> <u>Landscaping</u> 	<p><u>enable buildings of at least six storeys within the High Density Residential Activity Area.</u></p> <p>(ii) <u>The matters in Policies 4G 3.5, 4G 3.10 and 4G 3.12.</u></p> <p>(iii) The matters in Policies 4G 3.10 and 4G 3.11, if the development is four or more storeys.</p> <p>(iv) The on-site amenity for future occupants of the development.</p> <p>(i) <u>The extent to which the development, building design, siting and external appearance achieves an urban design outcome that:</u></p> <ol style="list-style-type: none"> <u>Contributes to attractive and safe streets and public open spaces, and provides safe pedestrian access to buildings from the street;</u> <u>Achieves quality onsite living environments</u> <p>(v) <u>The capacity of the network infrastructure for water supply, wastewater, stormwater, and land transport to service the proposed development.</u></p> <p>(vi) <u>Any positive effects, including positive effects of increasing housing capacity and variety.</u></p> <p>(vii) <u>The effects on the safety and efficiency of the transport network (including pedestrians, cyclists, and vehicles).</u></p> <p>(viii) The following design elements:</p> <ol style="list-style-type: none"> Building height Recession planes and setbacks Indoor and outdoor living spaces Open space and boundary treatments Entrances, carparking and garages Onsite stormwater management End / side wall treatment Building materials <u>Bike parking, storage, and service areas Provision for access to active modes including bike and mobility vehicle parking, storage, and service areas</u> Privacy and safety Landscaping <p><u>Public and limited notification is precluded for resource consent applications under Rule 4G 4.2.1(b).</u></p>	<p>framework that applies where 4+ units are proposed, consistent with the MDRS, to enable a design-based assessment to be undertaken.</p> <p>Changes proposed within Ms Williams' Appendix A have been developed in consultation with Mr Rae with regard to the relevant matters of discretion. These link back to the proposed amended Policy 4G 3.10.</p> <p>The changes remain in scope.</p>

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		<p>7. End / side wall treatment 8. Building materials 9. Bike parking, storage and service areas 10. Privacy and safety 11. Landscaping</p> <p>When considering the matters in (vii), the Council will be principally guided by its Medium Density Design Guide.</p> <p>Public and limited notification is precluded for resource consent applications under Rule 4G 4.2.1 (b).</p>		
206.167 206.168 206.169	Chapter 4G – Rule 4G 4.2.2 Building Coverage	<p>...</p> <p>Discretion is restricted to: (i) <u>The planned urban built character for the High Density Residential Activity Area including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.</u> (ii) <u>The effects on the privacy of adjoining sites.</u> (iii) <u>The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.</u></p> <p>Note: When addressing or assessing potential effects in relation to matters (i) and (ii) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium Density Design Guide.</p> <p>Public notification is precluded for resource consent applications under Rule 4G 4.2.2(b).</p>	<p>(a) <u>Construction or alteration of a building is a permitted activity if:</u> (i) <u>The building coverage does not exceed 50%.</u></p> <p>(b) <u>Construction or alteration of a building that exceeds 50% building coverage is a restricted discretionary activity.</u></p> <p>Discretion is restricted to: (i) <u>The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.</u> (ii) <u>The effects on the privacy of adjoining sites. Dominance, privacy and shading effects on adjoining sites.</u> (iii) <u>The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space. Streetscape and visual amenity effects.</u></p> <p>Note: When addressing or assessing potential effects in relation to matters (i) and (ii) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium Density Design Guide.</p> <p>Public notification is precluded for resource consent applications under Rule 4G 4.2.2(b).</p>	<p>Changes have been made to specific wording in the recommended matters of discretion in the evidence of Ms Williams, to refine the MOD to the actual effects while also simplifying the framework across the residential zones.</p> <p>Kāinga Ora continues to seek removal to reference to the medium density design guide, consistent with the submission recommended changes.</p> <p>The changes remain in scope.</p>
206.170 to 206.174	Chapter 4G – Rule 4G 4.2.3 Building height	<p>(a) <u>Construction or alteration of a building is a permitted activity if:</u> a. <u>The building is within a specific height control overlay shown on the District Plan map and does not exceed the maximum height shown for that overlay, or</u> b. <u>In any other case, the building does not exceed a maximum height of 22m.</u></p> <p>(b) <u>Construction or alteration of a building that does not comply with Rule 4G 4.2.3(a) is a restricted discretionary activity.</u></p> <p>Discretion is restricted to: i. <u>The planned urban built character for the High Density Residential Activity Area including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.</u> ii. <u>The effects on the amenity of the surrounding residential area and adjoining streetscape.</u> iii. <u>The effects on the privacy of adjoining sites.</u> iv. <u>The effects on shading of adjoining sites including the impacts of shading on their primary internal and external living areas throughout the year.</u> v. <u>The effects of shading and additional building bulk on any public open space or recreational grounds and their ability to provide outdoor amenity to users.</u> vi. <u>Any design features or articulation to reduce the bulk of the building when viewed from neighbouring properties.</u> vii. <u>The following design elements:</u> 1. <u>Building height</u> 2. <u>End / side wall treatment</u></p>	<p>(a) <u>Construction or alteration of a building is a permitted activity if:</u> (i) <u>The building is within a specific height control overlay shown on the District Plan map and does not exceed the maximum height shown for that overlay, or</u> (ii) <u>In any other case, the building does not exceed a maximum height of 22m.</u></p> <p>(b) <u>Construction or alteration of a building that does not comply with Rule 4G 4.2.3(a) is a restricted discretionary activity.</u></p> <p>Discretion is restricted to: (i) <u>The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.</u> (ii) <u>The effects on the amenity of the surrounding residential area, and adjoining the streetscape and adjacent public open space.</u> (iii) <u>The effects on the privacy of adjoining sites. Dominance, privacy and shading effects on adjoining sites.</u> (iv) <u>The effects on shading of adjoining sites including the impacts of shading on their primary internal and external living areas throughout the year.</u> (v) <u>The impacts of shading and additional building bulk on any public open space or recreational grounds and their ability to provide outdoor amenity to users.</u></p>	<p>Kāinga Ora supported a height variation control to apply to identified areas within the HDRAA in the submission, which reflected a rule framework Kāinga Ora has sought nationally to give effect to NPS-UD Policy 3(c).</p> <p>Changes have been made to specific wording in the recommended matters of discretion in the evidence of Ms Williams, to refine the MOD to the actual effects while also simplifying the framework. The outcomes sought remain the same.</p> <p>These changes remain in scope.</p> <p>NB. Kāinga Ora has reduced the areas in which it is seeking additional height through the HVC. It is no longer seeking additional height in the following scenarios:</p> <ul style="list-style-type: none"> Where land is located within areas identified as being subject to a high coastal hazard (to align with NZCPS). In this case, Kāinga Ora is not proposing any additional intensification south of Jackson Street (Petone). This is based off the current modelling in PC56 of the high coastal hazard area. Kāinga Ora note that if the high hazard area is required to be extended inland, then the area subject to the

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		<p>3. <u>Building materials</u> 4. <u>Privacy and safety</u> 5. <u>Landscaping</u></p> <p><u>When considering the design outcomes of the development matters in (vii), the Council will be principally guided by its Medium Density Design Guide.</u></p> <p><u>Public notification is precluded for resource consent applications under Rule 4G 4.2.3(b).</u></p>	<p>(vi) <u>Any design features or articulation to reduce the bulk of the building when viewed from neighbouring properties.</u></p> <p>(vii) <u>The following design elements:</u></p> <ol style="list-style-type: none"> 1. <u>Building height</u> 2. <u>End / side wall treatment</u> 3. <u>Building materials</u> 4. <u>Privacy and safety</u> 5. <u>Landscaping</u> <p><u>When considering the matters in (vii), the Council will be principally guided by its Medium Density Design Guide.</u></p> <p><u>Public notification is precluded for resource consent applications under Rule 4G 4.2.3(b).</u></p>	<p>additional height control should be modified/removed accordingly.</p> <ul style="list-style-type: none"> • 43m within 400m of city centre (this has been reduced to 36m – consistent with how Kāinga Ora applies intensification around Metropolitan Centres) • 29m within 400-800m of city centre • 29m within 400m or Naenae and Waterloo centres. <p>NB. There are some areas around the city centre, where 36m is being recommended by Mr Rae, where 29m was shown on the original submission plans. The written submission did, however, seek 43m height variation within 400m of the city centre zone, so this is considered within scope.</p>
206.175 to 206.179	Chapter 4G – Rule 4G 4.2.4 Height in relation to boundary	<p>(a) <u>Construction or alteration of a building is a permitted activity if the following maximum height in relation to boundary requirements are being met:</u></p> <ol style="list-style-type: none"> a. <u>4m 19m + 60° along the first 22m of the side boundary as measured from the road frontage</u> b. <u>8m + 60° from all other side and rear boundaries</u> c. <u>Except no part of any building or structure may project beyond a 60° recession plane measured from a point 4m vertically above ground level along any boundary that adjoins a site in the Medium Density Residential Activity Area.</u> <p><u>Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.</u></p> <p><u>This standard does not apply to:</u></p> <ol style="list-style-type: none"> a. <u>A boundary with a road.</u> b. <u>Existing or proposed internal boundaries within a site, and</u> c. <u>Site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.</u> d. <u>Boundaries adjoining the City Centre Zone, Metropolitan Centre Zone, [all relevant commercial zones];</u> e. <u>Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height in relation to boundary by more than 1m;</u> f. <u>Antennas, aerials, satellite dishes (less than 1m in diameter), flues, and architectural features (e.g., finials, spires) provided these do not exceed the height in relation to boundary by more than 3m measured vertically</u> <p>(b) <u>Construction or alteration of a building that does not meet the maximum height in relation to boundary requirements is a restricted discretionary activity.</u></p> <p><u>Discretion is restricted to:</u></p> <ol style="list-style-type: none"> a. <u>The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.</u> b. <u>The effects on the privacy of adjoining sites.</u> c. <u>The effects on shading of adjoining sites, including the impacts of shading on their primary internal and external living areas.</u> d. <u>The effects on the amenity of the surrounding residential area and adjoining streetscape.</u> e. <u>The level of additional building bulk and the impact on the amenity of the adjoining residential properties.</u> 	<p>(a) <u>Construction or alteration of a building is a permitted activity if the following maximum height in relation to boundary requirements are being met:</u></p> <p>(i) <u>4m + 60° from all side and rear boundaries where no more than 3 residential units will occupy the site.</u></p> <div data-bbox="1495 892 2059 1325" data-label="Diagram"> <p>The diagram illustrates a site boundary with a 60-degree angle. A vertical line on the left is labeled '4m'. A horizontal line at the top is labeled 'Height limit 36m'. A dashed line represents the 'Site boundary' at a 60-degree angle to the horizontal. A vertical line on the right is labeled 'Height limit 36m'.</p> </div> <p>(ii) <u>Where four or more units occupy the site:</u></p> <ol style="list-style-type: none"> i. <u>19m + 60° along the first 21.5m of the side boundary as measured from the road frontage.</u> ii. <u>8m + 60° along all other boundaries</u> iii. <u>Except 4m + 60° applies along any boundary that adjoins a site:</u> <ol style="list-style-type: none"> a. <u>in any other Residential Zone;</u> b. <u>containing a scheduled historic heritage building or structure or an area scheduled as waahi tapu and other places and areas of significance to Māori;</u> <p><u>Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.</u></p> <p><u>This standard does not apply to:</u></p> <ol style="list-style-type: none"> (a) <u>A boundary with a road,</u> (b) <u>Existing or proposed internal boundaries within a site, and</u> 	<p>Kāinga Ora sought a flexible HIRB to better enable development of at least 6 storeys, which reflected a rule framework Kāinga Ora has sought nationally to give effect to NPS-UD Policy 3(c).</p> <p>Ms Williams has recommended in evidence that this applies only to developments where the result will be 4 or more units, to help ensure the benefit of this flexibility results in intensification outcomes</p> <p>Changes have been made to specific wording in the recommended matters of discretion in the evidence of Ms Williams, to refine the MOD to the actual effects while also simplifying the framework. The outcomes sought remain the same.</p> <p>These changes remain in scope.</p>

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		<p>f. The following design elements:</p> <ol style="list-style-type: none"> 1. Building height 2. Recession Planes 3. End / side wall treatment 4. Privacy and safety <p>Note: When addressing or assessing potential effects in relation to matters (i) and (vi) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium Density Design Guide.</p> <p>Public notification is precluded for resource consent applications under Rule 4G 4.2.4(b).</p>	<p>(c) Site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.</p> <p>(d) Boundaries adjoining a commercial or business zone.</p> <p>(e) Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height in relation to boundary by more than 1m, and</p> <p>(f) Antennas, aerials, satellite dishes (less than 1m in diameter), flues, and architectural features (e.g., finials, spires) provided these do not exceed the height in relation to boundary by more than 3m measured vertically</p> <p>(b) Construction or alteration of a building that does not meet the maximum height in relation to boundary requirements is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> (i) The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area. (ii) The effects on the privacy of adjoining sites. Dominance, privacy and shading effects on adjoining sites. (iii) The effects on shading of adjoining sites, including the impacts of shading on their primary internal and external living areas. (iv) The effects on the amenity of the surrounding residential area and adjoining streetscape Streetscape and visual amenity effects. (v) The level of additional building bulk and the impact on the amenity of the adjoining residential properties. (vi) The following design elements: <ol style="list-style-type: none"> 1. Building height 2. Recession Planes 3. End / side wall treatment 4. Privacy and safety <p>Note: When addressing or assessing potential effects in relation to matters (i) and (vi) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium Density Design Guide.</p> <p>Public notification is precluded for resource consent applications under Rule 4G 4.2.4(b).</p>	
206.180 to 206.183	Chapter 4G - Rule 4G 4.2.5 Setbacks	<p>(i) Construction or alteration of a building is a permitted activity if:</p> <ol style="list-style-type: none"> i. Buildings are set back from the relevant boundary by the minimum depth listed below: <u>Front yard: 1.5m</u> <u>Side yard: 1m</u> <u>Rear yard: 1m (excluded on corner sites)</u> <p><u>This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</u></p> <p><u>Eaves may encroach into any yard by up to 0.6m.</u></p> <p>(ii) Construction or alteration of a building that does not meet the setback requirements is a restricted discretionary activity.</p>	<p>(a) Construction or alteration of a building is a permitted activity if:</p> <ol style="list-style-type: none"> (i) <u>Buildings are set back from the relevant boundary by the minimum depth listed below</u> <u>Front yard: 1.5m</u> <u>Side yard: 1m</u> <u>Rear yard: 1m</u> (ii) <u>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 and is not located in a yard that is directly adjoining the rail corridor.</u> 	<p>Kāinga Ora is not pursuing the removal of the front yard setback.</p> <p>Changes have been made to specific wording in the recommended matters of discretion in the evidence of Ms Williams, to refine the MOD to the actual effects while also simplifying the framework. The outcomes sought remain the same. These changes remain in scope.</p> <p>Changes have also been recommended in the evidence version of this standard in Ms Williams' evidence, where exclusions to the side and rear yard setback are recommended</p>

