

**BEFORE THE HEARING PANEL APPOINTED TO HEAR AND MAKE DECISIONS ON SUBMISSIONS AND  
FURTHER SUBMISSIONS ON PLAN CHANGE 2 OF THE KĀPITI COAST DISTRICT PLAN**

**IN THE MATTER** of the Resource Management Act 1991 (the Act)

**AND**

**IN THE MATTER** of Hearing of Submissions and Further Submissions on Plan Change 2 of  
the Kāpiti Coast District Plan under Schedule 1 of the Act

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**HEARING STATEMENT ON BEHALF OF LEITH CONSULTING LIMITED**

**10 March 2023**

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## HEARING STATEMENT ON BEHALF OF LEITH CONSULTING FOR PLAN CHANGE 2 OF THE KĀPITI COAST DISTRICT PLAN

1. This Hearing Statement has been prepared on behalf of Leith Consulting Ltd (Submitter 202 and Further Submitter 202.1) and represents Leith Consulting's views. It is not expert evidence but refers to Council Officer evidence in the Council's Section 42a report. Louise White, Senior Resource & Environmental Planner (BREP(Hons)), will be attending the hearing to speak to Leith Consulting's submission and this Hearing Statement.
2. There are 18 submission points and 19 further submission points from Leith Consulting on Plan Change 2 that cover a number of topics.
3. Leith Consulting generally supports or accepts the Reporting Planners' s42A assessment and recommendations in relation to the submissions and further submissions that we made. The Reporting Planners' response to our submissions is collated at Appendix 1. However, there are two outstanding issues within the following topics that this Hearing Statement addresses:
  - a. Hydraulic neutrality – infrastructure
  - b. General matters – enabling up to 21 metres in the Town Centre Zone

### Hydraulic neutrality – infrastructure

4. We request the same relief sought regarding our primary submission point 202.15. Our submission sought that the District Plan be updated to better reflect the need to achieve hydraulic neutrality at the time subdivision and building/land use stage, as this is an important requirement that is somewhat buried in the document - incorporated by reference to the "Council's Land Development Minimum Requirements". We requested to make it clear in the District Plan rules that hydraulic neutrality needs to be achieved for developments, with notes on how this is to be calculated or measured. We requested that a rule regarding hydraulic neutrality could be added to the Infrastructure Chapter, for example, as this where the policy INF-MENU-P17 is located. The implications of not being able to achieve hydraulic neutrality should be a restricted discretionary activity as the related adverse effects can be defined. We supported any consequential changes needed to the rest of the District Plan and Planning Maps to give effect to the relief sought.
5. The Reporting Planner's s42A assessment stated that the requirement to achieve hydraulic neutrality is provided for under Standards 1 and 2 Rules SUB-DW-Rx1 (under PC(N)) and SUB-DW-R5 (in the operative District Plan and retained by PC(N)). The Reporting Planner considered that the standards clearly specify the performance requirements to be achieved in relation to hydraulic neutrality and that hydraulic neutrality is provided for through district plan rules, and does not consider it necessary to amend this approach.



6. We partly disagree with the Reporting Planner's recommendations. The rules SUB-DW-Rx1 and SUB-DW-R5 only address hydraulic neutrality at the subdivision stage. We ask the Reporting Planner to consider including a rule which clearly requires hydraulic neutrality to be required at the building consent/land use consent stage with a pathway provided for developments that cannot achieve hydraulic neutrality.

#### **General matters – enabling up to 21 metres (6 stories) in the Town Centre Zone**

7. We seek alternative changes to the District Plan to give effect to our relief sought under our primary submission number S202.12. We originally requested that buildings of up to six stories, rather than four stories, be enabled/permitted within the Town Centre Zones. The Reporting Planner's response was that Rule TCZ-R11 already provides for buildings up to 21 metres in height as a restricted discretionary activity with the recommendation that our relief sought not be accepted. We request that, alternatively, to better enable buildings of up to 21 metres in height within the Town Centre Zone, that the Reporting Planner and Panel members consider whether the matters of discretion for this activity be reduced from the current 13 matters listed. As it currently reads, the long list of matters of discretion for a breach of a permitted activity of a maximum height of 12m do not 'enable' the activity of building up to 21 metres. Rather the long list of restricted matters act similar to the pathway for discretionary activities. Alternatively, the matters of discretion could be reduced to those matters relating to urban design and landform which better relate to the effects generated by poorly designed and cited taller buildings.

**APPENDIX 1: COUNCIL OFFICER'S RESPONSE TO SUBMISSION AND FURTHER SUBMISSION**

Sub #	Submission point number	Submitter name	Specific provision/matter	Position	Reasons (this may be a summary only, refer to the submission for full reasoning)	Decision requested	Evidence section	Assessment	Officer's recommendation	Amendments to PC(N)?
S201	S201.01	George, Andrew	PRECx3 - Coastal Qualifying Matter Precinct	Oppose	The submission states several reasons, including (but not limited to): - Use of the Jacobs Report to identify a Coastal Qualifying Matter Precinct is not supported for various reasons. - The proposed Coastal Qualifying Matter Precinct does not give effect to/is contrary to policies 3, 4 and 25 of the NZCPS and policies 8 and 6(e) of the NPS-UD. - PC2 is contrary to policy 25 of the NZCPS, because it permits redevelopment in areas subject to coastal inundation, which will be exacerbated by sea level rise. - The approach of relying on existing flood hazard provisions is problematic for a range of reasons, including that exposure to economic harm and loss, and exposure of infrastructure and public assets, is not eliminated through compliance with flood hazard provisions. - The landward boundary of the Coastal Environment area identified in the District Plan (or alternatively the landward boundary of the Adaptation Zones published by the Council) is the best currently available delineation in the District Plan of the "area potentially affected by coastal hazards over at least the next 100 years." - PC2 fails to recognise section 6(a) of the RMA. - The natural character of the coastal environment is a significant component of what makes Kapiti coast distinctive and valued. The coastal environment itself is a significant asset for the Council and local communities. - Most residents would consider allowing higher development along the urbanised Kapiti coast to be inappropriate, and it would be inconsistent with non-statutory Council documents and previous Council decisions. - Policies 6, 7 & 14 of the NZCPS are given effect to in the District Plan through provisions for areas of outstanding or high natural character, and the Beach Residential Precincts. - The impact of building height on Beach Residential Precincts will be significant and their loss would be contrary to Part 2 of the RMA. - Council is required to preserve remaining natural character, noting almost all of the Paraparaumu and Waikanae coastline is identified by Council as "high natural character". - Existing controls provide protection from inappropriate development should remain in and adjacent to all areas of "high natural character" - The outcomes from PC2 will be larger single homes, not the additional household units as intended by the NPS-UD or the RMA. - The decisions requested are considered to be consistent with Council's ability to exclude areas to which the MDRS apply under the RMA. - Other councils (Auckland) have considered a qualifying matter based on character. - It is appropriate to consider the cumulative effects of natural hazards and natural character, and to make an overall assessment on the requirement for a qualifying matter.	<b>Amend</b> the Coastal Qualifying Matter Precinct so that it has a landward (eastern) boundary that matches the landward boundary of either: a. the area shown as Coastal Environment in the District Plan; or b. the areas shown as the Adaptation Zones which the Kapiti Coast District Council determined and published on its Takutai Kapiti Coastal Hazard Susceptibility Assessment maps ( <a href="https://maps.kapiticoast.govt.nz/portal/apps/storymaps/stories/dbc000c7263f4d63b8978047ed0e826b">https://maps.kapiticoast.govt.nz/portal/apps/storymaps/stories/dbc000c7263f4d63b8978047ed0e826b</a> ).  Pending a plan change promulgated by the Council relating to Coastal Hazards. And such further or other consequential relief as required to give effect to the submission.	4.11.2 Qualifying Matters - Coastal Qualifying Matter Precinct - Beach Residential Submissions	Refer the assessment of Matters A and B in the body of the report.	<b>Do not accept.</b>	<b>No.</b>
S203.FS.1	S201.01.FS01	Ngā Hapū o Ōtaki	PRECx3 - Coastal Qualifying Matter Precinct	Support primary submission	<i>Agree the most of our Kāpiti residents would consider allowing higher development along the coast to be inappropriate. We support that Council must make decisions to preserve remaining natural character. Noting that in our iwi perspective the entire coastline be considered 'high natural character' as well as of 'high cultural value'. We agree with reference to the Takutai Kāpiti Adaptation Zones as areas that will potentially be affected by coastal hazards and climate change impacts within the next 100 years (e.g. sea level rise, coastal erosion, severe storm surges, groundwater saturation, flooding etc). Limiting intensification in these coastal regions is aligned with current Government Policy requirements and wise future decision making based on current known predictions. We support the reference that it is appropriate to consider the cumulative effects of natural hazards and natural character to make an overall assessment on the requirement for a qualifying matter. Agree that the Coastal Qualifying Matter Precincts be enlarged landward of the eastern boundary. We recommend that the Takutai Kāpiti Coastal Hazards Adaptation Zones be marked as Coastal Environment and become Coastal Qualifying Matter Precincts in the District Plan.</i>	Allow primary submission.	4.11.2 Qualifying Matters - Coastal Qualifying Matter Precinct - Beach Residential Submissions	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S201	S201.02	George, Andrew	PREC3 - Beach Residential Precinct	Oppose	See submission point S200.01.	Further or alternatively, <b>amend</b> PC2 so that existing Beach Residential Precincts become Beach Residential Qualifying Matter Precinct, and that all existing District Plan provisions continue to apply to Beach Residential Qualifying Matter Precincts, and Residential Intensification Precinct B is removed from all Beach Residential Qualifying Matter Precincts. And such further or other consequential relief as required to give effect to the submission.	4.11.2 Qualifying Matters - Coastal Qualifying Matter Precinct - Beach Residential Submissions	Refer the assessment of Matter F in the body of the report.	<b>Do not accept.</b>	<b>No.</b>
S201	S201.03	George, Andrew	PREC3 - Beach Residential Precinct	Oppose	See submission point S201.01.	Further or alternatively, <b>amend</b> PC2 to adopt a larger Beach Residential Qualifying Matter Precinct based on a full landscape assessment of the coastal environment, particularly as it relates to Waikanae Beach. And such further or other consequential relief as required to give effect to the submission	4.11.2 Qualifying Matters - Coastal Qualifying Matter Precinct - Beach Residential Submissions	Refer the assessment of Matter G in the body of the report.	<b>Do not accept.</b>	<b>No.</b>
S201	S201.04	George, Andrew	Local Centre Zone	Oppose	The submission states that it is appropriate to consider the merits of existing Local Centre Zones as they are impacted by any further enlarger Coastal Qualifying Matter Precinct or Beach Residential Qualifying Matter Precinct. The submitter considers that the Council has treated Local Centres inconsistently and there is no assessment of the need for a Local Centre at Te Moana.	Further or alternatively, <b>amend</b> the Local Centre Zone to give effect to an enlarged Coastal Qualifying Matter Precinct or a Beach Residential Qualifying Matter Precinct. And such further or other consequential relief as required to give effect to the submission.	4.11.2 Qualifying Matters - Coastal Qualifying Matter Precinct - Beach Residential Submissions	Refer the assessment of Matter H in the body of the report.	<b>Do not accept.</b>	<b>No.</b>
S202	S202.01	Leith Consulting Ltd	Planning Maps	Support in part	This will improve plan useability as it is not obvious at first using the planning maps that the 'existing qualifying matter areas' such as 'ponding' apply and are considered 'qualifying matters'.	For ease of plan interpretation, please clearly <b>specify</b> via a layer in the planning maps all the qualifying matter areas in one layer that apply to the residential areas. Having existing and new qualifying matters can be confusing for plan users. Having the qualifying matters listed in one area on the planning maps makes this much more user friendly.  Also support any other <b>consequential changes</b> required to improve plan useability and to make it much clearer regarding the implications of the 'qualifying matter areas'.	4.10.3 Qualifying Matters - General Matters - Other Matters	I do not consider it appropriate to specify all qualifying matters in a single District Plan map layer, as each qualifying matter addresses a unique resource management issue.  However, I note that the definition of "qualifying matter area" outlined under section 20.11 of PC(N) (which I have recommended be amended to "identified qualifying matter" under section 20.11 of PC(R1)) includes a list of all qualifying matters contained in the District Plan, and I consider that this addresses the matters raised by the submitter.	<b>Do not accept.</b>	<b>No.</b>
S202	S202.02	Leith Consulting Ltd	General	Not specified	The corresponding Section 32 reports confirm that the MDRS apply to General Residential sites, including those subject to a qualifying matter (such as ponding) but explain that development may be constrained by needing to achieve compliance with rules/standards relating to that qualifying matter (e.g. in the case of ponding - achieving minimum building floor levels). This intent is not however clear within the Plan itself.  To avoid confusion, ambiguity, and interpretation issues it is important that the Plan can stand on its own, without being read in conjunction with its s32 reports.	For ease of plan interpretation, please <b>amend</b> the rules to clearly specify that the MDRS apply to all General Residential Zoned sites, including those subject to a qualifying matter.  Also support any other <b>consequential changes</b> required to improve plan readability and to make the applicability of 'qualifying matters' clearer.	4.10.3 Qualifying Matters - General Matters - Other Matters	Rules GRZ-Rx1 and GRZ-Rx2 are the principle land use rules that provide for the MDRS as a permitted activity in the General Residential Zone. These rules apply throughout the General Residential Zone, except within the Coastal Qualifying Matter Precinct and the Marae Takiwā precinct, and these exceptions are stated in the rule.  In relation to qualifying matters that exist as overlays in the District Plan, the rules associated with these overlays apply in the ordinary way. That is, where there is an overlay in a specific area, the rules associated with the overlay apply to that area in addition to the General Residential Zone rules. I do not consider any further specification or explanation in the Plan is necessary to clarify this.	<b>Do not accept.</b>	<b>No.</b>
S206.FS.9	S202.02.FS01	Landlink	General	Support primary submission	As per Landlink's primary submission - further clarity is required around flood risk and MDRH.	Allow primary submission in part.	4.10.3 Qualifying Matters - General Matters - Other Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.

Sub #	Submission point number	Submitter name	Specific provision/matter	Position	Reasons (this may be a summary only, refer to the submission for full reasoning)	Decision requested	Evidence section	Assessment	Officer's recommendation	Amendments to PC(N)?
S202	S202.03	Leith Consulting Ltd	GRZ-P14	Support in part	Amending this policy as requested will improve plan useability and will reduce confusion and plan interpretation issues when considering 'minor residential units' within the Residential Zone.  For example, there was potential confusion over whether the MDRS rules (such as minimum criteria for glazing) apply to 'minor residential units' and whether the GRZ-Rx1-1 applies to 'minor residential units' per site.  We assume that 'residential unit' in this context includes 'minor residential units' so that you cannot have '3 residential units and 3 minor residential units' per site.	Please amend this policy to reflect that Minor Residential Units are only specifically provided for in the Coastal Qualifying Matter Precinct under GRZ-R6. GRZ-Rx1 doesn't appear to provide for minor residential units specifically anymore as the MDRS provisions have been adopted and do not differentiate between 'minor residential units' and 'residential units'.  We also support any consequential changes to the plan as a result of our relief sought. For example, notes could be added to the start of the Residential Zone chapter that make it clear that minor residential units only apply to the Coastal Qualify Matter Precinct.  Alternatively, GRZ-Rx1 could be amended to clarify via a note or change to the wording (if there is scope to do so) that the standard also applies to 'minor residential units'.	4.11.3 Qualifying Matters - Coastal Qualifying Matter Precinct - Other Matters	The rule that incorporates the MDRS does not distinguish between residential units and minor residential units. I consider that this means that minor residential units are residential units, and that therefore that the standards under rule GRZ-Rx1 apply to all residential units (including units determined to be minor residential units).  However, I consider that the matters outlined under policy GRZ-P14 are only relevant to the construction of minor residential units as a permitted activity under rule GRZ-R6 in the Coastal Qualifying Matter Precinct (or as a discretionary activity under rule GRZ-R18). I therefore consider it appropriate to amend policy GRZ-P14 to reflect this.	<b>Accept.</b> Amend GRZ-P16.	<b>Yes.</b> Amend GRZ-P16. Refer section 4.38 of PC(R1).  <b>Section 32AA evaluation</b> I consider this amendment to be a more appropriate way to achieve the objectives of PC2 and the purpose of the RMA, because it provides for clearer interpretation of policy GRZ-P14 (which is only relevant in the Coastal Qualifying Matter Precinct). It also avoids the risk that this policy may be read in conflict with policies related to the application of the MDRS and Policy 3 of the NPS-UD outside of the Coastal Qualifying Matter Precinct.
S202	S202.04	Leith Consulting Ltd	SUB-RES-Table x1	Oppose in part	The Council should be encouraging subdivision of land into smaller allotments as controlled activities or restricted discretionary activities where it can be shown via building plans submitted at the time of subdivision that the site and subdivision can comply with the MDRS provisions. That way, building and subdivision can be applied for, processed and approved, to be completed concurrently. This represents an efficient use of resources for all parties.	<b>Amend</b> column two, row one of SUB-RES-Table x1 as follows:  <u>An allotment that contains a residential unit or has an approved land use resource consent for a residential unit or it can be demonstrated that is practicable to construct residential units within the allotments that comply with Rules GRZ-Rx1, GRx2 or GRZ-Rx3.</u>  To give effect to the above relief, <b>consequential amendments</b> to other parts of the plan should be enabled. For example, the matters of discretion should be modified under SUB-RES-R27 to give effect to the requested relief.	4.7 MDRS & NPS-UD - Subdivision	I consider that the amendment requested is necessary in order to comply with the requirements of clause 8 of Schedule 3A of the RMA (which relate to prohibitions on minimum allotment size and shape factors in District Plans).  I do not consider that any other consequential amendments are required in order to give effect to the amendment requested.	<b>Accept.</b>	<b>Yes.</b> Amend SUB-RES-Table x1. Refer to section 10.13 of PC(R1).  <b>Section 32AA evaluation</b> I consider this amendment to be a more appropriate way to achieve the objectives of PC2 and the purpose of the RMA, because it ensures that the requirements in SUB-RES-Table x1 comply with the requirements in clause 8 of Schedule 3A to the RMA.
S160.FS.2	S202.04.FS01	Gomez, Nancy	SUB-RES-Table x1	Oppose primary submission	The submitter considers that reducing lot sizes and allowing pedestrian access instead of drive-on access would be out of character with existing developed lots, and detracts from the space and quality of living that Kāpiti residents in suburban areas are seeking.  The submitter also notes that: - A reduction in lot sizes could be considered, but not to the extent proposed in the primary submission. The submitter considers that no less than 350m2 size and 14m shape factor would be appropriate. - Breaching controlled activity status should continue to be a non-complying activity; - Incorporating pedestrian access as an alternative to vehicle access can result in construction vehicle and repair/maintenance issues due to the narrow access for rear lots and buildings. - The removal of rainwater tanks should not be considered. Given the capacity of the stormwater networks, significant reduction of soakage area per lot and climate change, the installation of rainwater tanks is needed to mitigate the increased stormwater runoff and flooding.	Disallow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S206.FS.9	S202.04.FS02	Landlink	SUB-RES-Table x1	Support primary submission	KCDC should support subdivision of land into smaller vacant allotments - without requiring detailed land use plans. This is because the potential uptake of MDRH will be broadened if people are able to create smaller vacant allotments. Providing land use plans for developments which may not be realised is not an efficient use of resources. Additionally, a non-complying status for subdivision for vacant lots not meeting a 450m2/15m diameter requirement is viewed as overly restrictive given the permitted baseline provided by MDRS. Suggest a new minimum lot size is determined through analysis of size of lots that MDRH can be reasonably facilitated on - retention of 450m2 reflects older provisions of the District Plan which did not account for MDRH. Acknowledgement that this is a complex area and work may be constrained given short timeframes but a well-considered new minimum lot size (if retention of a minimum lot size is considered appropriate) will likely lead to better urban design outcomes.	Allow primary submission in part.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S202	S202.05	Leith Consulting Ltd	SUB-RES-Table x1	Oppose	If an applicant does not wish to, or is unable to, submit detailed building plans that show compliance with the MDRS provisions at the time of applying for subdivision consent then they should be able to create vacant allotments of at least 300m2 in area with a shape factor of 14m diameter circle, as this allotment size better reflects the increased development density the Kāpiti Coast will be needing and is more enabling of infill developments based on common underlying allotment sizes. This will also enable the Plan provisions to align with neighbouring councils.	<b>Amend</b> SUB-RES-Table x1 column three, row two as follows: <u>450m<sup>2</sup> (inclusive of access) 300m<sup>2</sup></u>  <b>Amend</b> column five, row two as follows: <u>Must be capable of accommodating an 18 14 metre diameter circle.</u>  <u>Where a rear allotment is created, the shape factor circle for the front allotment(s) may extend over the access leg for the rear allotment by up to 3 metres.</u>	4.7 MDRS & NPS-UD - Subdivision	While I consider that the minimum vacant allotment size and shape factor could be reduced to be more consistent with the MDRS, I am mindful that a vacant allotment, once subdivided, will enable the construction of 3 dwellings on that single vacant allotment as a permitted activity (not one). I is not clear to me from the information contained in the submission that a 300m2 minimum allotment area is sufficient to accommodate 3 residential units.  I note that the Ministry for the Environment's Medium Density Residential Standards factsheet (see <a href="https://environment.govt.nz/assets/uploads/standards_model_factsheet.pdf">https://environment.govt.nz/assets/uploads/standards_model_factsheet.pdf</a> ) illustrate three potential MDRS development outcomes each based on an approximate 420m2 site area and a minimum site width of 13 metres. On this basis, I consider it appropriate to reduce the minimum vacant allotment size to 420m2 and shape factor to 13 metres.  In any case, I note that: - There is no minimum allotment size or shape factor for allotments that have an approved land use consent (and this would include where land use consent is bundled with the subdivision consent). - In response to submission point S202.04, I have recommended that there be no minimum allotment size or shape factor where it can be demonstrated that it is practicable to construct residential units on the allotment that comply with rules GRZ-Rx1, GRZ-Rx2 and GRZ-Rx3.	<b>Accept in part.</b> Amend the minimum vacant allotment area to 420m2 and the minimum vacant allotment shape factor to 13 metres.	<b>Yes.</b> Amend SUB-RES-Table x1. Refer to section 10.13 of PC(R1).  <b>Section 32AA evaluation</b> I consider this amendment to be a more appropriate way to achieve the objectives of PC2 and the purpose of the RMA, because it provides for a minimum vacant allotment size and shape factor that is more consistent with the level of development anticipated by the MDRS.

