

**BEFORE A PANEL OF INDEPENDENT HEARING COMMISSIONERS
AT RAUKAWA MARAE, ŌTAKI**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHEKE
RAUKAWA MAREA, ŌTAKI**

UNDER the Resource Management Act 1991 (**RMA**)

IN THE MATTER of the hearing of submissions on Plan Change 2 to the Kāpiti
Coast District Council District Plan

HEARING TOPIC **Plan Change 2: Intensification**

**LEGAL SUBMISSIONS ON BEHALF OF KĀINGA ORA - HOMES
AND COMMUNITIES**

Dated: 22 March 2023

Instructing solicitor:
C E Kirman
Special Counsel
Kāinga Ora - Homes and Communities
PO Box 14594
Central Auckland 1051
E: claire.kirman@kaingaora.govt.nz

BUDDLE FINDLAY

Barristers and Solicitors
Auckland

Solicitor Acting: **Jennifer Caldwell /
Natalie Summerfield**
Email: jennifer.caldwell@buddlefindlay.com
/ natalie.summerfield@buddlefindlay.com
Tel 64 9 363 0702 Fax 64 9 358 2055
PO Box 1433 DX CP24024 Auckland 1010

MAY IT PLEASE THE COMMISSIONERS

1. INTRODUCTION

- 1.1 These submissions and the evidence to be called are presented on behalf of Kāinga Ora - Homes and Communities (**Kāinga Ora**) in relation to Plan Change 2 of the Kāpiti Coast District Council District Plan (**PC2**). This includes the Intensification Planning Instrument (**IPI**) which has been notified in accordance with the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**Amendment Act**).
- 1.2 The Amendment Act requires the introduction, through the intensification streamlined planning process (**ISPP**) of:
- (a) The planning provisions required through the objectives and policies of the National Policy Statement for Urban Development (**NPS-UD**) that deliver well-functioning urban environments that can change over time; and
 - (b) The medium density residential standards (**MDRS**) as specified in the Amendment Act.
- 1.3 Kāinga Ora is a participant in various ISPP across the country, designed to give effect to national policy direction on urban development. The extent and tenor of Kāinga Ora participation in these processes reflects its commitment both to achieving its statutory mandate and to supporting territorial local authorities to take a strategic and enabling approach to the provision of housing and the establishment of sustainable, inclusive and thriving communities.
- 1.4 Kāinga Ora and its predecessor agencies have a long history of building homes and creating sustainable, inclusive and thriving communities and it remains the holder and manager of a significant portfolio of Crown housing assets. More recently, however, the breadth of the Kāinga Ora development mandate has been expanded and enhanced with a range of powers and functions under both the Kāinga Ora – Homes and Communities Act 2019 and the Urban Development Act 2020.

- 1.5 The detailed submissions lodged by Kāinga Ora on PC2 are intended to:
- (a) support local authorities in their implementation of national policy direction;
 - (b) encourage councils to utilise the important opportunity provided by ISPP to enable much-needed housing development with a place-based approach that respects the diverse and unique needs, priorities, and values of local communities;
 - (c) test the quality of reasoning and evidence relied on to reduce height, density, or development capacity against the legal requirements of the Amendment Act and the NPS-UD; and
 - (d) optimise the ability of updated district plans to support both Kāinga Ora and the wider development community to achieve government housing objectives within those communities experiencing growth pressure or historic underinvestment in housing.
- 1.6 In addition, Kāinga Ora can offer a valuable national perspective to facilitate cross-boundary consistency to the implementation of the Act.
- 1.7 Kāinga Ora acknowledges the directive and compressed timeframes within which councils have been required to prepare and promulgate the intensification plan changes, particularly where preparation of NPS-UD related growth plan changes was already well-advanced or where district plans themselves were in the middle of full review processes.
- 1.8 These legal submissions will:
- (a) briefly summarise the statutory framework within which Kāinga Ora operates;
 - (b) comment on the statutory assessment required to be undertaken by the Hearings Panel;
 - (c) confirm any submission points that have been resolved to the satisfaction of Kāinga Ora by recommendations made in the section 42A report, or where Kāinga Ora may have amended its position in response to the report or evidence provided by other submitters;

- (d) identify and discuss issues arising from Kāinga Ora submission points that remain in contention following the council's section 42A report, including specific legal commentary on those issues;
- (e) introduce the Kāinga Ora witnesses for this hearing.

2. KĀINGA ORA AND ITS STATUTORY MANDATE

2.1 The corporate evidence of Mr Singh sets out the key statutory provisions from which Kāinga Ora derives its mandate. In short, Kāinga Ora was formed in 2019 as a statutory entity under the Kāinga Ora-Homes and Communities Act 2019, which brought together Housing New Zealand Corporation, HLC (2017) Ltd and parts of the KiwiBuild Unit.

2.2 As the Government's delivery agency for housing and urban development, Kāinga Ora works across the entire housing development spectrum with a focus on contributing to sustainable, inclusive and thriving communities that enable New Zealanders from all backgrounds to have similar opportunities in life.¹ It has two distinct roles: the provision of housing to those who need it, including urban development to achieve that function; and the ongoing management and maintenance of the housing portfolio.

2.3 In relation to urban development, there are specific functions set out in the Kāinga Ora – Homes and Communities Act 2019. These include:

- (a) to **initiate, facilitate, or undertake any urban development**, whether on its own account, in partnership, or on behalf of other persons, including:²
 - (i) **development of housing**, including public housing and community housing, affordable housing, homes for first-home buyers, and market housing;³
 - (ii) **development and renewal of urban developments**, whether or not this includes housing development;⁴
 - (iii) development of related commercial, industrial, community, or other amenities, infrastructure, facilities, services or works;⁵
- (b) to **provide a leadership or co-ordination role in relation to urban development**, including by-⁶

¹ Kāinga Ora – Homes and Communities Act 2019, section 12

² Section 13(1)(f).

³ Section 13(1)(f)(i).

⁴ Section 13(1)(f)(ii).

⁵ Section 13(1)(f)(iii).

⁶ Section 13(1)(g).

- (i) supporting innovation, capability, and scale within the wider urban development and construction sectors;⁷
 - (ii) **leading and promoting good urban design and efficient, integrated, mixed-use urban development;**⁸
 - (c) **to understand, support, and enable the aspirations of communities in relation to urban development;**⁹
 - (d) to understand, support, and enable the aspirations of Māori in relation to urban development.¹⁰
- (our emphasis)

2.4 Kāinga Ora participation in the ISPP is clearly aligned with these functions.

2.5 In turn, Kāinga Ora considers that the compact urban form promoted by the Amendment Act and to be implemented through the ISPP clearly aligns with its functions:

- (a) A compact urban form enables residents to live closer to places of employment, education, healthcare, and services such as retail. This reduces the need for travel and supports the use of public transport and active transport modes.
- (b) The intensification around centres promoted by Policy 3 of the NPD-UD further supports those outcomes while enabling the centres to increase in scale, economic activity and viability, diversity of economic, social and cultural activities, and vibrancy;
- (c) A compact urban form enables the sharing of key infrastructure such as urban roading, three water networks and reduces the marginal cost of construction for such infrastructure;
- (d) Intensification, particularly through multi-storey development, reduces the total extent of impermeable surfaces (having regard to roading as well as building coverage) consequently reducing the total stormwater runoff from urban development; and
- (e) Intensification enables an urban form that, overall, is more efficient, connected and supportive of residents while reducing or avoiding the adverse effects and inefficiencies that can arise from less compact forms of development.

⁷ Section 13(1)(g)(i).

⁸ Section 13(1)(g)(ii).

⁹ Section 13(1)(h).

¹⁰ Section 13(1)(i).

- 2.6 In recent years, Kāinga Ora has had a particular focus on redeveloping its existing landholdings, using these sites more efficiently and effectively so as to improve the quality and quantity of public and affordable housing available for those most in need of it. Good examples of this focus are the numerous redevelopments Kāinga Ora has undertaken in Paraparaumu recently to address increased demand for public housing within the Kāpiti Coast.
- 2.7 Successful developments of this nature, as well as the more standard housing developments undertaken by Kāinga Ora throughout New Zealand, are greatly supported and enabled by district plans that recognise the need for them and that provide an appropriate objectives, policies and rules framework that allows for an efficient and cost-effective approval process. Not all district plans currently provide that framework.
- 2.8 The direction contained in the NPS-UD (coupled with the Amendment Act) provides an opportunity to address that issue for the future. Kāinga Ora submissions have therefore focused on critical drivers of successful urban development including density, height, proximity to transport and other infrastructure services and social amenities, as well as those factors that can constrain development in areas that need it, either now or as growth forecasts may project.
- 2.9 If these planning frameworks are sufficiently well crafted, benefits will flow to the wider development community. With the evolution of the Kāinga Ora mandate, via the 2019 establishing legislation and the UDA in 2020, the government is increasingly looking to Kāinga Ora to build partnerships and collaborate with others in order to deliver on housing and urban development objectives. This will include partnering with private developers, iwi, Māori landowners, and community housing providers to enable and catalyse efficient delivery of outcomes, using new powers to leverage private, public and third sector capital and capacity. Local government also has a critical role to play.

3. THE KĀPITI COAST CONTEXT

- 3.1 The Kāpiti Coast district represents a significant growth and intensification opportunity:

- (a) Population within the Wellington region is projected to grow by another 250,000 people by 2051.¹¹ The rate and speed of the Region's growth puts pressures on existing communities, the environment, housing and roads. While there may be debate about the rate of growth, the overall trajectory is clear;
 - (b) There has been significant investment in the road transport network in recent years, making Kāpiti Coast easier to access and improving connectivity to the wider region for Kāpiti Coast residents. These changes include the opening of the Mackays to Peka Peka Expressway,¹² Peka Peka to Ōtaki Expressway,¹³ and Transmission Gully¹⁴ roading project, which collectively have reduced travel times from the north and the south. The proposed Ōtaki to North of Levin project will provide further resilience to the transport network;
 - (c) The district has existing rapid transit stations at Paekākāriki, Paraparaumu and Waikanae, with future rapid transit stations proposed at Hautere, Ōtaki and within greenfield developments north of Paraparaumu and Waikanae;¹⁵ and
 - (d) The extent and form of the district and wider region are significantly influenced by the close proximity to the coast and the surrounding topography. Growth should therefore be targeted to appropriate locations.
- 3.2 The decisions made on PC2 have the potential to enable the District to implement a strategic planning framework which ensures future population growth is accommodated efficiently with due regard to appropriate urban form.

4. THE NPS-UD AND THE AMENDMENT ACT – INTENSIFICATION AS A STARTING POINT

- 4.1 These submissions do not set out the detail of the statutory assessment framework applicable to the Hearing Panel's decision-making role.

¹¹ [GWRC Demographic Forecasts \(sensepartners.nz\)](https://www.sensepartners.nz/).

¹² Opened on 24 February 2017.

¹³ Opened on 23 December 2022.

¹⁴ Opened on 30 March 2022.

¹⁵ Te tupu pai Growing Well, Kāpiti Coast District Council, March 2022, page 16.

Kāinga Ora largely agrees with description of that framework set out in the section 32 and section 42A reports.

- 4.2 However, it is worth recalling the context for promulgation of the NPS-UD and the Amendment Act. Both have their origins in the Productivity Commissioner's report *Using land for Housing*.¹⁶ The Report included findings that planning frameworks were overly restrictive on density, and that density controls were too blunt, having a negative impact on development capacity, affordability, and innovation. The Report also commented that planning rules and provisions lacked adequate underpinning analysis, resulting in unnecessary regulatory costs for housing developments. These observations align well with Kāinga Ora experience.
- 4.3 Policy 3 of the NPS-UD is directive. It requires district plans to enable building heights and density of urban form:
- (a) As much as possible in city centre zones to maximise the benefits of intensification;
 - (b) In all cases at least six storeys and otherwise reflecting demand in metropolitan centre zones;
 - (c) At least six storeys within at least a walkable catchment of rapid transit stops, and the edge of city and metropolitan centre zones;
 - (d) That are commensurate with the level of commercial activity and community services within and adjacent to neighbourhood centre zones, local centre zones and town centre zones.
- 4.4 When applying Policy 3 of the NPS-UD, there are some key observations relevant to Kāpiti Coast District:
- (a) Six storeys is a minimum requirement, not a maximum threshold. At least six storeys must be enabled in metropolitan centre zones, walkable catchments, etc;
 - (b) In Policy 3(c), six storey building heights are to be enabled at least within the referenced walkable catchments. In order words,

¹⁶ Productivity Commission *Using land for housing* (September 2015).

consideration should be given to enabling at least six storeys even beyond the walkable catchment.