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		<p>Discretion is restricted to:</p> <ul style="list-style-type: none"> i. The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area. ii. The effects on the privacy of adjoining sites. iii. The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space. iv. The effect from any building bulk and its proximity to the main internal and external living areas of adjoining residential properties v. The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space. vi. The following design elements: <ul style="list-style-type: none"> 1. Building height 2. Recession planes 3. End / side wall treatment 4. Privacy and safety <p>Note: When addressing or assessing potential effects in relation to matters (i) and (vi) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium Density Design Guide.</p> <p>Public notification is precluded for resource consent applications under Rule 4G 4.2.5(b).</p>	<p>This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</p> <p>Eaves may encroach into any yard by up to 0.6m.</p> <p>(b) Construction or alteration of a building that does not meet the setback requirements is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> (i) The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area. (ii) The effects on the privacy of adjoining sites. Dominance, privacy and shading effects on adjoining sites. (iii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space. Streetscape and visual amenity effects. (iv) The effect from any building bulk and its proximity to the main internal and external living areas of adjoining residential properties (v) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space. (vi) The following design elements: <ul style="list-style-type: none"> 1. Building height 2. Recession planes 3. End / side wall treatment 4. Privacy and safety <p>Note: When addressing or assessing potential effects in relation to matters (i) and (vi) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium Density Design Guide.</p> <p>Public notification is precluded for resource consent applications under Rule 4G 4.2.5(b).</p> <p>Limited notification is precluded for resource consent applications under Rule 4G 4.2.5(b)(i) where it relates to non-compliance with the front yard setback.</p>	<p>to more readily enable small accessory buildings within residential sites (e.g. garden sheds etc). These changes are in addition to outcomes sought in the original submission.</p> <p>On a related matter, as detailed in the accompanying table 2, which analyses Kāinga Ora further submission points (F17.23 – F17.30), Kāinga Ora would accept a separate rule being introduced, which required a 1.5m setback from the rail corridor. Kāinga Ora would also support the requested matters of discretion sought by KiwiRail in relation to this specific matter, being:</p> <p>“The location, size and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor”</p>
206.185	Chapter 4G – Rule 4G 4.2.7 Permeable Surface	Kāinga Ora sought the deletion of this rule in its entirety in the HDRAA	<p>(a) Construction or alteration of a building, or new impermeable surfaces, is a permitted activity, if:</p> <ul style="list-style-type: none"> (i) A minimum of 30% of the site area is a permeable surface. <p>(b) Construction or alteration of a building, or new impermeable surfaces, that do not meet the above permitted permeable surface requirements is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <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) The following design elements: <ul style="list-style-type: none"> 1. Onsite stormwater management 2. Landscaping 	<p>Kāinga Ora sought the deletion of this rule within the HDRAA.</p> <p>Ms Williams evidence generally supports its placement, but recommends amendments to remove reference to the design elements, and the medium density residential design guide, consistent with recommendations on the other rules across the MDRAA and HDRAA.</p> <p>Ms Williams also recommends non-notification preclusions where this rule is infringed.</p> <p>The changes are broadly considered to be in scope with the wider submission (with the changes recommended in Ms Williams evidence reflecting a moderated position to that taken by Kāinga Ora in the submission</p>

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			<p><u>When considering the matters in (iv), the Council will be principally guided by its Medium Density Design Guide.</u></p> <p><u>Public and limited notification is precluded for resource consent applications under Rule 4G 4.2.7(b).</u></p>	phase).
206.186 To 206.188	Chapter 4G – Rule 4G 4.2.8 Outdoor Living Space	<p><i>Amendments sought</i></p> <ol style="list-style-type: none"> 1. Replace standard with alternative better suited to high density development [see below] 2. Remove reference to assessment being made against the design guide 3. Expand notification preclusion clause to also apply to limited notification. <p><u>Replacement standard</u></p> <ol style="list-style-type: none"> 1. <u>Each residential unit must be provided with either a private outdoor living space or access to a communal outdoor living space;</u> 2. <u>Where private outdoor living space is provided it must be:</u> <ol style="list-style-type: none"> a. <u>For the exclusive use of residents;</u> b. <u>Directly accessible from a habitable room;</u> c. <u>A single contiguous space; and</u> d. <u>Of a minimum area and dimension as follows</u> <ol style="list-style-type: none"> i. <u>Studio/1 bdrm - 5m² and 1.8m</u> ii. <u>2+ bdrm – 8m² and 1.8m</u> 3. <u>Where communal outdoor living space is provided it does not need to be in a single continuous space, but it must be:</u> <ol style="list-style-type: none"> a. <u>Accessible from the residential units it serves;</u> b. <u>A minimum area of 10m² for every 5 units that it serves and a minimum dimension of 8m; and</u> c. <u>Free of buildings, parking spaces, and servicing and manoeuvring areas.</u> <p><u>Discretion is restricted to:</u> <u>The extent to which:</u></p> <ol style="list-style-type: none"> 1. <u>Any proposed outdoor living space provides a good standard of amenity relative to the number of occupants the space is designed for;</u> 2. <u>Other on-site factors compensate for a reduction in the size or dimension of the outdoor living space; and</u> 3. <u>The availability of public open space in proximity to the site.</u> 	<p>(a) Construction or alteration of a building is a permitted activity if:</p> <ol style="list-style-type: none"> (i) <u>Each residential unit at ground floor level has an outdoor living space that is at least 20m² and comprises ground floor, balcony, patio, or roof terrace space that:</u> <ol style="list-style-type: none"> 1. <u>Where located at ground level, has no dimension less than 3m;</u> 2. <u>Where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8m;</u> 3. <u>Is accessible from the residential unit; and</u> 4. <u>May be:</u> <ol style="list-style-type: none"> i. <u>Grouped cumulatively by area in one communally accessible location, or</u> ii. <u>Located directly adjacent to the unit; and</u> 5. <u>Is free of buildings, parking spaces, and servicing and manoeuvring areas.</u> (ii) <u>Each residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:</u> <ol style="list-style-type: none"> 1. <u>Is at least 8m and has a minimum dimension of 1.8m; and</u> 2. <u>Is accessible from the residential unit; and</u> 3. <u>May be:</u> <ol style="list-style-type: none"> i. <u>Grouped cumulatively by area in one communally accessible location, in which case it may be located at ground level; or</u> ii. <u>Located directly adjacent to the unit.</u> <p>(b) <u>Construction or alteration of a building that does not meet the outdoor living space requirements is a restricted discretionary activity.</u></p> <p><u>Discretion is restricted to:</u></p> <ol style="list-style-type: none"> (i) <u>The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.</u> (ii) <u>The design, layout, access for residents, functionality, and on-going maintenance (including legal instruments) of any communal space provided on site to provide outdoor living.</u> (iii) <u>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.</u> (iv) <u>The effects on the amenity for residents of the site, including access to sunlight and open space and accessibility of the outdoor living space proposed.</u> (v) <u>The usability and functionality of the proposed outdoor living area for future occupants.</u> 	<p>Kāinga Ora is not pursuing the changes it sought in the submission to achieve alignment with PCC framework.</p> <p>Ms Williams evidence recommends amendments to remove reference to the design elements, and the medium density residential design guide, consistent with recommendations on the other rules across the MDRAA and HDRAA.</p>

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			<p>(vi) <u>The proximity of the site to communal or public open space that has the potential to offset any lack of private outdoor living space.</u></p> <p>(vii) The following design elements:</p> <p>1. Indoor and outdoor living spaces</p> <p>2. Open space and boundary treatments</p> <p>3. Entrances, carparking and garages</p> <p>4. Bike parking, storage and service areas</p> <p>5. Privacy and safety</p> <p>6. Landscaping</p> <p>When considering the matters in (i) and (vii), the Council will be principally guided by its Medium Density Design Guide.</p> <p>Public and limited notification is precluded for resource consent applications under Rule 4G 4.2.8(b).</p>	
206.190	Chapter 4G – Rule 4G 4.2.10 Screening and storage	Delete: 1. 4G 4.2.10(b)(v) (list of design elements) 2. Reference to assessment being made against the design guide	<p>(a) <u>Construction or alteration of a building is a permitted activity if:</u></p> <p>(i) <u>All outdoor storage and servicing areas are screened so that they are not visible from a road or public space.</u></p> <p>(b) <u>Construction or alteration of a building that does not meet the screening and storage requirements is a restricted discretionary activity.</u></p> <p>Discretion is restricted to:</p> <p>(i) <u>The effects on the amenity of adjoining sites.</u></p> <p>(ii) <u>The materials or items to be stored within the storage and servicing areas.</u></p> <p>(iii) <u>The accessibility of the storage and servicing areas for future occupants.</u></p> <p>(iv) <u>The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.</u></p> <p>(v) The following mixed use and medium density residential development design elements:</p> <p>1. Indoor and outdoor living spaces</p> <p>2. Open space and boundary treatments</p> <p>3. Entrances, carparking and garages</p> <p>4. Building materials</p> <p>5. Bike parking, storage and service areas</p> <p>6. Landscaping</p> <p>When considering the matters in (v), the Council will be principally guided by its Medium Density Design Guide.</p>	Ms Williams evidence recommends amendments to remove reference to the design elements, and the medium density residential design guide, consistent with the submission
206.195 206.196	Chapter 4G – Rule 4G 4.2.14 Windows to Street	Delete: 1. 4G 4.2.14(b)(iii) (list of design elements) 2. Reference to assessment being made against the design guide Introduce: 1. Preclusion clause for limited notification.	<p>(a) <u>Construction or alteration of a building is a permitted activity if:</u></p> <p>(i) <u>Dwellings Residential units facing the street have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors.</u></p> <p>(b) <u>Construction or alteration of a building that does not comply with the above standard is a restricted discretionary activity.</u></p> <p>Discretion is restricted to:</p> <p>(i) <u>The planned urban built character for the High Density Residential Activity Area, including the requirements to enable</u></p>	Ms Williams' evidence recommends amendments to remove reference to the design elements, and the medium density residential design guide. Ms Williams also recommends that limited notification be precluded in cases where this standard is breached. All of these recommendations are consistent with the submission.

Sub. Ref.	Amendment / Provision	Changes sought in submission by Kāinga Ora Red Text – Council's recommended changes Blue Text - Changes recommended by Kāinga Ora.	Changes recommended in evidence of Karen Williams Red Text – Council's recommended changes Blue Text - Changes recommended by Kāinga Ora.	Comments on scope of changes
			<p>buildings of at least six storeys within the High Density Residential Activity Area.</p> <p>(ii) The matters in Policy 4G 3.12. Streetscape and visual amenity effects</p> <p>(iii) The following design elements: Passive surveillance and safety</p> <p>1. Open space and boundary treatments.</p> <p>2. Entrances, carparking and garages.</p> <p>3. End / side wall treatment.</p> <p>4. Privacy and safety.</p> <p>5. Landscaping.</p> <p>When considering the matters in (ii) and (iii), the Council will be principally guided by its Medium Density Design Guide.</p> <p>Public and limited notification is precluded for resource consent applications under Rule 4G 4.2.14(b).</p>	
Chapter 5B – Petone Commercial Activity Area				
206.247	Permitted Activity Condition – Area 1 5B 2.1.1(b) Maximum Height of Buildings and Structures	<p>(b) Maximum Height of Buildings and Structures:</p> <p>i. 10m within the Jackson Street Heritage Precinct</p> <p>ii. 22m 53m where not within the Jackson Street Heritage Precinct</p> <p>Maximum Height of Buildings and Structures: 10.0m.</p>	<p>Area 1 Permitted Activity Condition 5B 2.1.1(b) Maximum Height of Buildings and Structures</p> <p>(b) Maximum Height of Buildings and Structures:</p> <p>(i) 10m within the Jackson Street Heritage Precinct</p> <p>(ii) 2236m where not within the Jackson Street Heritage Precinct</p> <p>Maximum Height of Buildings and Structures: 10.0m.</p>	Kāinga Ora has reduced the height it is seeking in these areas from 53m to 36m. Mr Rae has addressed this in his evidence.
Chapter 5E – Suburban Mixed Use Activity Area				
206.284 206.285	Chapter 5E - Rule 5E 4.1.4 Residential Activities	<p>(a) Residential Activities are permitted activities if:</p> <p>i. The dwelling residential unit is located above the ground floor; or</p> <p>ii. The dwelling residential unit is located on the ground floor but has no frontage to public open spaces including streets except for access.</p> <p>(b) Residential Activities that do not meet the above permitted activity standards are restricted discretionary activities.</p> <p>Discretion is restricted to:</p> <p>i. The effects on the continuity of the design and appearance of the</p> <p>ii. frontage of buildings including display windows and verandahs.</p> <p>iii. The effects on the amenity of the streetscape and public open space.</p> <p>iv. The effects on the privacy and amenity of residents of the site.</p> <p>v. The following mixed use and medium density residential development design elements:</p> <p>1. Building height</p> <p>2. Recession planes and setbacks</p> <p>3. Indoor and outdoor living spaces</p> <p>4. Open space and boundary treatments</p> <p>5. Entrances, carparking and garages</p> <p>6. On-site stormwater management</p> <p>7. End / side wall treatment</p> <p>8. Building materials</p> <p>9. Bike parking, storage and service areas</p> <p>10. Privacy and safety</p> <p>11. Landscaping</p> <p>When considering the matters in (iv), the Council will be principally guided by its Medium Density Design Guide.</p> <p>An application under this rule where compliance is not achieved is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</p>	<p>(a) Residential Activities are permitted activities if:</p> <p>(i) The dwelling is residential units are located above the ground floor; or</p> <p>(ii) The dwelling is residential units are located on the ground floor but has have no frontage to public open spaces including streets except for access.</p> <p>(b) Residential Activities that do not meet the above permitted activity standards are restricted discretionary activities.</p> <p>Discretion is restricted to:</p> <p>(i) The effects on the continuity of the design and appearance of the frontage of buildings including display windows and verandahs.</p> <p>(ii) The effects on the amenity of the streetscape and public open space.</p> <p>(iii) The effects on the privacy and amenity of residents of the site.</p> <p>(iv) The following mixed use and medium density residential development design elements:</p> <p>1. Building height</p> <p>2. Recession planes and setbacks</p> <p>3. Indoor and outdoor living spaces</p> <p>4. Open space and boundary treatments</p> <p>5. Entrances, carparking and garages</p> <p>6. On-site stormwater management</p> <p>7. End / side wall treatment</p> <p>8. Building materials</p> <p>9. Bike parking, storage and service areas</p> <p>10. Privacy and safety</p> <p>11. Landscaping</p> <p>When considering the matters in (iv), the Council will be principally guided by its Medium Density Design Guide.</p>	Changes continue to be sought to the matters of discretion, consistent with what has been sought elsewhere in the submission, and through evidence.