Sub #	Submission point number	Submitter name	Specific provision/matter	Position	Reasons (this may be a summary only, refer to the submission for full reasoning)	Decision requested	Evidence section	Assessment	Officer's recommendation	Amendments to PC(N)?
S160.FS.2	S202.05.FS01	Gomez, Nancy	SUB-RES-Table x1	Oppose primary submission	<p>The submitter considers that reducing lot sizes and allowing pedestrian access instead of drive-on access would be out of character with existing developed lots, and detracts from the space and quality of living that Kāpiti residents in suburban areas are seeking.</p> <p>The submitter also notes that:</p> <ul style="list-style-type: none"> <li>- A reduction in lot sizes could be considered, but not to the extent proposed in the primary submission. The submitter considers that no less than 350m<sup>2</sup> size and 14m shape factor would be appropriate.</li> <li>- Breaching controlled activity status should continue to be a non-complying activity;</li> <li>- Incorporating pedestrian access as an alternative to vehicle access can result in construction vehicle and repair/maintenance issues due to the narrow access for rear lots and buildings.</li> <li>- The removal of rainwater tanks should not be considered. Given the capacity of the stormwater networks, significant reduction of soakage area per lot and climate change, the installation of rainwater tanks is needed to mitigate the increased stormwater runoff and flooding.</li> </ul>	Disallow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S206.FS.9	S202.05.FS02	Landlink	SUB-RES-Table x1	Support primary submission	KCDC should support subdivision of land into smaller vacant allotments - without requiring detailed land use plans. This is because the potential uptake of MDRH will be broadened if people are able to create smaller vacant allotments. Providing land use plans for developments which may not be realised is not an efficient use of resources. Additionally, a non-complying status for subdivision for vacant lots not meeting a 450m <sup>2</sup> /15m diameter requirement is viewed as overly restrictive given the permitted baseline provided by MDRS. Suggest a new minimum lot size is determined through analysis of size of lots that MDRH can be reasonably facilitated on - retention of 450m <sup>2</sup> reflects older provisions of the District Plan which did not account for MDRH. Acknowledgement that this is a complex area and work may be constrained given short timeframes but a well-considered new minimum lot size (if retention of a minimum lot size is considered appropriate) will likely lead to better urban design outcomes.	Allow primary submission in part.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S202	S202.06	Leith Consulting Ltd	SUB-RES-R27	Support in part	<p>The amended wording provides more certainty to the information requirements and meaning beyond the intent of these standards. As written, there may be debates as to what is considered 'practicable' and what level of detail is required at the time of making an application. Furthermore, the term "land use consent" could mean anything e.g. an earthworks consent, and should be reworded to improve clarity of the meaning.</p> <p>The bulk and location effects of the residential buildings should be considered under the General Residential Zone provisions and an applicant should not be penalized for applying for a joint land use consent and subdivision for a breach of the MDRS rules - which would make the subdivision a non-complying activity. Delete standard 2b in its entirety.</p>	<p>Amend standard 2 of SUB-RES-R27 as follows:</p> <p><u>2. Where the parent allotment does not contain an existing residential unit:</u></p> <p><u>a. it must be demonstrated that it is practicable via a site plan layout that it is feasible to construct residential units on the parent allotment that comply with Rules GRZ-Rx1, GRZ-Rx2 or GRZ-Rx3;</u></p> <p><u>or</u></p> <p><u>b. the subdivision must comply with an approved land use resource consent.</u></p> <p>Undertake any consequential amendments to parts of the Plan to give effect to the relief sought.</p>	4.7 MDRS & NPS-UD - Subdivision	Refer to the body of the report.  Note that as part of the amendments recommended to the rule cascade (outlined in the body of the report), I have recommended deleting standards 1 and 2 from this rule.	Accept in part. Refer to the body of the report for details.	Yes. Amend SUB-RES-R27. Refer section 10.7 of PC(R1).  Section 32AA evaluation Refer to the body of the report for details.
S202	S202.07	Leith Consulting Ltd	GRZ-Rx5, GRZ-Rx6	Support in part	Assessment against this is required for all development in the GRZ that do not comply with all standards, under matters of discretion for GRZ-Rx5 & GRZ-Rx6 but this guide is targeted at terraced/town houses and apartments only, stating that single dwellings, infill dwellings and semi-attached dwellings are permitted and not covered by the design guide (pg.3). The way this matter of discretion is worded is such that it would appear all non-compliant developments need to be assessed against this design guide, when the design is only applicable for those higher density developments. Would recommend rewording this matter of discretion to clarify this is only for higher density terraced/town houses and apartments.	<p>Amend the matters of discretion under GRZ-Rx5 and GRZ-Rx6 as follows:</p> <p><u>1. The relevant matters contained in the Residential Design Guide in Appendix x1 where higher-density development, such as apartments or terraced town houses for three or more attached residential units that are at least 2 stories, are proposed.</u></p>	4.8 MDRS & NPS-UD - Design Guides	I agree with the submitter that the focus of the Residential Design Guide is on terraced housing and apartment typologies. This is made clear in section 4 of the Design Guide. I agree with the submitter that Matters of Discretion should be amended to acknowledge this, but in a different manner to that requested by the submitter.  Rule GRZ-Rx5 applies to development with 3 or fewer residential units that do not comply with one or more of bulk and location standards outlined under GRZ-Rx1 (standards 2 to 11) or GRZ-Rx2 (standard 2). For this rule, the key matter of discretion is 3: "consideration of the effects of the standard not met".  Rule GRZ-Rx6 applies to development with 4 or more residential units that complies with the bulk and location standards noted above. The Residential Design Guide is likely to be relevant to development under this rule, because developments with 4 or more residential units are likely to involve a range of typologies, including terraced housing and apartments.  I consider that the Residential Design Guide is unlikely to be relevant to development under rule GRZ-Rx5, as development with three or fewer residential units is unlikely to involve the typologies covered by the Design Guide, and the effects of breaching bulk and location standards are addressed through Matter of Discretion 3. On the other hand, the Design Guide is likely to be relevant to development under GRZ-Rx6 for the reasons stated above.  I consider that the clearest way to give effect to the relief sought by the submitter would be to delete Matter of Discretion 1 from rule GRZ-Rx5, but retain it as drafted under rule GRZ-Rx6.	Accept in part. Amend GRZ-Rx5.	Yes. Amend GRZ-Rx5. Refer section 4.28 of PC(R1).  Section 32AA Evaluation I consider this amendment to GRZ-Rx5 is a more appropriate way to achieve the objectives of PC2 and the purpose of the RMA than the notified provision, because it improves the efficiency and effectiveness of the rule by removing a matter of discretion that is unlikely to be relevant to the rule.
S206.FS.9	S202.07.FS01	Landlink	GRZ-Rx5, GRZ-Rx6	Support primary submission	Note that the design guides focus may be considered narrow - terraced/townhouses and apartments. Also agree that the design guide use intent appears to be for 'higher density' developments and this should be clarified.	Allow primary submission in part.	4.8 MDRS & NPS-UD - Design Guides	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S202	S202.08	Leith Consulting Ltd	SUB-DW-R9	Oppose	The building area dimensions under this rule should be reduced/reworded to better reflect the reduced size of allotments/buildings that will be enabled by the MDRS provisions. Otherwise, you will have many MDRS subdivisions (small allotments around existing or new residential buildings) that cannot comply with this outdated standard and will require a 'discretionary' resource consent for a subdivision that should only be a 'restricted discretionary' activity.	<p>Amend standard 2 of SUB-DW-R9 as follows:</p> <p><u>2. Proposed building areas with a minimum dimension of 20-9 metres must be identified for each vacant allotment or building areas that match detailed building plans submitted at the time of subdivision shall be identified.</u></p>	4.10.2 Qualifying Matters - General Matters - Liquefaction	Refer to the body of the report.	Accept in part. Refer to the body of the report for details.	Yes. Amend SUB-DW-R9. Refer to section 10.22 of PC(R1).  Section 32AA evaluation Refer to the body of the report for details.
S202	S202.09	Leith Consulting Ltd	Definitions	Not specified	Scope to ensure that the relief sought is not limited to certain parts of the plan as there may be flow on effects to other parts of the plan that are required to be changed to enable the relief requested.	Add definition or change definitions, where definitions are not a NPS definition, to give effect to the relief sought in this submission.	4.4.1 MDRS & NPS-UD - General - General Matters	I do not consider any consequential amendments are necessary as part of the recommendations I have made on the matters raised by the submitter.	Do not accept.	No.



Sub #	Submission point number	Submitter name	Specific provision/matter	Position	Reasons (this may be a summary only, refer to the submission for full reasoning)	Decision requested	Evidence section	Assessment	Officer's recommendation	Amendments to PC(N)?
S202	S202.10	Leith Consulting Ltd	TR-R3	Oppose	To give effect to national direction and the MDRS standards TR-R3 should be amended to not require vehicle access over land to every site. Development should be able to provide suitable pedestrian access if the proposal/subdivision/development is not proposed to provide on-site car parking (which is no longer required).	<b>Amend</b> standards 1 and 2 of TR-R3 as follows: 1. Access - every site must provide vehicular or pedestrian access over land or by mutual right of way or service lane for parking and/or loading and shall be in accordance with TR-Diagram - 2 and XXX (insert applicable pedestrian access standard here) 2. Access - all vehicle accesses must meet the following ... .... A new pedestrian access policy may need to be added and as a consequence the existing objectives may need to be modified to give effect to the relief sought.	4.5.1 MDRS & NPS-UD - Infrastructure - General Matters	I agree that the rule should not require vehicle access to sites that do not include vehicle access or loading, and I consider that it is reasonable to provide an option for pedestrian access under these circumstances. I therefore consider that it would support the incorporation of the MDRS into the District Plan to amend the standard to enable the provision of pedestrian access as an alternative to vehicle access.  In relation to appropriate standards for pedestrian access, I consider it unnecessary to include standards for the design of pedestrian access, because I consider this matter to be regulated under clause D1 of the New Zealand Building Code (through standards outlined under Acceptable Solution D1/AS1). However, the Building Code does not prescribe requirements for legal pedestrian access to sites, so I consider it appropriate to include a standard for this purpose. I have reviewed the proposed District Plans of Porirua and Wellington City, both of which include a standard requiring a 1.8 metre legal width at the boundary for pedestrian access. I consider this to be reasonable and practicable, and note that this would provide sufficient space to achieve the requirements of Acceptable Solution D1/AS1 under the Building Code.  I consider this amendment to be consistent with clause 7 of policy TR-P2 and policy TR-PARK-P8, and I do not consider it necessary to make any consequential amendments to transport policies. However, I consider a range of minor consequential amendments are required to the standards under the rule in order to distinguish vehicle access standards from pedestrian access standard.  The recommended amendments are worded in a way that does not preclude vehicle access from being provided even where there is no vehicle parking or loading, as vehicle access may still be desirable from a practical perspective, or to comply with other statutory requirements (such as a where fire service vehicle access may need to be provided for in certain circumstances under the New Zealand Building Code). Where vehicle access is provided, it must continue to meet the design requirements for vehicle access specified under rule TR-R3.  I also consider that consequential amendments are required to standard 6 under rule SUB-RES-R26 and standard 7 under rule SUB-RES-R27.	<b>Accept.</b> Noting that I recommend a different structure to the amendment of the standards, as well as a range of consequential amendments. Refer to section 16.13 of PC(R1) for details.	<b>Yes.</b> Amend TR-R3. Refer section 16.13 of PC(R1). Amend standard 6 under SUB-RES-R26. Refer section 10.5 of PC(R1). Amend standard 7 under SUB-RES-R26. Refer section 10.6 of PC(R1).  <b>Section 32AA evaluation</b> I consider this amendment is a more appropriate way to achieve the objectives of PC2 and the purpose of the RMA, because it supports incorporating the MDRS into the by providing for a pedestrian access alternative where vehicle access is not necessary. I also consider that the amendment is consistent with policy 1(c) of the NPS-UD, as the amendment contributes to enabling development to provide for active modes of transport.
S160.FS.2	S202.10.FS01	Gomez, Nancy	TR-R3	Oppose primary submission	The submitter considers that reducing lot sizes and allowing pedestrian access instead of drive-on access would be out of character with existing developed lots, and detracts from the space and quality of living that Kāpiti residents in suburban areas are seeking.  The submitter also notes that: - A reduction in lot sizes could be considered, but not to the extent proposed in the primary submission. The submitter considers that no less than 350m2 size and 14m shape factor would be appropriate. - Breaching controlled activity status should continue to be a non-complying activity; - Incorporating pedestrian access as an alternative to vehicle access can result in construction vehicle and repair/maintenance issues due to the narrow access for rear lots and buildings. - The removal of rainwater tanks should not be considered. Given the capacity of the stormwater networks, significant reduction of soakage area per lot and climate change, the installation of rainwater tanks is needed to mitigate the increased stormwater runoff and flooding.	Disallow primary submission.	4.5.1 MDRS & NPS-UD - Infrastructure - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S197.FS.1	S202.10.FS02	Retirement Villages Association of New Zealand Incorporated (RVA)	TR-R3	Support primary submission	The RVA supports the relief sought in this submission point as it provides for the benefits of retirement villages, recognises their functional and operational needs and is consistent with the NPSUD.	Allow primary submission.	4.5.1 MDRS & NPS-UD - Infrastructure - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S206.FS.9	S202.10.FS03	Landlink	TR-R3	Support primary submission	Support amendment to TR-3 (and any related subdivision rules if appropriate). In higher density urban environments where active sustainable transport modes are a focus, vehicle access over land to every site should not be a requirement. The need to ensure access/appropriate measures for firefighting purposes is acknowledged.	Allow primary submission in part.	4.5.1 MDRS & NPS-UD - Infrastructure - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S196.FS.1	S202.10.FS04	Ryman Healthcare Limited	TR-R3	Support primary submission	Ryman supports the relief sought in this submission point as it provides for the benefits of retirement villages, recognises their functional and operational needs and is consistent with the NPSUD.	Allow primary submission.	4.5.1 MDRS & NPS-UD - Infrastructure - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S202	S202.11	Leith Consulting Ltd	Residential subdivision that breaches the minimum vacant allotment size - Activity Status	Oppose	Residential development in the Residential Zone is anticipated land use type for the residential zone and should be provided for in the Plan. Often adverse effects are known and can be defined with matters of discretion listed. Signalling that it is a 'non-complying activity' indicates that the activity is not anticipated by the Plan or appropriate which should not be the case considering National Discretion, the NPS for UD and the new MDRS provisions.	<b>Amend</b> the activity status for breaching the minimum residential vacant allotment size from Non-complying Activity to a Restricted Discretionary Activity Status and list the matters of discretion.  We support any consequential changes needed to the rest of the District Plan to give effect to the relief sought.	4.7 MDRS & NPS-UD - Subdivision	Refer to the body of the report.  Note that as part of the amendments recommended to the rule cascade (outlined in the body of the report), subdivision that breaches minimum vacant allotment size in the General Residential Zone is a discretionary activity under amendments to rule SUB-RES-R30. Subdivision that breaches minimum vacant allotment size in the Coastal Qualifying Matter Precinct continues to be a non-complying activity under SUB-RES-R32.	<b>Accept in part.</b> Refer to the body of the report for details.	<b>Yes.</b> Amend SUB-RES-R30. Refer section 10.10 of PC(R1). Amend SUB-RES-R32. Refer section 10.12 of PC(R1).  <b>Section 32AA evaluation</b> Refer to the body of the report for details.
S206.FS.9	S202.11.FS01	Landlink	Residential subdivision that breaches the minimum vacant allotment size - Activity Status	Support primary submission	General advice (Quality Planning) outlines that 'the non-complying activity status is intended for situations where it is intended consents only be granted in exceptional circumstances'. Given the residential zoning and the potential permitted baseline through land use retaining a non-complying activity status for subdivision which do not meet minimum 450m lot size or 15m diameter circle.	Allow primary submission in part.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S202	S202.12	Leith Consulting Ltd	GRZ-Rx2	Oppose	There is plenty of commercial activity within these town centres to justify building up to six stories to align with Policy 3 of the NPS US 2020. It also makes economical and feasible sense to build a six storey building rather than a four storey building as both require lifts and similar inputs. Allowing up to six stories will help to achieve Kāpiti's housing bottom lines.  For projects of four or more floors construction costs increase significantly and typically estimate \$4,500/sqm as a rough guide. The increase in construction costs between lightweight structures and more intensive housing are reflected by the increased complexity of construction from both a design and engineering perspective. We note that contractors will have competitive pricing strategies and it is challenging to establish exactly what is included in the square metre rate.	<b>Amend</b> rules/planning maps and associated policies and objectives to enable up to 20 metres (6 storeys) in the Town Centre Zones at Ōtaki, Paraparaumu and Raumati Beach.  This would potentially require a change to Precinct B in the planning maps to exclude the Town Centre Zones as above and include them in Precinct A.  We support any consequential changes needed to the rest of the District Plan and planning maps to give effect to the relief sought.	4.4.1 MDRS & NPS-UD - General - General Matters	I note that PC2 already enables buildings up to 6-storeys (21 metres) in the Town Centre Zone. This is enabled through: - DO-O16, UFD-Px and TCZ-P6, all of which seek that buildings up to 6-storeys are enabled in the Town Centre Zone. - Rule TCZ-R11, which provides for buildings up to 21 metres tall as a restricted discretionary activity.  I therefore do not consider any amendments are necessary to enable buildings up to 6-storeys in the Town Centre Zone.	<b>Do not accept.</b>	<b>No.</b>