4.5 Despite these clear directives, it appears most territorial authorities (including Kāpiti Coast) have limited themselves both to the bare minimum in respect of building heights and intensification within rather than beyond walkable catchments, thereby potentially failing to give sufficient effect to the NPS-UD.

4.6 Policy 6 of the NPS-UD also plays a significant role by expressly addressing the change in mindset required of all decision makers:

Policy 6: When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters: [...]

- (b) that the planned urban built form in those RMA planning documents may have involved significant changes to an area, and those changes:
 - (i) may detract from amenity values appreciated by some people but improved amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types;
 - (ii) are not, of themselves, an adverse effect.

4.7 Established case law reminds us that the requirement to have particular regard to a matter "*is an injunction to take the matter into account, recognising it as something important to the particular decision and therefore to be considered and carefully weighed in coming to a conclusion*".¹⁷ Policy 6 therefore gives significant scope to decision-makers to prioritise the amenity values to be appreciated by communities that do not currently experience those values and by future generations, over existing levels of amenity.

4.8 Section 77G(1), introduced by the Amendment Act, imposes on territorial authorities a duty to incorporate the MDRS in "*every relevant residential zone*", which is defined as meaning all residential zones (with some irrelevant exclusions). Section 77F(2) imposes a duty to give effect to the NPS-UD in "*every residential zone in an urban environment*".

4.9 The sole basis on which a territorial authority may reduce the application of the MDRS or the building heights and density of urban form required

¹⁷ *Marlborough District Council v Southern Ocean Seafoods Ltd* [1995] NZRMA 220 at 228; approved in *New Zealand Transport Agency v Architectural Centre Inc* [2015] NZHC 1991 at [67]-[68].

by Policy 3 of the NPS-UD is set out by Policy 4 of the NPS-UD and section 77I of the Amendment Act. They provide that a district plan may be less enabling than the MDRS and Policy 3 require *only to the extent necessary to accommodate* a qualifying matter.

- 4.10 In practice, a qualifying matter can only apply when a specific set of requirements has been met such as matters required to give effect to:
- (a) A section 6 matter of national importance;
 - (b) A national policy statement or the New Zealand Coastal Policy Statement 2010;
 - (c) The safe or efficient operation of nationally significant infrastructure;
 - (d) Open space for public use;
 - (e) A designation or heritage order;
 - (f) Any matter that satisfies section 77L (ie after the completion of specific site-specific analysis).
- 4.11 The starting point is the MDRS or the Policy 3 requirements, and the reduction from that level must be to the least extent necessary to accommodate the qualifying matter. Any changes to the planning framework required by these documents may then be considered, but any such changes may only be imposed to the limited extent justifiable after meeting the statutory process requirements for considering those changes as summarised above.
- 4.12 In summary, the cost and benefits of any changes must be strictly assessed and quantified. It is not appropriate to determine that a qualifying matter exists and then apply a framework that ensures the maintenance of the status quo.
- 4.13 Finally, Kāinga Ora offers some observations about the role of the section 32 evaluation process and concepts of efficiency, effectiveness and appropriateness:
- (a) Section 32 requires an examination of whether proposed provisions are the most appropriate way of achieving:

- (i) the purposes of the Act;¹⁸ and
- (ii) the relevant objectives.¹⁹

Assessing the efficiency and effectiveness of the provisions in achieving the objectives forms part of that latter examination, but it is not the sole focus;

- (b) A section 32 assessment involves an "*examination of the words used in the section, having regard not only to its context, but also the purposes of the Act*";²⁰
- (c) The tests in section 32 should be read in the context of Part 2 of the RMA, and, in particular, the enabling provisions of section 5(2).²¹ Where there are inconsistencies among a Council's objectives and policies, these should be scrutinised "*through the filter*" of Part 2;²²
- (d) When undertaking the section 32 evaluation, Council must ensure that the proposed plan gives effect to the relevant regional and national policy statements. This is a distinct, overriding obligation;²³
- (e) When assessing whether a proposal meets the proposed objectives, "efficiency" is a broad, "value-laden" concept which has been understood by courts to mean "*the allocation of (limited) resources to the uses for which society values them most*";²⁴ and
- (f) Economic effects (while useful) are neither the sole consideration nor the most important consideration when assessing the objectives.²⁵ The *Geotherm Group* decision, which was affirmed in the High Court, outlines that "*a section 32 analysis requires a wider exercise of judgment*" beyond exclusively assessing economic effects.²⁶

¹⁸ Resource Management Act 1991, s32(1)(a).

¹⁹ Resource Management Act 1991, s32(1)(b).

²⁰ *Countdown Properties (Northlands) Limited v Dunedin City Council* [1994] NZRMA 145 at 162.

²¹ *Port Otago Limited v Dunedin City Council* C4/2002, 22 January 2002 at [27].

²² *NZRPG Management Limited v Western Bay of Plenty District Council* EnvC A026/08, 29 February 2008 at [30].

²³ *Royal Forest and Bird Protection Society of New Zealand Incorporated v Bay of Plenty Regional Council* [2017] NZHC 3080 at [73].

²⁴ *Long Bay-Okura Great Park Society Inc v North Shore CC* ENC Auckland A078/08, 16 July 2008 at [287].

²⁵ *Port Otago Limited v Dunedin City Council* C4/2002, 22 January 2002 at [27].

²⁶ *Geotherm Group Limited v Waikato Regional Council* EnvC Auckland A151/06, 19 November 2006 at [48]; *Contact Energy v Waikato Regional Council* (2007) 14 ELRNZ 128 at [51] and [92].

- 4.14 There are key provisions in the NPS-UD and the Amendment Act that shape what "efficient and effectiveness" means in the context of this plan change, due to the directive, clear nature of these two documents:
- (a) Objective 3 of the NPS-UD which requires district plans to enable more people to live in areas of an urban environment where specific features such as proximity to centres, existing or planned public transport and high demand for housing exist;
 - (b) Objective 4 of the NPS-UD which acknowledges that urban environments, including their amenity values, develop and change over time in response to diverse and changing needs of people, communities, and future generations;
 - (c) Objective 6(c) of the NPS-UD which requires local authority decisions on urban development to be responsive, particularly in relation to proposals that would supply significant development capacity;
 - (d) Section 77G of the RMA which sets **a mandatory requirement** on local authorities to:
 - (i) apply the MDRS to all residential zones (subject to the appropriate application of qualifying matters);²⁷
 - (ii) give effect to Policy 3 of the NPS-UD (for Tier 1 local authorities such as Kāpiti);²⁸
 - (iii) include the objectives and policies set out in clause 6 of Schedule 3A;²⁹
- 4.15 Section 77H of the RMA which clearly states the MDRS mandatory provisions in Schedule 3A are a baseline and can be amended to provide greater development.

²⁷ Section 77G(1) of the RMA.

²⁸ Section 77G(2) of the RMA.

²⁹ Section 77G(5) of the RMA

5. SUBMISSION POINTS RESOLVED AND KĀINGA ORA CHANGES IN POSITION

5.1 A summary table of the Kāinga Ora submissions relevant to PC2 and the final Kāinga Ora position on those submission points is attached at **Appendix A**.

5.2 Kāinga Ora regards the following matters as now resolved following consideration of the section 42A report recommendations:

- (a) The submission point seeking that coastal hazards be addressed by an overlay rather than the Coastal Qualifying Matter Precinct. While contrary to the general approach taken by Kāinga Ora to the application of qualifying matters, Kāinga Ora accepts the use of a precinct tool as the Council intends to undertake further plan change work on coastal hazards;
- (b) Provisions relating to papakāinga, noting that these provisions have been developed in partnership with iwi;
- (c) Retention of the maximum permitted building heights;³⁰
- (d) Retention of maximum permitted building heights of 14m in the General Residential Zone, where adjacent to the Local Centre Zone, and the spatial extent of those areas;
- (e) Retention of particular MDRS density standards;³¹
- (f) Deletion of Rule GRZ-Rx7 to remove duplication;
- (g) Amendments to the notification preclusion clause in the Commercial zones, Mixed Use zone³² and subdivision rules;³³ and
- (h) The inclusion of a definition for 'rapid transit stop'.

³⁰ Rule TCZ-R11; Rule LCZ-R12.

³¹ Outdoor living spaces – Residential and Centres zones; Height in Relation to Boundary – Metropolitan Centre; Town Centre, Local Centre and Mixed Use Zones as they apply to boundaries with sites outside the centres zone; Building Coverage – Residential zones; Setbacks – Residential zones.

³² Rules MCZ-R13; TCZ-R11; LCZ-R12; MUZ-R13.

³³ Amendment to rule SUB-RES-R30 to include a preclusion to public and limited notification.

6. KĀINGA ORA SUBMISSION POINTS IN CONTENTION

6.1 Following review of the Council's section 42A report and the evidence lodged by other submitters, Kāinga Ora considers the following key submission points remain unresolved from its perspective, and these will be the focus of the evidence that follows:

- (a) The Council's approach to the Residential Zoning Framework;
- (b) Development standards and provisions to assist with greater intensification and density;
- (c) Expansion of the Ōtaki Town Centre; and
- (d) The role and status of Design Guides.

7. THE COUNCIL'S APPROACH TO THE RESIDENTIAL ZONING FRAMEWORK

7.1 The Kāinga Ora submission on PC2 opposed the notified residential zoning framework on the basis that the Council had maintained the status quo represented by the General Residential Zone (**GRZ**) but applied identified Residential Intensification Precincts to highlight uplift areas.

7.2 Kāinga Ora has a number of concerns with this approach. Those concerns, summarised below and addressed in greater detail by Ms Williams are that the notified residential zoning framework:

- (a) Provides inadequate direction and transparency with regard to the scale and extent of development enabled in Residential Intensification Precinct A and Residential Intensification Precinct B, adding unnecessary complexity to the Plan.³⁴ Simply put, the Council's proposed framework does not help plan users to distinguish where the medium density and high density residential living is enabled within the Kāpiti Coast district;³⁵
- (b) Does not give sufficient effect to the NPS-UD or the Amendment Act, as it fails to provide for adequate housing choice and variety in residential built form to support changing demographics,

³⁴ Statement of evidence for Karen Williams, 10 March 2023, para 5.6.

³⁵ Statement of evidence for Gurv Singh, 10 March 2023, para 7.2.

lifestyles, rising housing costs, future housing demands and population growth;³⁶

- (c) Does not provide clear development outcomes intended for the GRZ, as required by clause 3.35 of the NPS-UD;³⁷
- (d) Is not consistent with the National Planning Standard zone descriptions and outcomes; and
- (e) Is not consistent with the approach taken by other territorial authorities within the Wellington Region, causing confusion to plan users across the Region.³⁸

7.3 To address these concerns, Kāinga Ora continues to seek:

- (a) Replacement of the GRZ and the Residential Intensification Precinct (RIP-B) with a new Medium Density Residential Zone (**MRZ**), which would apply to the wider residential environment, together with a height variation control to enable additional height and density of urban built form around the Local Centre Zones; and
- (b) The addition of a new zone and separate plan chapter for the High Density Residential Zone (**HRZ**), enabling at least 6 storeys in locations in close proximity to the Metropolitan Centres, rapid transit stations, and the Town Centre zones.

The Kāinga Ora submission included proposed chapters and Ms Williams will take you through the key provisions, as they have been updated following consideration of the Section 42A report.

Section 42A report response

7.4 The reporting officer did not support the Kāinga Ora position. In reaching his conclusion, the reporting officer raised two questions:³⁹

- (a) Is replacing the GRZ with a MRZ and HRZ the most **efficient** and **effective** method of incorporating the MDRS and giving effect to Policy 3 of the NPS-UD?

³⁶ Statement of evidence for Karen Williams, 10 March 2023, paragraph 5.22.

³⁷ Statement of evidence for Karen Williams, 10 March 2023, para 5.6.

³⁸ Statement of evidence for Gurv Singh, 10 March 2023, paragraph 7.6.

³⁹ Paragraphs 227(a) and (b) of the Section 42A Report, 24 February 2023.