Sub. Ref.	Amendment / Provision	Changes sought in submission by Kāinga Ora Red Text – Council's recommended changes Blue Text - Changes recommended by Kāinga Ora.	Changes recommended in evidence of Karen Williams Red Text – Council's recommended changes Blue Text - Changes recommended by Kāinga Ora.	Comments on scope of changes
			<p><u>Public and limited notification is precluded for resource consent applications under Rule 5E 4.1.4(b).</u></p> <p>Links to: Objectives 5E 2.1 Policies 5E 3.1, 5E 3.2</p>	
206.286 206.287	Chapter 5E - Rule 5E 4.1.5 Care Facilities, Residential Facilities, Boarding Houses, Hostels and Visitor Accommodation	<p>(a) Care Facilities, Residential Facilities, Boarding Houses, Hostels and Visitor Accommodation are permitted activities if:</p> <ol style="list-style-type: none"> i. Any Habitable rooms are located above the ground floor; or ii. Any habitable rooms located on the ground floor have no frontage to iii. public open spaces including streets. <p>(b) Care Facilities, Residential Facilities, Boarding Houses, Hostels and Visitor Accommodation that do not meet the above permitted activity standards are restricted discretionary activities.</p> <p>Discretion is restricted to:</p> <ol 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 residents of the site. iv. The following mixed use and medium density residential development design elements: <ol style="list-style-type: none"> 1. Building height 2. Recession planes and setbacks 3. Indoor and outdoor living spaces 4. Open space and boundary treatments 5. Entrances, carparking and garages 6. On-site stormwater management 7. End / side wall treatment 8. Building materials 9. Bike parking, storage and service areas 10. Privacy and safety 11. Landscaping <p>When considering the matters in (iv), the Council will be principally guided by its Medium Density Design Guide.</p> <p><u>An application under this rule where compliance is not achieved is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</u></p>	<p>(a) Care Facilities, Residential Facilities, Boarding Houses, Hostels and Visitor Accommodation are permitted activities if:</p> <ol style="list-style-type: none"> (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. <p>(b) Care Facilities, Residential Facilities, Boarding Houses, Hostels and Visitor Accommodation that do not meet the above permitted activity standards are restricted discretionary activities.</p> <p>Discretion is restricted to:</p> <ol 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 residents of the site. (iv) The following mixed use and medium density residential development design elements: <ol style="list-style-type: none"> 1. Building height 2. Recession planes and setbacks 3. Indoor and outdoor living spaces 4. Open space and boundary treatments 5. Entrances, carparking and garages 6. On-site stormwater management 7. End / side wall treatment 8. Building materials 9. Bike parking, storage and service areas 10. Privacy and safety 11. Landscaping <p>When considering the matters in (iv), the Council will be principally guided by its Medium Density Design Guide.</p> <p><u>Public and limited notification is precluded for resource consent applications under Rule 5E 4.1.5(b).</u></p> <p>Links to: Objectives 5E 2.1 Policies 5E 3.1</p>	Changes continue to be sought to the matters of discretion, consistent with what has been sought elsewhere in the submission, and through evidence.
206.288 206.289	Rule 5E 4.2.1 Building Height	<p>(a) Construction or alteration of a building is a permitted activity if:</p> <ol style="list-style-type: none"> i. The building is within a specific height control overlay shown on the District Plan map and does not exceed the maximum height shown for that overlay, or in the table below ii. In any other case, the building does not exceed a maximum height of 12m. 	<p>(a) Construction or alteration of a building is a permitted activity if:</p> <ol style="list-style-type: none"> (i) The building <u>is within a specific height control overlay shown on the District Plan map and does not exceed the maximum height shown for that overlay, or</u> (ii) <u>In any other case, the building</u> does not exceed a maximum height of 12m. <p>(b) Construction or alteration of a building that exceeds the maximum height of 12m <u>in Rule 5E 4.2.1(a)</u> is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> (i) <u>The effects on the amenity of adjoining sites. Dominance, privacy and shading effects on adjoining sites.</u> 	<p>Kāinga Ora originally sought a full review of the centres hierarchy, with increased heights across centres that would be identified as Local Centre Zones, and Town Centre Zones. Kāinga Ora is no longer pursuing this through Plan Change 56, noting that a full plan review is imminent, which will consider the wider issue of the centres hierarchy.</p> <p>Changes continue to be sought to the matters of discretion, consistent with what has been sought elsewhere in the submission, and</p>

Sub. Ref.	Amendment / Provision	Changes sought in submission by Kāinga Ora Red Text – Council's recommended changes Blue Text - Changes recommended by Kāinga Ora.	Changes recommended in evidence of Karen Williams Red Text – Council's recommended changes Blue Text - Changes recommended by Kāinga Ora.	Comments on scope of changes																																														
		<table border="1" data-bbox="608 277 1032 640"> <thead> <tr> <th>CENTRE</th> <th>HEIGHT LIMIT</th> </tr> </thead> <tbody> <tr><td>Alicetown</td><td>22m</td></tr> <tr><td>Moera</td><td>22m</td></tr> <tr><td>Waiwhetu & Wainui Road</td><td>22m</td></tr> <tr><td>Woburn – White Lines West</td><td>22m</td></tr> <tr><td>Waterloo</td><td>36m</td></tr> <tr><td>Fairfield</td><td>22m</td></tr> <tr><td>Epuni – Witako St</td><td>22m</td></tr> <tr><td>Epuni – Oxford Tce</td><td>22m</td></tr> </tbody> </table> <table border="1" data-bbox="557 667 982 1087"> <tbody> <tr><td>Boulcott -Boulcott St</td><td>22m</td></tr> <tr><td>Boulcott - Mitchell St</td><td>22m</td></tr> <tr><td>Melling - Hutt Road</td><td>22m</td></tr> <tr><td>Cuba St/Atiawa St</td><td>22m</td></tr> <tr><td>High Street – Stellin St/Park Ave/Daysh St</td><td>22m</td></tr> <tr><td>Avalon – High St/Tennyson Ave/Cottle St/De Menech Gr</td><td>22m</td></tr> </tbody> </table> <table border="1" data-bbox="557 1094 982 1486"> <tbody> <tr><td>Taita south - High St and Burcham St</td><td>22m</td></tr> <tr><td>Taita north – High St and Farmer Cres</td><td>22m</td></tr> <tr><td>Taita</td><td>22m</td></tr> <tr><td>Stokes Valley</td><td>22m</td></tr> <tr><td>Wainuiomata</td><td>22m</td></tr> <tr><td>Eastbourne</td><td>22m</td></tr> <tr><td>Naenae – Treadwell St/Naenae Road</td><td>22m</td></tr> <tr><td>Naenae Town Centre</td><td>36m</td></tr> </tbody> </table> <p data-bbox="528 1528 1279 1577">(b) Construction or alteration of a building that exceeds the maximum height of 42m in Rule 5E 4.2.1(a) is a restricted discretionary activity.</p> <p data-bbox="528 1604 1279 1925">Discretion is restricted to:</p> <ol style="list-style-type: none"> i. The effects on the amenity of adjoining sites. ii. The effects on the privacy of adjoining sites. iii. The effects on shading of adjoining sites. iv. The effects on the amenity of adjoining Residential Activity Areas, the streetscape and adjoining public space. v. The following mixed use and medium density residential development design elements: <ol style="list-style-type: none"> 1. Building height 2. Recession planes and setbacks 3. Indoor and outdoor living spaces 4. Open space and boundary treatments 5. Entrances, carparking and garages 	CENTRE	HEIGHT LIMIT	Alicetown	22m	Moera	22m	Waiwhetu & Wainui Road	22m	Woburn – White Lines West	22m	Waterloo	36m	Fairfield	22m	Epuni – Witako St	22m	Epuni – Oxford Tce	22m	Boulcott -Boulcott St	22m	Boulcott - Mitchell St	22m	Melling - Hutt Road	22m	Cuba St/Atiawa St	22m	High Street – Stellin St/Park Ave/Daysh St	22m	Avalon – High St/Tennyson Ave/Cottle St/De Menech Gr	22m	Taita south - High St and Burcham St	22m	Taita north – High St and Farmer Cres	22m	Taita	22m	Stokes Valley	22m	Wainuiomata	22m	Eastbourne	22m	Naenae – Treadwell St/Naenae Road	22m	Naenae Town Centre	36m	<p data-bbox="1436 277 2089 764"> (ii) The effects on the privacy of adjoining sites. (iii) The effects on shading of adjoining sites. (iv) The effects on the amenity of adjoining Residential Activity Areas, the streetscape and adjoining public space. (v) The following mixed use and medium density residential development design elements: <ol style="list-style-type: none"> 1. Building height 2. Recession planes and setbacks 3. Indoor and outdoor living spaces 4. Open space and boundary treatments 5. Entrances, carparking and garages 6. Onsite stormwater management 7. End / side wall treatment 8. Building materials 9. Bike parking, storage and service areas 10. Privacy and safety 11. Landscaping When considering the matters in (v), the Council will be principally guided by its Medium Density Design Guide. </p> <p data-bbox="1359 770 1822 842"> Links to: Objectives 5E 2.2, 5E 2.3 Policies 5E 3.4, 5E 3.5, 5E 3.6, 5E 3.7, 5E 3.8 </p>	<p data-bbox="2131 277 2309 302">through evidence.</p>
CENTRE	HEIGHT LIMIT																																																	
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		6. On-site stormwater management 7. End / side wall treatment 8. Building materials 9. Bike parking, storage and service areas 10. Privacy and safety 11. Landscaping When considering the matters in (iv), the Council will be principally guided by its Medium Density Design Guide.		
Chapter 11 - Subdivision				
206.299	Chapter 11 - Subdivision 11.2.2 Controlled Activities	Introduce non-notification clause for Rule - 11.2.2 for both public and limited notification.	11.2.2 Controlled Activities [...] Non-notification Public and limited notification of an application for resource consent is precluded in respect of subdivision in the Medium Density and High Density Residential Activity Areas under Rule 11.2.2.	These changes reflect the relief sought in submissions and are in scope. The changes recommended in the evidence of Ms Williams are limited to the MDRAA and HDRAA.
Chapter 14H - Natural Hazards				
206.308 To 206.337	The recommended changes set out in Appendix A of Ms Williams evidence are limited to those related to removing the flood hazard maps from the district plan, and reference to "Flood Hazard Overlays" All of these changes reflect the relief sought in submissions and are in scope.			