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S202	S202.13	Leith Consulting Ltd	INF-MENU-R27, Land Development Minimum Requirements	Oppose	If this rule is not updated to reference the proposed new external document that is incorporated by reference into the plan in other rules and chapters then there will be an internal conflict within the Plan.	<b>Amend</b> rule INF-MENU-R27 to reference the new 'incorporate by reference' document as follows: <b>Standards</b> 1. Development must be undertaken in accordance with the <b>Council's Subdivision and Development Principles and Requirements, 2012</b> . <b>Council's Land Development Minimum Requirements</b> .  We support any other <b>consequential changes</b> needed to the rest of the District Plan to fix errors that create inconsistencies and issues with plan interpretation.	4.9 MDRS & NPS-UD - Land Development Minimum Requirements	Section 16.1 of PC(N) replaces references to the SDPR with references to the LDNR across the District Plan. On this basis, the relief requested by the submitter is already provided by PC(N).	<b>Accept.</b> Noting that section 16.1 of PC(N) already provides for the submitter's request.	<b>No.</b>
S202	S202.14	Leith Consulting Ltd	NH-FLOOD-R3, SUB-DW-R7, Definitions	Support in part	NH-FLOOD-R3 standard 1 allows for the building floor level of buildings to be constructed above the 1% AEP flood event level as a permitted activity. If this is achieved for the buildings ahead of doing any subdivision, then any subdivision around the buildings should not be elevated to a potentially higher activity status because the ground level was not raised above the flood level when the house was built.  If it is the intention of Council to require the existing ground level to be raised above any modelled flood level via earthworks then NH-FLOOD-R3 should be amended to reflect this so there is not a disconnect between land use rules and subdivision rules.  Also 'building area' is not defined in the District Plan and should be for improved plan understanding and implementation.	Please <b>amend</b> SUB-DW-R7 as follows: <b>Standards</b> 1. Each <b>vacant</b> allotment shall have a building area located outside any river or stream corridor, overflow path or residual overflow path. 2. Each <b>vacant allotment's</b> building area shall be located above the estimated 1% AEP flood event level. 3. Formed vehicle access does not adversely affect the 1% AEP flood hazard risk on other properties in the same flood catchment. 4. Compliance with all other relevant subdivision rules and standards in other chapters.  Also <b>define</b> what is meant by 'building area'.  We support any <b>consequential changes</b> needed to the rest of the District Plan and planning maps to give effect to the relief sought.	4.10.1 Qualifying Matters - General Matters - Flood Hazard	I agree that the standard should only apply to vacant allotments. Where allotments are developed prior to subdivision, then development will have been subject to the range of land use rules in the NH-FLOOD chapter, which address the matters covered by standards 1 and 2. I recommend a minor alteration to the amendment requested to standard 2, for grammar.  I do not consider it necessary to define "building area" in the District Plan, as I consider it is evident that it means, in the context of the standards, an area where a building may be located (the specifics of which can be determined, if necessary, through appropriate conditions or consent notices as part of the subdivision consent process).  In relation to the how compliance with land use rule NH-FLOOD-R3, this rule requires that the <b>building floor level!</b> (which is a defined term) is located above the 1% AEP flood event level, but it is agnostic on how this to be achieved. The rule does not require that this must be achieved through earthworks, and other conventional construction methods, such as raising a building above the flood level using pile or pole foundations could be used to comply with this rule.	<b>Accept in part.</b> By amending standards 1 and 2 under SUB-DW-R7.	<b>Yes.</b> Amend SUB-DW-R7. Refer to section 21.3 of PC(R1).  <b>Section 32AA evaluation</b> I consider this amendment is a more appropriate way to achieve the objectives of PC2 and the purpose of the RMA, because it provides for more effective incorporation of the MDRS into the District Plan in relation to an existing qualifying matter, by avoiding reconsideration (under standards 1 and 2) of a matter that is already regulated under the land use rules in the NH-FLOOD chapter.
S206.FS.9	S202.14.FS01	Landlink	NH-FLOOD-R3, SUB-DW-R7, Definitions	Support primary submission	Support as per Landlink's primary submission and the points made - effects already established.	Allow primary submission in part.	4.10.1 Qualifying Matters - General Matters - Flood Hazard	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S202	S202.15	Leith Consulting Ltd	Hydraulic Neutrality	Not specified	An important topic and requirement for development, being to achieve hydraulic neutrality, should be buried in another document but should be a clear rule in the District Plan. There is a policy regarding this requirement so a corresponding and clear rule in the Plan regarding this topic area is recommended. As more medium density developments are created, the need for hydraulic neutrality will become more important, especially since there may be an increasing issue with stormwater management and flooding in Kapiti due to the impacts of climate change.  The Council also need to consider a hydraulic neutrality rule and potentially adding/amending associated objectives and policies to provide a pathway forward for developments where hydraulic neutrality cannot be achieved but where there may be an opportunity for offsetting or compensating for any adverse effect associated with not meeting hydraulic neutrality.	<b>Update</b> the plan to better reflect the need to achieved hydraulic- neutrality at the time subdivision and building stage as this is an important requirement that is somewhat buried in the document incorporated by reference by the District Plan being the "Council's Land Development Minimum Requirements"  Make it <b>clear</b> in the rules in the District Plan that hydraulic neutrality needs to be achieved for development with notes on how this is to be calculated or measured.  A rule regarding hydraulic neutrality could be <b>added</b> to the Infrastructure Chapter, for example, as this where the policy INF-MENU-P17 is located. The implications of not being able to achieve hydraulic neutrality should be a restricted discretionary activity as any adverse effects can be defined.  We support any <b>consequential changes</b> needed to the rest of the District Plan and planning maps to give effect to the relief sought.	4.5.1 MDRS & NPS-UD - Infrastructure - General Matters	I note that the requirement to achieve hydraulic neutrality is provided for under standards 1 and 2 rules SUB-DW-Rx1 (under PC(N)) and SUB-DW-R5 (in the operative District Plan and retained by PC(N)). I consider that the standards clearly specify the performance requirements to be achieved in relation to hydraulic neutrality. On this basis, I consider that hydraulic neutrality is provided for through district plan rules, and I do not consider it necessary to amend this approach.	<b>Do not accept.</b>	<b>No.</b>
S206.FS.9	S202.15.FS01	Landlink	Hydraulic Neutrality	Support primary submission	There may be some sites where ground conditions or topography would make it difficult (but not impossible) to install soakage or attenuation infrastructure. So providing a pathway/defining a way to offset these impacts seems sensible.	Allow primary submission in part.	4.5.1 MDRS & NPS-UD - Infrastructure - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S202	S202.16	Leith Consulting Ltd	PREC3 - Beach Residential Precinct	Oppose	The Beach Residential Precincts are not clearly mapped in the planning maps and the existing beach residential rules are confusing in terms of how they apply with MDRS standards.	The District Plan still has references to rules regarding the Beach Residential Precincts. Please <b>delete/clarify</b> these rules as there is no corresponding precinct in the Eplan maps or they are not mapped in a clear way. This makes the plan confusing so please <b>clarify</b> these rules in the Plan and <b>delete</b> them where there is no applicable beach residential precinct mapped in the ePlan.  <b>Delete</b> Appendix 3 as it relates to beach residential precincts not mapped in the ePlan.	4.4.1 MDRS & NPS-UD - General - General Matters	The District Plan retains standards (as part of rules GRZ-R6 and SUB-RES-R27) for the Beach Residential Precincts where they are located within the Coastal Qualifying Matter Precinct. This is because the purpose of the Coastal Qualifying Matter Precinct is to retain the status quo level of development provided for by the operative District Plan until the management of coastal hazards is addressed through a future plan change. Outside of the Coastal Qualifying Matter Precinct, there are no rules associated with the Beach Residential Precincts. Rather, policies GRZ-P4 and GRZ-P5 apply to the consideration of resource consent applications for development that is not a permitted activity in the Beach Residential Precincts. This is explained in the introduction to the General Residential Zone chapter, under the heading "Beach Residential Precincts".  The Beach Residential Precincts are identified as PREC3 - Beach Residential Precinct in the ePlan maps, and PC2 does not propose to change this. Where Beach Residential Precincts are not identified in the District Plan Maps, then the policies (and rules in the Coastal Qualifying Matter Precinct) associated with the Beach Residential Precincts do not apply.  In relation to Appendix 3 of the District Plan, I note that PC2 already proposes to remove this.	<b>Do not accept.</b>	<b>No.</b>
S202	S202.17	Leith Consulting Ltd	Coastal Qualifying Matter Precinct and MDRS	Support in part	The District Plan should be able to be understand as a standalone document without any loopholes or gaps in understanding. Relying on external reports such as the s32 report for understanding is not good practice as the s32 report holds no legal weight once the plan is operative.  For example, is I wished to build medium density on the portion of the site that was not subject to the Coastal Qualifying Matter Precinct - would this be a permitted activity if all the MDRS standards are complied with?	<b>Update</b> the plan to improve useability to clarify how the coastal qualifying matter precinct is to be applied where it covers only half a site/property.  How are the MDRS to apply in this scenario? Please <b>update</b> the rule and policy framework to make this scenario clearer and add interpretation notes throughout the Plan to improve clarity.	4.11.3 Qualifying Matters - Coastal Qualifying Matter Precinct - Other Matters	There are instances at the edge of the Coastal Qualifying Matter Precinct, there will be sites which are partially located within the precinct. In these instances, the provisions related to the Coastal Qualifying Matter Precinct will apply only to part of the site, whereas the provisions that incorporate the MDRS of give effect to Policy 3 of the NPS-UD will apply to the remainder of the site, and the provisions would apply accordingly to each part of the site. How this is applied will vary depending on the site, the specific proposal, and the extent to which activities that are part of the proposal overlap the Coastal Qualifying Matter Precinct, and I consider that it is most appropriate that this be determined through the resource consent process (where resource consent is necessary).  I also consider that by the time PC2 becomes operative, there is likely to be familiarity with this approach, because it is similar to the approach of determining whether and how the provisions of PC2 have immediate legal effect (under section 86BA of the RMA) on sites where the Coastal Qualifying Matter Precinct applies.	<b>Do not accept.</b>	<b>No.</b>

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S202	S202.18	Leith Consulting Ltd	Coastal Qualifying Matter Precinct and MDRS	Oppose	Updating the plan with interpretation notes throughout that help guide plan users to how rules should be applied will create a more useable plan with less opportunities for incorrect or differing interpretations of the same provisions.	Seeking clarity and an update to the plan to clarify these provisions.  If half a site is subject to the Coastal Qualifying Matter precinct and the other half of the site is not subject to the qualifying matter - do the MDRS standards have immediate legal effect for the portion of the site that is not subject to the Coastal Qualifying Matter precinct?	4.11.3 Qualifying Matters - Coastal Qualifying Matter Precinct - Other Matters	There are instances at the edge of the Coastal Qualifying Matter Precinct, there will be sites which are partially located within the precinct. In these instances, the provisions related to the Coastal Qualifying Matter Precinct will apply only to part of the site, whereas the provisions that incorporate the MDRS of give effect to Policy 3 of the NPS-UD will apply to the remainder of the site, and the provisions would apply accordingly to each part of the site. How this is applied will vary depending on the site, the specific proposal, and the extent to which activities that are part of the proposal overlap the Coastal Qualifying Matter Precinct, and I consider that it is most appropriate that this be determined through the resource consent process (where resource consent is necessary).  I also consider that by the time PC2 becomes operative, there is likely to be familiarity with this approach, because it is similar to the approach of determining whether and how the provisions of PC2 have immediate legal effect (under section 86BA of the RMA) on sites where the Coastal Qualifying Matter Precinct applies.	Do not accept.	No.
S203	S203.01	Ngā Hapū o Ōtaki	General	Oppose	The submission states that the timing of the full draft plan change being provided to them was not sufficient to get substantial iwi feedback.	Amend the Tangata Whenua consultation statement, because it can be seen that Ngā Hapū o Ōtaki were not appropriately involved in the broader design of the plan.	4.2.1 Matters raised by Tangata Whenua - General matters	If the submission is referring to the summary of engagement with tangata whenua outlined in section 3.4 of the Section 32 Evaluation Report, I consider this summary to be accurate. However, as outlined in the body of the report, I acknowledge that the constraints imposed on the Council and iwi by the legislation has led to a situation where Ngā Hapū o Ōtaki consider they have been unable to meaningfully participate in several aspects of the plan change.  In relation to the specific request, I do not consider it possible to amend a section 32 evaluation report through a submission on a plan change. Without wishing to minimise the concerns expressed by Ngā Hapū o Ōtaki on this matter, I recommend this request is not accepted on this basis.	Do not accept.	No.
S203	S203.02	Ngā Hapū o Ōtaki	General - Building heights	Oppose	The submission states several reasons (on pages 5 and 6), including (but not limited to): - Obligations to Tangata Whenua under other legislation including Te Ture Whenua Māori Act 1993, the Local Government Act 2002, Treaty settlement legislation, iwi participation legislation and Te Tiriti o Waitangi. - The intent of Policy 1 of the NPS-UD is to enable Māori to live in urban environments that meet their needs for cultural expression. For example, enabling kaumātua and papakāinga housing, housing located in relation to the whenua and sites of cultural significance, or housing that enables whānau to undertake cultural practices. - Cultural values of Tangata Whenua should be included and more prominent than currently featured throughout the Plan. - The ability for whānau to live close to marae is important to the ongoing survival and maintenance of marae and the cultural wellbeing of the hapū. A large number of local whānau live very close to Raukawa Marae and Te Pou o Tainui Marae in existing traditional papakāinga areas. - The 'Marae Precinct' goes a very small way towards protecting the relationship of Ngā Hapū o Ōtaki with their taonga. In order to protect the taonga of Ngā Hapū o Ōtaki, it is important to pause the intensification process in Ōtaki. - Ngā Hapū o Ōtaki are currently in Te Tiriti o Waitangi hearings processes and intensification before any negotiated settlement could disadvantage the parcels of land available within the rohe, creating prejudices.	Amend Plan Change 2 to limit intensification in Ōtaki to the current allowable building heights while: 1. KCDC seek legal advice from DIA about their obligations to mana whenua and to the Crown regarding breaches of Tiriti rights and protection of taonga including land parcels and waterways, especially when the Tiriti hearings process is underway (pre-settlement). 2. KCDC work with Ngā Hapū o Ōtaki to plan for development in Ōtaki in line with mana whenua aspirations for growth.	4.2.3 Matters raised by Tangata Whenua - Application of the MDRS and Policy 3 of the NPS-UD at Ōtaki	Refer to the body of the report.  As noted in the body of the report, there are opportunities for Council and tangata whenua to work together to address these matters as part of one or more of the other plan changes being prepared by Council, as well as the range of other urban development planning activities undertaken by the Council outside of its district planning functions.	Do not accept. Noting that this recommendation does not preclude tangata whenua and Council from working together on this matter outside of the ISPP.	No.
S203	S203.03	Ngā Hapū o Ōtaki	General	Oppose	See submission point S203.02.	Amend Plan Change 2 as necessary to give more significance to, and use more explicit wording about, tangata whenua values and tikanga.	4.2.1 Matters raised by Tangata Whenua - General matters	I acknowledge the matters raised, however as a general request I consider that a broader review of the District Plan may be required to address these matters. As noted in the body of the report, there are opportunities for Council and tangata whenua to work together on this matter as part of one or more of the other plan changes being prepared by Council.  However, I note that I have made recommendations elsewhere in response specific amendments requested by the submitter that may contribute towards this request.	Do not accept. Noting that this recommendation does not preclude tangata whenua and Council from working together on this matter outside of the ISPP.	No.
S203	S203.04	Ngā Hapū o Ōtaki	General	Support in part	As Ngāti Raukawa has not finalised its Treaty of Waitangi Settlement, it is inappropriate to exclude potential papakāinga locations from the rohe. The relationship of Ngā Hapū o Ōtaki with their lands and waters is not limited by zoning boundaries.	Amend the Papakāinga provisions to provide for papakāinga in the Metropolitan, Local Centres and Mixed Use Zones, and do not restrict papakāinga on Kāpiti Island.	4.3 Papakāinga	Refer to the body of the report.	Accept in part. - Add three new rules (MCZ-Rx1, MCZ-Rx2 and MCZ-Rx3) to the Metropolitan Centre and Mixed Use Zones, accept in part in relation to the Local Centre Zone. Refer section 5.11 of PC2(R1). - Add three new rules (LCZ-Rx1, LCZ-Rx2 and LCZ-Rx3) to the Local Centre Zone chapter. Refer section 7.11 of PC2(R1). - Add three new rules (MUZ-Rx1, MUZ-Rx2 and MUZ-Rx3) to the Mixed Use Zone chapter. Refer section 8.10 of PC2(R1).  <b>Section 32AA evaluation</b> Refer to the body of the report.	Yes.
S161.FS.1	S203.04.FS01	Te Rūnanga o Toa Rangatira on behalf of Ngāti Toa Rangatira	General	Support primary submission	Support this submission because provisions for papakāinga in these zones increases the opportunities for whānau who may have land in these zones and produces more potential papakāinga locations throughout the rohe.	Allow primary submission.	4.3 Papakāinga	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S203	S203.05	Ngā Hapū o Ōtaki	General	Support	Ngā Hapū o Ōtaki supports the submission of Te Ātiawa ki Whakarongotai on Kārewarewa Urupā.	Refer to submission point S100.50.	4.13 Qualifying Matters - Kārewarewa Urupā	Support is noted.	Accept.	No.
S104.FS.1	S203.05.FS01	Waikanae Land Company	General	Oppose primary submission	WLC opposes the submission points to the extent that they support the Wāhi Tapu listing. Refer to S104 for reasoning.	Disallow primary submission.	4.13 Qualifying Matters - Kārewarewa Urupā	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.

**Appendix C: Recommendations Table**  
Organised by primary submission number

Sub #	Submission point number	Submitter name	Specific provision/matter	Position	Reasons (this may be a summary only, refer to the submission for full reasoning)	Decision requested	Evidence section	Assessment	Officer's recommendation	Amendments to PC(N)?
S001	S001.01	Dyer, Mary	Design Guides	Not specified	The Design Guides provide for "internal design that caters for people of all ages and abilities", however it is not clear how this is to be achieved in relation to stairs.  For a percentage of the population, getting up and down stairs can be unsafe. This includes the visually impaired, disabled, and others with physical problems like obesity, vertigo etc.  The submission also includes information from the United Kingdom, Europe, Canada and the United States on the hazards and risks related to stairs.	<b>Amend</b> Plan Change 2 to require that a percentage of new housing be single storey for people for which stairs would be a hazard.	4.8 MDRS & NPS-UD - Design Guides	While the relief sought by the submitter is well intentioned, I consider that requiring a certain percentage of new housing to be single storey would be contrary to the requirement under clause 11 of Schedule 3A of the RMA to permit buildings up to 11m tall, and the policy stated under clause 6(2)(a) to enable 3-storey dwellings.	<b>Do not accept.</b>	<b>No.</b>
S202.FS.1	S001.01.FS01	Leith Consulting Ltd	Design Guides	Oppose primary submission	Submitter has requested that a percentage of new housing be single storey for people for which stairs would be a hazard. Submitter opposes this request as there are other methods for achieving accessibility for people within a home. This matter should be dealt with under the Building Code/Building Act regarding accessibility for those that are physically impaired. However, since the design guide has mentioned internal design for 'all ages and abilities' it should elaborate on how this should be achieved or delete this reference entirely. Additional clarification or guidance should be provided to improve clarity and understanding on how this should be achieved (e.g chair lifts, stair design, etc)	Allow primary submission in part. Request that part of the submission seeking how the Design Guides will provide for "internal design that caters for people of all ages and abilities" be allowed.	4.8 MDRS & NPS-UD - Design Guides	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S001	S001.02	Dyer, Mary	Design Guides	Not specified	See submission point S001.01.	<b>Amend</b> Plan Change 2 to require that stairs in terrace and multi-storeyed housing are not just to be within the standard ratio of tread to rise, but have the right and more relaxed ratio that makes it safer and easier if people with limited ability have to use them.	4.8 MDRS & NPS-UD - Design Guides	The design of stairs for safety and accessibility (including the ratio of tread to rise) is regulated under the Building Act 2004 and Clause D1 of the New Zealand Building Code. While the relief sought by the submitter is well intentioned and based on sound reasoning, I consider that it would not be appropriate for the same matter to be regulated by the District Plan.	<b>Do not accept.</b>	<b>No.</b>
S001	S001.03	Dyer, Mary	Design Guides	Not specified	See submission point S001.01.	<b>Amend</b> Plan Change 2 to require that terraced and multi-storeyed housing and subdivisions are not advertised as being purely built for retired people or purely built for people with limited abilities.	4.8 MDRS & NPS-UD - Design Guides	I do not consider that regulating how terraced and multi-storey developments are advertised or marketed falls within the functions of the Council under s31 of the RMA.	<b>Do not accept.</b>	<b>No.</b>
S002	S002.01	Fleming, Michael	General - Infrastructure	Not specified	The existing drinking-water, sewerage and stormwater infrastructure within the Kāpiti Coast district purportedly lacks the capacity to sustain the existing population.	<b>Physically install</b> new drinking water, sewerage and stormwater infrastructure of sufficient capacity to easily accommodate for future increases in population.	4.5.1 MDRS & NPS-UD - Infrastructure - General Matters	I do not consider that this matter can be addressed through the District Plan. Rather, I consider that this matter is more appropriately addressed through the Council's Long-term Plan and Infrastructure Strategy. I also observe that the Council's Housing and Business Development Capacity Assessment identifies that there is sufficient existing or planned infrastructure capacity to provide for the existing population, and anticipated population growth over at least the medium term (10 years).	<b>Do not accept.</b> Noting that I consider this matter is most appropriately addressed through the LTP and Infrastructure Strategy.	<b>No.</b>
S203.FS.1	S002.01.FS01	Ngā Hapū o Ōtaki	General - Infrastructure	Support primary submission	As stated in the submitters primary submission, NHO oppose the enabling of development on the basis of "planned" infrastructure. It is critical that the provision of infrastructure is proactively managed to support development, in conjunction with or in advance of housing development. The provision of adequate and appropriate infrastructure and the design of urban form is foundational to the delivery of housing and intensification. Decision sought: Inclusion of Infrastructure as a new Qualifying Matter.	Allow primary submission.	4.5.1 MDRS & NPS-UD - Infrastructure - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S002	S002.02	Fleming, Michael	General - Infrastructure	Not specified	Implementing changes to the District Plan will purportedly exponentially increase rates to cover the costs of installing sufficient three-waters infrastructure to isolated high population density property development.	<b>Financially recover</b> the cost of future three-waters infrastructure from the property owners of future high density population property developments.	4.5.1 MDRS & NPS-UD - Infrastructure - General Matters	I consider that the ability to recover the costs associated with the provision of infrastructure is provided for through development contributions (under the Council's Development Contributions Policy and the Local Government Act 2002). If there are circumstances where the Council's Development Contributions Policy is not applicable, then the Council may apply financial contributions (under the District Plan and the RMA) as a condition of a resource consent. I therefore consider that there are appropriate means available to the Council to recover costs associated with the provision of infrastructure.	<b>Do not accept.</b> Noting that I consider that this matter is already provided for.	<b>No.</b>
S203.FS.1	S002.02.FS01	Ngā Hapū o Ōtaki	General - Infrastructure	Support primary submission	As stated in the submitters primary submission, NHO oppose the enabling of development on the basis of "planned" infrastructure. It is critical that the provision of infrastructure is proactively managed to support development, in conjunction with or in advance of housing development. The provision of adequate and appropriate infrastructure and the design of urban form is foundational to the delivery of housing and intensification. Decision sought: Inclusion of Infrastructure as a new Qualifying Matter.	Allow primary submission.	4.5.1 MDRS & NPS-UD - Infrastructure - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S100.FS.1	S002.FS01	Ātiawa ki Whakarongotai	Full submission	Support primary submission	As stated in the submitters primary submission, Ātiawa oppose the enabling of development on the basis of "planned" infrastructure. It is critical that the provision of infrastructure is proactively managed to support development, in conjunction with or in advance of housing development. The provision of adequate and appropriate infrastructure and the design of urban form is foundational to the delivery of housing and intensification. Decision sought: Inclusion of Infrastructure as a new Qualifying Matter.	Allow primary submission.	4.1.2 Further submission on full primary submission	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S003	S003.01	Gazula, Sri	Rahui Road, Ōtaki	Not specified	The submission seeks that an area of land located to the north of Rahui Road and west of Freemans Road in Ōtaki from Rural Production Zone to General Residential Zone.  The land is located closer to the main road and railway station than other areas proposed to be rezoned as General Residential Zone. Services are available in the area, and the area is within a walkable distance of amenities.	<b>Rezone</b> the area of land to the north of Rahui Road and west of Freemans Road in Ōtaki from Rural Production Zone to General Residential Zone. The extent of the rezoning sought is identified on a map included with the submission.	4.16 Rezoning - Other Rezoning Requests	Submission deemed to be out of scope. Refer to section 4.14 of the body of the report for details.	<b>Submission deemed to be out of scope.</b>	<b>Submission deemed to be out of scope.</b>
S234.FS.1	S003.01.FS01	Rau, Leigh	Rahui Road, Ōtaki	Oppose primary submission	Oppose submission S003. The submitter has concerns regarding the pace at which green spaces are being lost, and the physical environment being adversely affected alongside the character of the town. Rezoning this area will impact on Papatūānuku. Some of the area is mapped as 'ponding' and cannot be built on anyway. This land should remain zoned as Rural Production.	Disallow primary submission.	4.16 Rezoning - Other Rezoning Requests	Primary submission is out of scope.	Primary submission is out of scope.	Primary submission is out of scope.
S237.FS.1	S003.01.FS02	Milom, Shona	Rahui Road, Ōtaki	Oppose primary submission	Oppose the rezoning of Rahui Road. Rural 'green' area need to be kept for future generations to enjoy. There are further blocks along Te Roto Road that are similar, but no reference has been made to these.	Disallow primary submission.	4.16 Rezoning - Other Rezoning Requests	Primary submission is out of scope.	Primary submission is out of scope.	Primary submission is out of scope.
S243.FS.1	S003.01.FS03	Doyle, Kirsty and Steve	Rahui Road, Ōtaki	Oppose primary submission	Oppose the rezoning of Rahui Road to General Residential. Green space which should remain this way. KDCDC have previously said they want to keep the rural character of this area. Concerns regarding the wildlife that lives here and the waterways which are being improved. Large part of this land is a ponding zone.	Disallow primary submission.	4.16 Rezoning - Other Rezoning Requests	Primary submission is out of scope.	Primary submission is out of scope.	Primary submission is out of scope.
S203.FS.1	S003.01.FS04	Ngā Hapū o Ōtaki	Rahui Road, Ōtaki	Oppose primary submission	This area is culturally significant land to our hapū with a waterway running through it. Not a viable option at all. Low lying area that is highly flood prone. Also currently a ponding area. The reason is that the culvert that runs under the old railway line is a choke point. Restrictor point. See also the main points of the NHO submission.	Disallow primary submission.	4.16 Rezoning - Other Rezoning Requests	Primary submission is out of scope.	Primary submission is out of scope.	Primary submission is out of scope.
S004	S004.01	Averi, Peter	106 - 188 Milne Drive, Paraparaumu	Support	The submission supports the proposal to re-zone 184-186 Milne Drive from Rural Lifestyle Zone to General Residential Zone.	<b>Approve</b> the proposed rezoning of 184-186 Milne Drive as notified.	4.15 Rezoning - Submissions on rezoning proposed as part of PC(N)	Support is noted.	<b>Accept.</b>	<b>No.</b>