- (b) Is it **appropriate** to incorporate the MRZ and HRZ chapters sought by Kāinga Ora into the District Plan, and it is **necessary** to do so in order to incorporate the MDRS and give effect to Policy 3 of the NPS-UD?

(Our emphasis)

7.5 Both questions were answered in the negative. In relation to the first question, the reporting officer's reasoning is set out at paragraphs 227 to 230 of his report and can be summarised as follows:

- (a) The section 32 report assessed both the notified proposal (GRZ with Residential Intensification Precincts) and the MRZ / HRZ option proposed by Kāinga Ora, and concluded that both options would give effect to the MDRS and Policy 3 of the NPS-UD, but that the notified option would "do so in a more efficient manner";⁴⁰
- (b) The primary considerations in the section 32 report were:⁴¹
 - (i) the Operative District Plan framework, from which it would be "both unnecessary and inefficient to depart";⁴² and
 - (ii) the National Planning Standards, with which the Operative District Plan is already consistent;⁴³
- (c) The Kāinga Ora approach would:
 - (i) increase the complexity of the District Plan (through the introduction of two new zones); and
 - (ii) require consequential amendments across the plan in order to incorporate the new residential zoning framework, resulting in an administrative burden.

7.6 One of Council's key reasons for not supporting the Kāinga Ora residential zoning framework is that it is not an efficient and effective method, and that consequential amendments would be required to other parts of the District Plan. While the reporting officer does not expressly say so, the inference is that one of the Council's primary concerns with the Kāinga Ora approach is the potential time and costs associated with

⁴⁰ Paragraph 228 of the Section 42A Report, 24 February 2023.

⁴¹ Paragraph 229 of the Section 42A Report, 24 February 2023.

⁴² Paragraph 229 of the Section 42A Report, 24 February 2023.

⁴³ Paragraph 230 of the Section 42A Report, 24 February 2023.

developing a different residential zoning framework than what was notified (what might be described as "administrative ease").

- 7.7 The key legal principles for section 32 evaluation reports clearly establish that the concept of efficiency extends beyond administrative ease to encompass efficiency of process and application. Effectiveness must relate to the purpose for which the changes are being made – ie the Council must assess the "*contribution new provisions make towards achieving the objective, and how successful they are likely to be in solving the problem they were designed to address*".⁴⁴ Kāinga Ora considers that the notified planning framework fails to effectively and successfully enable housing supply in the District.
- 7.8 In relation to the second question, the reporting officer reasoned that:
- (a) It would not be appropriate to simply replace the GRZ with the Kāinga Ora proposed chapters as these were structured differently to the Operative District Plan;⁴⁵
 - (b) The Kāinga Ora approach goes "beyond restructure of the chapters...and into matters of substance";⁴⁶
 - (c) The chapters proposed by Kāinga Ora represent a "significant change to the objectives, policies, rules and standards provided for in the General Residential Zone under PC(N)".⁴⁷
- 7.9 The reporting officer queried whether the Kāinga Ora proposed amendments were 'necessary' to incorporate Policy 3 and the MDRS into the District Plan. Appropriately, the section 42A report did not subsequently discuss the matter of necessity. The key issue before this Panel is whether the PC2 provisions **give effect** to the NPS-UD and the Amendment Act requirements.
- 7.10 Kāinga Ora considers the notified planning framework fails to do so and that further amendments are required.

⁴⁴ Ministry for the Environment "A guide to section 32 of the Resource Management Act: Incorporating changes as a result of the Resource Legislation Amendment Act 2017" (2017) Wellington, Ministry for the Environment, at 18.

⁴⁵ Paragraph 231 of the Section 42A Report, 24 February 2023.

⁴⁶ Paragraph 232 of the Section 42A Report, 24 February 2023.

⁴⁷ Paragraph 233 of the Section 42A Report, 24 February 2023.

Kāinga Ora response

- 7.11 The section 42A analysis is both superficial and disappointing given the clear directives of the Amendment Act to enable intensification and expedite the operation of planning provisions required under Policy 3 of the NPS-UD, notwithstanding the potential changes that might occur to existing amenity. Preservation of the status quo – for what are principally concerns about administrative burden and departure from what is "known" and well-understood – will not achieve compliance with these directives.
- 7.12 As outlined by Mr Singh, the alternative residential zoning framework proposed by Kāinga Ora was intended to emphasise the different outcomes sought between the MRZ/HRZ, from those enabled by the GRZ, and to encourage a greater degree of intensity of built form and density than anticipated in the notified GRZ objectives. Intensification and increased density increases is the starting position mandated by the Amendment Act and NPS-UD. The Council's approach fails to accomplish the paradigm shift required.

Kāinga Ora alternative residential zoning framework – further evolution of position

- 7.13 In light of the reporting officer's comments and in an effort to find common ground, Kāinga Ora has developed a "hybrid" approach to the residential zone framework that also acknowledges the significant restriction on the application of the MDRS imposed by the Coastal Qualifying Matter Precinct (**CQMP**).
- 7.14 The key features of the hybrid position proposed by Ms Williams in her evidence are:
- (a) The GRZ remains in place to accommodate both the restrictive outcomes directed by the CQMP together with the enabling MDRS outcomes; and
 - (b) The HRZ and its separate chapter is included and applied to locations where the built development outcomes sought are at least 6 storeys.
- 7.15 Ms Williams included a proposed HRZ chapter at Appendix C of her evidence. Following further consideration of the proposed HRZ chapter,

Ms Williams' proposes several further amendments to her proposed HRZ chapter. These include:

- (a) Inclusion of all five mandatory MDRS policies in all relevant residential zones;
- (b) Amendments to the HIRB standard as it applies in the Marae Takiwā Precinct to ensure it is clear that the 19m + 60° *does not* apply in this precinct;
- (c) Changes to the fence rule following further review of Mr Rae's evidence;
- (d) A change wording of matters of discretion to ensure national consistency; and
- (e) Adding in the policies from two precincts to the proposed HRZ – the Beach Residential Precinct and Waikanae Garden Precinct – as there are some areas within Paekakariki and Raumati that are within those precincts and the HRZ, as well as an area to the west of Waikanae that is within the Waikanae Garden Precinct and HRZ. These policies have no rules attached to them but should be included in the zone for completeness.

Ms Williams will discuss the proposed further amendments at the hearing. A copy of the proposed amendments at attached at **Appendix B**.

7.16 Kāinga Ora maintains its position, in reliance on the evidence of its witnesses, that the notified residential planning framework does not provide the most efficient and effective framework to give effect to the NPS-UD or the Amendment Act and that the Kāinga Ora proposal, as evolved by Ms Williams, should be preferred on the basis that it:

- (a) Provides greater opportunities for residential development and intensification to occur, and in a clear, succinct manner for all plan users;
- (b) Ensures sufficient land is available to meet the short, medium and long-term housing needs for Kāpiti, as required by the NPS-UD;

- (c) Provides a stronger residential framework than the framework proposed by the council; and
- (d) Have been appropriately assessed by Ms Williams in accordance with section 32AA of the RMA. That assessment concludes that the proposed Kāinga Ora residential planning framework is more appropriate in achieving the purpose of the RMA than the notified planning framework.⁴⁸

7.17 Further, in view of the work undertaken by Ms Williams to develop and draft the alternative residential planning framework with a view to minimising consequential amendments, Kāinga Ora considers the Council's concerns in relation to administrative efficiency and inconsistency with the balance of the District Plan to be unfounded and overstated.

8. DEVELOPMENT STANDARDS AND PROVISIONS TO ASSIST WITH GREATER INTENSIFICATION AND DENSITY

8.1 Kāinga Ora seeks a number of amendments across the residential development standards to support increased density and intensification as outlined in detail by Ms Williams, with support from Mr Rae, to better enable the NPS-UD and Amendment Act across the Kāpiti District:

- (a) Maximum building height in the HRZ in order to provide greater flexibility to ensure a high quality design response and provide for innovation in design;⁴⁹
- (b) Height Variation Control to enable buildings of 36m within 400m of the Metropolitan Centre Zone – to enable a 10 storey building in the HRZ;
- (c) Height in Relation to Boundary Controls (**HIRB**) – 19m + 60° within the first 22m of the site to incentivise and provide for intensification in the HRZ with a 8m + 60° control for all other boundaries where they are located further than 22m from the site frontage and a 4m + 60° to manage the interface with the GRZ and on adjacent sites that contain heritage buildings or sites of significance;

⁴⁸ Statement of evidence for Karen Williams, 10 March 2023, Appendix B.

⁴⁹ Statement of evidence for Nicholas Rae, 10 March 2023, paragraphs 5.18 to 5.22.

- (d) Notification preclusions in the residential zones;
- (e) Commercial activities in the HRZ at the ground floor of apartment buildings; and
- (f) Increased maximum heights in the Metropolitan Centre Zones from 43m to 50m.

8.2 While the amendments to the development standards above are largely planning and urban design matters, these do affect whether PC2 is able to give effect to the NPS-UD and the Amendment Act. By way of example, the HIRB controls. As outlined by Mr Rae,⁵⁰ HIRB is the main height controlling provision to achieve taller buildings on existing narrow sites, rather than the height standard itself. While PC2 provides building heights that accord with the NPS-UD and the Amendment Act, the Council's proposed HIRB of 4m + 60° unreasonably restricts intensification. In contrast, Mr Rae considers the 19m + 60° HIRB with a 50% building coverage will result in a superior built form, and better alignment with the NPS-UD and Amendment Act requirements.

9. EXPANSION OF THE ŌTAKI TOWN CENTRES

9.1 Kāinga Ora seeks that the spatial extents for both Ōtaki town centres are extended as follows:

- (a) Ōtaki Main Street – to the east and west;
- (b) Ōtaki Railway Town Centre – to the north, west and south.

9.2 The Council opposes the proposed expansions on the basis that there to be no justification to support the Kāinga Ora position.⁵¹

9.3 The reasons supporting the expansion of both Town Centres can be summarised as follows:

- (a) Policy 2 of the NPS-UD requires the Council to provide at least sufficient development capacity for business land over the short, medium, and long term timeframes. As outlined by Mr Cullen, the proposed Town Centre expansions would support the long-term

⁵⁰ Statement of evidence for Nicholas Rae, 10 March 2023, paragraph 5.2.

⁵¹ Section 42A Report, para. 236.

business land demand, while also signalling Ōtaki as a growth centre for the district;

- (b) *Te tupu pai* identifies Ōtaki as a key district centre in the north to service the projected growing population,⁵² where Mr Cullen acknowledges both that both centres already provide a broad range of services; and
- (c) When the Ōtaki train station becomes a rapid transit station,⁵³ the Town Centres will have both commercial and residential growth opportunities (in accordance with the NPS-UD, particularly Policy 3). The District Plan should enable this growth to occur now, rather than require a separate plan change later.

9.4 Further assessment of the spatial extent of the Town Centres and corresponding walkable catchments was completed by Mr Rae. In particular, he recommends the following modifications to the Kāinga Ora original position:

- (a) Removal of the Town Centre zoning on the Raukawa Marae;
- (b) Removal of the HRZ and reversion to the GRZ on the elevated land at Lupin Road;
- (c) An expansion of the HRZ at Anzac Street to provide a better boundary with the open space at Ōtaki Domain.

9.5 Kāinga Ora supports the proposed modifications set out in Mr Rae's evidence.

10. DESIGN GUIDES

10.1 Kāinga Ora seeks that Design Guides sit outside of the District Plan as a non-statutory document to guide plan users in an informed manner during the design process for proposals and to assist applicants with an understanding of how to achieve the planned outcomes of the plan. Ms Williams supports the Kāinga Ora position, and considers it is inappropriate to require consistency with Design Guides as a matter for consideration as part of the actual policy or rules framework.

⁵² *Te tupu pai*, Kāpiti Coast District Council, March 2022, page 36.

⁵³ *Ibid*, page 16.