Appendix B

Public Transport

-  Train Station
-  Railway

Kāinga Ora Proposed Changes Sought

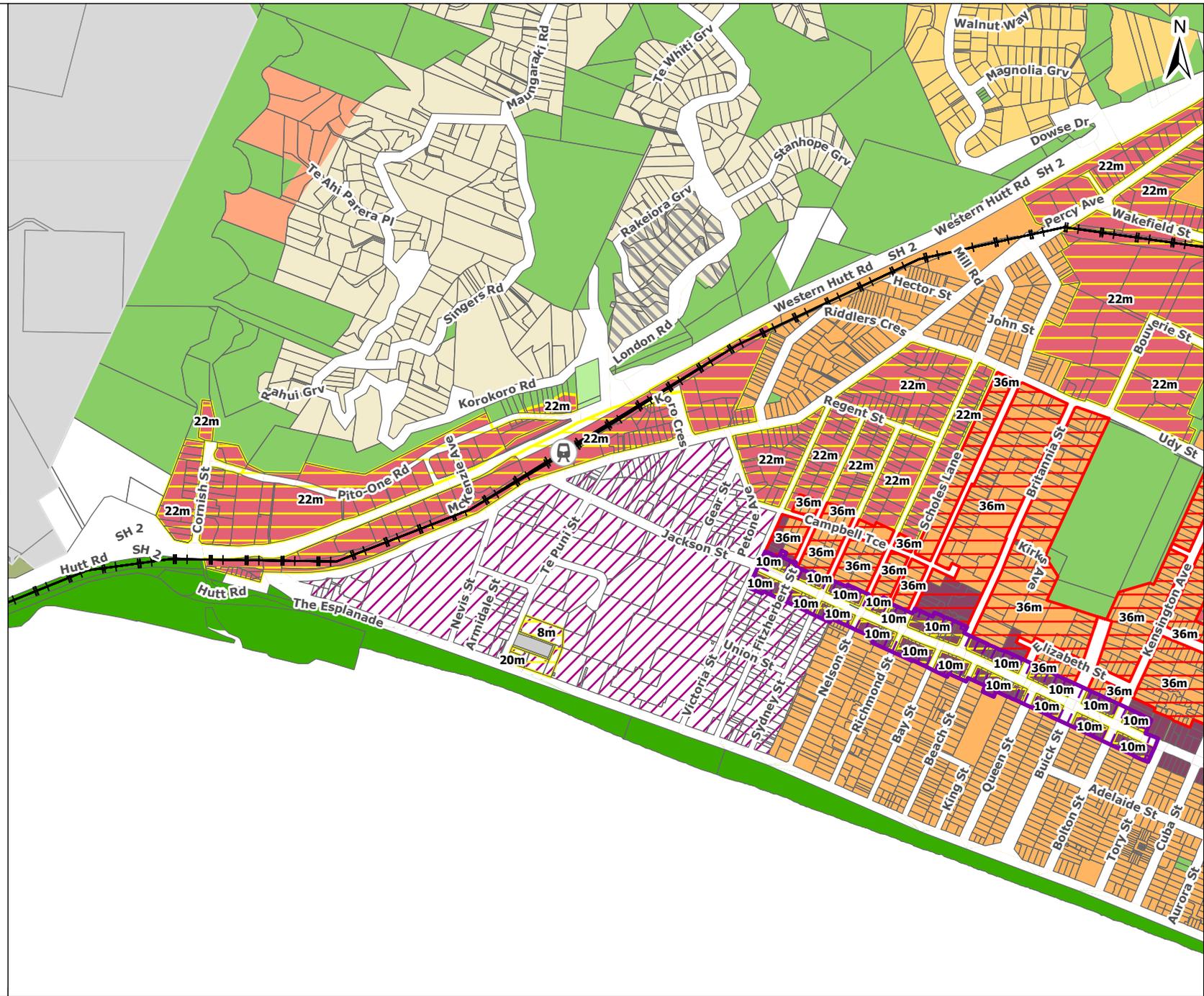
-  Height Variation Control
-  Amend To Hill Residential Zone (s42A Recommends HRZ)

Proposed District Plan Zones (Plan Change 56)

-  Jackson Street Heritage Precinct
-  Height Variation Control

Zones

-  Community Iwi
-  General Business
-  General Recreation
-  General Rural
-  Hill Residential
-  Landscape Protection
-  Medium Density Residential
-  High Density Residential
-  Passive Recreation
-  Petone Commercial - Area 1
-  Petone Commercial - Area 2
-  Special Recreation



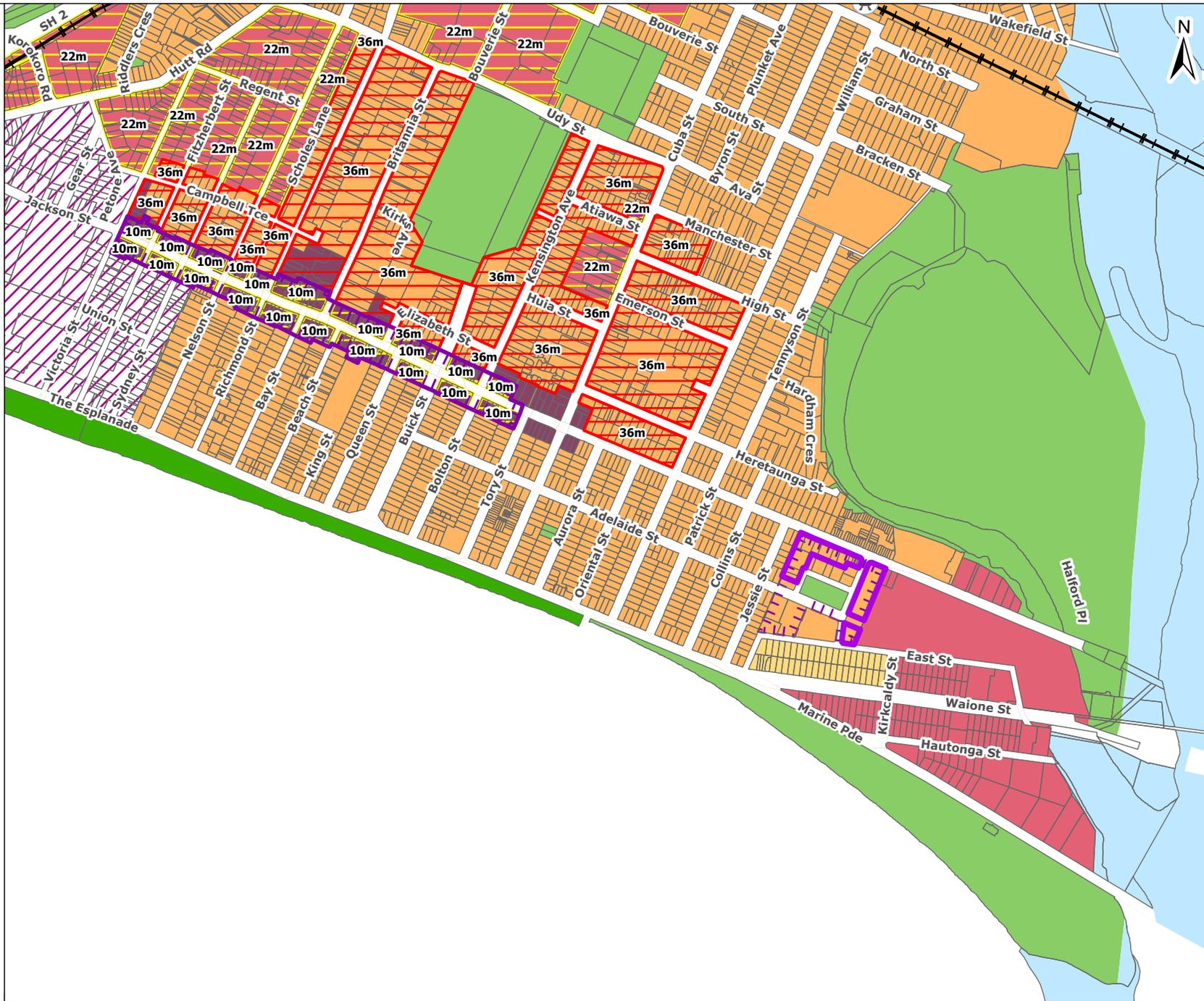
Imagery sourced from: LINZ Data Services
 Property boundaries sourced from Land Information NZ. Crown Copyright reserved. Property boundaries accuracy: +/-1m in urban areas, +/-30m in rural areas.
 Coordinate System: NZGD 2000 New Zealand Transverse Mercator
 Datum: NZGD 2000 // This map was produced with ArcGIS Pro (Esri).

Centre: Petone (West)

Version: Hearing V1

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DATE	SHEET
15/05/2023	1 OF 13
	A4 Scale 1:11,000
0	280 Metres





Public Transport

- Train Station
- Railway

Kāinga Ora Proposed Changes Sought

- Height Variation Control
- Heritage Area (HA-09)

Proposed District Plan Zones (Plan Change 56)

- Residential Heritage Precinct
- Jackson Street Heritage Precinct
- Height Variation Control

- Zones**
- General Business
 - General Recreation
 - Medium Density Residential
 - High Density Residential
 - Petone Commercial - Area 1
 - Petone Commercial - Area 2
 - River Recreation
 - Special Recreation
 - Suburban Mixed Use

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Centre: Petone (East)

Version: Hearing V1

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Conor McIntosh	SHEET	2 OF 13
DATE	15/05/2023	A4 Scale 1:11,000
0	280 Metres	

Kāinga Ora
Homes and Communities

Public Transport

-  Train Station
-  Railway

Kāinga Ora Proposed Changes Sought

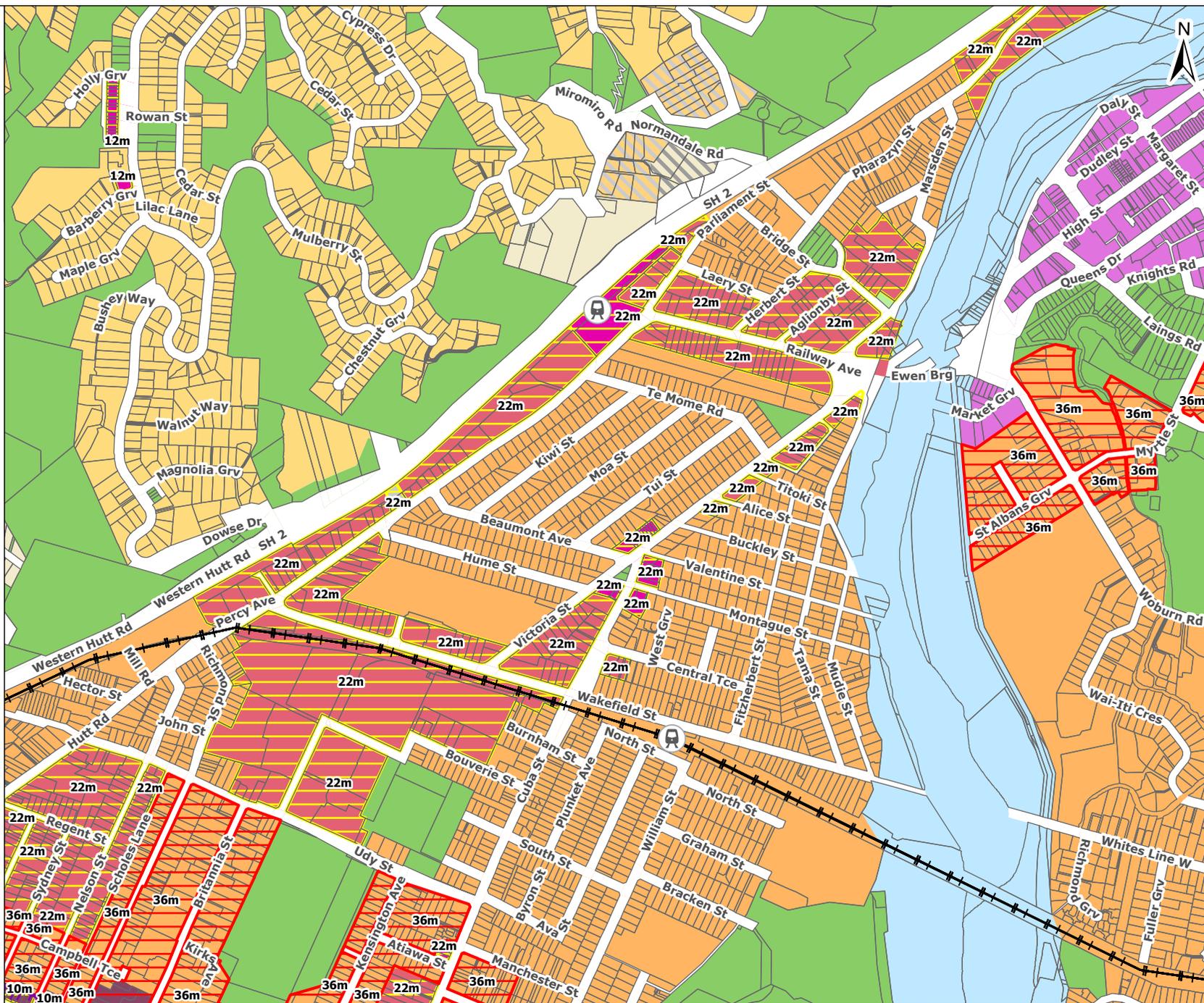
-  Height Variation Control
-  Amend To MRZ (s42A Recommends HRZ)
-  Amend To Hill Residential Zone (s42A Recommends HRZ)

Proposed District Plan Zones (Plan Change 56)

-  Jackson Street Heritage Precinct
-  Height Variation Control

Zones

-  Central Commercial
-  Community Iwi
-  General Business
-  General Recreation
-  Hill Residential
-  Medium Density Residential
-  High Density Residential
-  Passive Recreation
-  Petone Commercial - Area 1
-  River Recreation
-  Suburban Mixed Use