Sub #	Submission point number	Submitter name	Specific provision/matter	Position	Reasons (this may be a summary only, refer to the submission for full reasoning)	Decision requested	Evidence section	Assessment	Officer's recommendation	Amendments to PC(N)?
S026	S026.04	The Loyalty Initiative	SUB-RES-R27	Not specified	Subdivisions being assessed under this rule must also show that there is no increase in non-compliance with the MDRS provisions; or that a land use consent is already in place. Therefore, there is no reason why limited notification should not be precluded in these instances.	<b>Amend</b> the restricted discretionary activity subdivision rule SUB-RES-R27 in the Residential Zone to provide for subdivision of land which is not a controlled activity under SUB-RES-Rx1 where it does not meet one or more of the standards under Rule SUB-RES-Rx1 to exclude the requirement for the written approval of person; and exclude the requirement for serving notice on any person.	4.7 MDRS & NPS-UD - Subdivision	Refer to the body of the report.	<b>Accept in part.</b> Refer to the body of the report for details.	<b>Yes.</b> Amend SUB-RES-R27. Refer section 10.7 of PC(R1). <b>Section 32AA evaluation</b> Refer to the body of the report for details.
S094.FS.1	S026.04.FS01	KiwiRail	SUB-RES-R27	Oppose primary submission	KiwiRail does not consider it is appropriate for limited notification to be precluded for high density developments that do not comply with the prescribed setback standards. In certain instances, including where the rail corridor setback is infringed, it may be appropriate for limited notification to KiwiRail as the owner of the rail corridor to ensure developments are appropriately designed in such a way as to ensure any adverse effects of that non-compliance can be adequately mitigated and managed through the consenting process.	Disallow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S027	S027.01	Ryan, Rachel	PRECx1 - Residential Intensification Precinct A	Oppose	There is considerable flooding in this area, which intensification will likely exacerbate.  There is uncertainty as to the need for intensification in the short to medium term.  Making changes to intensification on an incremental, least regrets, basis like this will allow the council to respond over time to the changing character of its urban centres as intensification takes place and to address infrastructure and other challenges of place based development before they occur.  This approach would be similar to other Councils (for example the Wellington City Council), which have reduced intensification areas.	<b>Amend</b> the boundary of Residential Intensification Precinct A to the south-west of Paraparaumu Metropolitan Centre Zone so that it ends at Ihakara Street.	4.10.1 Qualifying Matters - General Matters - Flood Hazard	Refer to the body of the report.	<b>Do not accept.</b>	<b>No.</b>
S027	S027.02	Ryan, Rachel	PRECx1 - Residential Intensification Precinct A	Not specified	Full public notification should be required for consents for taller structures where more severe environmental effects are likely, including drainage.	<b>Require</b> fully notified resource consents for buildings higher than 3 storeys in the Ihakara to Raumati Road area.	4.4.1 MDRS & NPS-UD - General - General Matters	I do not consider that the provisions of the Residential Intensification Precinct can be amended to require notification of consents for buildings that breach height standards. Under clause 5 of Schedule 3A, public notification of applications for resource consents for buildings that breach height standards must be precluded in the General Residential Zone.	<b>Do not accept.</b>	<b>No.</b>
S197.FS.1	S027.02.FS01	Retirement Villages Association of New Zealand Incorporated (RVA)	PRECx1 - Residential Intensification Precinct A	Oppose primary submission	The RVA opposes the relief sought in this submission as it is inconsistent with the Enabling Housing Act.	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S196.FS.1	S027.02.FS02	Ryman Healthcare Limited	PRECx1 - Residential Intensification Precinct A	Oppose primary submission	Ryman opposes the relief sought in this submission as it is inconsistent with the Enabling Housing Act.	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.01	Infill Tapui Limited	DO-O3, DO-O11	Support	Paragraphs 1 to 5 outline the overall position of the submission. The submission fundamentally supports the IPI but requests some specific amendments to better implement the NPS-UD.  These amendments are also consistent with international and national policy direction that seeks to achieve SDG 11 by making cities and human settlements inclusive, safe, resilient, and sustainable.  It is imperative that the District Plan enables high density development across the urban area to reduce the demand for car dependent suburban sprawl and the associated environmental degradation that accompanies it.	<b>Retain</b> amendments to DO-O3 and DO-O11 as notified.	4.4.1 MDRS & NPS-UD - General - General Matters	Support is noted.	<b>Accept in part.</b> Noting I have recommended amendments to these provisions in response to other submissions.	<b>No.</b>
S203.FS.1	S028.01.FS01	Ngā Hapū o Ōtaki	DO-O3, DO-O11	Support primary submission	Agree with some of the sentiment but prefer the NHoO proposal to pause the intensification for Ōtaki to enable appropriate planning and infrastructure development to achieve 'te tupu pai'	Allow primary submission in part.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.02	Infill Tapui Limited	DO-Ox1, DO-Ox2	Support	See general points under submission point S028.01.	<b>Retain</b> DO-Ox1 and DO-Ox2 as notified.	4.4.2 MDRS & NPS-UD - General - MDRS Objectives and Policies	Refer to the body of the report.	<b>Accept.</b>	<b>No.</b>
S028	S028.03	Infill Tapui Limited	DO-Ox3, DO-O16	Oppose	References of 'buildings up to 6-storeys' and 'buildings up to 4-storeys' should be replaced with 'buildings of at least six storeys' to be consistent with the NPS-UD.	<b>Amend</b> DO-Ox3 and DO-O16 to replace references to "buildings up to 6-storeys" and "buildings up to 4-storeys" with "buildings of at least six storeys".	4.4.1 MDRS & NPS-UD - General - General Matters	I consider that DO-Ox3 and DO-O16 are consistent with Policy 3 of the NPS-UD.  The requirement under Policy 3(c) of the NPS-UD to "enable... buildings of at least 6-storeys" means that the District Plan must enable 6-storey buildings, or alternatively may enable buildings that are taller than 6-storeys. I consider that because DO-Ox3 and DO-O16 enable buildings that are 6-storeys, this achieves the requirement under Policy 3(c) that the District Plan must enable buildings of at least 6 storeys.  Further, I consider that replacing the term "up to" with "at least" would provide no certainty to District Plan users about the building heights sought to be enabled by the Plan, as it would have the effect of enabling unlimited building height. Further, I consider it would have the effect of dis-abling buildings that are less than the specified height, because those buildings would not be "at least" that height. This may be counterproductive in terms of achieving the housing variety sought by the MDRS and the NPS-UD.  In relation to the parts of DO-Ox3 and DO-O16 that enable "buildings up to 4 storeys", these relate to the building heights enabled by PC2 in the Local Centre Zone and Residential Intensification Precinct B which give effect to Policy 3(d) of the NPS-UD. I do not consider that it is necessary to amend the objectives to enable "buildings of at least six storeys" in these areas, as I do not consider this necessary as part of giving effect to policy 3(d).	<b>Do not accept.</b>	<b>No.</b>
S202.FS.1	S028.03.FS01	Leith Consulting Ltd	DO-Ox3, DO-O16	Support primary submission	Support change of wording to refer to buildings of at least six storeys as requested by submitter. Aligns with the intent of our primary submission and NPS-UD.	Allow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S100.FS.1	S028.03.FS02	Ātiawa ki Whakarongotai	DO-Ox3, DO-O16	Oppose primary submission	Undermines individual choice and significantly changes character and amenity. Retain as notified	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S203.FS.1	S028.03.FS03	Ngā Hapū o Ōtaki	DO-Ox3, DO-O16	Oppose primary submission	Undermines individual choice and significantly changes character and amenity. Not clear evidence of need in Ōtaki. Out of step with TOW claims process.	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.



Sub #	Submission point number	Submitter name	Specific provision/matter	Position	Reasons (this may be a summary only, refer to the submission for full reasoning)	Decision requested	Evidence section	Assessment	Officer's recommendation	Amendments to PC(N)?
S028	S028.04	Infill Tapui Limited	UFD-Px	Oppose	See general points under submission point S028.01.	<b>Amend</b> UFD-Px to replace references to "buildings up to 6-storeys" and "buildings up to 4-storeys" with "buildings of at least six storeys".	4.4.1 MDRS & NPS-UD - General - General Matters	Refer to the assessment under S028.04.	<b>Do not accept.</b>	<b>No.</b>
S202.FS.1	S028.04.FS01	Leith Consulting Ltd	UFD-Px	Support primary submission	Support change of wording to refer to buildings of at least six stories as requested by submitter. Aligns with the intent of our primary submission and NPS-UD.	Allow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S100.FS.1	S028.04.FS02	Ātiawa ki Whakarongotai	UFD-Px	Oppose primary submission	Undermines individual choice and significantly changes character and amenity. Retain as notified	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S203.FS.1	S028.04.FS03	Ngā Hapū o Ōtaki	UFD-Px	Oppose primary submission	Undermines individual choice and significantly changes character and amenity. Not clear evidence of need in Ōtaki. Out of step with TOW claims process.	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.05	Infill Tapui Limited	UFD-P1, UFD-P2, UFD-P3, UFD-P4, UFD-P11	Support	See general points under submission point S028.01.	<b>Retain</b> amendments to UFD-P1, UFD-P2, UFD-P3, UFD-P4 and UFD-P11 as notified.	4.4.1 MDRS & NPS-UD - General - General Matters	Support is noted.	<b>Accept in part.</b> Noting I have recommended amendments to these provisions in response to other submissions.	<b>No.</b>
S028	S028.06	Infill Tapui Limited	GRZ-Px1, GRZ-Px2, GRZ-Px3, GRZ-Px4, GRZ-Px5	Support	See general points under submission point S028.01.	<b>Retain</b> GRZ-Px1, GRZ-Px2, GRZ-Px3, GRZ-Px4 and GRZ-Px5 as notified.	4.4.2 MDRS & NPS-UD - General - MDRS Objectives and Policies	Refer to the body of the report.	<b>Accept.</b>	<b>No.</b>
S028	S028.07	Infill Tapui Limited	GRZ-Px6	Oppose	See submission point S028.03.	<b>Amend</b> GRZ-Px6 to replace references to "buildings up to 6-storeys" and "buildings up to 4-storeys" with "buildings of at least six storeys".	4.4.1 MDRS & NPS-UD - General - General Matters	Refer to the assessment under S028.04.	<b>Do not accept.</b>	<b>No.</b>
S202.FS.1	S028.07.FS01	Leith Consulting Ltd	GRZ-Px6	Support primary submission	Support change of wording to refer to buildings of at least six stories as requested by submitter. Aligns with the intent of our primary submission and NPS-UD.	Allow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S203.FS.1	S028.07.FS02	Ngā Hapū o Ōtaki	GRZ-Px6	Oppose primary submission	Undermines individual choice and significantly changes character and amenity. Not clear evidence of need in Ōtaki. Out of step with TOW claims process.	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.08	Infill Tapui Limited	GRZ-Rx2	Oppose	There should be no limit on the number of residential units per site in the Residential Intensification Precinct.	<b>Amend</b> GRZ-Rx2 so that there is no limit on the number of residential units per site in the Residential Intensification Precinct.	4.4.1 MDRS & NPS-UD - General - General Matters	I consider that it is appropriate to provide a permitted activity standard for the number of residential units per site in Residential Intensification Precincts, as this enables the effects associated with higher density development to be assessed through a restricted discretionary activity resource consent process (and provides for the development to be considered alongside the Residential Design Guide). I consider this approach to be consistent with both policies GRZ-Rx5 and GRZ-Rx6.	<b>Do not accept.</b>	<b>No.</b>
S202.FS.1	S028.08.FS01	Leith Consulting Ltd	GRZ-Rx2	Support primary submission	Support submitters intent that number of residential units per site should not be the same as medium density provisions. Support the intent of this submission and request that the Council consider allowing for more than 3 residential units per site as a permitted activity so that it supports a greater permitted baseline to that of the General Residential Zone (MDRS provisions).	Allow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.09	Infill Tapui Limited	GRZ-Rx2	Oppose	Applying the height in relation to boundary and setback standards within the Residential Intensification Precinct will result in perverse outcomes. For example: a. The current height in relation boundary standard would require a six storey building to have a front yard that is over 20 metres. Excessive front yards are an inefficient use of land and do not provide a good street frontage. b. The current boundary setback standards will lead to 2m 'gaps' between buildings on adjacent properties. Such gaps are an inefficient use of land and do not provide any usable outdoor space, sunlight, or privacy.	<b>Amend</b> GRZ-Rx2 so that the following setbacks apply: a. Up to four stories: 6m between non-habitable rooms, 9m between habitable rooms and non-habitable rooms, 12m between habitable rooms; b. Between five and eight storeys: 13m between habitable rooms and non habitable rooms, 18m between habitable rooms; c. Nine stories and more: 12m between non-habitable rooms, 18m between habitable rooms and non-habitable rooms, 24m between habitable rooms.	4.4.1 MDRS & NPS-UD - General - General Matters	I consider that the amendments sought are inconsistent with the setback standard required by the MDRS, and may be difficult to implement in practice (in part because it may be difficult to determine the location and extent of habitable and non-habitable rooms in adjacent buildings). I also consider this to be an "other density standard" restricted under clause 2(2) of Schedule 3A to the RMA.  I disagree that the height in relation to boundary standard requires a 6-storey building to have a 20m front yard, because the standard does not apply to the road boundary.	<b>Do not accept.</b>	<b>No.</b>
S202.FS.1	S028.09.FS01	Leith Consulting Ltd	GRZ-Rx2	Support primary submission	Support submitters concern regarding recession plane requirements for six storey buildings if this is going to result in excessive front yard requirements. Support the reasons behind this submission and that recession planes for taller buildings need to be modelled/fact checked so that excessive front yards are not established as an outcome as this is not a good use of space.	Allow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S100.FS.1	S028.09.FS02	Ātiawa ki Whakarongotai	GRZ-Rx2	Oppose primary submission	Undermines individual choice and significantly changes character and amenity. Retain as notified	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S203.FS.1	S028.09.FS03	Ngā Hapū o Ōtaki	GRZ-Rx2	Oppose primary submission	Undermines individual choice and significantly changes character and amenity. Not clear evidence of need in Ōtaki. Out of step with TOW claims process.	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.10	Infill Tapui Limited	GRZ-Rx2	Oppose	Four stories are only one storey above the MDRS and the cost to build four storeys over three storeys is potentially significant because the following additional building code requirements apply: a. Lifts are required. b. Fire resistance ratings apply. c. A wind report and fire engineer are needed. d. Specific engineering design for light timber framing is required. e. Structural steel framing is possibly required. f. Cross laminated timber is recommended.  Six storeys (approximately 18 metres) are the minimum building height required to be enabled by Policy 3(b) and (c) in the NPS-UD but the building code requirements remain similar up to seven storeys (21 metres).	<b>Amend</b> GRZ-Rx2 (standard 2) so that the maximum permitted height in Residential Intensification Precincts is 21 metres (7 storeys).	4.4.1 MDRS & NPS-UD - General - General Matters	In relation to Residential Intensification Precinct A (which gives effect to Policy 3(c) of the NPS-UD) it is not clear to me why it is necessary to enable 7-storey development. In any case, the height provided for by PC2 is 20m, which is similar to that sought by the submitter.  In relation to Residential Intensification Precinct A (which gives effect to Policy 3(d) of the NPS-UD), which I acknowledge that there tends to be greater technical requirements for the design and construction of buildings taller than 3-storeys. I do not consider that this in and of itself justifies an increase in building heights as part of giving effect to Policy 3(d).	<b>Do not accept.</b>	<b>No.</b>
S202.FS.1	S028.10.FS01	Leith Consulting Ltd	GRZ-Rx2	Support primary submission	Support the intent of this submission that four stories should be amended to allow for at least six stories as per the relief sought in primary submission. Submitters reasons align with the relief sought and intent of primary submission.	Allow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S203.FS.1	S028.10.FS02	Ngā Hapū o Ōtaki	GRZ-Rx2	Oppose primary submission	No evidence of need in this area. Allows for perverse outcomes	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.11	Infill Tapui Limited	GRZ-Rx5	Support	See general points under submission point S028.01.	<b>Retain</b> GRZ-Rx5 as notified.	4.4.1 MDRS & NPS-UD - General - General Matters	Support is noted.	<b>Accept in part.</b> Noting I have recommended amendments to this provision in response to other submissions.	<b>No.</b>