- 10.2 The reporting officer did not agree with the Kāinga Ora approach.
- 10.3 Ms Williams considers that in order to best achieve a high quality urban environment, the outcomes should be clearly expressed directly within the provisions of the district plan – directly through amendments to the key policies, and then strengthened through matters of discretion within the relevant rules. This approach should only apply to critical outcomes that a Design Guide is seeking to achieve. The extent to which a proposal achieves those outcomes can be measured against the Design Guide itself, in reference to the relevant matters of discretion. As a result, Ms Williams seeks amendments to a number of provisions.⁵⁴
- 10.4 Kāinga Ora supports Ms Williams' analysis and considers this approach would give better effect to the RPS, particularly Policy 54 which requires the district plan to have particular regard to achieving the region's urban design principles.⁵⁵
- 10.5 Further, by ensuring the key outcomes are articulated clearly in the policy and rule framework (rather than the Design Guides itself) the Design Guide can be updated and amended in accordance to best practice without the need to go through a Schedule 1 process. This appears to be a more efficient and effective way to address the matter.

11. EVIDENCE

- 11.1 Evidence by the following witnesses has been exchanged in support of submissions by Kāinga Ora for this hearing topic:
- (a) Gurv Singh – Corporate evidence and Kāinga Ora representative;
 - (b) Karen Williams – planning;
 - (c) Nick Rae – urban design; and

⁵⁴ GRZ-Px6 and GRZ-R6; HRZ-Px6 and HRZ-R6; MCZ-P8 and MCZ-R13; TCZ-P6 and TCZ-R11; LCZ-P6 and LCZ-R12; MUZ-P6 and MUZ-R13.

⁵⁵ See Appendix 2 of the RPS.

(d) Michael Cullen – economics.

Dated

2023

Jennifer Caldwell
Counsel for Kāinga Ora – Homes
and Communities

Appendix A: Table summarising submissions and Kāinga Ora response

Primary Submissions			
Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
122.01 – 122.13	District Plan Wide Centres Hierarchy and Scale	<p>Kāinga Ora generally supports the approach to implement the NPS-UD and the Housing Supply Act by incorporating a Centres hierarchy and intensification provisions into the KCDC District Plan.</p> <p>The Kāinga Ora submission as a whole seeks improvements to better align with national direction and achieve regional consistency with this direction. Consequently, a review of the Wellington Region’s Centres hierarchy and intensification provisions is considered necessary given the broad range of approaches taken across the Wellington Region.</p>	<p>Supports the alignment of plan provisions with national planning directions to provide for well-functioning environments that meet the needs of current and future generations.</p> <p>Supports targeted planning provisions (within defined walkable catchments around centres and rapid transit stops) as a critical component in achieving compact urban form envisioned by the NPS-UD.</p> <p>Kāinga Ora does not support the approach taken within PC(N) of incorporating identified Residential Intensification Precincts within the General Residential Zone (GRZ) as a planning tool to enable focused intensification, and instead seeks separate residential zone chapters to direct and achieve this outcome.</p> <p>Kāinga Ora seeks a height variation control to enable additional height and density of urban built form around the LCZ (giving effect to Policy 3(d) of the NPSUD), rather than the use of proposed Residential Intensification Precinct-B (RIP-B).</p> <p>Supports increase in the height limit to the HRZ within a 400m walkable catchment of the MCZ.</p>
122.14	District Plan Wide	Supportive in part. Seeks amendment of standards across the plan to be proportionate to the building height changes sought in this submission.	Sought that a HRZ be applied to a greater extent than what is proposed in PC(N), with greater building heights available within the walkable catchments for areas outside the Coastal Qualifying Matter Precinct.
122.15	District Plan Wide Qualifying Matters – method	Oppose. Kāinga Ora requests all qualifying matters be controlled by overlays, with provisions within Part 2 General District-Wide section of the District Plan.	Preference is for renaming, however not pursuing as accept will be reviewed at time of future plan change for Coastal Hazards

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
122.16	District Plan Wide Coastal Qualifying Matter Precinct	Supportive in part. Supportive of identification of a coastal hazard as a qualifying matter (s771 and s770). Opposes naming of qualifying matter as a 'Coastal Qualifying Matter Precinct'.	Preference is for renaming, however not pursuing as accept will be reviewed at time of future plan change for Coastal Hazards
122.17	District Plan wide Reference to Design Guides and design guidelines	Opposes inclusion of Design Guides or design guidelines in the Plan. Opposes any policy or rule approach which require development proposals to comply with design guidelines in District Plan. Alternatively seeking design guidelines for residential subdivision, multi-unit development and residential development in commercial centres which sit outside of the Plan. Sought reallocation of Design Guide or design guideline within specific rule, matter of discretion or assessment criterion if Council is to include within Plan.	Opposes, outcomes required to achieve a high quality urban environment should be clearly expressed directly within the provisions of the Plan. Seeks amendment of GRZ-Px6, HRZ-Px6, MCZ-P8, TCZ-P6, LCZ-P6 and MUZ-P6 to articulate key design outcomes directly into policies and GRZ-R6, HRZ-R6, MCZ-R13, TCZ-R11, LCZ-R12 and MUZ-R13 to strengthen the matters of discretion within these rules.
122.18 – 122.22	District Plan wide Reference to Design Guides and design guidelines	Opposes, seeks deletion of all references to the Design Guides and design guidelines.	Opposes, outcomes required to achieve a high quality urban environment should be clearly expressed directly within the provisions of the Plan. Seeks amendment of GRZ-Px6, HRZ-Px6, MCZ-P8, TCZ-P6, LCZ-P6 and MUZ-P6 to articulate key design outcomes directly into policies and GRZ-R6, HRZ-R6, MCZ-R13, TCZ-R11, LCZ-R12 and MUZ-R13 to strengthen the matters of discretion within these rules.
122.19	District Plan wide Reference to Design Guides and design guidelines	Opposes, seeks where particular design outcomes are to be achieved, these should be specifically stated in matters of discretion or assessment.	Opposes, outcomes required to achieve a high quality urban environment should be clearly expressed directly within the provisions of the Plan. Seeks amendment of GRZ-Px6, HRZ-Px6, MCZ-P8, TCZ-P6, LCZ-P6 and MUZ-P6 to articulate key design outcomes directly into policies and GRZ-R6, HRZ-R6, MCZ-R13, TCZ-R11, LCZ-R12 and MUZ-R13 to strengthen the matters of discretion within these rules.
122.20	District Plan wide	Opposes, If the Design Guides and design guidelines and references to such guidelines in	Opposes, outcomes required to achieve a high quality urban environment should be clearly expressed directly within the

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
	Reference to Design Guides and design guidelines	the District Plan, Kāinga Ora seeks that the design guidelines are amended, simplified and written in a manner that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to provide for a design that fits and works on site, rather than rules that a consent holder must follow and adhere to. Otherwise, there is no flexibility and scope to create a design that fits with specific site characteristics and desired built form development.	provisions of the Plan. Seeks amendment of GRZ-Px6, HRZ-Px6, MCZ-P8, TCZ-P6, LCZ-P6 and MUZ-P6 to articulate key design outcomes directly into policies and GRZ-R6, HRZ-R6, MCZ-R13, TCZ-R11, LCZ-R12 and MUZ-R13 to strengthen the matters of discretion within these rules.
122.21	District Plan wide Reference to Design Guides and design guidelines	Opposes, if the relief sought in submissions 122.17 to 22.20 are not granted, Kāinga Ora seeks opportunity to review guidelines if they are to remain a statutory document.	Opposes, outcomes required to achieve a high quality urban environment should be clearly expressed directly within the provisions of the Plan. Seeks amendment of GRZ-Px6, HRZ-Px6, MCZ-P8, TCZ-P6, LCZ-P6 and MUZ-P6 to articulate key design outcomes directly into policies and GRZ-R6, HRZ-R6, MCZ-R13, TCZ-R11, LCZ-R12 and MUZ-R13 to strengthen the matters of discretion within these rules.
122.22	District Plan wide Reference to Design Guides and design guidelines	Opposes, seeks all necessary consequential changes to give effect to the relief sought [in submission points 122.17 to 122.21.	Opposes, outcomes required to achieve a high quality urban environment should be clearly expressed directly within the provisions of the Plan. Seeks amendment of GRZ-Px6, HRZ-Px6, MCZ-P8, TCZ-P6, LCZ-P6 and MUZ-P6 to articulate key design outcomes directly into policies and GRZ-R6, HRZ-R6, MCZ-R13, TCZ-R11, LCZ-R12 and MUZ-R13 to strengthen the matters of discretion within these rules.
122.23	Add definition of 'Access site'	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
122.24	Add definition of 'Ancestral land'	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.25	Add definition of 'Driveway (in relation to outlook space)'	Supportive in part, sought an amendment to include access ' <i>leg, site or access strip</i> ' within the definition.	Supports amendments made in section 42A report.
122.26	Add definition of 'Entrance strip'	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.27	Add definition of 'General title land (in relation to Papakāinga)'	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.28	Add definition of 'Land development minimum requirements'	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.29	Delete definition of 'Medium density housing'	Generally supportive, delete as notified.	Delete still supported. No changes made in section 42A report.
122.30	Add definition 'Medium Density Residential Standards or MDRS'	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.31	Amend definition of 'Noise sensitive activity'	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.32	Amend the definition of 'Papakāinga'	Supportive in part, sought amendments to be more regionally and national consistent.	Supports section 42A report.

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
122.33	Add definition of 'Qualifying Matter Area'	Supportive in part, sought amendments to Coastal Qualifying Matter Precinct and General Residential Zone for clarity and to be consistent.	Generally supportive, retain as notified. Will have opportunity to revisit at time of future plan change on Coastal Hazards
122.34	Add definition of 'Relevant Residential Zone'	Supportive in part, sought inclusion of Medium Density Residential Zone (MRZ) and High Density Residential Zone (HRZ).	Seek inclusion of submission point, to recognize provision of HRZ and removal of Residential Intensification Precincts
122.35	Amend the definition of 'Tino Rangatiratanga'	Generally supportive, retain as notified.	Supports amendments made in section 42A report.
122.36	Add definition of 'Tipuna/Tupuna'	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.37	Amend the definition of 'Yard'	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.38	New definition requested by Kāinga Ora 'Rapid Transit Stop'	Sought addition of a new definition of 'Rapid Transit Stop'.	New definition not supported by section 42A report. However, Kāinga Ora accepts the section 42A report position, and also accepts position that Ōtaki is not a rapid transit stop at present time.
122.39	Deletion of definition 'Infill'	Sought removal of reference to 'infill' housing.	Deletion supported by section 42A report.
122.40	DO – District Objectives DO – Chapter Introduction	Generally supportive, retain as notified.	DO – Introduction – retained as notified, no changes made in section 42A report. DO-O3 - retained as notified, no changes made in section 42A report.

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
			<p>DO-Ox1 - retained as notified, no changes made in section 42A report.</p> <p>DO-Ox2 - retained as notified, no changes made in section 42A report.</p> <p>DO-Ox3 – consequential amendments required to give effect to HRZ.</p> <p>DO-O11 - consequential amendments required to give effect to HRZ.</p> <p>DO-O12 – seeking changes to more effectively align with NPS-UD direction, but not notified for change in PC(N)</p> <p>DO-O16 - consequential amendments required to give effect to HRZ.</p> <p>DO-Ox4 - retained as notified, no changes made in section 42A report.</p> <p>DO-Ox5 - retained as notified, no changes made in section 42A report.</p> <p>DO-Ox6 - retained as notified, no changes made in section 42A report.</p> <p>DO-Ox7 - retained as notified, no changes made in section 42A report.</p> <p>DO-Ox8 - retained as notified, no changes made in section 42A report.</p> <p>DO-Ox9 - retained as notified, no changes made in section 42A report.</p> <p>DO-Ox10 - retained as notified, no changes made in section 42A report.</p>

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
122.41	DO-O3 Development Management	Supportive in part, sought amendment to not be overly constrained where urban intensification can occur.	Amendments made to DO-O3(3) in section 42A report. Kāinga Ora supports amendments.
122.42	Explanatory text to objective DO-O3-Local Issues	Supportive in part, sought amendment to remove reference to 'existing' urban environments.	Section 42A report recommends removal of 'existing'.
122.43	DO-Ox1 Well functioning Urban Environments	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.44	DO-Ox2 Housing in Relevant Residential Zones	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.45	DO-x3 Residential Intensification Precincts	Opposed, sought deletion of Residential Intensification Precincts and replace with MRZ and HRZ chapter and relevant objectives.	<p>Opposed, Kāinga Ora does not support the approach taken in the section 42A report to support the PC(N) approach.</p> <p>Seeks the following amendments (Kāinga Ora changes are in blue):</p> <p><u>Residential Intensification Precincts Residential Zones provide for higher density housing types and sizes that respond to:</u></p> <ol style="list-style-type: none"> 1. <u>Housing needs and demand;</u> 2. <u>The proximity of the area to the <i>Metropolitan Centre Zone, Town Centre Zone or Local Centre Zone</i>;</u> 3. <u>Accessibility to and from the area by active or public transport; and</u> 4. <u>The neighbourhood's planned urban built character, including:</u> <ol style="list-style-type: none"> a. <u>buildings up to of at least 6-storeys within Residential Intensification Precinct A the High Density Residential Zone (with greater height</u>