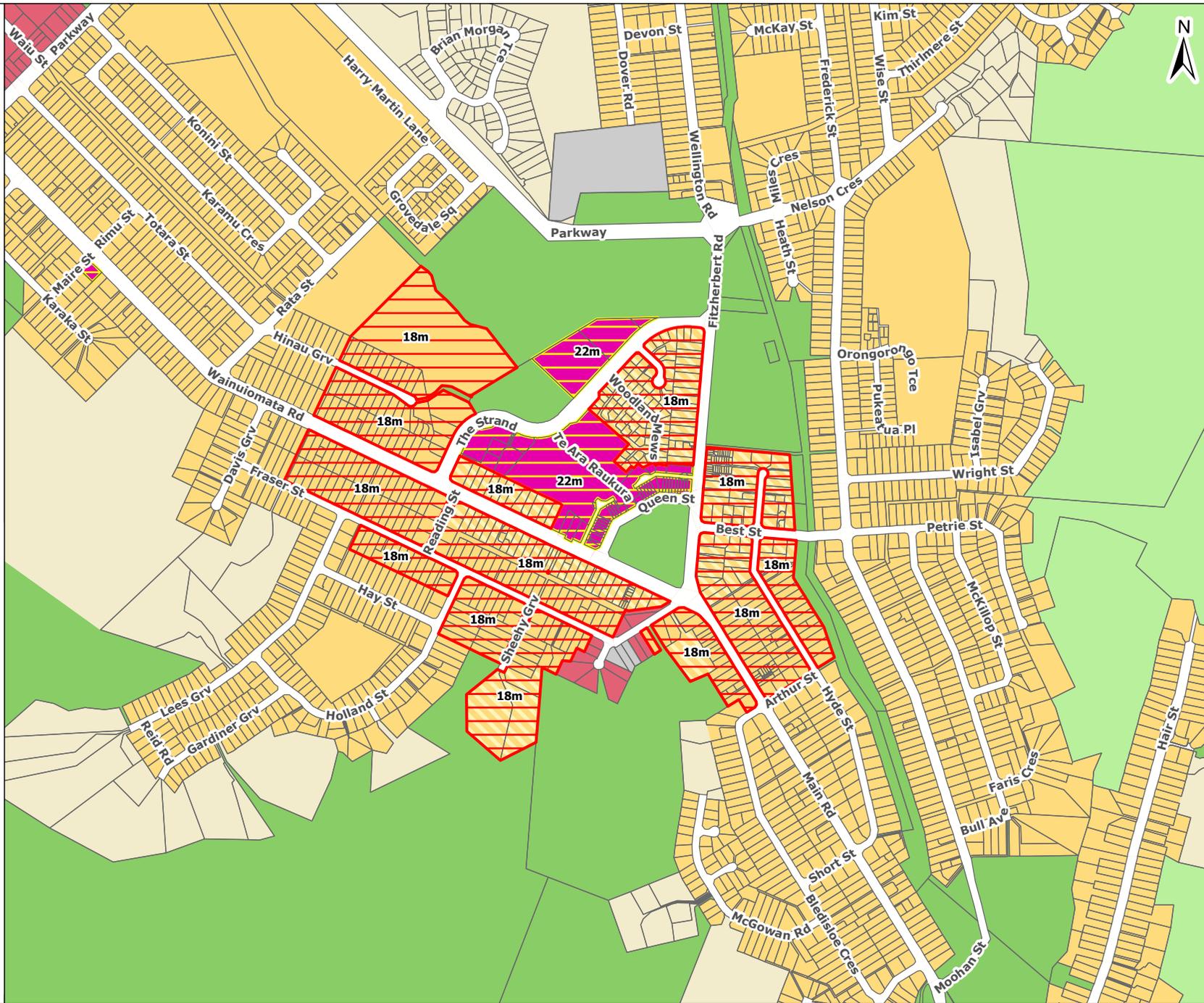


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Centre: Alicetown

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Conor McIntosh	718449
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15/05/2023	3 OF 13
A4 Scale 1:11,000	
0 280 Metres	





Kāinga Ora Proposed Changes Sought

- Height Variation Control
- Medium Density Residential

Proposed District Plan Zones (Plan Change 56)

- Height Variation Control

Zones

- Community Iwi
- General Business
- General Recreation
- Hill Residential
- Medium Density Residential
- High Density Residential
- Passive Recreation
- Suburban Mixed Use

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Centre: Wainuiomata

Version: Hearing V1

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 Conor McIntosh
 DATE
 15/05/2023

TPG REF: 718449
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 A4 Scale 1:11,000

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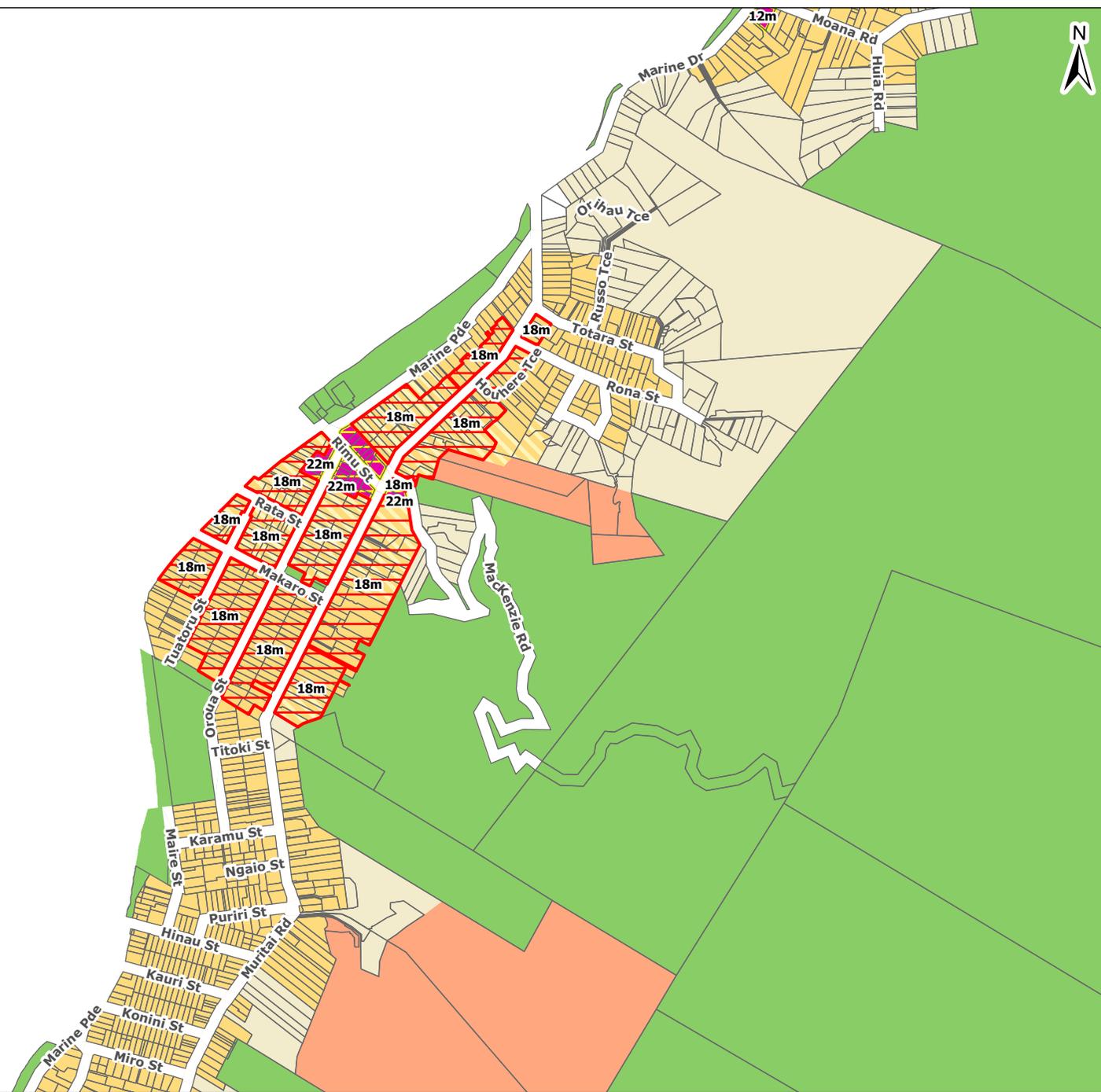


Kāinga Ora Proposed Changes Sought

-  Height Variation Control
-  Medium Density Residential

Proposed District Plan Zones (Plan Change 56)

-  Height Variation Control
- Zones**
-  General Recreation
-  Hill Residential
-  Landscape Protection
-  Medium Density Residential
-  High Density Residential
-  Suburban Mixed Use



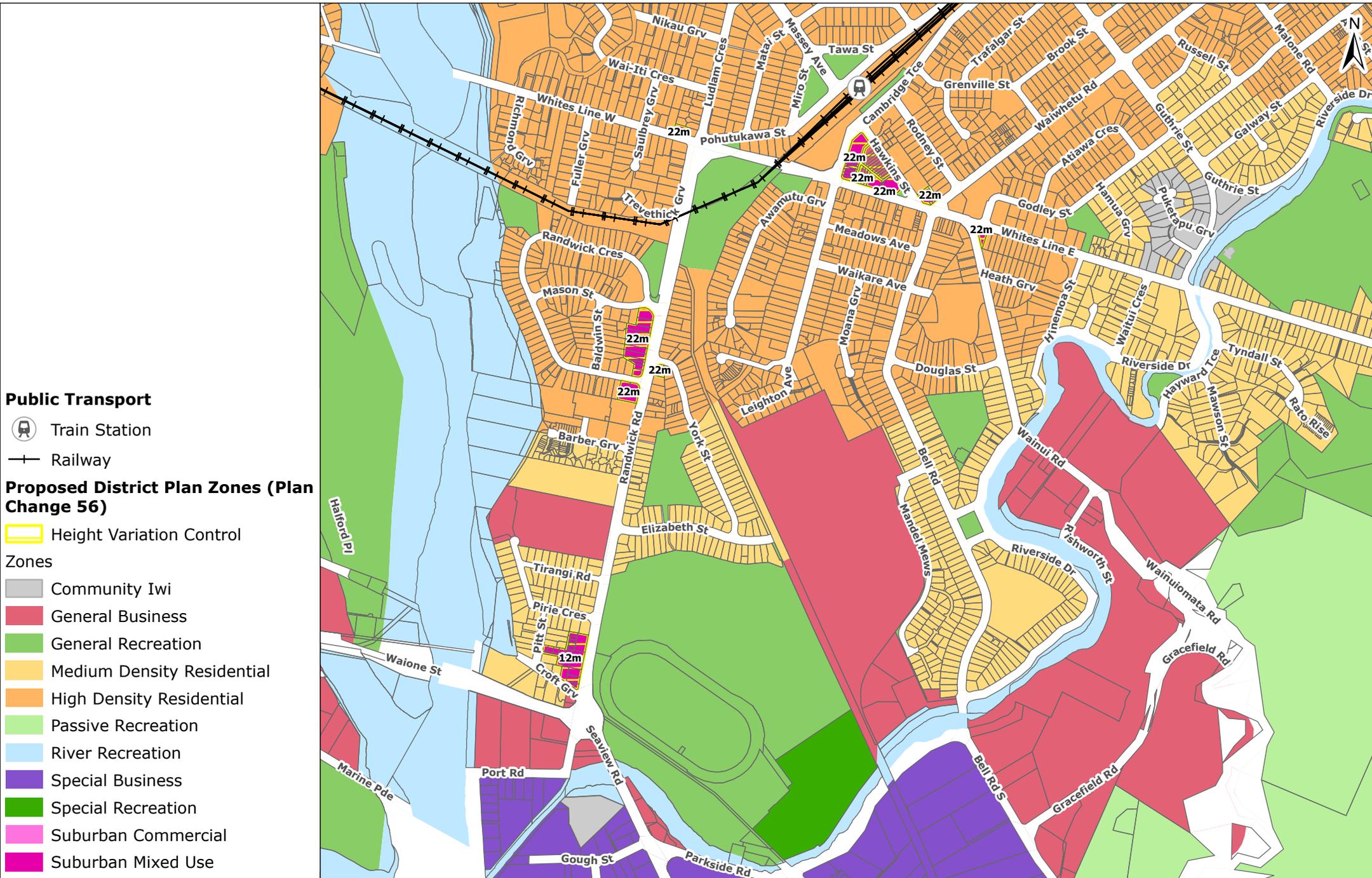
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Centre: Eastbourne

Version: Hearing V1

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DATE 15/05/2023	A4 Scale 1:11,000
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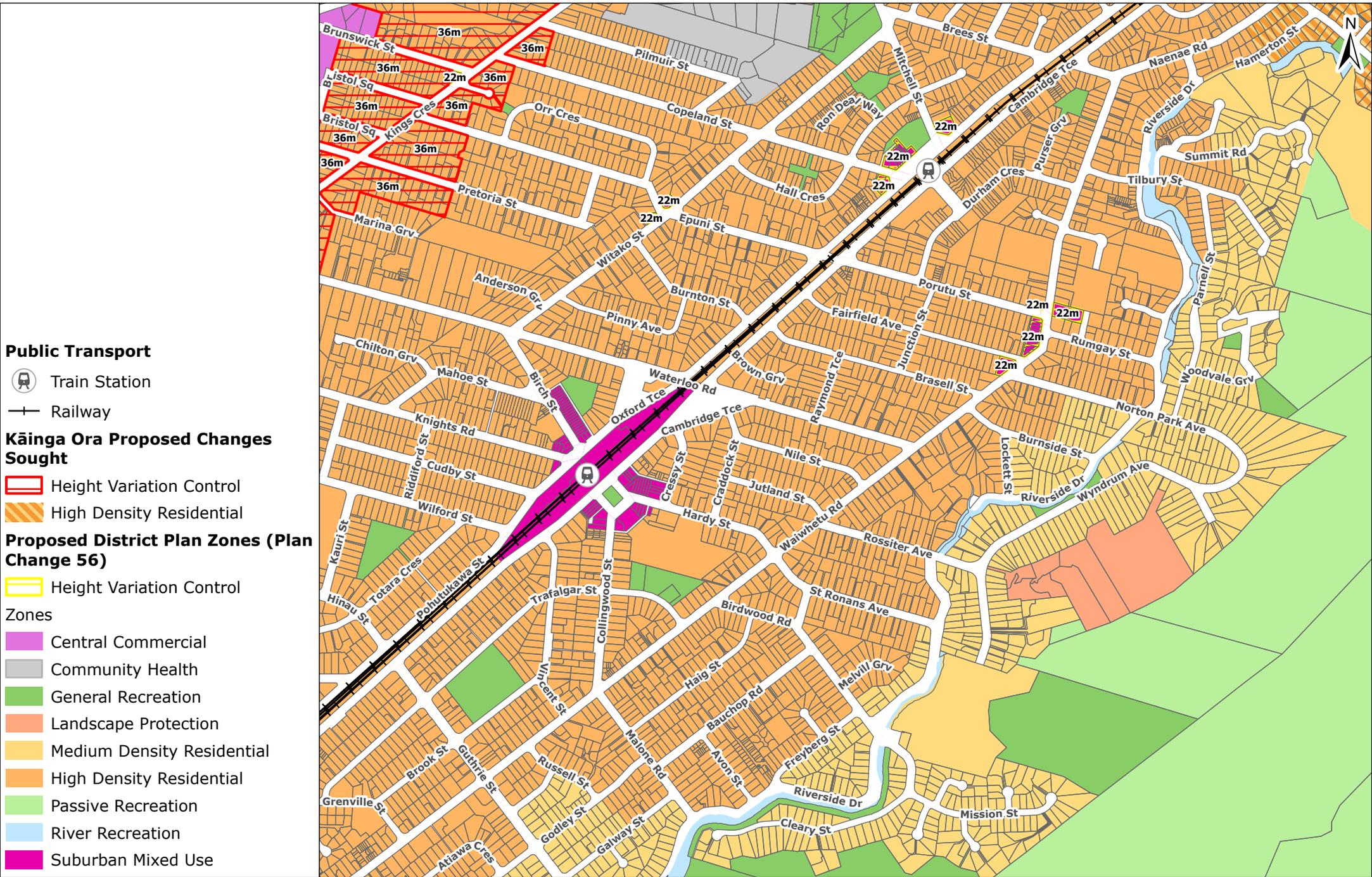
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Centre: Moera/Waiwhetu