Sub #	Submission point number	Submitter name	Specific provision/matter	Position	Reasons (this may be a summary only, refer to the submission for full reasoning)	Decision requested	Evidence section	Assessment	Officer's recommendation	Amendments to PC(N)?
S028	S028.12	Infill Tapui Limited	GRZ-Rx6, GRZ-Rx7	Oppose	Allowing density to trigger a notification assessment is inconsistent with Objectives DO-03 and DO-Ox3 as well as policies GRZ-Px1, GRZ-Px5 and amended UFD-P4.	<b>Combine</b> GRZ-Rx6 and GRZ-Rx7 into one rule as follows: <b>New buildings and structures, and any minor works, additions or alterations to any building or structure, that will result in more than 3 residential units per site.</b>  Public and limited notification would be precluded under this rule.  Matters of discretion would remain unchanged.	4.4.1 MDRS & NPS-UD - General - General Matters	I agree that the use of multiple rules to distinguish notification requirements is unnecessarily complicated, and I consider the amendment requested by the submitter would provide for more efficient implementation of the rules.  My recommended amendments adopt different wording to that requested by the submitter, which adopt wording that is consistent with rule GRZ-Rx5. I consider this has the same effect as requested by the submitter.	<b>Accept in part.</b> Noting that I have recommended different wording to that requested by the submitter (but with the same effect).	<b>Yes.</b> Amend GRZ-Rx6 (refer section 4.29 of PC(R1)). Delete GRZ-Rx7 (refer section 4.30 of PC(R1)).  <b>Section 32AA evaluation</b> I consider these amendments are a more appropriate way to achieve the objectives of PC2 and the purpose of the RMA, because they provide for more efficient implementation of the restricted discretionary activity rules associated with the MDRS. The amendments are consistent with the requirements of clauses 4 and 5 of Schedule 3A to the RMA.
S094.FS.1	S028.12.FS01	KiwiRail	GRZ-Rx6, GRZ-Rx7	Oppose primary submission	KiwiRail does not consider it is appropriate for limited notification to be precluded for high density developments that do not comply with the prescribed setback standards. In certain instances, including where the rail corridor setback is infringed, it may be appropriate for limited notification to KiwiRail as the owner of the rail corridor to ensure developments are appropriately designed in such a way as to ensure any adverse effects of that non-compliance can be adequately mitigated and managed through the consenting process.	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S100.FS.1	S028.12.FS02	Ātiawa ki Whakarongotai	GRZ-Rx6, GRZ-Rx7	Oppose primary submission	Neighbours should have a reasonable expectation about potential development on neighbouring properties. Retain limited notification for height rule breaches	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S203.FS.1	S028.12.FS03	Ngā Hapū o Ōtaki	GRZ-Rx6, GRZ-Rx7	Oppose primary submission	Neighbours should have a reasonable expectation about potential development on neighbouring properties.	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.13	Infill Tapui Limited	MCZ-P8	Oppose	References of 'buildings up to 12-storeys' should be replaced with 'buildings of at least twelve stories'.	<b>Amend</b> policy MCZ-P8 to replace references to "buildings up to 12-storeys" with "buildings of at least twelve storeys".	4.4.1 MDRS & NPS-UD - General - General Matters	I do not consider this amendment to be appropriate, because PC2 does not seek to enable buildings taller than 12-storeys in the Metropolitan Centre Zone.	<b>Do not accept.</b>	<b>No.</b>
S100.FS.1	S028.13.FS01	Ātiawa ki Whakarongotai	MCZ-P8	Oppose primary submission	Undermines individual choice and significantly changes character and amenity. Retain as notified	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S203.FS.1	S028.13.FS02	Ngā Hapū o Ōtaki	MCZ-P8	Oppose primary submission	Undermines individual choice and significantly changes character and amenity. Not clear evidence of need in Otaki. Out of step with TOW claims process.	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.14	Infill Tapui Limited	MCZ-R5	Oppose	Residential units should be required to have a minimum size. This should be 30m <sup>2</sup> for studios and 45m <sup>2</sup> for one or more bedrooms.	<b>Amend</b> MCZ-R5 (standard 2) to require a minimum residential unit size of 30m <sup>2</sup> for studios and 45m <sup>2</sup> for units with one or more bedrooms.	4.4.1 MDRS & NPS-UD - General - General Matters	I do not consider there to be sufficient justification for the District Plan to regulate the minimum size of residential units in the Metropolitan Centre Zone, and I do not consider this necessary to give effect to Policy 3(b) of the NPS-UD.	<b>Do not accept.</b>	<b>No.</b>
S028	S028.15	Infill Tapui Limited	MCZ-R7	Oppose	The maximum permitted building height should be 36m (approximately 12 stories). This is consistent with Policy MCZ-P8.	<b>Amend</b> MCZ-R7 (standard 1) so that the maximum permitted building height is 36m (approximately 12 storeys).	4.4.1 MDRS & NPS-UD - General - General Matters	I do not consider that Policy MCZ-P8 requires 12-storey buildings to be a permitted activity. I note that 12-storey buildings are enabled as a restricted discretionary activity under rule MCZ-R13. I consider the 21m (6-storey) permitted building height standard is an appropriate threshold to enable the effects associated with higher density development in the Metropolitan Centre Zone to be assessed through a restricted discretionary activity resource consent process (and provides for the development to be considered alongside the Centres Design Guide).	<b>Do not accept.</b>	<b>No.</b>
S028	S028.16	Infill Tapui Limited	MCZ-R7	Oppose	Standard 2 should be removed. It unreasonably restricts development at the edge of the zone and is therefore inconsistent with the NPS-UD. The building setbacks recommended for Rule GRZ-Rx2 should be used to maintain amenity values.	<b>Amend</b> MCZ-R7 (standard 2) to remove the height in relation to boundary standard and replace it with the setbacks specified under submission point S028.09.	4.4.1 MDRS & NPS-UD - General - General Matters	I disagree that applying the MDRS height in relation to boundary standard is either unreasonably restrictive, or inconsistent with the NPS-UD. The standard only applies to the Metropolitan Centre Zone edge, and I consider it reasonable that the standard is used to manage adverse effects across the boundary with more sensitive zones.  I note that non-compliance with the standard is a restricted discretionary activity under rule MCZ-R13, which provides a consent pathway where development breaches the standard. I do not consider this to be inconsistent with the NPS-UD, which (under clause 3.4) considers development to be plan-enabled where it is a restricted-discretionary activity.  I also consider the alternative standard requested to be difficult to implement in practice (refer to my assessment under S028.09).	<b>Do not accept.</b>	<b>No.</b>
S028	S028.17	Infill Tapui Limited	MCZ-R13	Oppose	Public and limited notification should be precluded. Allowing height to trigger notification is inconsistent with Policy 3 of the NPS-UD.	<b>Amend</b> rule MCZ-R13 to preclude public and limited notification.	4.4.1 MDRS & NPS-UD - General - General Matters	I do not consider that Policy 3 of the NPS-UD requires notification to be precluded in the centres zones. However, I consider that it is reasonable to preclude public notification from non-compliance with standards for height in relation to boundary, setback from the zone edge, outdoor living space and outlook space. I discuss this in further detail in response to the Kāinga Ora submission on this matter (refer to submission point S122.150).	<b>Accept in part.</b> Refer to submission point S122.150.	<b>Yes.</b> Amend MCZ-R13 (refer section 5.8 of PC(R1)).  <b>Section 32AA evaluation</b> Refer to submission point S122.150.
S100.FS.1	S028.17.FS01	Ātiawa ki Whakarongotai	MCZ-R13	Oppose primary submission	Neighbours should have a reasonable expectation about potential development on neighbouring properties. Retain limited notification for height rule breaches	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S203.FS.1	S028.17.FS02	Ngā Hapū o Ōtaki	MCZ-R13	Oppose primary submission	Neighbours should have a reasonable expectation about potential development on neighbouring properties.	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.18	Infill Tapui Limited	MCZ-R13	Oppose	Buildings over 36m in height (approximately 12 stories) should be a restricted discretionary activity.	<b>Delete</b> standard 2 from Rule MCZ-R13.	4.4.1 MDRS & NPS-UD - General - General Matters	I disagree that buildings taller than 12-storeys should be a restricted discretionary activity, because they are not sought to be enabled in the zone.	<b>Do not accept.</b>	<b>No.</b>
S028	S028.19	Infill Tapui Limited	TCZ-P6	Oppose	References of 'buildings up to 6-storeys' should be replaced with 'buildings of at least six stories'.	<b>Amend</b> policy TCZ-P6 to replace references to "buildings up to 6-storeys" with "buildings of at least six storeys".	4.4.1 MDRS & NPS-UD - General - General Matters	I do not consider this amendment to be appropriate, because PC2 does not seek to enable buildings taller than 6-storeys in the Town Centre Zone.	<b>Do not accept.</b>	<b>No.</b>
S202.FS.1	S028.19.FS01	Leith Consulting Ltd	TCZ-P6	Support primary submission	Support change of wording to refer to buildings of at least six stories as requested by submitter. Aligns with the intent of our primary submission and NPS-UD.	Allow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.



Sub #	Submission point number	Submitter name	Specific provision/matter	Position	Reasons (this may be a summary only, refer to the submission for full reasoning)	Decision requested	Evidence section	Assessment	Officer's recommendation	Amendments to PC(N)?
S203.FS.1	S028.19.FS02	Ngā Hapū o Ōtaki	TCZ-P6	Oppose primary submission	No evidence of need in this area. Allows for perverse outcomes	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.20	Infill Tapui Limited	TCZ-R6	Oppose	The maximum permitted building height should be 21m (approximately 7 stories). This is consistent with the NPS-UD.	Amend TCZ-R6 (standard 1) so that the maximum permitted building height is 21m (approximately 7 storeys).	4.4.1 MDRS & NPS-UD - General - General Matters	I do not consider that Policy 3(d) of the NPS-UD requires buildings 21m in height to be a permitted activity in the Town Centre Zone, however I note that buildings 21m in height are enabled as a restricted discretionary activity under rule TCZ-R11. I consider the 12m (3-storey) permitted building height standard is an appropriate threshold to enable the effects associated with higher density development in the Town Centre Zone to be assessed through a restricted discretionary activity resource consent process (and provides for the development to be considered alongside the Centres Design Guide). I consider this to be consistent with proposed policy TCZ-P6.	Do not accept.	No.
S028	S028.21	Infill Tapui Limited	TCZ-R6	Oppose	The building setbacks recommended for Rule GRZ-Rx2 should be used to maintain amenity values.	Amend TCZ-R6 (standard 2) to remove the height in relation to boundary standard and replace it with the setbacks specified under submission point S028.09.	4.4.1 MDRS & NPS-UD - General - General Matters	Refer to the assessment under S028.16.	Do not accept.	No.
S028	S028.22	Infill Tapui Limited	TCZ-R11	Oppose	Public and limited notification should be precluded. Allowing height to trigger notification is inconsistent with Policy 3 of the NPS-UD.	Amend rule TCZ-R11 to preclude public and limited notification.	4.4.1 MDRS & NPS-UD - General - General Matters	I do not consider that Policy 3 of the NPS-UD requires notification to be precluded in the centres zones. However, I consider that it is reasonable to preclude public notification from non-compliance with standards for height in relation to boundary, setback from the zone edge, outdoor living space and outlook space. I discuss this in further detail in response to the Kāinga Ora submission on this matter (refer to submission point S122.137).	Accept in part. Refer to submission point S122.137.	Yes. Amend TCZ-R11 (refer section 6.11 of PC(R1)). <b>Section 32AA evaluation</b> Refer to submission point S122.137.
S197.FS.1	S028.22.FS01	Retirement Villages Association of New Zealand Incorporated (RVA)	TCZ-R11	Support primary submission	The RVA supports the relief sought subject to the relief sought in the RVA's primary submission, as it is consistent with the NPSUD.	Allow primary submission subject to the relief sought in the RVA primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S196.FS.1	S028.22.FS02	Ryman Healthcare Limited	TCZ-R11	Support primary submission	Ryman support the relief sought subject to the relief sought in Ryman's primary submission, as it is consistent with the NPSUD.	Allow primary submission subject to the relief sought in Ryman's primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S100.FS.1	S028.22.FS03	Ātiawa ki Whakarongotai	TCZ-R11	Oppose primary submission	Neighbours should have a reasonable expectation about potential development on neighbouring properties. Retain limited notification for height rule breaches	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S203.FS.1	S028.22.FS04	Ngā Hapū o Ōtaki	TCZ-R11	Oppose primary submission	Neighbours should have a reasonable expectation about potential development on neighbouring properties.	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.23	Infill Tapui Limited	TCZ-R11	Oppose	Buildings over 21m in height (approximately 7 stories) should be a restricted discretionary activity.	Delete standard 2 from Rule TCZ-R11.	4.4.1 MDRS & NPS-UD - General - General Matters	I disagree that buildings over 21m in height should be a restricted discretionary activity, because they are not sought to be enabled in the zone.	Do not accept.	No.
S028	S028.24	Infill Tapui Limited	LCZ-P6	Oppose	References of 'buildings up to 6-storeys' should be replaced with 'buildings of at least six stories'.	Amend policy LCZ-P6 to replace references to "buildings up to 6-storeys" with "buildings of at least six storeys".	4.4.1 MDRS & NPS-UD - General - General Matters	I do not consider this amendment to be appropriate, because PC2 does not seek to enable buildings taller than 6-storeys in the Local Centre Zone.	Do not accept.	No.
S202.FS.1	S028.24.FS01	Leith Consulting Ltd	LCZ-P6	Support primary submission	Support change of wording to refer to buildings of at least six stories as requested by submitter. Aligns with the intent of our primary submission and NPS-UD.	Allow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S100.FS.1	S028.24.FS02	Ātiawa ki Whakarongotai	LCZ-P6	Oppose primary submission	Undermines individual choice and significantly changes character and amenity. Retain as notified	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S203.FS.1	S028.24.FS03	Ngā Hapū o Ōtaki	LCZ-P6	Oppose primary submission	No evidence of need in this area. Allows for perverse outcomes	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.25	Infill Tapui Limited	LCZ-R6	Oppose	The maximum permitted building height should be 21m (approximately 7 stories).	Amend LCZ-R6 (standard 1) so that the maximum permitted building height is 21m (approximately 7 storeys).	4.4.1 MDRS & NPS-UD - General - General Matters	I do not consider that providing buildings 21m in height in the Local Centre Zone as a permitted activity is justified, nor do I consider that this is necessary to give effect to Policy 3(d) of the NPS-UD. I consider the 12m (3-storey) permitted building height standard is an appropriate threshold to enable the effects associated with higher density development in the Local Centre Zone to be assessed through a restricted discretionary activity resource consent process (and provides for the development to be considered alongside the Centres Design Guide). I consider this to be consistent with proposed policy LCZ-P6.	Do not accept.	No.
S028	S028.26	Infill Tapui Limited	LCZ-R6	Oppose	The building setbacks recommended for Rule GRZ-Rx2 should be used to maintain amenity values.	Amend LCZ-R6 (standard 2) to remove the height in relation to boundary standard and replace it with the setbacks specified under submission point S028.09.	4.4.1 MDRS & NPS-UD - General - General Matters	Refer to the assessment under S028.16.	Do not accept.	No.
S028	S028.27	Infill Tapui Limited	LCZ-R12	Oppose	Public and limited notification should be precluded. Allowing height to trigger notification is inconsistent with Policy 3 of the NPS-UD.	Amend rule LCZ-R12 to preclude public and limited notification.	4.4.1 MDRS & NPS-UD - General - General Matters	I do not consider that Policy 3 of the NPS-UD requires notification to be precluded in the centres zones. However, I consider that it is reasonable to preclude public notification from non-compliance with standards for height in relation to boundary, setback from the zone edge, outdoor living space and outlook space. I discuss this in further detail in response to the Kāinga Ora submission on this matter (refer to submission point S122.116).	Accept in part. Refer to submission point S122.116.	Yes. Amend LCZ-R12 (refer section 6.11 of PC(R1)). <b>Section 32AA evaluation</b> Refer to submission point S122.116.
S100.FS.1	S028.27.FS01	Ātiawa ki Whakarongotai	LCZ-R12	Oppose primary submission	Neighbours should have a reasonable expectation about potential development on neighbouring properties. Retain limited notification for height rule breaches	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S203.FS.1	S028.27.FS02	Ngā Hapū o Ōtaki	LCZ-R12	Oppose primary submission	Neighbours should have a reasonable expectation about potential development on neighbouring properties.	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.28	Infill Tapui Limited	LCZ-R12	Oppose	Buildings over 21m in height (approximately 7 stories) should be a restricted discretionary activity.	Delete standards 2 and 3 from Rule LCZ-R12.	4.4.1 MDRS & NPS-UD - General - General Matters	I disagree that buildings over 21m in height should be a restricted discretionary activity, because they are not sought to be enabled in the zone.	Do not accept.	No.
S028	S028.29	Infill Tapui Limited	MUZ-P7	Oppose	References of 'buildings up to 6-storeys' and 'buildings up to 3-storeys' should be replaced with 'buildings of at least six stories'.	Amend policy MUZ-P7 to replace references to "buildings up to 6-storeys" with "buildings of at least six storeys".	4.4.1 MDRS & NPS-UD - General - General Matters	I do not consider this amendment to be appropriate, because PC2 does not seek to enable buildings taller than 6-storeys in the Mixed Use Zone.	Do not accept.	No.
S203.FS.1	S028.29.FS01	Ngā Hapū o Ōtaki	MUZ-P7	Oppose primary submission	No evidence of need in this area. Allows for perverse outcomes	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.

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S100.FS.1	S028.37.FS02	Ātiawa ki Whakarongotai	SUB-DW-Rx1	Support primary submission	Development needs to be planned and delivered in a way that recognises the rangatiratanga of hapū and iwi in relation to their land and waterways, and how this can be exercised to better manage the sustainable use of these resources. Any policy in relation to catchments and water also needs to be consistent with the hierarchy of obligations of Te Mana o te Wai, and ensure that the primary life-supporting values of rivers, and secondary values of human rights in relation to water is provided for before other tertiary economic and social values are provided for. Ensure that the proposed amendments are consistent with Te Mana o te Wai.	Allow primary submission in part.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S203.FS.1	S028.37.FS03	Ngā Hapū o Ōtaki	SUB-DW-Rx1	Support primary submission	Development needs to be planned and delivered in a way that recognises the rangatiratanga of hapū and iwi in relation to their land and waterways, and how this can be exercised to better manage the sustainable use of these resources. Any policy in relation to catchments and water also needs to be consistent with the hierarchy of obligations of Te Mana o te Wai, and ensure that the primary life supporting values of rivers, and secondary values of human rights in relation to water is provided for before other tertiary economic and social values are provided for. Ensure that the proposed amendments are consistent with Te Mana o te Wai.	Allow primary submission in part.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.38	Infill Tapui Limited	SUB-DW-Rx1	Oppose	Public and limited notification should be precluded because this rule relates only to the provision of infrastructure for a subdivision.	Amend rule SUB-RES-Rx1 to preclude public and limited notification.	4.7 MDRS & NPS-UD - Subdivision	Both rules SUB-DW-Rx1 and SUB-RES-Rx1 already preclude public and limited notification, in accordance with clause 5(3) of Schedule 3A to the RMA.	Do not accept.	No.
S100.FS.1	S028.38.FS01	Ātiawa ki Whakarongotai	SUB-DW-Rx1	Oppose primary submission	Neighbours should have a reasonable expectation about potential development on neighbouring properties. Retain limited notification for height rule breaches	Disallow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S203.FS.1	S028.38.FS02	Ngā Hapū o Ōtaki	SUB-DW-Rx1	Oppose primary submission	Neighbours should have a reasonable expectation about potential development on neighbouring properties.	Disallow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.39	Infill Tapui Limited	SUB-DW-R23	Oppose	Infrastructure is always required for subdivision and there is no justification for this being a non-complying activity because: a. Subdivision infrastructure is anticipated within the policy framework and should not need to pass the 'gateway tests' of s104D. b. There are minimum engineering requirements for infrastructure. c. Subdivision infrastructure is not an unexpected activity in the urban environment that requires a precautionary approach to managing effects.  A discretionary activity is more appropriate.	Amend rule SUB-DW-R23 to be a discretionary activity.	4.7 MDRS & NPS-UD - Subdivision	SUB-DW-R23 is the non-complying activity rule for subdivision where standards requiring the provision of water, wastewater, stormwater, or electricity and telecommunication infrastructure are not met. For the avoidance of doubt, I consider that SUB-DW-R23 is triggered when infrastructure is not provided to subdivided allotments (whereas servicing and engineering standards for the provision of infrastructure are addressed under the rules of the Infrastructure Chapter).  I agree that the provision of development infrastructure is a necessary part of subdivision, and I note the District Plan includes several policies that require the provision of (or appropriate connection to) infrastructure as part of subdivision, use and development (see policies INF-MENU-P17 - P21).  Because the District Plan sets clear expectations that development infrastructure is required to be provided as part of undertaking subdivision, I consider that non-complying activity status is appropriate and that amending the activity status to discretionary is not justified.	Do not accept.	No.
S202.FS.1	S028.39.FS01	Leith Consulting Ltd	SUB-DW-R23	Support primary submission	Support the intent of this submission and the relief sought as it aligns with primary submission regarding the use of 'non-complying' activity statuses.	Allow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S206.FS.4	S028.39.FS02	Landlink	SUB-DW-R23	Support primary submission	Support rationale - the effects of non-compliance with controlled infrastructure activity should not result in an application being subject to notification. Support rationale rules as proposed may result in an unnecessarily restrictive activity status. General advice (Quality Planning) outlines that 'the non-complying activity status is intended for situations where it is intended consents only be granted in exceptional circumstances'. As per elsewhere in Landlink submission minimum/prescriptive requirements may also stifle innovation and the utilisation of new technology which provide other viable solutions.	Allow primary submission in part.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.40	Infill Tapui Limited	SUB-DW-R23	Oppose	Public and limited notification should be precluded because this rule relates only to the provision of infrastructure for a subdivision.	Amend rule SUB-DW-R23 to preclude public and limited notification.	4.7 MDRS & NPS-UD - Subdivision	disagree that public and limited notification should be precluded under this rule, as not meeting standards for the provision of infrastructure under SUB-DW-Rx1, SUB-DW-R4 and SUB-DW-R5 may have adverse effects beyond the site, including on surrounding properties and the community at large.	Do not accept.	No.
S100.FS.1	S028.40.FS01	Ātiawa ki Whakarongotai	SUB-DW-R23	Oppose primary submission	Neighbours should have a reasonable expectation about potential development on neighbouring properties. Retain limited notification for height rule breaches	Disallow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S203.FS.1	S028.40.FS02	Ngā Hapū o Ōtaki	SUB-DW-R23	Oppose primary submission	Neighbours should have a reasonable expectation about potential development on neighbouring properties.	Disallow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.41	Infill Tapui Limited	SUB-RES-P1	Oppose	This policy is opposed. It is not appropriate for a policy to refer to other (undefined) objectives and policies.	Delete policy SUB-RES-P1.	4.7 MDRS & NPS-UD - Subdivision	I agree that the policy is not necessary. Section 104(1)(b)(vi) provides for the consideration of relevant objectives and policies of the District Plan as part of the consideration of subdivision consent applications in any case.	Accept.	Yes. Delete SUB-RES-P1. Refer to section 10.3 of PC(R1).  <b>Section 32AA evaluation</b> I consider this amendment is a more appropriate way to achieve the objectives of PC2 and the purpose of the RMA, because it provides for more efficient interpretation of the District Plan subdivision provisions by avoiding unnecessary duplication of a matter already provided for under section 104 of the RMA.
S028	S028.42	Infill Tapui Limited	SUB-RES-Rx1	Support	No specific reasons given.	Retain controlled activity status and notification preclusion for rule SUB-RES-Rx1 as notified.	4.7 MDRS & NPS-UD - Subdivision	Support is noted.	Accept.	No.