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
			<p>being enabled in proximity to the Metropolitan Centre Zone); and</p> <p>buildings up to 4-storeys within Residential Intensification Precinct B the General Residential Zone.</p> <p>Explanation</p> <p>This objective gives effect to policy 3 of the National Policy Statement on Urban Development 2020 (the NPS-UD). Policy 3 of the NPS-UD requires that district plans enable increased <i>building heights</i> and density of urban form within:</p> <ul style="list-style-type: none"> • <u>The Metropolitan Centre Zone;</u> • <u>Within a walkable catchment of the Metropolitan Centre Zone;</u> • <u>Within a walkable catchment of rapid transit stops (which in the Kāpiti context means the train stations as Paekākāriki, Paraparaumu and Waikanae); and</u> • <u>Within and adjacent to the Town Centre Zone and Local Centre Zone.</u> <p>Residential Intensification Precincts-The High Density Residential Zone and Height Variation Control Areas within both Residential Zones provide for increased <i>building height</i> and density within the parts of the General Residential Zone that are located within in the areas to which policy 3 of the NPS-UD applies.</p>
122.46, 122.47	DO-O11 Character and Amenity Values	Generally supportive, retain as notified.	<p>Kāinga Ora does not support the approach taken in the section 42A report to support the PC(N) approach.</p> <p>Seeks the following amendments (Kāinga Ora changes are in blue):</p> <p>To maintain and enhance recognise the unique character and amenity values of the District's distinct communities, while providing provide for the character and amenity values of the District's urban environment to develop and change over time in response to the diverse and changing needs of people.</p>

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
			<p>communities and future generations <u>resulting in so that residents and visitors enjoy:</u></p> <ol style="list-style-type: none"> 1. relaxed, unique and distinct village identities and predominantly low-density residential areas characterised by <u>the presence of mature vegetation</u>, a variety of built forms and building densities, the retention of landforms, and the recognition of unique community identities; 2. vibrant, lively <u>metropolitan and</u> town centres supported by higher density residential and mixed use areas; 3. neighbourhood-local centres, village communities and employment areas characterised by high levels of amenity, accessibility and convenience; 4. productive rural areas, characterised by openness, natural landforms, areas and corridors of indigenous vegetation, and primary production activities; and 5. well managed interfaces between different types of land use areas (e.g. between living, working and rural areas) and between potentially conflicting land uses, so as to minimise adverse effects.
122.48	DO-O16 Centres	Supportive in part, sought amendment to reflect increase in development capacity as requested in submission.	<p>Opposed, Kāinga Ora does not support the approach taken in the section 42A report to support the PC(N) approach.</p> <p>Seeks the following amendments to DO-O16(5) (Kāinga Ora changes are in blue):</p> <ol style="list-style-type: none"> 5. <u>provide for higher density urban built character and high-quality development, including:</u> <ol style="list-style-type: none"> a. <u>buildings up to 1542-storeys within the Metropolitan Centre Zone;</u> b. <u>buildings up to of at least 6-storeys within:</u> <ol style="list-style-type: none"> i. <u>the Town Centre Zone;</u> ii. <u>the Ihakara Street West, Ihakara Street East and Kapiti Road precincts of the Mixed Use Zone;</u>

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
			<p>iii. <u>the Local Centre Zone at Paekākāriki;</u> <u>and</u> c. <u>buildings up to 4-storeys within the Local Centre Zone</u></p>
122.49	DO-O16 Explanation	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.50	DO-Ox4 Papakāinga	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.51	DO-Ox5 Papakāinga – Kia or ate mauri o te Whānua (Māori living as Māori)	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.52	DO-Ox6 Papakāinga – Provide for the sustained occupation of <i>Ancestral Land</i>	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.53	DO-Ox7 Papakāinga - Provide for the development of land owned by Tangata Whenua	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.54	DO-Ox8 Papakāinga – Working in partnership with Tangata Whenua to exercise their Tino Rangatiratanga	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.55	DO-Ox9 Papakāinga – Increasing the visibility of Tangata Whenua	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
	through the design of papakāinga		
122.56	DO-Ox10 Papakāinga – Implementing Te Ao Māori and demonstrating Kaitiakitanga in papakāinga development	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.57	DO-Ox10 Explanation	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.58	UFD – Urban Form and Development UFD-Px Urban Built Form	Supportive in part, sought amendment regarding deletion of reference to General Residential Zone and replace with reference to MRZ and HRZ and incorporation of amended provision for height.	<p>Kāinga Ora does not support the approach taken in the section 42A report to support the PC(N) approach.</p> <p>Seeks the following amendments (Kāinga Ora changes are in blue):</p> <p><u>Provide for heights and densities of urban built form that enable more people to live in, and more businesses and community services to be located in, the District’s urban environments, by:</u></p> <ol style="list-style-type: none"> 1. <u>enabling the greatest <i>building</i> heights and densities in the Metropolitan Centre Zone, including buildings up to 12-storeys;</u> 2. <u>enabling greater <i>building</i> heights and densities within a walkable catchment of the Metropolitan Centre Zone, including buildings of at least 6 storeys and up to 10-storeys;</u> 3. <u>enabling greater building heights and densities within a walkable catchment of and the train stations at Paekākāriki, Paraparaumu and Waikanae, including buildings up to of at least 6-storeys;</u>

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
			<p><u>4. enabling greater <i>building</i> heights and densities <i>within and adjacent to</i> the <i>Town Centre Zone</i>, including <i>buildings</i> up to 6-storeys;</u></p> <p><u>5. enabling increased <i>building</i> heights and densities <i>within and adjacent to</i> the <i>Local Centre Zone</i>, including <i>buildings</i> up to 4-storeys;</u></p> <p><u>6. enabling increased <i>building</i> heights and densities <i>adjacent to the Town Centre Zone and Local Centre Zone</i>, including <i>buildings</i> up to 4-storeys; and</u></p> <p><u>6. enabling a variety of <i>building</i> heights and densities in the General Residential Zone, including <i>buildings</i> up to 3-storeys; and</u></p> <p><u>7. enabling greater development outcomes in the High Density Residential Zone;</u></p> <p><u>while recognising it may be appropriate to be less enabling of development to accommodate an identified qualifying matter avoiding inappropriate buildings, activities, heights and densities within qualifying matter areas.</u></p>
122.59	UFD- P1 Growth Management	Supportive in part, subject to amendments to not be overly constraining of where urban intensification can occur and deletion of reference to General Residential Zone (replace with reference to MRZ and HRZ).	<p>Kāinga Ora does not support the approach taken in the section 42A report to support the PC(N) approach.</p> <p>Seeks the following amendments (Kāinga Ora changes are in blue):</p> <p>New urban <i>development</i> for residential activities will only be located within <i>existing urban areas</i>, and <i>identified growth areas</i>, and areas that can be efficiently serviced and integrated with existing urban areas, and will be undertaken in a manner which:</p> <ol style="list-style-type: none"> 1. supports the District’s consolidated urban form; 2. maintains the integrity of the urban edge north of Waikanae and Ōtaki;

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
			<p>3. manages residential densities by:</p> <ul style="list-style-type: none"> a. enabling <i>medium density housing</i> and focused <i>infill housing</i> in identified precinct areas that are close to <i>centres</i>, public <i>open spaces</i>, and public transport nodes; b. retaining a predominantly low residential density in the <i>Residential Zones</i>; c. avoiding any significant adverse <i>effects of subdivision and development</i> in special character areas identified in GRZ-P3; <u>a. providing for a variety of housing types and densities in the General Residential Zone, and a greater intensity of development in the High Density Residential Zone;</u> <u>b. enabling increased housing densities:</u> <ul style="list-style-type: none"> <u>i. in, and within a walkable catchment of the <i>Metropolitan Centre Zone</i>;</u> <u>ii. within a walkable catchment of the train stations at Paekākāriki, Paraparaumu and Waikanae; and</u> <u>iii. in and adjacent to the <i>Town Centre Zone</i> and <i>Local Centre Zone</i>;</u> <p>4. avoids urban expansion that would compromise the distinctiveness of existing settlements and unique character values in the rural <i>environment</i> between and around settlements;</p> <p>5. can be sustained within and makes efficient use of existing capacity of public services and strategic infrastructure <u>(including <i>additional infrastructure</i>)</u>, or is integrated with the planned capacity of public services and <u>infrastructure</u> and the likely availability of <i>additional infrastructure</i>; and</p>

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
			<p>6. promotes the efficient use of energy and water;</p> <p>7. <u>manages reverse sensitivity effects on existing lawfully established non-residential activities.</u></p>
122.60	UFD-P2 Housing Choice	Supportive in part, subject to amendments recognising residential activities encompass a wide range of housing and living arrangements, including: transitional housing, emergency housing, community housing and multi-generational living.	Kāinga Ora supports the proposed amendments from the section 42A report.
122.61	UFD-P3 Managing Intensification	Generally supportive, retain as notified.	Kāinga Ora supports the proposed amendments from the section 42A report.
122.62	UFD-P4 Residential Density	Supportive in part, subject to amendments deleting reference to the General Residential Zone and replacing with reference to MRZ and HRZ.	<p>Kāinga Ora does not support the approach taken in the section 42A report to support the PC(N) approach.</p> <p>Seeks the following amendments (Kāinga Ora changes are in blue):</p> <p>Residential density <u>and Built Form</u></p> <p>The density of <i>subdivision</i> and <i>development</i> will be managed through <u>an-zone based area-specific provisions approach</u> to achieve an appropriate range of housing types, <u>density and built form</u> across the District, as set out below: [...]</p>
122.63	Deletion of UFD-P5 Papakāinga	Generally supportive, delete as notified.	Section 42A recommends deletion. Kāinga Ora supports approach.
122.64	UFD-P11 Amenity Values	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.65	UFD-P13 Zoning Framework	Supportive in part, subject to amendments deleting General Residential Zone and replacing with MRZ and HRZ chapter and renaming of the	Kāinga Ora does not support the approach taken in the section 42A report to support the PC(N) approach.

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
		'Coastal Qualifying Matter' as the 'Coastal Hazard Overlay'.	<p>Seeks the following amendments (Kāinga Ora changes are in blue):</p> <p><i>Subdivision, use and development</i> in the <i>Residential Zones</i> will be managed through the following zoning framework:</p> <p>General Residential Zone, including the following precincts:</p> <p>Medium Density Housing (also located within various Centres Zones) Residential Intensification Precincts;</p> <ul style="list-style-type: none"> a. Focused Infill Coastal Qualifying Matter Precinct; b. Waikanae Garden Precinct; c. Low Density (at Ōtaki, County Road Ōtaki, Paraparaumu and Manu Grove Low Density Housing) County Road Ōtaki Precinct; e. Pekawy; f. Ferndale Area; g. Panorama Drive; h. Waikanae Golf; i. The Drive Extension; e. j. Beach Residential Precinct; f. Marae Takiwā Precinct; <p>2. High Density Residential Zone, including the following precinct:</p> <ul style="list-style-type: none"> a. Marae Takiwā Precinct <p>3. Ngārara Development Area; and</p> <p>4. Waikanae North Development Area.</p>
122.66	TR-Transport	Generally supportive, retained as notified.	Retained as notified. No changes made in section 42A report.