PREPARED BY	TPG REF.
Conor McIntosh	718449
DATE	SHEET
15/05/2023	6 OF 13
	A4 Scale 1:11,000
0	280 Metres

Version: Hearing V1





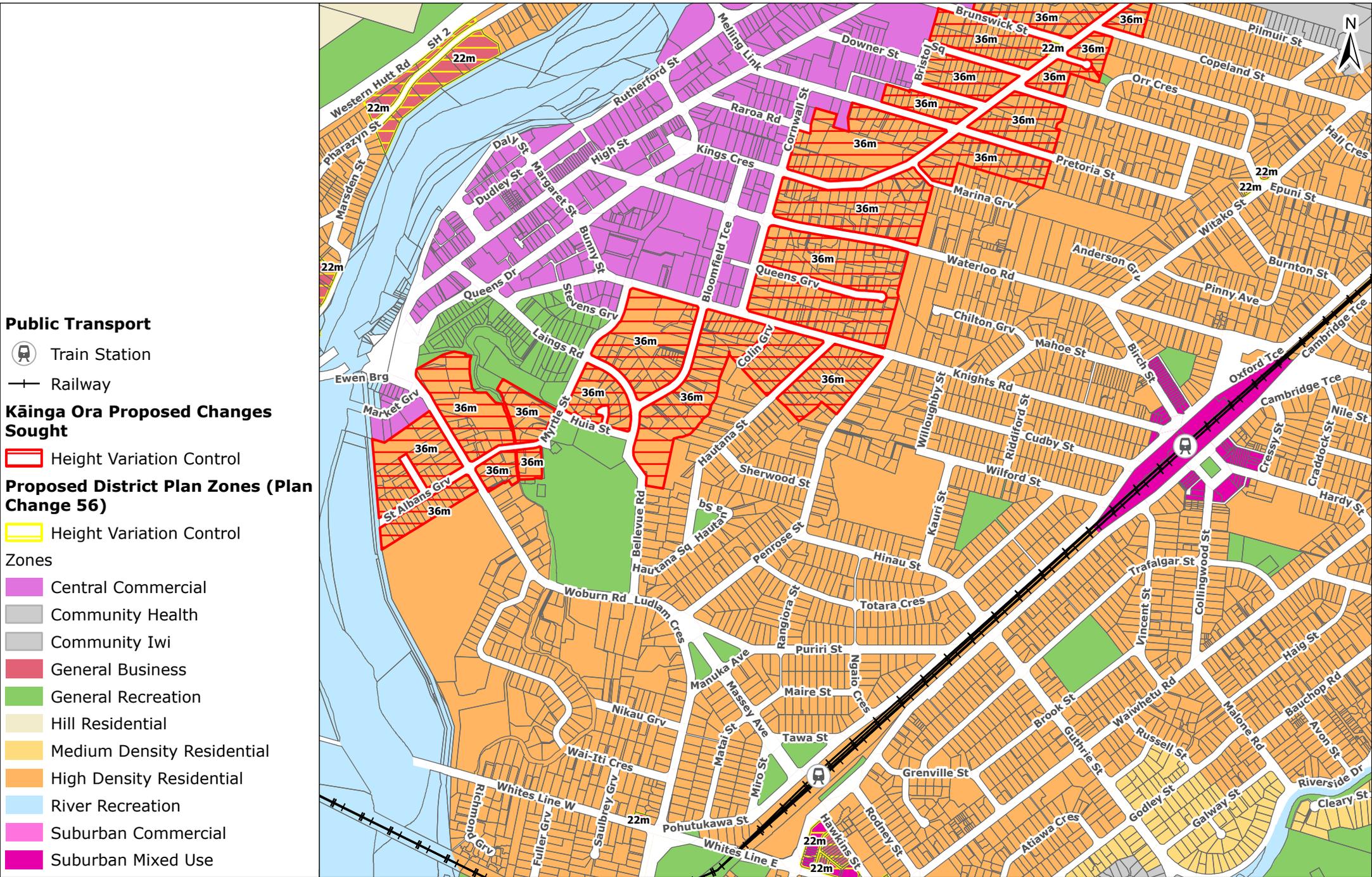
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Centre: Waterloo Station/Fairfield

PREPARED BY	TPG REF.	718449
Conor McIntosh	SHEET	7 OF 13
DATE	15/05/2023	A4 Scale 1:11,000
	0	280 Metres

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Kāinga Ora
Homes and Communities



Public Transport

- Train Station
- Railway

Kāinga Ora Proposed Changes Sought

- Height Variation Control

Proposed District Plan Zones (Plan Change 56)

- Height Variation Control

Zones

- Central Commercial
- Community Health
- Community Iwi
- General Business
- General Recreation
- Hill Residential
- Medium Density Residential
- High Density Residential
- River Recreation
- Suburban Commercial
- Suburban Mixed Use

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Centre: Hutt City (South)/Waterloo

PREPARED BY	TPG REF.
Conor McIntosh	718449
DATE	SHEET
15/05/2023	8 OF 13
A4 Scale 1:11,000	
0 280 Metres	

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Public Transport

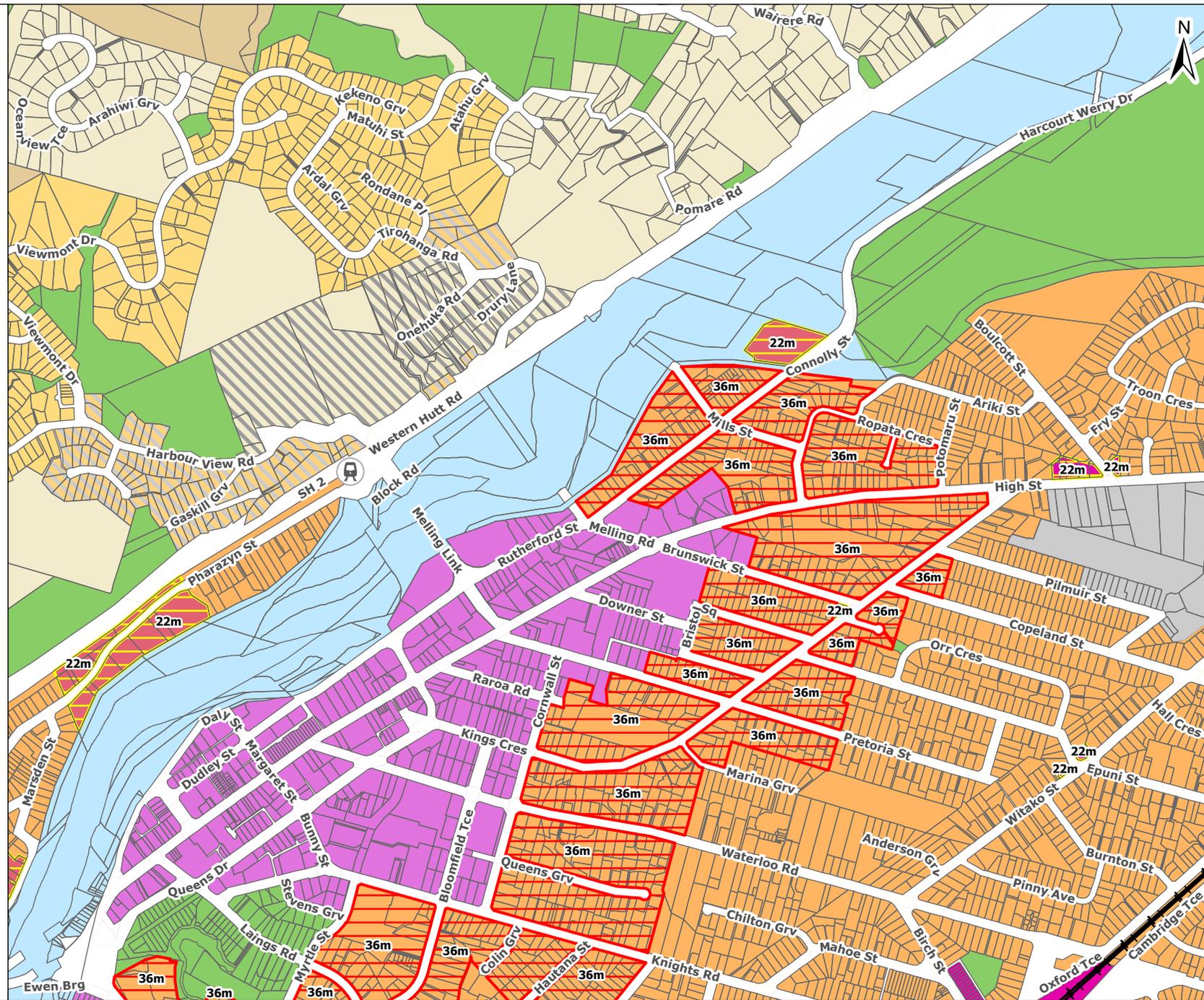
-  Train Station
-  Railway

Kāinga Ora Proposed Changes Sought

-  Height Variation Control
-  Amend To MRZ (s42A Recommends HRZ)
-  Amend To Hill Residential Zone (s42A Recommends HRZ)

Proposed District Plan Zones (Plan Change 56)

-  Height Variation Control
- Zones**
-  Central Commercial
-  Community Health
-  General Business
-  General Recreation
-  Hill Residential
-  Medium Density Residential
-  High Density Residential
-  River Recreation
-  Rural Residential
-  Suburban Mixed Use



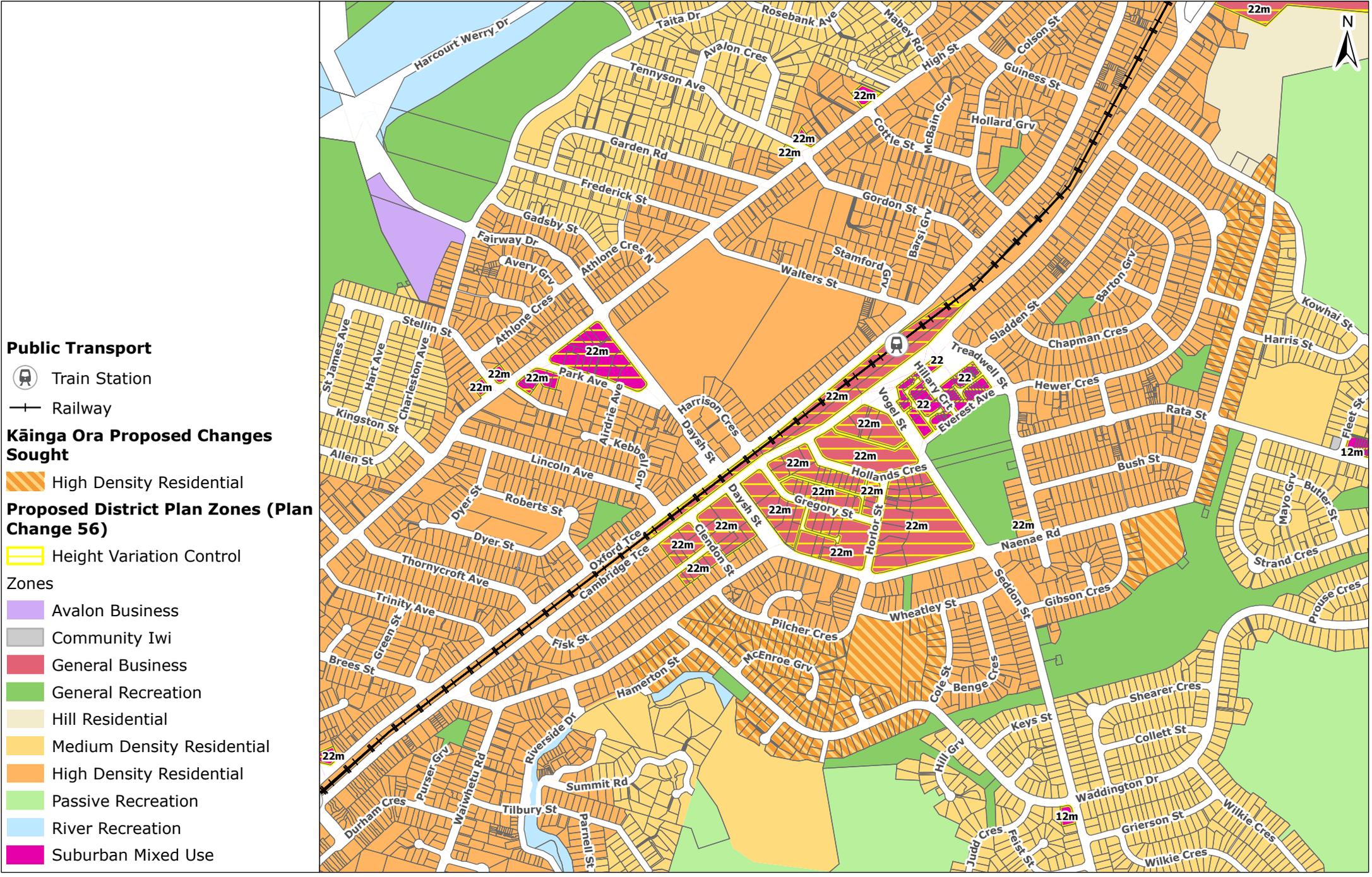
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Centre: Hutt City (North)

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Conor McIntosh	718449
DATE	SHEET
15/05/2023	9 OF 13
	A4 Scale 1:11,000
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Public Transport

- Train Station
- Railway

Kāinga Ora Proposed Changes Sought

High Density Residential

Proposed District Plan Zones (Plan Change 56)