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S028	S028.43	Infill Tapui Limited	SUB-RES-Rx1	Oppose	Standard 3 is opposed. This duplicates Section 106 of the Resource Management Act 1991 and is not required.	Delete standard 3 of rule SUB-RES-Rx1.	4.7 MDRS & NPS-UD - Subdivision	I disagree that this is a duplication of section 106 of the RMA. Section 106 only gives the Council discretion to decline a subdivision consent for a controlled activity (or grant with conditions) in circumstances where there is not sufficient provision for legal and physical access.  Standard 3, while similarly worded, achieves a different function. The standard ensures that legal and physical access is provided as part of controlled activity subdivision (rather than simply making it open to the Council to decline the consent where access is not provided). The standard also has the effect of setting the activity status for subdivision where legal and physical access is not provided (which would become a discretionary activity under SUB-RES-R30). This enables the Council to consider the broader range of effects that may related to non-compliance with the standard on a case-by-case basis.  I also note that inclusion of this standard in the rule is consistent with the other rules in the District Plan that provide for subdivision across the District.	Do not accept.	No.
S028	S028.44	Infill Tapui Limited	SUB-RES-Rx1	Oppose	Standard 4 is opposed. This should only apply to vacant lot subdivision and be moved to a new Standard 2c.	Delete standard 4 of rule SUB-RES-Rx1 and replace with a new equivalent standard 2c.	4.7 MDRS & NPS-UD - Subdivision	I consider that it is only necessary that standard 4 apply to vacant allotments. Where allotments are not vacant (because they have an existing residential unit on them, or have resource consent for the development of new residential units), the provision of a flood free building area is managed under the land use rules for flood hazards in the NH-FLOOD chapter.  However, I do not consider that the standard should be deleted and relocated. Rather, I consider it should be amended so that it only applies to vacant allotments.	Accept in part.	Yes. Amend SUB-RES-Rx1. Refer section 10.6 of PC(R1).  <b>Section 32AA evaluation</b> I consider this amendment is a more appropriate way to achieve the objectives of PC2 and the purpose of the RMA and the purpose of the RMA, because it provides for more effective incorporation of the MDRS into the District Plan in relation to an existing qualifying matter, by avoiding reconsideration (under standard 4) of a matter that is already regulated under the land use rules in the NH-FLOOD chapter.
S206.FS.4	S028.44.FS01	Landlink	SUB-RES-Rx1	Support primary submission	Support as per Landlink submission and rationale provided in Infill Tapui Limited submission.	Allow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.45	Infill Tapui Limited	SUB-RES-Rx1	Oppose	Standard 5 is opposed. This should only apply to vacant lot subdivision and replace Standard 2a.	Delete standard 2a of rule SUB-RES-Rx1 and replace with standard 5. Delete standard 5.	4.7 MDRS & NPS-UD - Subdivision	Under rule SUB-RES-Rx1, standard 5 (which refers to SUB-RES-Table x1) already only specifies minimum allotment size and shape requirements for vacant allotments.  Standard 2a provides a different function standard 5. Standard 2a (which is complementary to 2b) ensures that subdivision can only occur as a controlled activity where it can be demonstrated that the land use rules for buildings in the General Residential Zone are complied with on the parent allotment, or where there is land use consent (for contravening these rules).  I consider it inappropriate to replace standard 2a with 5, because they achieve different purposes (one relates to compliance with land use rules, the other relates to minimum vacant allotment size).	Do not accept.	No.
S028	S028.46	Infill Tapui Limited	SUB-RES-Rx1	Oppose	Standards 7 and 8 are opposed. These standards should be removed because: a. There is no requirement for vehicle parking for three or less residential units and therefore no requirement for vehicular access. b. Pedestrian and cycling accesses only do not need to be limited to 6 lots. c. It is unclear if this rule applies when a land use consent has been granted (or is being sought in conjunction with a subdivision consent) for more than 6 residential units on a site. d. Standard 6 already requires access to be in accordance with engineering requirements. e. The building code access requirements also apply to development.	Delete standards 8 and 9 of rule SUB-RES-Rx1.	4.7 MDRS & NPS-UD - Subdivision	Based on the reasoning in the submission, I have assumed the decision requested refers to standards 7 and 8 (not 8 and 9).  I agree with the submitter that standard 7 is intended to apply to vehicle access and should not apply to pedestrian access. Applying the standard to pedestrian access would result in illogical outcomes (for example, the entrance to an apartment building containing more than 6 unit titles would not comply with this standard).  I note that I have already recommended consequential amendment to this standard, under submission point S202.10 which I consider addresses the issue raised by the submitter.  In relation to standard 8, I consider that this continues to be relevant, because there are provisions in the Transport Chapter that are not provided for under the Council's <i>Land Development Minimum Requirements</i> referred to under standard 6).	Accept in part. Amend standard 7 so that it applies only to vehicle access.	Yes. Amend SUB-RES-Rx1. Refer section 10.6 of PC(R1).  <b>Section 32AA evaluation</b> Refer to submission point 202.10.
S202.FS.1	S028.46.FS01	Leith Consulting Ltd	SUB-RES-Rx1	Support primary submission	Support the intent of this submission and the relief sought as it aligns with primary submission regarding vehicle and pedestrian access.	Allow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S206.FS.4	S028.46.FS02	Landlink	SUB-RES-Rx1	Support primary submission	Support as per Landlink submission and rationale provided in Infill Tapui Limited submission (i.e. potential retrospective management of effects, additionally rigid transport requirements do not allow flexibility which could support more sustainable modes of transport particularly in higher density areas).	Allow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.47	Infill Tapui Limited	SUB-RES-Rx1	Not specified	Standard 9 should apply to all residential subdivision, not just Te Horo Beach.	Amend standard 9 of rule SUB-RES-Rx1 to apply to all residential subdivision.	4.7 MDRS & NPS-UD - Subdivision	I disagree. Te Horo Beach is the only area of the General Residential Zone that is not connected to the Council's reticulated water supply network. In the remainder of the General Residential Zone, firefighting water supply is provided through the reticulated water supply network.	Do not accept.	No.
S028	S028.48	Infill Tapui Limited	SUB-RES-R27	Oppose	This rule is opposed and should be removed and replaced by a restricted discretionary activity for subdivision that is not a controlled activity. The only Standard not in Rule SUB-RES-Rx1 is 6, relating to block length for lots less than 3,000m <sup>2</sup> .	Delete rule SUB-RES-R27 and replace with a restricted discretionary activity rule for subdivision that is not a controlled activity.	4.7 MDRS & NPS-UD - Subdivision	Refer to the body of the report.	Accept in part. Refer to the body of the report for details.	Yes. Amend SUB-RES-R27. Refer section 10.7 of PC(R1).  <b>Section 32AA evaluation</b> Refer to the body of the report for details.
S028	S028.49	Infill Tapui Limited	SUB-RES-R27	Not specified	If this rule remains, then public and limited notification should be precluded.	If rule SUB-RES-R27 is retained, amend the rule to preclude public and limited notification.	4.7 MDRS & NPS-UD - Subdivision	Refer to the body of the report.	Accept in part. Refer to the body of the report for details.	Yes. Amend SUB-RES-R27. Refer section 10.7 of PC(R1).  <b>Section 32AA evaluation</b> Refer to the body of the report for details.

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S160.FS.2	S028.52.FS01	Gomez, Nancy	SUB-RES-Table x1	Oppose primary submission	<p>The submitter considers that reducing lot sizes and allowing pedestrian access instead of drive-on access would be out of character with existing developed lots, and detracts from the space and quality of living that Kāpiti residents in suburban areas are seeking.</p> <p>The submitter also notes that: - A reduction in lot sizes could be considered, but not to the extent proposed in the primary submission. The submitter considers that no less than 350m<sup>2</sup> size and 14m shape factor would be appropriate. - Breaching controlled activity status should continue to be a non-complying activity; - Incorporating pedestrian access as an alternative to vehicle access can result in construction vehicle and repair/maintenance issues due to the narrow access for rear lots and buildings. - The removal of rainwater tanks should not be considered. Given the capacity of the stormwater networks, significant reduction of soakage area per lot and climate change, the installation of rainwater tanks is needed to mitigate the increased stormwater runoff and flooding.</p>	Disallow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S202.FS.1	S028.52.FS02	Leith Consulting Ltd	SUB-RES-Table x2	Support primary submission	Support the intent and relief sought in this submission as it aligns with the reasons outlined in primary submission regarding reducing the allotment sizes for subdivision.	Allow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S206.FS.4	S028.52.FS03	Landlink	SUB-RES-Table x2	Support primary submission	Do not believe that minimum lot size requirements and diameter circles (particularly remaining the same as they were pre-MDRH) are an appropriate tool to manage (assumed amenity effects) of development. If any minimum lot sizes are retained they should be based on detailed analysis of what the minimum viable development is in accordance with MDRH standards for consistency. The concept of a circle does not seem an appropriate tool given that creative design may be integral to utilising sites which are not standard shape i.e. with the potential for positive design outcomes to be achieved.	Allow primary submission in part.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.53	Infill Tapui Limited	Land Development Minimum Requirements	Oppose	<p>All references to the LDMR are opposed. The LDMR is not required to give effect to the IPI.</p> <p>The LDMR replaces material incorporated by reference and notice should have been given under Section 34(2)(c) of Schedule 1 of the Resource Management Act 1991.</p> <p>Reference to the LDMR was not included in the draft consultation for this plan change. There has not been a reasonable opportunity to comment on the LDMR and its inclusion in the District Plan should be deferred to enable this.</p> <p>The submission also comments on several matters within the LDMR that are opposed, should be amended, or should otherwise be given consideration.</p>	<b>Do not replace</b> references to the Subdivision and Development Minimum Requirements, 2012 with the Land Development Minimum Requirements, April 2022 (LDMR).	4.9 MDRS & NPS-UD - Land Development Minimum Requirements	<p>In relation to whether or not the LDMR is required to "give effect to the IPI", I note that section 5.2.5 of the Section 32 Evaluation Report states reasons why incorporating references to the LDMR is a matter that is in support of incorporating the MDRS into the District Plan.</p> <p>In relation to notice of and consultation on the proposal to incorporate references to the LDMR into the District Plan, section 3.5.3 of the Section 32 Evaluation Report describes the consultation undertaken, which includes the consultation required under clause 34 of Schedule 1 to the RMA.</p> <p>In relation to the specific comments on matters within the LDMR, I do not consider that the LDMR can be amended through recommendations on the IPI. However I note that the Section 32 Evaluation Report (p.122) identifies that the LDMR will be reviewed in the future, and these matters could be considered through that review.</p>	<b>Do not accept.</b>	<b>No.</b>
S028	S028.54	Infill Tapui Limited	Coastal Qualifying Matter Precinct	Not specified	The extent of the Coastal Environment should be reduced to the Coastal Qualifying Matters Precinct. This is consistent with the NZCPS.	<b>Amend</b> the extent of the Coastal Environment to match the extent of the Coastal Qualifying Matter Precinct.	4.11.3 Qualifying Matters - Coastal Qualifying Matter Precinct - Other Matters	I do not consider that there are any rules in the District Plan that relate to the mapped extent of the Coastal Environment in the District Plan that are inconsistent with the MDRS or Policy 3 of the NPS-UD. I therefore consider it unnecessary to amend mapped extent of the Coastal Environment as part of PC2. I also do not consider there to be sufficient evidence to justify an alteration of the mapped extent of the Coastal Environment as part of PC2.	<b>Do not accept.</b>	<b>No.</b>
S100.FS.1	S028.54.FS01	Ātiawa ki Whakarangotai	Coastal Qualifying Matter Precinct	Support primary submission	<p>Evidence shows increased coastal hazards (such as sea level rise, increased precipitation, groundwater saturation, flooding etc) within the next 100 years. Ātiawa therefore support the increase in the spatial extent of the Coastal Qualifying Matter Precinct. Limiting intensification in these coastal regions is aligned with current Government Policy and wise future decision making based on current known predictions.</p> <p>The Takutai Kāpiti Coastal Hazards Adaptation Zones be marked as Coastal Environment and become Coastal Qualifying Matter Precinct in the District Plan.</p>	Allow primary submission.	4.11.3 Qualifying Matters - Coastal Qualifying Matter Precinct - Other Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S203.FS.1	S028.54.FS02	Ngā Hapū o Ōtaki	Coastal Qualifying Matter Precinct	Oppose primary submission	<p>Rather than follow the recommendations within this submission to reduce the Coastal Environment to the Coastal Qualifying Matter Precinct, the submitter believes the Coastal Environment area throughout the district should be increased. They believe that the Takutai Kāpiti Coastal Hazards Adaptation Zones are areas that will potentially be affected by coastal hazards (such as sea level rise, increased precipitation, groundwater saturation, flooding etc) within the next 100 years. Limiting intensification in these coastal regions is aligned with current Government Policy and wise future decision making based on current known predictions.</p> <p>The Takutai Kāpiti Coastal Hazards Adaptation Zones be marked as Coastal Environment and become Coastal Qualifying Matter Precinct in the District Plan.</p>	Disallow primary submission.	4.11.3 Qualifying Matters - Coastal Qualifying Matter Precinct - Other Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S028	S028.55	Infill Tapui Limited	General Residential Zone	Not specified	The General Residential Zone should be renamed Medium Density Residential to avoid confusion with having the Medium Density Residential Standards (MDRS) apply to the General Residential Zone.	<b>Rename</b> the General Residential Zone as the Medium Density Residential Zone.	4.4.4 MDRS & NPS-UD - General - Kāinga Ora requests	Refer to the body of the report.	<b>Do not accept.</b>	<b>No.</b>
S028	S028.56	Infill Tapui Limited	PRECx2 - Residential Intensification Precinct B	Oppose	Precinct B does not provide the intensification required to adequately implement the NPS-UD and the rationale for the 14 metre (4-storey) height limit is not justified.	<b>Delete</b> Residential Intensification Precinct B and <b>replace</b> with Residential Intensification Precinct A.	4.4.5 MDRS & NPS-UD - General - Residential Intensification Precincts	I consider that the application of Residential Intensification Precinct B, and the provisions associated with it (which enable 4-storey development) are consistent with the direction under Policy 3(d) of the NPS-UD to enable building heights and densities that are commensurate with the planned level of commercial activities and community services provided for by the Town and Local Centre Zones. I also consider that the provisions are justified on the basis of the position and function of the Town and Local Centre Zones within the District's centres hierarchy. I also consider that the amendment requested by the submitter does not recognise that Town and Local Centre Zones provide for commercial activities and community services to a lesser degree than the Metropolitan Centre Zone.	<b>Do not accept.</b>	<b>No.</b>
S202.FS.1	S028.56.FS01	Leith Consulting Ltd	PRECx2 - Residential Intensification Precinct B	Support primary submission	Support the intent of this submission that four stories should be amended to allow for at least six stories as per the relief sought in primary submission. Whether the starting point be six or seven stories should be determined by KCDC.	Allow primary submission.	4.4.5 MDRS & NPS-UD - General - Residential Intensification Precincts	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.