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
	TR-P1 Integrated Transport and Urban Form		
122.67	TR-P2 Sustainable Transport and Maximising Mode Choice	Generally supportive, retained as notified.	Retained as notified. No changes made in section 42A report.
122.68	TR-R1	Generally supportive, retained as notified.	Retained as notified. No changes made in section 42A report.
122.69	TR-R9	Generally supportive, retained as notified.	Retained as notified. No changes made in section 42A report.
122.70	TR-R10	Generally supportive, retained as notified.	Retained as notified. No changes made in section 42A report.
122.71	NH – Natural Hazards Qualifying matters – flooding	Generally supportive, supports ID of flood hazards as qualifying matters. Seeking mapping showing extent of flooding along stream corridors and all other flood hazards to be included within non-statutory document.	Not accepted by Section 42A report. Kāinga Ora still maintains position.
122.72	SUB-DW District Wide Subdivision Matters SUB-DW-Rx1	Generally supportive, retained as notified.	Amendments sought to include High Density Residential Zone – see Appendix A of Ms William's evidence.
122.73	SUB-DW District Wide Subdivision Matters All Rules	Generally supportive, retained as notified.	Amendments sought to include High Density Residential Zone – see Appendix A of Ms William's evidence.
122.74 & 122.75	SUB-RES Subdivision in Residential Zones	Generally supportive, retained as notified.	Kāinga Ora accepts section 42A report position.

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
	SUB-RES-P1 General Residential Subdivision All Rules		
122.76	All Restricted Discretionary Activity Rules	Opposed, sought amendment including a non-notification preclusion statement for all Restricted Discretionary Activity rules.	Amendments sought to include High Density Residential Zone – see Appendix A of Ms William's evidence.
122.77	SUB-RES- R26	Supportive in part, subject to Coastal Qualifying Matter Precinct renamed to Coastal Hazard Precinct	As per earlier comment – accept on basis this matter will be reassessed in future Coastal Hazard plan change
122.78	SUB-RES-Rx1	Supportive in part, subject to amendments sought to SUB-RES-Table x1.	Accept, subject to amendments in Appendix A of Ms Williams' evidence
122.79	SUB-RES- R27	Generally supportive, retained as notified.	Accept
122.80	SUB-RES-Table x1 – Minimum allotment size and shape factor	Supportive in part, however, opposes the use of a minimum site size for residential subdivisions. Supports 8m x 15m regarding medium density developable for MRZ, 8m x 15m for HRZ.	Submission not accepted by section 42A report. Kāinga Ora still seeks amendments.
122.81	SUB-WORK Subdivision in Working Zones All Rules	Generally supportive, retained as notified.	Accept, subject to amendments in Appendix A of Ms Williams' evidence
122.82	SUB-WORK Subdivision in Working Zones All Rules	Opposed, sought deletion of all references to the Centres Design Guide.	Maintain opposition to reference to Centres Design Guide

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
122.83	All Restricted Discretionary Activity Rules	Opposed, seeking amendment for the inclusion of a non-notification preclusion statement for all Restricted Discretionary Activity rules.	Seek amendments to include a non-notification clause
122.84	SUB- WORK-R40	Supportive in part, supports proposed amendment for allowance of proposals exceeding permitted height threshold in the MCZ to be assessed as a RDA. Sought deletion of all references to the Centres Design Guide.	Maintain opposition to reference to Centres Design Guide
122.85	SUB- WORK-R41	Supportive in part, supports the proposed amendments to this rule to allow for proposals exceeding the permitted height threshold in the MUZ to be assessed as a RDA. Sought deletion of all references to the Centres Design Guide.	Maintain opposition to reference to Centres Design Guide
122.86	SUB- WORK-R42	Supportive in part, supports the proposed amendments to this rule to allow for proposals exceeding the permitted height threshold in the TCZ to be assessed as a RDA. Sought deletion of all references to the Centres Design Guide.	Maintain opposition to reference to Centres Design Guide
122.87	SUB- WORK-R43	Supportive in part, supports the proposed amendments to this rule to allow for proposals exceeding the permitted height threshold in the LCZ to be assessed as a RDA. Sought deletion of all references to the Centres Design Guide.	Maintain opposition to reference to Centres Design Guide
122.88	SUB- WORK-R44	Supportive in part, supports the proposed amendments to this rule to allow for proposals exceeding the permitted height threshold in the HOSZ to be assessed as a RDA. Sought deletion of all references to the Centres Design Guide.	Maintain opposition to reference to Centres Design Guide

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
122.89	FC – Financial Contribution FC-P3	Supportive in part, sought amendment to proposed working for clarity due to ambiguity.	Supports recommending amendments proposed in section 42A report.
122.90	PK – Papakāinga Chapter Introduction	Generally supportive, retain as notified.	Generally support, with consequential amendments to include High Density Residential Zone’.
122.91	DO-Ox4 Papakāinga – Papakāinga are a Taonga	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.92	DO-Ox5 Papakāinga – Kia 42r ate mauri o te Whānau (Māori living as Māori)	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.93	DO-Ox6 Papakāinga – Provide for the sustained occupation of Ancestral Land	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.94	DO-Ox7 Papakāinga – Provide for the development of land owned by Tangata Whenua	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.95	DO-Ox8 Papakāinga – Working in partnership with Tangata Whenua to exercise their Tino Rangatiratanga	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
122.96	DO-Ox9 Papakāinga – Increasing the visibility of Tangata Whenua through the design of papakāinga	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.97	DO-Ox10 Papakāinga – Implementing Te Ao Māori and demonstrating Kaitiakitanga in papakāinga development	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.98	PK-Px1 Providing for papakāinga on Māori owned land	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.99	PK-Px2 Papakāinga development to be led by Tangata Whenua	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.100	PK-Px3 Location, extent and design of papakāinga	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.101	PK-Px4 Maximum scale of papakāinga development	Generally supportive, sought amendments to the wording due to potential conflict between intention of policy and need to avoid, remedy or mitigate adverse effects on neighbouring properties.	Supports recommending amendments proposed in section 42A report.

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
122.102	PK-Px5 Non-residential aspects of papakāinga	Generally supportive, subject to amendment for inclusion of conservation activities in the list of non-residential activities.	Retained as notified. No changes made in section 42A report.
122.103	PK-Px6 Papakāinga Design Guides and Development Plans	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.104	Advice Notes	Generally supportive, retain as notified.	Supports recommending amendments proposed in section 42A report.
122.105	District Plan wide – activity status for papakāinga developments	Supportive in part, sought amendment to rule framework so papakāinga development on land held under Te Ture Whenua Māori Act 1993 and land held in general title, with the same protections as are provided by the Act, is provided for as a Permitted Activity.	Retained as notified. No changes made in section 42A report.
122.106	GRZ – General Residential Zone Entire chapter	Opposed, sought deletion of General Residential Zone and the Residential Intensification Precincts and replacement with MRZ and HRZ. Sought MRZ and HRZ provisions to provide for design flexibility and recognition of planned urban built form of the respective residential zones.	Kāinga Ora does not support the approach taken in the section 42A report to support the PC(N) approach. Proposed amendments set out in Appendix A and Appendix C to Ms Williams' evidence.
122.107	Mapping	Supportive in part, sought further information and evidence to demonstrate sites meet well-functioning urban environment requirements before rezoning decisions are made to: <ul style="list-style-type: none"> Proposed greenfield rezoning of 269-289 Ngārara Road, Waikanae (10.18ha) from Future Urban Zone to General Residential Zone; 	Kāinga Ora accepts section 42A report position with regard to greenfield zoning.

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
		<ul style="list-style-type: none"> Proposed greenfield rezoning of 174-211 Ngārara Road, Waikanae (19.63ha) from Future Urban Zone to General Residential Zone); Proposed greenfield rezoning of 160-222 Main Road, 39 Rongomau Lane, & 99-105 Poplar Avenue, Raumati South, Paraparaumu (22.24ha) from General Rural Zone to General Residential Zone. 	
122.108	LCZ – Local Centre Zone Zone Introduction	Supportive in part, retain as notified.	Retained as notified. No changes made in section 42A report.
122.109	LCZ-P1 Local Centres	Supportive in part, retain as notified subject to District Plan wide removal of design guidelines as appendices to the District Plan.	Kāinga Ora still opposes the approach for the application of Design Guides in the section 42A.
122.10	LCZ-P3 Activities in the Working Zones	Supportive in part, retain as notified.	Retained as notified. No changes made in section 42A report.
122.111	LCZ-P5 Mixed Use Activities in Centres	Opposed inclusion of Design Guidelines in the Plan. Sought deletion of reference to Design Principles Design Guide within 'Mixed Use Activities in Centres'.	Seeks the following amendments (in blue): Mixed use development, including <i>residential activities</i> , will be enabled in <i>centres</i> to enhance the viability and vitality of the <i>centre</i> where a high level of amenity for residents, businesses and visitors is achieved in accordance with the principles in Appendix 20 Centres Design Principles <u>through development that is consistent with the relevant matters in the Centres Design Guide in Appendix x2.</u>
122.112	LCZ-P6 Urban form and design of centres	Opposed proposed amendments. Sought deletion of reference to Centres Design Guide within 'Urban form and design of centres'. Sought amendment to Local Centre building	Seeks the following amendments (in blue): <i>Subdivision</i> , use and <i>development</i> in <i>centres</i> must be undertaken in a manner that achieves efficient integration with necessary <i>infrastructure</i> , reinforces the District's consolidated

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
		<p>height to enable building heights of up to 18m (5 storeys).</p>	<p>urban form and sense of place, and provides for a high good quality interface between built form and public space. To achieve this, the principles in the Centres Design Principles in Appendix 20 Centres Design Guide in Appendix x2 will be applied.</p> <p><u>A higher density of urban built form will be enabled in the <i>Local Centre Zone</i> including:</u></p> <ol style="list-style-type: none"> 1. <u><i>buildings up to 4-storeys within the <i>Local Centre Zone</i></i>; or</u> 2. <u><i>buildings up to 6-storeys within the <i>Local Centre Zone</i> at Paekākāriki.</i></u> <p><u>Development shall be undertaken in a manner that achieves a quality built form, taking into consideration the following design objectives, development type, and the planned urban built environment of the zone:</u></p> <ol style="list-style-type: none"> 1. <u>Maximise the potential of the site with small scale retail and commercial or community activities at ground floor and residential activities and professional services above;</u> 2. <u>Buildings are well-designed and contribute to a high-quality vibrant public realm through visual interest and aesthetic coherence achieved through façade design, materials, and active edges in response to the context;</u> 3. <u>Buildings generally abut the street edge however open spaces or courtyards are encouraged to create intimate or local meeting places;</u> 4. <u>Building form and detailing assist with legibility for the immediate area;</u> 5. <u>Pedestrian amenity is maximised through good permeability and activation, which contributes to safety and walkability;</u> 6. <u>Servicing and parking are subservient to the built form to maximise an attractive and active pedestrian interface at the street edge;</u>

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
			<p>7. Servicing plant is integrated within the architectural design, to avoid an 'add on' appearance and ensure a well-designed top to buildings.</p> <p>8. Residential activity is provided with a good quality living environment including access to reasonable privacy, outlook and sun access.</p> <p>9. Provide reasonable internal visual privacy for all units through well considered location of elements, rather than relying on window coverings.</p>
122.113	LCZ-Px1 Coastal Qualifying Matter Precinct at Raumati South	Supportive in part, retain as notified other than amend title of precinct.	Retained as notified. No changes made in section 42A report.
122.114 & 122.115	LCZ-R6	Supportive in part, sought minimum requirement of 8m ² of outdoor living space per unit located above ground floor level (with a minimum dimension of 1.8m) for units with two bedrooms or more. Sought dispensation of need for balconies meeting minimum dimensions specific in the MDRS for a proportion of units.	Supports recommending amendments proposed in section 42A report.
122.116	LCZ-R12	Opposed, sought LCZ provisions provide for design flexibility and recognise the planned urban built form of the zone. Sought amendment to Local Centre building height to enable building heights of 18m (5 storeys) made subject to non-notification clause for Standards 4 to 12, 14 and 15 under LCZ-Rule R6 and exclusion from public notification clause for Standards 2, 3 and 13.	<p>Seek amendments to the matters of discretion for R12 (amendments in blue):</p> <p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. Location, layout, size and design of the proposed development and whether the building's height, bulk, form and scale is appropriately located on site having regard to the planned urban built environment of the zone. 2. Consideration of the standard(s) not met. 3. Visual, character, amenity, <i>historic heritage</i>, streetscape and stream <i>effects</i>.