Height Variation Control

Zones

- Avalon Business
- Community Iwi
- General Business
- General Recreation
- Hill Residential
- Medium Density Residential
- High Density Residential
- Passive Recreation
- River Recreation
- Suburban Mixed Use

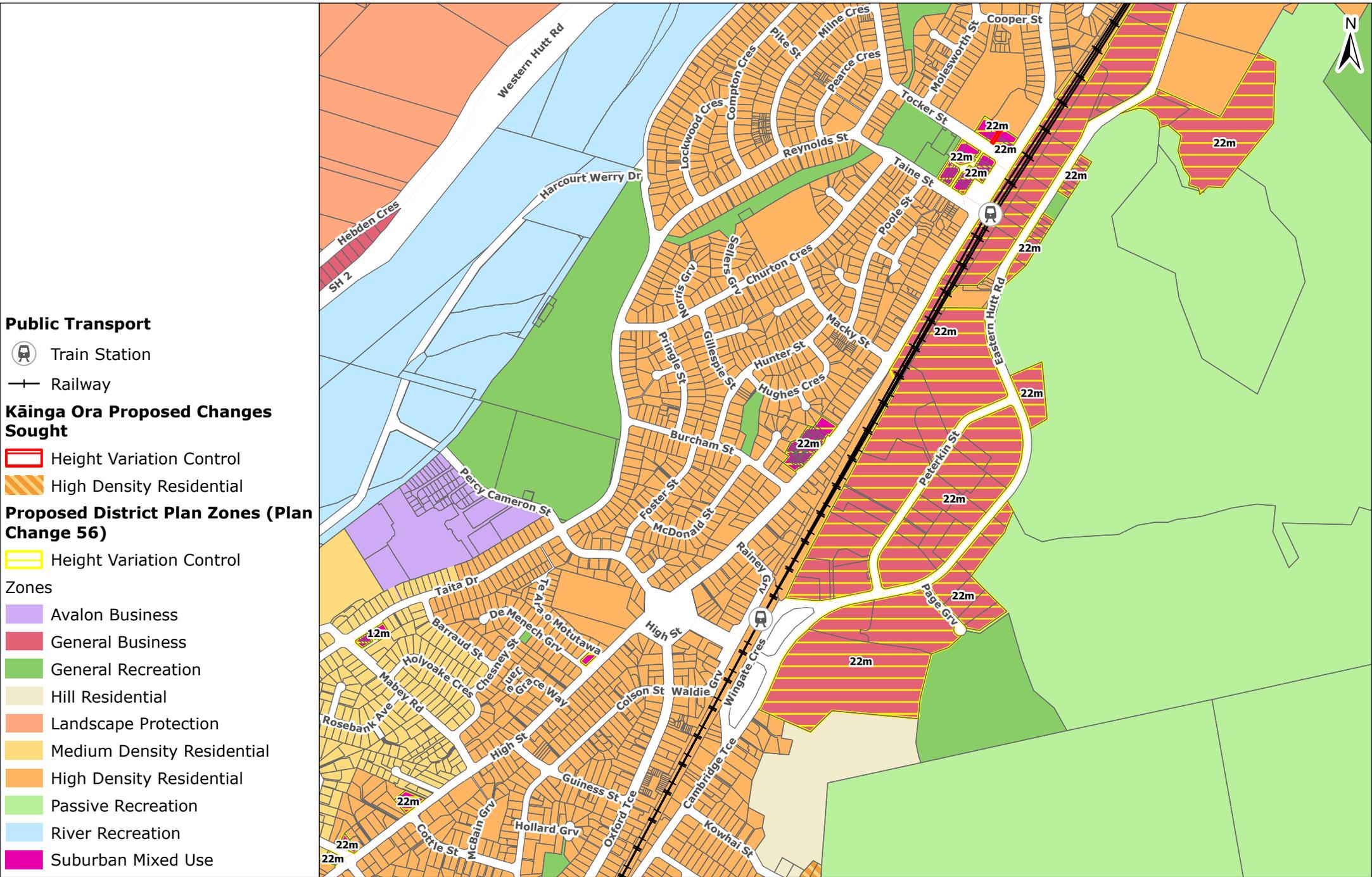
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Centre: Naenae

Version: Hearing V1

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15/05/2023	10 OF 13
	A4 Scale 1:11,000
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Kāinga Ora
Homes and Communities



Public Transport

- Train Station
- Railway

Kāinga Ora Proposed Changes Sought

- Height Variation Control
- High Density Residential

Proposed District Plan Zones (Plan Change 56)

- Height Variation Control

Zones

- Avalon Business
- General Business
- General Recreation
- Hill Residential
- Landscape Protection
- Medium Density Residential
- High Density Residential
- Passive Recreation
- River Recreation
- Suburban Mixed Use

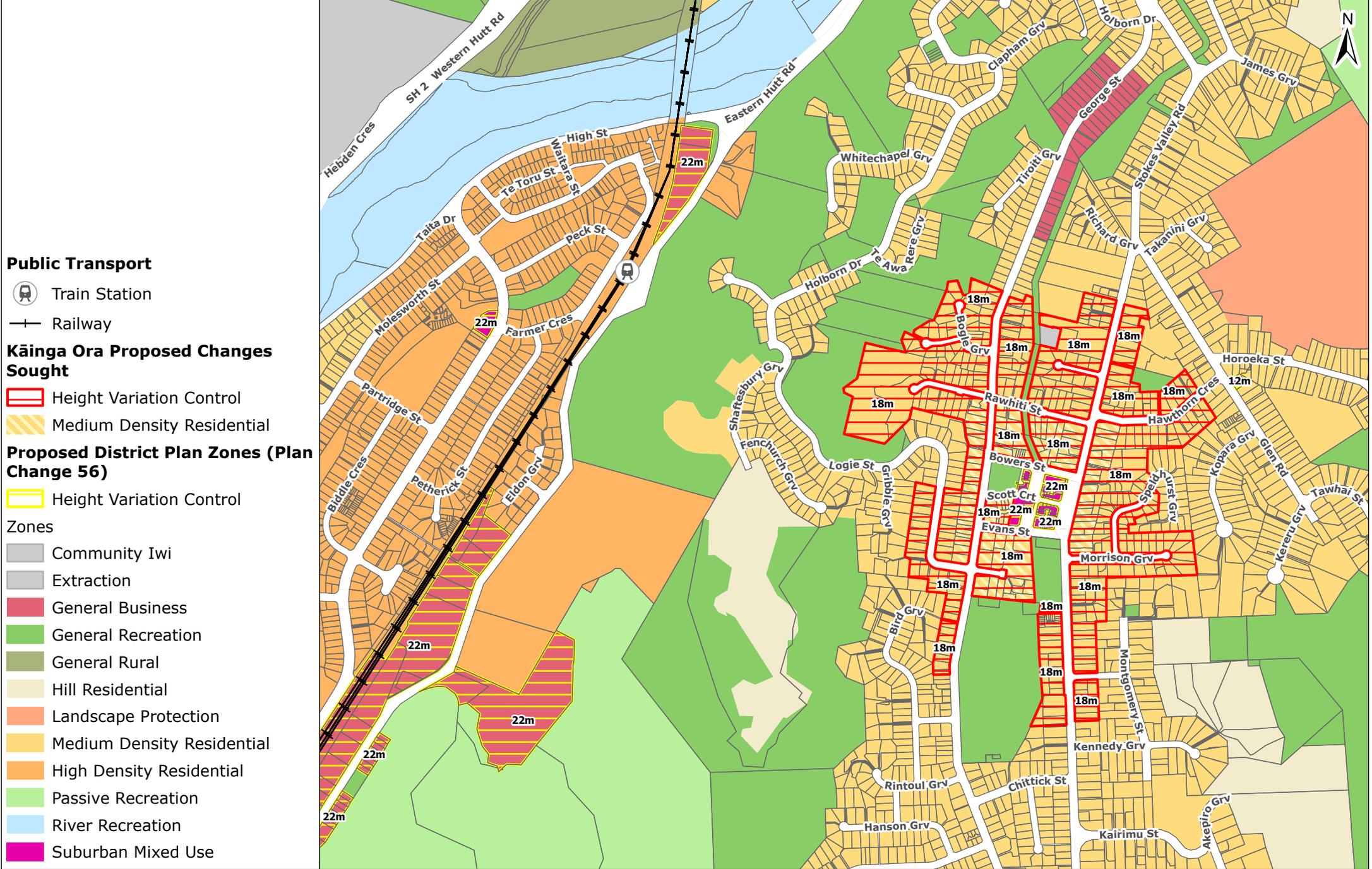
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Centre: Wingate/Taita

Version: Hearing V1

PREPARED BY	TPG REF. 718449
Conor McIntosh	SHEET 11 OF 13
DATE 15/05/2023	A4 Scale 1:11,000
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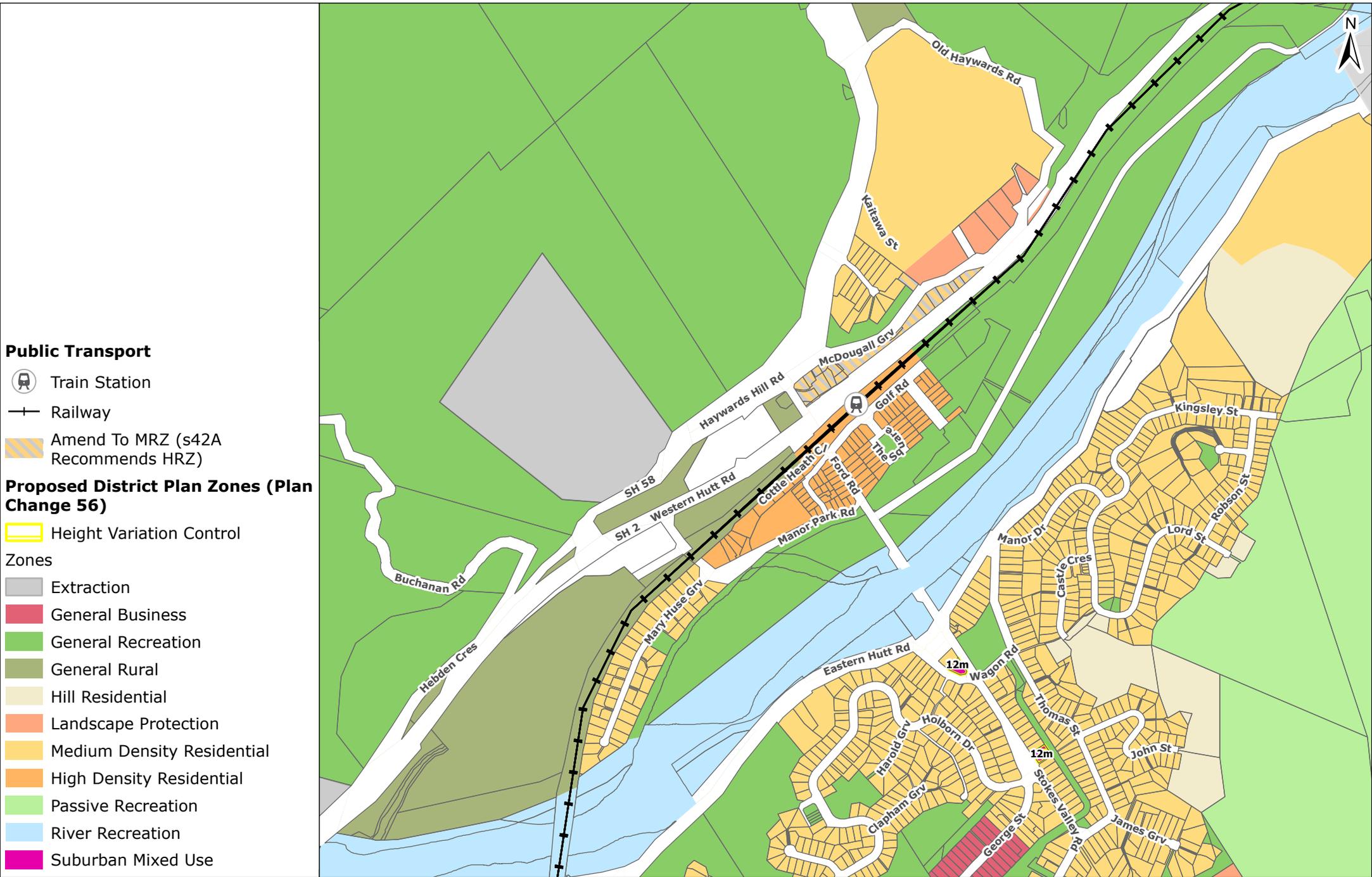
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Centre: Stokes Valley

PREPARED BY	TPG REF.
Conor McIntosh	718449
DATE	SHEET
15/05/2023	12 OF 13
A4 Scale 1:11,000	
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Version: Hearing V1





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 Coordinate System: NZGD 2000 New Zealand Transverse Mercator
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Centre: Manor Park

Version: Hearing V1

PREPARED BY	TPG REF.
Conor McIntosh	718449
DATE	SHEET
15/05/2023	13 OF 13
	A4 Scale 1:11,000
0	280 Metres



Appendix C

Hutt City Council - PC56

Justification of changes sort to zone application as presented by Mr Rae.

Refer to Map book (Sheet 1 to13) dated 15/05/2023 Version 1

16th May 2023

Changes made to maps incorporate areas where there is disagreement with S42A recommendation as requested by Panel, plus one correction.