Sub #	Submission point number	Submitter name	Specific provision/matter	Position	Reasons (this may be a summary only, refer to the submission for full reasoning)	Decision requested	Evidence section	Assessment	Officer's recommendation	Amendments to PC(N)?
S076	S076.09	Transpower New Zealand Limited	UFD-P1	Support in part	Seeks limited amendments to reflect the constraints of qualifying matters on the ability to provide increased housing densities. Transpower suggests an additional subclause that better reflects the outcomes sought and direction given in higher order documents, including the NPS-UD and the NPSET.	<b>Amend</b> Policy UFD-P1 as follows: <b>New urban development for residential activities will only be located within existing urban areas and identified growth areas, and will be undertaken in a manner which:</b>  1. supports the District's consolidated urban form; 2. maintains the integrity of the urban edge north of Waikanae and Ōtaki; 3. manages residential densities by: a. <b>enabling medium density housing and focused infill housing in identified precinct areas that are close to centres, public open spaces, and public transport nodes;</b> b. <b>retaining a predominantly low residential density in the Residential Zones;</b> c. <b>avoiding any significant adverse effects of subdivision and development in special character areas identified in GRZ-P3;</b> a. <b>providing for a variety of housing types and densities in the General Residential Zone;</b> b. <b>enabling increased housing densities;</b> i. <b>in, and within a walkable catchment of the Metropolitan Centre Zone;</b> ii. <b>within a walkable catchment of the train stations at Paekākāriki, Paraparaumu and Waikanae; and</b> iii. <b>in and adjacent to the Town Centre Zone and Local Centre Zone;</b> c. <b>avoiding inappropriate locations, heights and densities in qualifying matter areas.</b> 4. avoids urban expansion that would compromise the distinctiveness of existing settlements and unique character values in the rural environment between and around settlements; 5. can be sustained within and makes efficient use of existing capacity of public services and strategic infrastructure, or is integrated with the planned capacity of public services and infrastructure; and 6. promotes the efficient use of energy and water.	4.10.3 Qualifying Matters - General Matters - Other Matters	I consider that this matter is already appropriately addressed under policy UFD Px.	<b>Do not accept.</b>	<b>No.</b>
S122.FS.1	S076.09.FS01	Kāinga Ora Homes and Communities	UFD-P1	Oppose primary submission	Kāinga Ora opposes this request, as the relief sought is not required to aid in interpretation or implementation of the Plan. Kāinga Ora also opposes the use of the word 'avoid' in a policy that seeks to enable urban development. It is also noted that the proposed amendment refers to qualifying matters in general, whereas not all qualifying matters seek to limit height and density.	Disallow primary submission.	4.10.3 Qualifying Matters - General Matters - Other Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S076	S076.10	Transpower New Zealand Limited	INF-MENU-R30	Support	Acknowledges and supports the notification of Rule INF-MENU-R30 in the Proposed Plan Change as an existing qualifying matter in accordance with ss77K(1)(e) and/or 77Q(1)(e) of the RMA.	<b>Retain</b> Rule INF-MENU-R30 as an existing qualifying matter as notified.	4.10.3 Qualifying Matters - General Matters - Other Matters	Support is noted.	<b>Accept.</b>	<b>No.</b>
S076	S076.11	Transpower New Zealand Limited	INF-MENU-R31	Support	Acknowledges and supports the notification of Rule INF-MENU-R31 in the Proposed Plan Change as an existing qualifying matter in accordance with ss77K(1)(e) and/or 77Q(1)(e) of the RMA.	<b>Retain</b> Rule INF-MENU-R31 as an existing qualifying matter as notified.	4.10.3 Qualifying Matters - General Matters - Other Matters	Support is noted.	<b>Accept.</b>	<b>No.</b>
S076	S076.12	Transpower New Zealand Limited	INF-MENU-R38	Support	Acknowledges and supports the notification of Rule INF-MENU-R38 in the Proposed Plan Change as an existing qualifying matter in accordance with ss77K(1)(e) and/or 77Q(1)(e) of the RMA. While rule INF-MENU-R32 (National Grid Developed Area) is not including within the IPI as an existing qualifying matter, on the basis residential buildings (sensitive activities) within the National Grid Developed Area are not permitted under the rule, are managed under INF-MENU-R30, and are a non-complying activity under INF-MENU-R38, Transpower supports the IPI as notified in respect of the National Grid specific INF-MENU rules.	<b>Retain</b> Rule INF-MENU-R38 as an existing qualifying matter as notified.	4.10.3 Qualifying Matters - General Matters - Other Matters	Support is noted.	<b>Accept.</b>	<b>No.</b>
S076	S076.13	Transpower New Zealand Limited	SUB-DW-R14	Support	Acknowledges and supports the notification of Rule SUB-DW-R14 in the Proposed Plan Change as an existing qualifying matter in accordance with ss77K(1)(e) and/or 77Q(1)(e) of the RMA.	<b>Retain</b> Rule SUB-DW-R14 as an existing qualifying matter as notified.	4.10.3 Qualifying Matters - General Matters - Other Matters	Support is noted.	<b>Accept.</b>	<b>No.</b>
S076	S076.14	Transpower New Zealand Limited	SUB-DW-R22	Support	Acknowledges and supports the notification of Rule SUB-DW-R22 in the Proposed Plan Change as an existing qualifying matter in accordance with ss77K(1)(e) and/or 77Q(1)(e) of the RMA.	<b>Retain</b> Rule SUB-DW-R22 as an existing qualifying matter as notified.	4.10.3 Qualifying Matters - General Matters - Other Matters	Support is noted.	<b>Accept.</b>	<b>No.</b>
S076	S076.15	Transpower New Zealand Limited	General Residential Zone: Introduction	Support in part	Transpower considers that the introduction would benefit from the inclusion of reference to the constraints imposed by qualifying matters, such as the National Grid. Transpower seeks the inclusion of a further clause to address this.	<b>Amend</b> the General Residential Zone introductory text as follows:  ... <b>The General Residential Zone contributes to the development of a well-functioning urban environment by enabling a variety of housing types and sizes that will provide a greater diversity of housing options for the city. The provisions of this zone incorporate the Medium Density Residential Standards (the MDRS) and give effect to Policy 3 of the National Policy Statement on Urban Development 2020 (the NPS-UD).</b> <b>A mix of housing densities are provided for throughout the Zone, with higher densities enabled in areas that are well served by public transport or are close to a range of commercial activities and community services. Housing types anticipated in the Zone include detached housing, semi-detached housing, terrace housing, low-rise apartments, and in some areas mid-rise apartments. The development of papakāinga is also provided for within the Zone. The Zone does not promote one form of housing over another but instead provides flexibility to meet the community's diverse housing needs, while recognising that there are parts of the Zone where the permitted development height and density may be modified or limited by qualifying matters.</b> <b>It is anticipated that the form, appearance and amenity of neighbourhoods within the Zone will change over time. Design guidelines help manage this change by promoting a high standard of urban design and encouraging new development to contribute positively to the changing character of the Zone.</b> <b>The following precincts are used to recognise or provide for a range of specific matters throughout the Zone, ...</b>	4.10.3 Qualifying Matters - General Matters - Other Matters	I agree with the submitter that including a reference to the constraints associated with qualifying matters in the introduction to the General Residential Zone chapter would improve interpretation of chapter.	<b>Accept.</b>	<b>Yes.</b> Amend the introductory text to the General Residential Zone chapter introduction. Refer to section 4.1 of PC(R1).  <b>Section 32AA evaluation</b> I consider this amendment is a more appropriate way to achieve the objectives of PC2 and the purpose of the RMA, because it provides for appropriate recognition of qualifying matters within the introductory text to the General Residential Zone chapter. I consider this better aligns with the objective with the ability to recognise and provide for qualifying matters under sections 771 and 770 of the RMA and Policy 4 of the NPS-UD.
S076	S076.16	Transpower New Zealand Limited	GRZ-Px1	Support in part	Within the Medium Density Residential Activity Area, qualifying matter areas may limit the amount of permitted medium density development possible on an allotment. While the policy directive within Policy GRZ-Px1 is supported (and reflects Schedule 3A, Part 1, clause (6)(2)(a) of the RMA), Transpower supports reference to qualifying matter areas as they directly influence the capacity for intensification and residential development.	<b>Amend</b> policy GRZ-Px1 as follows:  <b>Enable a variety of housing typologies with a mix of densities within the Zone, including 3-storey attached and detached dwellings, and low-rise apartments while avoiding inappropriate locations, heights and densities of buildings and development within qualifying matter areas as specified by the relevant qualifying area provisions.</b>	4.4.2 MDRS & NPS-UD - General - MDRS Objectives and Policies	Refer to the body of the report.	<b>Do not accept.</b>	<b>No.</b>
S202.FS.1	S076.16.FS01	Leith Consulting Ltd	GRZ-Px1	Support primary submission	Support the reasoning and relief sought in this submission point. Submitters reasons make it clear the qualifying matter areas may impact upon the ability to provide up to 3-storey dwellings in Kapiti and this should be reflected in the policies.	Allow primary submission.	4.4.2 MDRS & NPS-UD - General - MDRS Objectives and Policies	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S122.FS.1	S076.16.FS02	Kāinga Ora Homes and Communities	GRZ-Px1	Oppose primary submission	Kāinga Ora opposes this request, as the relief sought is not required to aid in interpretation or implementation of the Plan. Kāinga Ora also opposes the use of the word 'avoid' in a policy that seeks to enable urban development. It is also noted that the proposed amendment refers to qualifying matters in general, whereas not all qualifying matters seek to limit height and density.	Disallow primary submission.	4.4.2 MDRS & NPS-UD - General - MDRS Objectives and Policies	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S076	S076.17	Transpower New Zealand Limited	GRZ-Px2	Support	Transpower supports GRZ-Px2 (noting it reflects that required under Schedule 3A Part 1(6)(2) of the RMA) on the basis that it recognises qualifying matters.	<b>Retain</b> Policy GRZ-Px2 as notified.	4.4.2 MDRS & NPS-UD - General - MDRS Objectives and Policies	Refer to the body of the report.	<b>Accept.</b>	<b>No.</b>

Sub #	Submission point number	Submitter name	Specific provision/matter	Position	Reasons (this may be a summary only, refer to the submission for full reasoning)	Decision requested	Evidence section	Assessment	Officer's recommendation	Amendments to PC(N)?
S106	S106.01	Munro Duignan Trust	PRECx3 - Coastal Qualifying Matter Precinct	Oppose	<p>The submission supports the submission of the Waikanae Beach Residents Society Inc (S105), which sets out reasons for the relief sought in this submission (S106).</p> <p>The submission analyses the reasoning contained in the S32 report for including a Coastal Qualifying Matter Precinct related to coastal erosion, and states that this reasoning should apply to the coastal hazard of inundation as well.</p> <p>Existing district plan flood hazard provisions do not make the MDRS compatible with the requirements of policy 25 of the NZCPS, as they fail to avoid increasing the risk of social, environmental and economic harm from inundation. In particular:</p> <ul style="list-style-type: none"> <li>- Requiring buildings to be above the AEP 1% level only ensures some assets are out of harms way.</li> <li>- There are economic losses associated with properties and residents being cut off due to inundation that would increase through intensification.</li> <li>- Intensification would increase the amount and value of public and private utility infrastructure and other public assets exposed to loss.</li> <li>- Intensification results in increases in impermeable site coverage which would materially increase the volume of water that would not naturally be absorbed.</li> <li>- Cumulative effects cannot be satisfactorily managed by the current flood hazard provisions.</li> </ul> <p>Allowing intensification prior to the implementation of a flood risk/stormwater management plan change violates policy 3 of the NZCPS, which requires a precautionary approach.</p> <p>The submission also includes:</p> <ul style="list-style-type: none"> <li>- Advice from the Ministry of Housing and Urban Development and the Ministry for the Environment to the Environment Select Committee on the ability to exclude smaller settlements from the application of the MDRS;</li> <li>- A letter from the Minister for the Environment;</li> <li>- A response from the Ministry for the Environment to a request for information on advice to Ministers relating to obligations in the draft National Adaptation Plan and New Zealand Coastal Policy Statement versus the requirement to implement the MDRS.</li> </ul> <p>The submission supports the submission of Glen Wiggs (S098).</p>	<p><b>Amend</b> the Coastal Qualifying Matter Precinct so that it has a landward (eastern) boundary that matches the landward boundary of either:</p> <ol style="list-style-type: none"> <li>the area shown as Coastal Environment in the District Plan; or</li> <li>the areas shown as the Adaptation Zones which the Kapiti Coast District Council determined and published on its Takutai Kapiti Coastal Hazard Susceptibility Assessment maps (<a href="https://maps.kapiticoast.govt.nz/portal/apps/storymaps/stories/dbc000c7263f4d63b8978047ed0e826b">https://maps.kapiticoast.govt.nz/portal/apps/storymaps/stories/dbc000c7263f4d63b8978047ed0e826b</a>).</li> </ol> <p>Pending a plan change promulgated by the Council relating to Coastal Hazards. And such further or other consequential relief as required to give effect to the submission.</p>	4.11.2 Qualifying Matters - Coastal Qualifying Matter Precinct - Beach Residential Submissions	Refer the assessment of Matters A and B in the body of the report.	Do not accept.	No.
S203.FS.1	S106.01.FS01	Ngā Hapū o Ōtaki	PRECx3 - Coastal Qualifying Matter Precinct	Support primary submission	<p>Agree that allowing intensification prior to the implementation of a flood risk/stormwater management plan change compromises policy 3 of the NZCPS, which requires a precautionary approach.</p> <p>The Takutai Kapiti Coastal Hazards Adaptation Zones be marked as Coastal Environment and become Coastal Qualifying Matter Precinct in the District Plan.</p>	Allow primary submission.	4.11.2 Qualifying Matters - Coastal Qualifying Matter Precinct - Beach Residential Submissions	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S106	S106.02	Munro Duignan Trust	PREC3 - Beach Residential Precinct	Oppose	See submission point S106.01.	Further or alternatively, <b>amend</b> PC2 so that existing Beach Residential Precincts become Beach Residential Qualifying Matter Precinct, and that all existing District Plan provisions continue to apply to Beach Residential Qualifying Matter Precincts, and Residential Intensification Precinct B is removed from all Beach Residential Qualifying Matter Precincts. And such further or other consequential relief as required to give effect to the submission.	4.11.2 Qualifying Matters - Coastal Qualifying Matter Precinct - Beach Residential Submissions	Refer the assessment of Matter F in the body of the report.	Do not accept.	No.
S106	S106.03	Munro Duignan Trust	PREC3 - Beach Residential Precinct	Oppose	See submission point S106.01.	Further or alternatively, <b>amend</b> PC2 to adopt a larger Beach Residential Qualifying Matter Precinct based on a full landscape assessment of the coastal environment, particularly as it relates to Waikanae Beach. And such further or other consequential relief as required to give effect to the submission	4.11.2 Qualifying Matters - Coastal Qualifying Matter Precinct - Beach Residential Submissions	Refer the assessment of Matter G in the body of the report.	Do not accept.	No.
S106	S106.04	Munro Duignan Trust	Local Centre Zone	Oppose	See submission point S106.01.	Further or alternatively, <b>amend</b> the Local Centre Zone to give effect to an enlarged Coastal Qualifying Matter Precinct or a Beach Residential Qualifying Matter Precinct. And such further or other consequential relief as required to give effect to the submission.	4.11.2 Qualifying Matters - Coastal Qualifying Matter Precinct - Beach Residential Submissions	Refer the assessment of Matter H in the body of the report.	Do not accept.	No.
S107	S107.01	Land Matters Limited	Existing Hazard Qualifying Matters	Not specified	As drafted, compliant residential units can be established on land in identified hazard areas (including flood and liquefaction hazard areas) as a permitted activity. Land owners who establish additional units are likely to expect to be able to subdivide around those units but will trigger at least a restricted discretionary activity rule for subdivision in identified hazard areas. This approach does not manage the potential hazard risk as dwellings will already be established. Greater clarity is required in the process including through the policies to ensure landowners understand the implications of the existing qualifying matters embodied in the subdivision rules for land in identified hazard areas.	<b>Amend</b> to provide for further clarity in the process relating to existing Hazard Qualifying Matters in the subdivision rules and policies.	4.10.3 Qualifying Matters - General Matters - Other Matters	<p>The operative District Plan provisions related to hazard overlays (specifically the land use rules related to flood hazards and earthquake hazards outlined in the NH - Natural Hazards chapter, and subdivision rules for the same hazards outlined in the SUB-DW - District Wide Subdivision Matters chapter) operate in the ordinary way under PC2. While the construction and use of 3 residential units is a permitted activity under the MDRS land use rule (GRZ-Rx1), where there is a natural hazard overlay located on the land, then the rules related to the overlay will apply in addition to the MDRS land use rule. The effect this has on activity status will vary depending on the particular overlay that applies to the site. For example, within a flood hazard (ponding area) both rules GRZ-Rx1 and NH-FLOOD-R3 apply, meaning that the construction of 3 residential units is a permitted activity under rule GRZ-Rx1, subject to building floor levels being constructed above the 1% AEP flood level. As another example, within a flood hazard (overflow path) area, new buildings are a non-complying activity under rule NH-FLOOD-R16. This rule overrides GRZ-Rx1, and as a result, the construction of residential units would not be a permitted activity in the overflow path overlay.</p> <p>I consider there to be general alignment between the land use and subdivision rules for natural hazard overlays such that the hazards are able to be managed consistently across the land use and subdivision rules. In relation to the matter of liquefaction, I note that while there is a subdivision rule for this matter (SUB-DW-R9) there is no land use rule (land use rules for liquefaction were removed from the District Plan under Plan Change 1B on the basis that this matter is regulated under the Building Act 2004 and the New Zealand Building Code). I do not consider this to be problematic however, on the basis that liquefaction hazard in relation to the construction of new residential units is regulated under the New Zealand Building Code. This is discussed in further detail in the body of the report.</p> <p>I consider the overall approach to existing natural hazard overlays in the District Plan to be an ordinary approach to the operation of overlays under the National Planning Standards, and I do not consider that any further clarification is required on this within the District Plan.</p>	Do not accept.	No.
S202.FS.1	S107.01.FS01	Leith Consulting Ltd	Existing Hazard Qualifying Matters	Support primary submission	<p>Support the submitters reasons regarding hazard areas and the relationship with land use and subdivision could be strengthened and clarified.</p> <p>Improves plan applicability and provides greater certainty for subdividers.</p>	Allow primary submission.	4.10.3 Qualifying Matters - General Matters - Other Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.



Sub #	Submission point number	Submitter name	Specific provision/matter	Position	Reasons (this may be a summary only, refer to the submission for full reasoning)	Decision requested	Evidence section	Assessment	Officer's recommendation	Amendments to PC(N)?
S206.FS.7	S107.01.FS02	Landlink	Existing Hazard Qualifying Matters	Support primary submission	As per Landlink's primary submission - believe that further clarification is required around flood risk and MDRH. Agree that it is not feasible to manage flood risk retrospectively through the application of subdivision rules when land use, and therefore effects, have been legally established.	Allow primary submission in part.	4.10.3 Qualifying Matters - General Matters - Other Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S107	S107.02	Land Matters Limited	SUB-RES-Rx1	Not specified	Residential units/buildings could be constructed as a permitted activity and lawfully established (on land that contains an existing residential unit or is vacant) via the building consenting process. Requiring an approved land use consent where a building consent lawfully establishes a permitted building on a site as a non-complying activity under Rule SUB-RES-R32 results in a perverse outcome.	<b>Amend</b> SUB-RES-Rx1 standards as follows: <b>Standards</b> 1. Where the parent allotment contains an existing residential unit : a. the subdivision must not increase the degree of any non-compliance with Rules GRZ-Rx1, GRZ-Rx2 or GRZ-Rx3; or b. the subdivision must comply with an approved land use resource consent or building consent. 2. Where the parent allotment does not contain an existing residential unit : a. it must be demonstrated that it is practicable to construct residential units on the parent allotment that comply with Rules GRZ-Rx1, GRZ-Rx2 or GRZ-Rx3; or b. the subdivision must comply with an approved land use resource consent or building consent. ...	4.7 MDRS & NPS-UD - Subdivision	I consider it inappropriate to provide for building consents as a method of compliance with these standards. Building consents are granted under the Building Act and not the Resource Management Act. Section 37 of the Building Act gives the Council the power to issue a certificate to require resource consent to be obtained prior to building work proceeding, and as a practical matter this results in 'planning checks' being undertaken as part of the processing of a building consent application to assess whether a resource consent may be required for the work. However, such a certificate is separate to a building consent, and in any case a building consent itself does not certify that the building work approved by the building consent complies with or meets the objectives, policies and rules of the District Plan. Rather, it only confirms that the building work meets the provisions of the New Zealand Building Code.	<b>Do not accept.</b>	<b>No.</b>
S202.FS.1	S107.02.FS01	Leith Consulting Ltd	SUB-RES-Rx1	Support primary submission	Agree with the submitter's point as it aligns with the intent of primary submission. Improves plan useability and the relief sought would avoid perverse outcomes.	Allow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S206.FS.7	S107.02.FS02	Landlink	SUB-RES-Rx2	Support primary submission	Support a change to include that approved building consents could be used to demonstrate compliance with the rule. As per Landlink's primary submission, an application does not receive 'approved' land use for a permitted activity, therefore rule requires amendment/clarification.	Allow primary submission in part.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S107	S107.03	Land Matters Limited	SUB-RES-R27	Not specified	See submission point S107.02.	<b>Amend</b> SUB-RES-R27 standards as follows: <b>Standards</b> 1. Where the parent allotment contains an existing residential unit : a. the subdivision must not increase the degree of any non-compliance with Rules GRZ-Rx1, GRZ-Rx2 or GRZ-Rx3; or b. the subdivision must comply with an approved land use resource consent or building consent.  This standard does not apply to the subdivision of land in the Coastal Qualifying Matter Precinct. 2. Where the parent allotment does not contain an existing residential unit : a. it must be demonstrated that it is practicable to construct residential units on the parent allotment that comply with Rules GRZ-Rx1, GRZ-Rx2 or GRZ-Rx3; or b. the subdivision must comply with an approved land use resource consent or building consent.  This standard does not apply to the subdivision of land in the Coastal Qualifying Matter Precinct. ...	4.7 MDRS & NPS-UD - Subdivision	Refer to the body of the report.  Note that as part of the amendments recommended to the rule cascade (outlined in the body of the report), I have recommended deleting standards 1 and 2 from this rule.	<b>Accept in part.</b> Refer to the body of the report for details.	<b>Yes.</b> Amend SUB-RES-R27. Refer section 10.7 of PC(R1).  <b>Section 32AA evaluation</b> Refer to the body of the report for details.
S202.FS.1	S107.03.FS01	Leith Consulting Ltd	SUB-RES-R27	Support primary submission	Agree with the submitter's point as it aligns with the intent of primary submission. Improves plan useability and the relief sought would avoid perverse outcomes.	Allow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S107	S107.04	Land Matters Limited	SUB-RES-R27	Not specified	To provide consistency across the development and subdivision provisions. If construction of a dwelling or building which does not comply with one or more of the standards under rules GRZ-Rx1 or GRZ-Rx2 except for standard GRZ-Rx1.1 can be processed without public notification, then the same should apply to subdivisions where a land use consent exists or where compliance can be demonstrated with those same rules.	<b>Amend</b> SUB-RES-R27 where the development does not comply with one or more of the standards under rules GRZ-Rx1 or GRZ-Rx2, except for standard GRZ-Rx1.1 to provide for an application for a resource consent under this rule to exclude public notification.	4.7 MDRS & NPS-UD - Subdivision	Refer to the body of the report.	<b>Accept in part.</b> Refer to the body of the report for details.	<b>Yes.</b> Amend SUB-RES-R27. Refer section 10.7 of PC(R1).  <b>Section 32AA evaluation</b> Refer to the body of the report for details.
S202.FS.1	S107.04.FS01	Leith Consulting Ltd	SUB-RES-R27	Support primary submission	Agree with submitter's reasoning regarding notification. Improves plan useability and the relief sought would avoid perverse outcomes and time delays.	Allow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S206.FS.7	S107.04.FS02	Landlink	SUB-RES-R28	Support primary submission	Support that a non-notified approach should also be supported where land-use consent exists (which was non-notified) and the subdivision is subsequent to that/compliant with controlled activity standards.	Allow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S107	S107.05	Land Matters Limited	SUB-RES-R27	Not specified	To provide consistency across the development and subdivision provisions. If construction of a dwelling or building which complies with all the standards under rules GRZ-Rx1 or GRZ-Rx2 can be process on a non-notified basis without notifying any party; then the same should apply to subdivisions where a land use consent exists or where compliance can be demonstrated with those same rules.	<b>Amend</b> SUB-RES-R27 where the development does comply with all the standards under rules GRZ-Rx1 or GRZ-Rx2, except for standard GRZ-Rx1.1 to provide an application for resource consent under this rule to exclude public and limited notification.	4.7 MDRS & NPS-UD - Subdivision	Refer to the body of the report.	<b>Accept in part.</b> Refer to the body of the report for details.	<b>Yes.</b> Amend SUB-RES-R27. Refer section 10.7 of PC(R1).  <b>Section 32AA evaluation</b> Refer to the body of the report for details.
S107	S107.06	Land Matters Limited	General	Not specified	The District Plan nor the National Planning Standards include an interpretation for the term "dwelling". In particular, given that outlook spaces could be located in different residential units within a building, consistent terminology is required to avoid confusion of what a dwelling constitutes as, where residential unit and residential building are already defined.	<b>Amend</b> GRZ-Rx1.8.h (and other subsequent zoning provisions with similar requirements outlook spaces) to remove the term "dwelling" and replace with either "residential building" or "residential unit".	4.4.1 MDRS & NPS-UD - General - General Matters	While I acknowledge the matter raised by the submitter, I note that the wording used under standard 8 of GRZ-Rx1 is the same as that provided under clause 16 of Schedule 3A to the RMA, which is required to be incorporated into the District Plan.	<b>Do not accept.</b>	<b>No.</b>
S202.FS.1	S107.06.FS01	Leith Consulting Ltd	General	Support primary submission	Agree with the submitter's point as it aligns with the intent of primary submission. Improves plan useability and is good practice to use consistent terms/definitions.	Allow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S107	S107.07	Land Matters Limited	SUB-RES-Rx1	Not specified	No specific reasons given.	<b>Amend</b> SUB-RES-Rx1 in the residential zone to remove the requirement that the maximum number of allotments gaining legal and physical access by rights of way shall be 6.	4.7 MDRS & NPS-UD - Subdivision	Refer to my assessment under submission point S107.07.	<b>Do not accept.</b>	<b>No.</b>
S202.FS.1	S107.07.FS01	Leith Consulting Ltd	SUB-RES-Rx1	Support primary submission	Agree with the submitter's point regarding cohousing. Support strengthening provisions regarding co-housing.	Allow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S206.FS.7	S107.07.FS02	Landlink	SUB-RES-Rx2	Support primary submission	Support the removal of requirements to limit users of a ROW to 6 when established land use effects could already exceed expectations of use. See further rationale in Landlink primary submission.	Allow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.