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
			<p>4. The extent of consistency with the Crime Prevention Through Environmental Design Guidelines in Appendix 6, Councils Centres Design Guide in Appendix x2 and the Land Development Minimum Requirements Subdivision and Development Principles and Requirements 2012 and the Centres Design Principles in Appendix 20.</p> <p>5. <i>Effects</i> on landform and landscape.</p> <p>6. Traffic and transport <i>effects</i>.</p> <p>7. Design and appearance of <i>buildings</i> <u>in so far as it affects the existing and future amenity values of public streets and spaces used by significant numbers of people, having regard to:</u></p> <p><u>a) the contribution that the building makes to the attractiveness pleasantness and enclosure of the public space;</u></p> <p><u>b) the maintenance or enhancement of amenity for pedestrians using the public space or street;</u></p> <p><u>c) the provision of convenient and direct access between the street and building for people of all ages and abilities;</u></p> <p><u>d) the need to ensure an appropriate level of natural light, outlook and ventilation for any habitable spaces; and</u></p> <p><u>e) measures adopted for limiting the adverse visual effects of any blank walls along the frontage of the public space.</u></p> <p>7. Location and design of parking, traffic circulation areas, loading and access.</p> <p>8. Public safety.</p> <p>9. Context and surroundings.</p> <p>10. Cumulative <i>effects</i>.</p> <p>11. Whether any <i>nuisance effects</i> are created.</p> <p>12. The consistency with the relevant objectives and policies.</p>

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
122.117	LCZ-R20	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.118	MUZ - Mixed Use Zone MUZ-P1 Mixed Use Zone	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.119	MUZ-P4 Activities in the Working Zones	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.120	MUZ-P6 Mixed Use Activities in Centres	Opposed, sought amendment deleting reference to Design Guidelines within the District Plan as should be a non-statutory tool.	Seeks the following amendments (in blue): Mixed use development, including <i>residential activities</i> , will be enabled in <i>centres</i> to enhance the viability and vitality of the <i>centre</i> where a high level of amenity for residents, businesses and visitors is achieved in accordance with the principles in Appendix 20 Centres Design Principles <u>through development that is consistent with the Centres Design Guide in Appendix x2.</u>
122.121	MUZ-P7 Urban form and design of centres	Opposed, sought amendment deleting reference to Design Guidelines within the District Plan as should be a non-statutory tool. Sought amendment to general height limit of up to 21m (6 storeys).	Seeks the following amendments (in blue): <i>Subdivision</i> , use and <i>development</i> in <i>centres</i> must be undertaken in a manner that achieves efficient integration with necessary <i>infrastructure</i> , reinforces the District's consolidated urban form and sense of place, and provides for a <u>high good</u> quality interface between built form and public space. To achieve this, the principles in the Centres Design Principles in Appendix 20 Centres Design Guide in Appendix x2 will be applied. <u>A higher density of urban built form will be enabled in the Mixed Use Zone including:</u> 1. <u><i>buildings</i> up to 6-storeys within the Ihakara Street West, Ihakara Street East and Kapiti Road precincts of the Mixed Use Zone; or</u>

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
			<p><u>2. buildings up to 3-storeys within the Paraparaumu North Gateway Precinct of the Mixed Use Zone.</u> <u>Development shall be undertaken in a manner that achieves a quality built form, taking into consideration the following design objectives, development type, and the planned urban built environment of the zone.</u></p> <ol style="list-style-type: none"> <u>1. Maximise built form on the site for one use, or a mix of uses;</u> <u>2. Buildings generally abut the street, however variation in building alignment and form along the street is anticipated depending on the onsite activity(ies);</u> <u>3. Buildings front the street with clear pedestrian entrances from the street footpath, with an active edge for at least the entry acknowledging the function of the activity;</u> <u>4. Minimise the impact of vehicle access, parking and manoeuvring on the public realm with an integrated design including trees and shrubs, acknowledging any functional requirement of the activity. The built form has visual prominence over car parking.</u> <u>5. Rubbish areas and plant are effectively screened from the public realm and neighbouring residential activities.</u> <u>6. Achieve a coherent building design with an integrated building top and roof design and at least articulated simply with robust materials.</u> <u>7. Residential activity is provided with a good quality living environment including access to reasonable privacy, outlook and sun access.</u> <u>8. Provide reasonable internal visual privacy for all units through well considered location of elements, rather than relying on window coverings.</u>

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
122.122	MUZ-R6	Generally supportive, supports minimum requirement of 8m ² of outdoor living space per unit located above ground floor level (applies to units with two bedrooms or more) and dispensation of need for balconies meeting minimum dimensions specific in the MDRS for a proportion of units.	Supports recommending amendments proposed in section 42A report.
122.123	MUZ-R9	Opposed. Delete reference to Design guidelines as is more appropriate to treat as non-statutory tool.	Maintain opposition to reference to Centres Design Guide
122.124	MUZ-R11	Opposed. Delete reference to Design guidelines as is more appropriate to treat as non-statutory tool.	<p>Seeks amendments to Matters of Discretion (in blue):</p> <p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. Location, layout, size and design of the proposed <i>development</i>. 2. The extent of consistency with the Crime Prevention through Environmental Design Guidelines in Appendix 6, <i>Council's Subdivision and Development Principles and Requirements, 2012 Land Development Minimum Requirements and the Centres Design Guide in Appendix 20 Centres Design Guide in Appendix x2</i>. 3. Economic <i>effects</i> including <i>effects</i> on the vitality of <i>centres</i>. 4. Visual, character and amenity <i>effects</i>. 5. Traffic and transport <i>effects</i>. 6. Location and design of parking, <i>traffic</i> circulation areas, loading and access. 7. Context and surroundings. 8. Cumulative <i>effects</i>. 9. Whether any <i>nuisance effects</i> are created. 10. The consistency with the relevant objectives and policies.

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
122.125	MUZ-R12	Opposed. Delete reference to Design guidelines as is more appropriate to treat as non-statutory tool.	Maintain opposition to reference to Centres Design Guide
122.126	MUZ-R13	Opposed. Sought amendment to Mixed Use building height to enable building heights of up to 6 storeys (22m), subject to non-notification clause for Standards 3 to 9 under MUZ-Rule R6 and public notification clause for Standards 2 and 10. Sought deletion of reference to Design guidelines as is more appropriate to treat as non-statutory tool.	<p>Supports recommending amendments proposed in section 42A report regarding proposed amendments to the notification provisions.</p> <p>Seeks amendments to the Matters of Discretion (in blue):</p> <p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. Location, layout, size and design of the proposed <i>development</i>. 2. The extent of consistency with the Crime Prevention through Environmental Design Guidelines in Appendix 6, <i>Council's Subdivision and Development Principles and Requirements, 2012 Land Development Minimum Requirements and the Centres Design Guide in Appendix 20 Centres Design Guide in Appendix x2</i>. 3. Economic <i>effects</i> including <i>effects</i> on the vitality of <i>centres</i>. 4. Visual, character and amenity <i>effects</i>. 5. Traffic and transport <i>effects</i>. 6. Location and design of parking, <i>traffic</i> circulation areas, loading and access. 7. Context and surroundings. 8. Cumulative <i>effects</i>. 9. Whether any <i>nuisance effects</i> are created. 10. The consistency with the relevant objectives and policies.

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
122.127	TCZ – Town Centre Zone Zone Introduction	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.128	TCZ- P3 Activities in the Working Zones	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.129	TCZ-P5 Mixed Use Activities in Centres	Opposed, sought deletion of reference to Design guidelines as is more appropriate to treat as non-statutory tool.	Opposes proposed amendments in section 32A report. Seek following amendments (in blue): Mixed use development, including <i>residential activities</i> , will be enabled in <i>centres</i> to enhance the viability and vitality of the <i>centre</i> where a high level of amenity for residents, businesses and visitors is achieved. in accordance with the principles in Appendix 20 Centres Design Principles <u>through development that is consistent with the relevant matters in the Centres Design Guide in Appendix x2.</u>
122.130	TCZ-P6 Urban form and design of centres	Opposed, sought deletion of reference to Design guidelines as is more appropriate to treat as non-statutory tool.	Seeks the following amendment (in blue): <i>Subdivision, use and development in centres</i> must be undertaken in a manner that achieves efficient integration with necessary <i>infrastructure</i> , reinforces the District's consolidated urban form and sense of place, and provides for a <u>high good quality interface between built form and public space. To achieve this, the principles in the Centres Design Principles in Appendix 20 Centres Design Guide in Appendix x2 will be applied.</u> <u>A higher density of urban built form will be enabled in the <i>Town Centre Zone</i>, including <i>buildings</i> up to 6-storeys.</u> <u>Development shall be undertaken in a manner that achieves a quality built form, taking into consideration the following design objectives, development type, and the planned urban built environment of the zone:</u>

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
			<ol style="list-style-type: none"> 1. Maximise the potential of the site with retail and commercial or community activities at ground floor and residential activities above; 2. Buildings are well-designed and contribute to a high-quality vibrant public realm through visual interest and aesthetic coherence achieved through façade design, materials, and active edges in response to the context; 3. Buildings generally abut the street edge however open spaces or courtyards are encouraged to create intimate or local meeting places; 4. Building form and detailing assist with legibility for the immediate area; 5. Pedestrian amenity is maximised through good permeability and activation, which contributes to safety and walkability; 6. Servicing and parking are subservient to the built form to maximise an attractive and active pedestrian interface at the street edge; 7. Servicing plant is integrated within the architectural design, to avoid an 'add on' appearance and ensure a well-designed top to buildings; 8. Residential activity is provided with a good quality living environment including access to reasonable privacy, outlook and sun access. 9. Provide reasonable internal visual privacy for all units through well considered location of elements, rather than relying on window coverings.
122.131	TCZ-Px1 Coastal Qualifying Matter Precinct at Raumati Beach	Supportive in part, sought rewording of policy to rename the Coastal Qualifying Matter Precinct as the Coastal Hazard Precinct.	Retained as notified. No changes made in section 42A report.

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
122.132	TCZ-Px2 Marae Takiwā Precinct	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.133	TCZ-R6	Supportive in part, sought amendment to Town Centre building height to enable development up to 22m (6 storeys). Supports minimum 8m ² of outdoor living space per unit located above ground floor level (with minimum dimension of 1.8m) only for units with two bedrooms or more. Sought 5m ² as minimum requirement for studio and one-bedroom units. Sought dispensation of need for balconies meeting the minimum dimensions specified in the MDRS for a proportion of units.	Retained as notified. No changes made in section 42A report.
122.134	TCZ-R7	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.135	TCZ-Rx1	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.136	TCZ-R10	Opposes inclusion of Design Guidelines within the Plan as more appropriate for this to be treated as a non-statutory tool. Design matters to be specified in matters of discretion or assessment under rule TCZ-R10 and relevant objectives and policies.	<p>Seeks amendments to the Matters of Discretion (in blue):</p> <p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. Location, layout, size and design of the proposed <i>development</i>. 2. Consideration of the standard(s) not met. 3. The extent of consistency with the Crime Prevention Through Environmental Design Guidelines in Appendix 6, Council's Centres Design Guide in Appendix x2 and the Land Development Minimum Requirements Subdivision and Development Principles and Requirements 2012 and the <i>Centres Design Principles in Appendix 20</i>.