Map #	Centre	Centre classification/expansion?	800m catchment from centre	800m Catchment from station	400m catchment from centre or station	400-800m catchment from centre or station	Proposed changes on maps	Zone application explanation
1	Petone - Train Station			HDRAA			<ul style="list-style-type: none"> Zones - IPI proposed zones are generally accepted, except as outlined below. Height Variation Control - HVC proposed by Council over Commercial Zones supported, or accepted. <p>Proposed Changes</p> <ul style="list-style-type: none"> HVC - Application of 36m HVC over HDRAA within 400m from the Petone Commercial - Area 2 to the north of Jackson Street. Heritage Area - additional Heritage Area (HA-09) (MAP 2) on sites at the eastern end of Adelaide Street (between Jackson Street and East Street). Areas north west of motorway proposed by S42A as HDRAA do not comply with walkable catchment criteria (London Road at Korokoro) to revert back to Hill Residential zone. 	<p>The application of the HDRAA within a walkable catchment of Petone Station and Metropolitan Centre zones is required by NPS-UD Policy 3(c). Basic principle for catchment is 800m from both.</p> <p>However, through our analysis, some areas zoned HDRAA as recommended in the Section 42A were identified as not suitable for high density residential. The areas to the west of the motorway at London Road are within the 800m walkable catchments of both the station and Centre, however they rely on very poor pedestrian access and parts of the streets are steep with poor access to existing lots. These areas to revert to Hill Residential.</p> <p>HVC</p> <p>Council has proposed a 22m Height Variation Control over parts of the General Business Zone that are within walkable catchments to enable 6 storey buildings. The proposed height matches IPI HDRAA proposed height and is supported, and could be taller to assist with legibility.</p> <p>Kainga Ora seeks a 36m HVC over the HDRAA around Petone. Due to the high hazard risk along the waterfront, it is recommended (consistent with Kainga Ora's policy) that additional density is not enabled in these high risk areas. The HDRAA outcomes are unlikely to be achieved in the risk area where an overlay further restricts development.</p> <p>The submission did not seek to extend the 36m HVC east of Williams Street around Patrick Street, or northwest of Hutt Road, due to the heritage overlay applying.</p>
1-2	Petone - Commercial Area 1 - Jackson Street	MCZ	HDRAA		Height overlay to 10 storeys (36m)			
1-2	Petone - Commercial Area 2	MCZ	HDRAA		Height overlay to 10 storeys (36m)			
3	Maungaraki - Neighbourhood Centre (Dowse Drive and Rowan Street)	Neighbourhood Centre					No changes proposed.	Support 12m HVC over centre to enable growth to similar height as MDRAA (11m).
3	Western Hutt - Train Station			HDRAA			<ul style="list-style-type: none"> Zones - IPI proposed zones are generally accepted, except as outlined below. HVC (22m) over general business is supported consistent with 6 storey outcome from the station. The IPI HDRAA zone application at Normandale Road is not supported as it does not meet the catchment criteria and is dissected by State Highway 2. Identified on map 3 to revert back to Hill residential and MDRAA. 	
3	Alicetown - corner Cuba and Victoria - Local Centre				Within catchment of Ava station		<ul style="list-style-type: none"> Zoning and HVC supported, no changes 	

3	Ava - Train Station			HDRAA			<ul style="list-style-type: none"> • IPI zones are supported consistent with Policy 3(c), • HVC proposed by Council over Commercial Zones supported 	The application of the HDRAA at Ava Station is required by NPS-UD Policy 3(c) in a walkable catchment.
3-8-9	Hutt City - City Centre	CCZ, no expansion. Considered a Metropolitan Centre	1200m catchment for HDRAA		Height overlay of 10 storeys 36m		<ul style="list-style-type: none"> • IPI zones are supported consistent with Policy 3(c), • HVC 36m (10 storeys) within 400m of City Centre zone a reduction from Kainga Ora submission, consistent with Metropolitan Centre classification. 	Responding to the opportunity to provide taller buildings abutting the city centre consistent with Policy 3(c) providing "at least 6 storeys" and providing direction for greater intensification at the right locations. Focused on the eastern side of the river where good connections between the residential and centre exist. Edges defined along cadastral boundaries using changes in landuse such as schools or streets. In some cases providing enough sites at the end of a block fronting King Crescent where the same built form opportunity could exist both sides.
9	Melling - Train Station			HDRAA			<ul style="list-style-type: none"> • IPI zones supported consistent with Policy 3(c), except for land north west of SH2. Recommend Hill Residential and MDRAA replace HDRAA zone. 	The walkable catchment criteria does not support intensification of this area. Intensification is better suited in the city centre and around it to the east. The Hutt River is a barrier to a connected urban environment.
4	Wainuiomata Centre	Local Centre			Height overlay 18m		<ul style="list-style-type: none"> • HVC proposed by Council over Commercial Zones in the centre to 22m supported. <p>Proposed Changes</p> <ul style="list-style-type: none"> • Zones - Sites at Wainuiomata Road between The Strand and Arthur St, and at Fitzherbert Road between Bryan Heath Park and 5 Main Road rezoned as MDRAA from HDRAA. - Hill Residential sites at the end of Sheehy Grove, and at 5 Frazer Street rezoned as MDRAA. • HVC - Application of 18m HVC over MDRAA 400m from the Wainuiomata Centre (Suburban Mixed Use). 	<p>The intensification around neighbourhood, local, and town centres is a Policy 3(d) matter. Centre is considered to be a Local Centre, however has a Suburban Mixed Use zone applying.</p> <p>Consistent with other Local Centres where a more suburban character is envisioned, the IPI HDRAA is recommended to be replaced with the MDRAA (plus height overlay to enable some greater intensification around the centre, but not in an urban form expected in the HDRAA. It is noted that a number of recent developments will have significantly reduced the opportunity this zone enables for many years.</p>
								<p>The Hill Residential sites at Sheehy Grove and 5 Frazer Street are included as recommended MDRAA with HVC consistent with the block they are within. 5 Frazer is a rear site up a driveway however similar elevation to 7 Frazer Street. This could revert back to Hill Residential if it was considered the potential built form would be too great. At 15,17 and 19 Sheehy Grove (southern end) IPI retained existing zone of Hill Residential. There are parts of these sites close to Sheehy Grove at the base of a small valley where the existing dwellings have a similar relationship to the street as others along the street. Not all of these sites are expected to be built on, but the recommendation to zone these MDRAA enables opportunity accessed off a relatively flat road with paths each side. Alternatively if Hill residential better manages any landscape issue these could be retained as Hill Residential.</p>

5	Eastbourne -	Local Centre			MDRS plus height overlay 18m		<ul style="list-style-type: none"> • HVC proposed by Council over Commercial Zones supported. <p>Proposed Changes</p> <ul style="list-style-type: none"> • Zones - Sites around Eastbourne Local Centre (Suburban Mixed Use) rezoned as MDRAA from IPI HDRAA. • HVC - Application of 18m HVC over MDRAA 400m from the Eastbourne Local Centre (Suburban Mixed Use). • An error has been found in map 5 as represented in the evidence of Mr Rae, where the map illustrates a change to MDRAA for properties along MacKenzie Road. The IPI did not propose a change to the zoning of these properties and the steepness of the lots and poor access does not support intensification. These lots are now illustrated with the Hill Residential zone. 	The intensification around neighbourhood, local, and town centres is a Policy 3(d) matter. Centre is considered to be a Local Centre, however has a Suburban Mixed Use zone applying. Consistent with other Local Centres where a more suburban character is envisioned, the IPI HDRAA is recommended to be replaced with the MDRAA (plus height overlay to enable some greater intensification around the centre, but not in an urban form. High coastal hazards have restricted overlay applying at some coastal edges.
6	Moera - Randwick Road at York Street	Local Centre			MDRS plus height overlay 18m		<ul style="list-style-type: none"> • HVC proposed by Council over Commercial Zones supported. No changes proposed. 	Centre catchment is overlapped with catchment from Woburn station supporting HDRAA
6	Croft Grove - Randwick Road -	Local Centre			MDRS plus height overlay 18m		<ul style="list-style-type: none"> • HVC proposed by Council over Commercial Zones supported. No changes proposed. 	In an area of high coastal hazard and additional density therefore not recommended for additional height.
6	Whites Line - Hawkins St	Local Centre			MDRS plus height overlay 18m		<ul style="list-style-type: none"> • HVC proposed by Council over Commercial Zones supported. No changes proposed. 	Centre catchment is overlapped with catchment from Woburn station supporting HDRAA
6	Woburn - Train Station			HDRAA			<ul style="list-style-type: none"> • HDRAA around Woburn Station supported 	HDRAA Catchment Policy 3(c) from station
6	Waiwhetu / Wainui Road -	Neighbourhood Centre						HDRAA Catchment Policy 3(c) from station
7	Fairfield -	Local Centre			MDRS plus height overlay 18m		<ul style="list-style-type: none"> • HVC proposed by Council over Commercial Zones supported. <p>Proposed changes</p> <ul style="list-style-type: none"> • Zones - (map 7) application of HDRAA on sites to the south of Naenae Road, both sides of Hamerton Street, and both sides of Waddington Drive to the north of Waiwhetu Stream. See Naenae below. 	The application of the HDRAA at Waterloo Station and Epuni Station, and the City Centre zone (Central Commercial) is required by NPS-UD Policy 3(c) in a walkable catchment. Have applied 800m generally from train stations and 1200m from City Centres. IPI generally consistent with this catchment, support HDRAA zone.
7	Epuni - Train Station			HDRAA			No changes proposed.	Policy 3(c) catchment from station
7	Epuni - Witako St - Local Centre	neighbourhood centre					No changes proposed.	HDRAA due to station
7-8	Waterloo - Train Station			HDRAA			No changes proposed.	Policy 3(c) catchment from station
7-8	Waterloo - Local Centre				MDRS plus height overlay 18m (over ridden by HDRAA)		No changes proposed.	HDRAA surrounding due to Policy 3(c) from station

10	Naenae - Train Station			HDRAA		<ul style="list-style-type: none"> • HVC (22m) proposed in IPI over Commercial Zones supported, including the Suburban Mixed Use zone bound by Vogel, Everst and Treadwell Streets at 22m as this is consistent with 6 storeys in walkable catchment of the station. An error was identified on Map 10 where the HVC was illustrated as a requested change by Kainga Ora. The HVC hatch has been changed to yellow to represent the Council's proposal at this location. <p>Proposed changes</p> <ul style="list-style-type: none"> • Zones - Application of HDRAA on residential sites on both sides of Naenae Road, Gibson Crescent, McEnroe Grove, Hamerton Street, Pilcher Crescent, Hill Grove, Collet Street, Wheatley Street, Hower Crescent, and Westbury Street; sites at 37, 39 and 41 Kowhai Street and both sides of Waddington Drive to the north of Waiwhetu Stream. 	<p>The application of the HDRAA at Naenae Station is required by NPS-UD Policy 3(c) in a walkable catchment. Have applied 800m generally.</p> <p>Recommended an expansion of the HRDAA at Naenae to include the area south of Pilcher Crescent, along both sides of Waddington Drive between Cole Street and Naenae Road. This area is further than the 800m catchment principle from the station, however, it is flat with reasonable connections, supported by the schools and the natural landscape as suitable boundary, including the Waiwhetu Stream and the steep land beyond. It follows an urban fabric response where the stream and open space corridor generally defines the area around the centre, from those further suburban areas. Supported also by centre and open space east of the railway.</p> <p>Recommended expansion of the HDRAA to the north east along Hower Crescent, and both sides of Naenae Road following a similar urban fabric reason as above, again supported by Rata street school. boundary interface decisions made following consistency of response to opens space and considerations of similar built form both sides of a street such as Naenae Road where the school exists at the interface. This is also in consideration of the proximity to the General business zone and Suburban Mixed Use zone being a centre in walking distance even if not classified of a scale that requires greater expansion of HDRAA at this time.</p>
10	Naenae -	Local Centre			MDRS plus height overlay 18m (over ridden by HDRAA from		
10	High Street – Daysh St -	Local Centre			MDRS plus height overlay 18m (over ridden by HDRAA from		
10	Avalon – Hight St and Tennyson Ave -	Neighbourhood Centre					
10	Avalon – High St and Cottle St -	Neighbourhood Centre					
11	Wingate - Train Station			HDRAA		<ul style="list-style-type: none"> • HVC proposed by Council over Commercial Zones supported. <p>Proposed changes</p> <ul style="list-style-type: none"> • Zones - Application of HDRAA on residential sites at 37, 39 and 41 Kowhai Street (Naenae). • HVC - Application of 22m HVC over the Suburban Mixed Use zone at 23A Tocker Street. 	<p>The application of the HDRAA at Wingate Station and Taita Station is required by NPS-UD Policy 3(c) in a walkable catchment. Have applied 800m generally. The site at 23a Tocker Street seems to be unzoned for an unknown reason on S42 maps. The application of the surrounding zone and HVC would be the logical approach.</p>
11	Taita south (High St and Burcham St)	Neighbourhood centre					
11	Taita - Train Station			HDRAA			
11	Taita - Local Centre				MDRS plus height overlay 18m		
12	Pomare - Train Station			HDRAA		<ul style="list-style-type: none"> • HVC - HVC proposed by Council over Commercial Zones supported. 	<p>The application of the HDRAA at Pomare Station is required by NPS-UD Policy 3(c) in a walkable catchment. Have applied 800m generally. Supports IPI zone application</p>
12	Stokes Valley -	Local Centre			MDRS plus height overlay 18m	<p>Proposed Changes</p> <ul style="list-style-type: none"> • HVC - Application of 18m HVC over MDRAA 400m from the Stokes Valley Local Centre (Suburban Mixed Use) to replace HDRAA. 	<p>The allowance for a denser residential environment around neighbourhood, local, and town centres is a police 3(d) matter. Recommend the replacement of the HDRAA with the MDRAA (plus height overlay) around the Local centre of Stokes Valley, enabling increased density but in a more suburban form.</p>

13	Manor Park - Train Station			HDRAA			<p>Proposed Changes</p> <ul style="list-style-type: none"> • Replace HDRAA along McDougall Grove with MDRAA 	<p>The application of the HDRAA at Manor Park Station is required by NPS-UD Policy 3(c) in a walkable catchment. However, through our analysis, we have identified some areas zoned HDRAA as recommended in the Section 42A that do not meet the criteria, and are not the best locations for higher density. McDougall Grove west of Manor Park Station is one of them. These area are within the 800m walkable catchment, however its rely on a very poor pedestrian access. McDougall Grove is within the 800m walkable catchment is and is relatively flat and it may be possible to add pedestrian paths along this street and could support higher density, but is not well connected except for the underpass which should not be relied upon, especially at night.</p>
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