Sub #	Submission point number	Submitter name	Specific provision/matter	Position	Reasons (this may be a summary only, refer to the submission for full reasoning)	Decision requested	Evidence section	Assessment	Officer's recommendation	Amendments to PC(N)?
S122	S122.45	Kāinga Ora Homes and Communities	DO-Ox3	Oppose	Kāinga Ora does not support the approach of applying the General Residential Zone across the district, incorporating identified Residential Intensification Precincts as a planning tool to enable focused intensification. It is noted that this approach is inconsistent with that otherwise being taken by other councils in the greater Wellington region and does not provide the same degree of transparency with regard to the scale and extent of development that is being enabled by the underlying precincts and as directed by the NPS-UD. Kāinga Ora seeks the introduction of a distinct zoning framework to give clear effect to the intensification policy of the NPS-UD. In particular, Kāinga Ora seeks the introduction of a Medium Density Residential Zone (MRZ), which could incorporate a control or precinct to enable additional height and density of urban built form in areas directed by Policy 3 of the NPS-UD. Kāinga Ora would also support the introduction of a High Density Residential Zone (HRZ) in locations where development of at least 6 storeys is to be enabled, such as land located within proximity to the city centre and/or train stations.	1. <b>Delete</b> the Residential Intensification Precincts and replace with a MRZ and HRZ chapter and relevant objectives. Reasons outlined in this submission. 2. <b>Delete</b> this objective (DO-Ox3).	4.4.4 MDRS & NPS-UD - General - Kāinga Ora requests	Refer to the body of the report.	<b>Do not accept.</b>	<b>No.</b>
S197.FS.1	S122.45.FS01	Retirement Villages Association of New Zealand Incorporated (RVA)	DO-Ox3	Support primary submission	The RVA supports the relief sought as it is consistent with the Enabling Housing Act and NPSUD, and will enable consistency across the greater Wellington region, subject to the relief sought in the RVA's primary submission being applied to any new MRZ and HRZ chapters.	Allow primary submission.	4.4.4 MDRS & NPS-UD - General - Kāinga Ora requests	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S230.FS.1	S122.45.FS02	Housiaux, Virginia	DO-Ox3	Oppose primary submission	Object to the reclassification, rezoning, and height changes requested by Kainga Ora. Object to replacing the General Residential Zone with MRZ and HRZ. The original classification, zoning maps and descriptions provided by KCDC were an appropriate response to the government's required changes and to support housing growth in appropriate areas. The changes proposed by this submitter are overly extensive and do not keep with the local unique character of the Kapiti Coast and specifically the Paraparaumu Beach area. Turning this area (outlined in appendix 4 maps sheet 6 & 7) into a high density housing zones with the height they are proposing will destroy this unique character and put significant pressure on already strained infrastructure - e.g. stormwater drains and pollution.	Disallow primary submission.	4.4.4 MDRS & NPS-UD - General - Kāinga Ora requests	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S196.FS.1	S122.45.FS03	Ryman Healthcare Limited	DO-Ox3	Support primary submission	Ryman supports the relief sought as it is consistent with the Enabling Housing Act and NPSUD, and will enable consistency across the greater Wellington region, subject to the relief sought in Ryman's primary submission being applied to any new MRZ and HRZ chapters.	Allow primary submission.	4.4.4 MDRS & NPS-UD - General - Kāinga Ora requests	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S122	S122.46	Kāinga Ora Homes and Communities	DO-O11	Support	Kāinga Ora supports the changes to this objective.	Retain as notified.	4.4.1 MDRS & NPS-UD - General - General Matters	Support is noted.	<b>Accept in part.</b> Noting I have recommended amendments to this provision in response to other submissions.	<b>No.</b>
S122	S122.47	Kāinga Ora Homes and Communities	DO-O11 (Explanatory Text)	Support	Kāinga Ora supports the changes to this explanatory text, but notes that the matters contained within do not form a Qualifying Matter in which to limit application of Policy 3(c) of the NPS-UD.	Retain as notified.	4.4.1 MDRS & NPS-UD - General - General Matters	Support is noted.	<b>Accept in part.</b> Noting I have recommended amendments to this provision in response to other submissions.	<b>No.</b>
S122	S122.48	Kāinga Ora Homes and Communities	DO-O16	Support in part	Kāinga Ora supports the changes to this objective to introduce higher density development, but requests changes to reflect the increase in development capacity requested throughout this submission.	<b>Amend</b> DO-O16 as follows: ... <b>5. provide for higher density urban built character and high-quality development, including:</b> <b>b. buildings up to 4215-storeys within the Metropolitan Centre Zone;</b> <b>c. buildings up to 68-storeys within:</b> <b>i. the Town Centre Zone;</b> <b>ii. the Ihakara Street West, Ihakara Street East and Kapiti Road precincts of the Mixed Use Zone;</b> <b>iii. the Local Centre Zone at Paekākāriki; and</b> <b>d. buildings up to 46-storeys within the Local Centre Zone.</b>	4.4.4 MDRS & NPS-UD - General - Kāinga Ora requests	Refer to the body of the report.	<b>Do not accept.</b>	<b>No.</b>
S085.FS.1	S122.48.FS01	Houston, David	DO-O16	Oppose primary submission	This submission opposes the submission by Kainga Ora requesting building heights of 18m. Opposes due to inundation and predicted coastal erosion.	Disallow primary submission.	4.4.4 MDRS & NPS-UD - General - Kāinga Ora requests	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S202.FS.1	S122.48.FS02	Leith Consulting Ltd	DO-O16	Support primary submission	Agree that buildings of up to 6 stories should be provided within the Local Centre Zone. Aligns with the intent and relief sought in primary submission.	Allow primary submission in part.	4.4.4 MDRS & NPS-UD - General - Kāinga Ora requests	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S097.FS.1	S122.48.FS03	Greater Wellington Regional Council	DO-O16	Oppose primary submission	Kāinga Ora seek a number of amendment to provide for greater development capacity, including: - Increasing the proposed maximum height limits in Metropolitan Centre, Town Centre, Local Centre and Mixed Use zones with additional higher limits within walkable catchments. - Rezoning the spatial extent and properties zoned General Residential Zone to Medium Density Residential Zone. - Rezoning the spatial extent and properties subject to the Residential Intensification Precincts to High Density Residential - Rezoning properties within 400m of a Local Centre Zone as Medium Density Residential  Greater Wellington opposes enabling further intensified development unless there are the necessary controls to manage potential effects of water bodies and freshwater ecosystems to give effect to the National Policy Statement for Freshwater Management and have regard to Proposed RPS Change 1, in particular Objective 12. Greater Wellington seek that additional provisions are included to give effect to the National Policy Statement for Freshwater Management and have regard to Proposed RPS Change 1 to manage the effects of urban development on freshwater.	Disallow primary submission.	4.4.4 MDRS & NPS-UD - General - Kāinga Ora requests	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S230.FS.1	S122.48.FS04	Housiaux, Virginia	DO-O16	Oppose primary submission	Object to the reclassification, rezoning, and height changes requested by Kainga Ora. Object to replacing the General Residential Zone with MRZ and HRZ. The original classification, zoning maps and descriptions provided by KCDC were an appropriate response to the government's required changes and to support housing growth in appropriate areas. The changes proposed by this submitter are overly extensive and do not keep with the local unique character of the Kapiti Coast and specifically the Paraparaumu Beach area. Turning this area (outlined in appendix 4 maps sheet 6 & 7) into a high density housing zones with the height they are proposing will destroy this unique character and put significant pressure on already strained infrastructure - e.g. stormwater drains and pollution.	Disallow primary submission.	4.4.4 MDRS & NPS-UD - General - Kāinga Ora requests	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S100.FS.1	S122.48.FS05	Ātiawa ki Whakarongotai	DO-O16	Oppose primary submission	The proposed intensification under PC2 provides sufficient capacity for the projected need. Enabling further capacity is provided for through future growth area provisions and increased density can be applied for through a resource consent where the effects can be assessed. Design outcomes, including the provision of outdoor living space is critical to the wellbeing of residents. Reject submission points S122.48 & S122.58.	Disallow primary submission.	4.4.4 MDRS & NPS-UD - General - Kāinga Ora requests	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.

Sub #	Submission point number	Submitter name	Specific provision/matter	Position	Reasons (this may be a summary only, refer to the submission for full reasoning)	Decision requested	Evidence section	Assessment	Officer's recommendation	Amendments to PC(N)?
S153	S153.02	Survey + Spatial New Zealand Wellington Branch	GRZ-Rx5	Oppose	The matters of discretion includes "4. Cumulative Effects". For a restricted discretionary activity, we consider that 'cumulative effects' is too broad ranging and this give Council very broad scope to consider changes to any aspect of a proposal. Particularly for a rule that is considering bulk and location breaches for 1-3 units on a site. Such broad scope of discretion is not consistent with a restricted discretionary rule.	<b>Amend</b> GRZ-Rx5 as follows: <b>Matters of Discretion</b> <a href="#">1. The relevant matters contained in the Residential Design Guide in Appendix x1.</a> <a href="#">2. The matters contained in the Land Development Minimum Requirements.</a> <a href="#">3. Consideration of the effects of the standard not met.</a> <del>4. Cumulative effects.</del> <a href="#">5. The imposition of financial contributions in accordance with the Financial Contributions Chapter.</a>	4.4.1 MDRS & NPS-UD - General - General Matters	I agree with the submitter. In any case, where cumulative effects are relevant to the breach of a density standard, these can be considered as part of the assessment of effects under sections 95E and 104(1)(a) of the RMA.	<b>Accept.</b>	<b>Yes.</b> Amend GRZ-Rx5. Refer section 4.28 of PC(R1).  <b>Section 32AA evaluation</b> I consider this amendment is a more appropriate way to achieve the objectives of PC2 and the purpose of the RMA, because provides for appropriately focussed matters of discretion, and avoid unnecessary duplication of a matter that is already provided for under the provisions of the RMA.
S202.FS.1	S153.02.FS01	Leith Consulting Ltd	GRZ-Rx5	Support primary submission	Agree with submitter that 'cumulative effects' is too broad as an assessment matter for a restricted discretionary activity. Aligns with the intent and relief sought in primary submission.	Allow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S153	S153.03	Survey + Spatial New Zealand Wellington Branch	GRZ-Rx6	Oppose	The matters of discretion includes "4. Building density, form and appearance; 5. Streetscape; 7. Reverse Sensitivity; 8. Transport effects and 11 Cumulative effects". For a restricted discretionary activity, we consider that these issues are far too broad ranging and thus give Council very broad scope to consider changes to any aspect of a proposal. Particularly for a multi-unit development that complies with the bulk and location standards. Such broad scope of discretion is not consistent with a restricted discretionary rule.  We also consider that retaining discretion over "8. Transport effects" is not consistent with the intentions of the NPS-UD 2020. Policy 11(b) of the NPS-UD 2020 strongly encourages Council's to develop parking management plans, rather than assess off-site traffic and transport effects through resource consents.	<b>Amend</b> GRZ-Rx6 as follows: <b>Matters of Discretion</b> <a href="#">1. The matters contained in the Residential Design Guide in Appendix x1.</a> <a href="#">2. The matters contained in the Land Development Minimum Requirements.</a> <a href="#">3. Site layout.</a> <del>4. Building density, form and appearance.</del> <a href="#">5. Streetscape.</a> <a href="#">6. Landscaping.</a> <del>7. Reverse sensitivity.</del> <del>8. Transport effects.</del> <a href="#">9. Where the site is located adjacent to a Place and Area of Significance to Māori identified in Schedule 9, effects on cultural values.</a> <a href="#">10. Where the site is located adjacent to a site containing a historic heritage feature, effects on historic heritage values.</a> <del>11. Cumulative effects.</del> <a href="#">12. The imposition of financial contributions in accordance with the Financial Contributions Chapter.</a>	4.4.1 MDRS & NPS-UD - General - General Matters	I agree with the submitter in relation to cumulative effects, for the reasons stated in my assessment under submission point S153.02.  I disagree with the submitter in relation to building density, form and appearance, reverse sensitivity and transport effects. I consider that these are all matters may be relevant to the consideration of effects of development with 4 or more residential units (which is beyond the level permitted by the MDRS, and to which the rule applies). In relation to transport effects, while I agree that policy 11(b) strongly encourages Councils to manage effects associated with the supply and demand of carparking through comprehensive management plans, this does not preclude Councils from considering these effects as part of a resource consent application.	<b>Accept in part.</b> By deleting "cumulative effects" from the list of matters of discretion.	<b>Yes.</b> Amend GRZ-Rx6. Refer section 4.29 of PC(R1).  <b>Section 32AA evaluation</b> I consider this amendment is a more appropriate way to achieve the objectives of PC2 and the purpose of the RMA, because provides for appropriately focussed matters of discretion, and avoid unnecessary duplication of a matter that is already provided for under the provisions of the RMA.
S114.FS.1	S153.03.FS01	Z Energy Limited, BP Oil New Zealand Limited & Mobil Oil New Zealand Limited	GRZ-Rx6	Oppose primary submission	The Fuel Companies oppose this submission point as it removes Council's discretion to assess reverse sensitivity effects on existing lawfully established non-residential activities for developments involving the construction and use of more than three dwellings. The Fuel Companies acknowledge that consideration of reverse sensitivity effects are not appropriate in relation to the construction and use of up to three dwellings per site to enable greater housing supply in accordance with the National Policy Statement for Urban Development (NPS: UD) and Medium Density Residential Standards (MDRS). The Fuel Companies consider that higher density residential developments (i.e. more than three dwellings) have the potential to generate greater reverse sensitivity effects (e.g. noise) compared to, for example, an existing standalone dwelling. As such, the Fuel Companies consider that the consideration of reverse sensitivity effects is appropriate and will enable the ongoing operation of existing non-residential activities and result in better amenity outcomes for future residents. The consideration of reverse sensitivity matters is also consistent with the National Medium Density Design Guide (Ministry for the Environment, May 2022) <sup>1</sup> .	Disallow primary submission.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S206.FS.8	S153.03.FS02	Landlink	GRZ-Rx7	Support primary submission	Support in part in relation to transport. Note transport effects should be approached cautiously given the permitted baseline of the MDRS and effects which will be potentially established through land use.	Allow primary submission in part.	4.4.1 MDRS & NPS-UD - General - General Matters	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S153	S153.04	Survey + Spatial New Zealand Wellington Branch	SUB-DW-Rx1	Oppose	Standard 2 refers to enhancement planting to create attractive features. Such a subjective requirement is not appropriate as a standard that determines compliance with a rule.	<b>Amend</b> SUB-DW-Rx1 as follows: ... <del>2. Existing waterways and stormwater detention areas must be retained, and be enhanced with plantings to create attractive features.</del> ...	4.7 MDRS & NPS-UD - Subdivision	I agree with the submitter for the reasons stated in my assessment under submission point S028.36.	<b>Accept.</b>	<b>Yes.</b> Amend SUB-DW-Rx1. Refer section 10.1 of PC(R1).  <b>Section 32AA evaluation</b> Refer to submission point S028.36.
S202.FS.1	S153.04.FS01	Leith Consulting Ltd	SUB-DW-Rx1	Support primary submission	Agree with submitter that the standard is too subjective and difficult to 'measure compliance against'. Aligns with the intent and relief sought in primary submission regarding that rules and standards should be non subjective and measurable for improved District Plan usability, implementation and compliance monitoring. Request KCDC consider more measuring standards for planting if they wish to retain this provision.	Allow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S054.FS.1	S153.04.FS02	Jonas, Malu	SUB-DW-Rx1	Oppose primary submission	Oppose this submission. PC2 treats vegetation as a mere down-graded 'amenity value', showing no cultural or health understanding for the need for nature near people's homes. It seems absolute tunnel-vision madness, to prioritise housing to such an extent, as to get rid of the very environmental qualities that enhance wellbeing (eg. Proximity to mature trees, mixed vegetation, view shafts to hills, sunlight) in the process.	Disallow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S153	S153.05	Survey + Spatial New Zealand Wellington Branch	SUB-DW-R23	Oppose	The non-complying activity status given to this rule presents a significant consenting barrier. As a matter of practice non-complying status should not be given to any rule lightly without significant justification as to why the activity should be discouraged. This extremely high status would seem disproportionate for a rule about subdivision not complying with servicing standards for water, sewage, stormwater or electricity and telecommunications.	<b>Change</b> the activity status of rule SUB-DW-R23 to have discretionary status.	4.7 MDRS & NPS-UD - Subdivision	SUB-DW-R23 is the non-complying activity rule for subdivision where standards requiring the provision of water, wastewater, stormwater, or electricity and telecommunication infrastructure are not met. For the avoidance of doubt, I consider that SUB-DW-R23 is triggered when infrastructure is not provided to subdivided allotments (whereas servicing and engineering standards for the provision of infrastructure are addressed under the rules of the Infrastructure Chapter). The District Plan includes several policies that require the provision of (or appropriate connection to) infrastructure as part of subdivision, use and development (see policies INF-MENU-P17 - P21).  Because the District Plan sets clear expectations that development infrastructure is required to be provided as part of undertaking subdivision, I consider that non-complying activity status is appropriate and that amending the activity status to discretionary is not justified.	<b>Do not accept.</b>	<b>No.</b>
S206.FS.8	S153.05.FS01	Landlink	SUB-DW-R23	Support primary submission	Non-complying status for subdivision which does not meet serving/infrastructure standards - does not need such a restrictive activity status as non-complying.	Allow primary submission.	4.7 MDRS & NPS-UD - Subdivision	Further submission considered as part of assessment of the primary submission above.	Refer to primary submission above.	Refer to primary submission above.
S153	S153.06	Survey + Spatial New Zealand Wellington Branch	SUB-DW-R25	Oppose	We consider this rule to be flawed on a number of levels. While we would wish to see a 'boundary adjustment' rule, the standards and qualifying criteria are both significantly limiting and subjective such that the rule would have very little practical use.  Perhaps the rule is trying to cover too many possible options at once.	<b>Amend</b> the standards and terms as well as the qualifying criteria to be more clear.	4.7 MDRS & NPS-UD - Subdivision	PC2 amends this rule to update cross references to other rules, but otherwise makes no substantial amendments to the rule. I consider the amendments requested by the submitter to be unclear, and they may wish to clarify this at the hearing.	<b>Do not accept.</b>	<b>No.</b>