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
			<ol style="list-style-type: none"> 4. Visual, character, amenity and streetscape <i>effects</i>. 5. Traffic and transport <i>effects</i>. 6. Location and design of parking, traffic circulation areas, loading and access. 7. Public safety. 8. Context and surroundings. 9. Cumulative <i>effects</i>. 10. Whether any <i>nuisance effects</i> are created. 11. The consistency with the relevant objectives and policies. 12. Economic <i>effects</i> including <i>effects</i> on the vitality of <i>centres</i>.
122.137	TCZ-R11	<p>Opposes inclusion of Design Guidelines within the Plan as more appropriate for this to be treated as a non-statutory tool. Sought amendment to Town Centre building height to enable 6 storeys and this rule is subject to non-notification clause for Standards 4 to 15 under TCZ Rule R6 and exclusion from public notification clause for Standards 2 and 3.</p>	<p>Support proposed amendments in the section 42A report regarding notification.</p> <p>Seek amendments to matters of discretion (in blue):</p> <p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. Location, layout, size and design of the proposed <i>development</i> <u>and whether the building's height, bulk, form and scale is appropriately located on site having regard to the planned urban built environment of the zone.</u> 2. Consideration of the standard(s) not met. 3. Visual, character, amenity, <i>historic heritage</i>, streetscape and stream <i>effects</i>. 4. The extent of consistency with the Crime Prevention Through Environmental Design Guidelines in Appendix 6, Council's <u>Centres Design Guide in Appendix x2 and the Land Development Minimum Requirements</u> Subdivision and Development Principles and

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
			<p>Requirements 2012 and the Centres Design Principles in Appendix 20.</p> <ol style="list-style-type: none"> 5. <i>Effects</i> on landform and landscape. 6. Traffic and transport <i>effects</i>. 8. Design and appearance of <i>buildings in so far as it affects the existing and future amenity values of public streets and spaces used by significant numbers of people, having regard to:</i> <ol style="list-style-type: none"> a) <u>the contribution that the building makes to the attractiveness pleasantness and enclosure of the public space;</u> b) <u>the maintenance or enhancement of amenity for pedestrians using the public space or street;</u> c) <u>the provision of convenient and direct access between the street and building for people of all ages and abilities;</u> d) <u>the need to ensure an appropriate level of natural light, outlook and ventilation for any habitable spaces; and</u> e) <u>measures adopted for limiting the adverse visual effects of any blank walls along the frontage of the public space.</u> 7. Location and design of parking, traffic circulation areas, loading and access. 8. Public safety. 9. Context and surroundings. 10. Cumulative <i>effects</i>. 11. Whether any <i>nuisance effects</i> are created. 12. The consistency with the relevant objectives and policies.

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
122.138	TCZ-R13	Opposes inclusion of Design Guidelines within the Plan as more appropriate for this to be treated as a non-statutory tool. Design matters to be specified in matters of discretion or assessment under rule TCZ-R13 and relevant objectives and policies.	<p>Seeks amendments to Matters of Discretion:</p> <p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. The scale of biodiversity, energy or <i>water</i> quality benefits created by the proposal. 2. Layout, size, design and location of proposed <i>buildings</i> (excluding <i>minor buildings</i>). 3. Visual, character and amenity <i>effects</i>. 4. Ecological or biodiversity <i>effects</i>. 5. Traffic and transport <i>effects</i>. 6. Proposed mitigation, remediation or ongoing management measures. 7. <i>Effect</i> on natural character values. 8. Cumulative <i>effects</i>. 9. The Centres Design Principles in Appendix 20 Centres Design Guide in Appendix x2.
122.139	TCZ-Rx2	Generally supportive, retain as notified.	Supports recommending amendments proposed in section 42A report.
122.140	TCZ-Rx3	Generally supportive, retain as notified.	Supports recommending amendments proposed in section 42A report.
122.141	TCZ-Rx4	Support in part, subject to amendments sought to TCZ-R11.	Retained as notified. No changes made in section 42A report.
122.142	MCZ- Metropolitan Centre Zone MCZ-P2 Metropolitan Centre Zone Precincts	Opposed inclusion of Design Guidelines within the Plan as more appropriate for this to be treated as a non-statutory tool. Sought amendment to change ' <i>higher density</i> ' to ' <i>high density</i> '.	<p>Seeks following amendments (in blue):</p> <p><i>Subdivision, use and development</i> in the <i>Metropolitan Centre Zone</i> will be undertaken in accordance with the <i>Metropolitan Centre Zone Structure Plan</i> in Appendix 19 and the principles in the Centres Design Principles in Appendix 20 consistent with</p>

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
			<p>the relevant matters in the Centres Design Guide in Appendix x2; in a manner that reinforces the following specific management principles for each precinct:</p> <p>[...]</p>
122.143	MCZ-P5 Activities in the Working Zones	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.144	MCZ-P7 Mixed Use Activities in Centres	Opposed inclusion of Design Guidelines within the Plan as more appropriate for this to be treated as a non-statutory tool.	<p>Seeks the following amendments (in blue):</p> <p>Mixed use development, including <i>residential activities</i>, will be enabled in <i>centres</i> to enhance the viability and vitality of the <i>centre</i> where a high level of amenity for residents, businesses and visitors is achieved in accordance with the principles in Appendix 20 Centres Design Principles <u>through development that is consistent with the relevant matters in the Centres Design Guide in Appendix x2.</u></p>
122.145	MCZ-P8 Urban form and design of centres	Opposed inclusion of Design Guidelines within the Plan as more appropriate for this to be treated as a non-statutory tool. Sought amendment to Metropolitan Centre building height to 53m (15 storeys).	<p>Seeks the following amendments (in blue):</p> <p><i>Subdivision</i>, use and <i>development</i> in <i>centres</i> must be undertaken in a manner that achieves efficient integration with necessary <i>infrastructure</i>, reinforces the District's consolidated urban form and sense of place, and provides for a high quality interface between built form and public space. To achieve this, the principles in the Centres Design Principles in Appendix 20 Centres Design Guide in Appendix x2 will be applied.</p> <p><u>A higher density of urban built form will be enabled in the Metropolitan Centre Zone, including buildings up to 12 storeys.</u></p> <p><u>Development shall be undertaken in a manner that achieves a quality built form, taking into consideration the following design objectives and the planned urban built environment of the zone</u></p> <ol style="list-style-type: none"> <u>Buildings are well-designed and contribute to a high-quality vibrant public realm through visual interest and aesthetic coherence achieved through façade design, materials, and active edges;</u>

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
			<ol style="list-style-type: none"> 2. Buildings abut the street edge and define and enclose the streets, and define the edges of open space. 3. Street corners are legible and enhanced through architectural treatment and form and maximised activity; 4. Pedestrian amenity is maximised through good permeability and activation, which contributes to safety and walkability; 5. Servicing and parking are subservient to the built form to maximise an attractive and active pedestrian interface at the street edge; 6. Servicing plant is integrated within the architectural design, to avoid an 'add on' appearance and ensure a well-designed top to buildings; 7. Residential activity is provided with a good quality living environment, including access to reasonable privacy, outlook, and sun access; 8. Development responds to the positive contextual elements (existing and potential) including neighbouring buildings, elements such as trees and crossing points in the street.
122.146	MCZ-R5	Supportive in part, sought amendment to Standards referenced in rule and deletion of Standards 2b and 2c.	Retained as notified. No changes made in section 42A report.
122.147 & 122.148	MCZ-R7	Supportive in part, sought amendment to Standards references in this rule including height, amendment to Standard 2 (Height in relation to boundary). Supports minimum requirement of 8m ² outdoor living space per unit located above ground floor level (minimum dimension of 1.8m) applicable to units with two bedrooms or more, minimum requirement of 5m ² for outdoor living space. Sought dispensation of the need for balconies meeting the minimum	Supports recommending amendments proposed in section 42A report.

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
		dimensions specified in the MDRS for proportion of units.	
122.149	MCZ-R11	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.150	MCZ-R13	<p>Opposed. Sought Metropolitan Centre building height controls (Standard 2) should enable building heights of 15 storeys (53m) subject to a non-notification clause for Standards 3 to 15 and Standards 19 to 20 under MCZ-Rule R11 and an exclusion from public notification clause for Standards 2 and 13. Opposed inclusion of Design Guidelines in the Plan.</p>	<p>Support proposed amendments to notification provisions.</p> <p>Seek amendments to standards (in blue):</p> <p>Standards</p> <p>For <i>active retail frontages</i> in Precinct A, the distance between pedestrian entrances must not exceed 18 metres.</p> <p><u>Height</u></p> <p><u>2. Buildings and structures must not exceed 53.40 metres in height.</u></p> <p><u>Measurement criteria:</u></p> <p><u>Height must be measured using the height measurement criteria.</u></p> <p>Seek amendments to Matters of Discretion (in blue):</p> <p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. Location, layout, size and design of the proposed development, <u>and whether the building's height, bulk, form and scale is appropriately located on site having regard to the planned urban built environment of the metropolitan centre zone.</u> 2. Consideration of the standard(s) not met. 3. <u>Visual, character, amenity, historic heritage and streetscape effects.</u>

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
			<ol style="list-style-type: none"> 4. The extent of consistency with the Crime Prevention Through Environmental Design Guidelines in Appendix 6, Council's Centres Design Guide in Appendix x2 and the Land Development Minimum Requirements Subdivision and Development Principles and Requirements 2012 and the Centres Design Principles in Appendix 20. 5. <i>Effects</i> on landform and landscape. 6. Traffic and transport <i>effects</i>. 7. Design and appearance of <i>buildings</i> <u>in so far as it affects the existing and future amenity values of public streets and spaces used by significant numbers of people, having regard to:</u> <ol style="list-style-type: none"> a) <u>the contribution that the building makes to the attractiveness pleasantness and enclosure of the public space;</u> b) <u>the maintenance or enhancement of amenity for pedestrians using the public space or street;</u> c) <u>the provision of convenient and direct access between the street and building for people of all ages and abilities;</u> d) <u>the need to ensure an appropriate level of natural light, outlook and ventilation for any habitable spaces; and</u> e) <u>measures adopted for limiting the adverse visual effects of any blank walls along the frontage of the public space.</u> 8. Location and design of parking, traffic circulation areas, loading and access. 9. Public safety. 10. Context and surroundings.

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
			<p>11. Cumulative <i>effects</i>.</p> <p>12. Whether any <i>nuisance effects</i> are created.</p> <p>13. The consistency with the relevant objectives and policies.</p>
122.151	MCZ-R14	Opposes inclusion of Design Guidelines in the Plan. Particular design outcomes should be achieved under matters of discretion under Rule MCZ-R14.	Accept reference to Land Development Minimum Requirements document throughout the PC - this is not design based.
122.152	MCZ-R15	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.153	FUZ – Future Urban Zone FUZ-P10 Residential Units and Buildings (excluding minor buildings)	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.154	FUZ-R6	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.155	FUZ-Rx1	Generally supportive, retain as notified.	Supports recommending amendments proposed in section 42A report.
122.156	FUZ-Rx2	Generally supportive, retain as notified.	Supports recommending amendments proposed in section 42A report.
122.157	FUZ-R14	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.158	FUZ-R15	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
122.159	HOSZ – Hospital HOSZ-R6	Generally supportive, sought amendments to Standards within this rule.	Retained as notified. No changes made in section 42A report.
122.160	HOSZ-R8	Opposed. Sought amendments making rule consistent with other zones in being subject to a non-notification clause for Standards 3 to 5 and 7 under HOSZ-Rule R6 and exclusion from public notification clause for Standards 2 and 6 of Rule HOSZ-R6. Opposes inclusion of Design Guidelines within the Plan as better addressed in the matters of discretion under Rule HOSZ-R8.	Supports recommending amendments proposed in section 42A report regarding notification provision.
122.161	HOSZ-R9	Opposes inclusion of Design Guidelines within the Plan as particular design outcomes to be achieved are better done so as matters of discretion under Rule HOSZ-R8.	Kāinga Ora maintains its submission point.
122.162	HOSZ-R14	Generally supportive, retain as notified.	Retained as notified. No changes made in section 42A report.
122.163	Appendices APPx1 – Residential Design Guide	Opposed to inclusion of Design Guidelines in the Plan. Sought design guidance as a non-statutory tool for residential subdivision, multi-unit development and residential development in commercial centres. Sought reallocation of design guidelines/particular design outcomes Council wants within specific rules, matters of discretion or assessment criterion.	Kāinga Ora opposes proposed approach to Design Guides and instead supports the inclusion of key design outcomes in policies.
122.164	APPx2 – Centres Design Guide	Opposed to inclusion of Design Guidelines in the Plan. Sought design guidance as a non-statutory tool for residential subdivision, multi-unit development and residential development in commercial centres. Sought reallocation of design guidelines/particular design outcomes	Kāinga Ora opposes proposed approach to Design Guides and instead supports the inclusion of key design outcomes in policies.

Submission Number	Plan Provision	Submission summary	Kāinga Ora position following section 42A
		Council wants within specific rules, matters of discretion or assessment criterion.	
122.165	APP6 – CPTED Guidelines	Opposed to inclusion of Design Guidelines in the Plan. Sought design guidance as a non-statutory tool for residential subdivision, multi-unit development and residential development in commercial centres. Sought reallocation of design guidelines/particular design outcomes Council wants within specific rules, matters of discretion or assessment criterion.	Kāinga Ora opposes proposed approach to Design Guides and instead supports the inclusion of key design outcomes in policies.
122.166	APP20 – Centres Design Principles	Opposed to inclusion of Design Guidelines in the Plan. Sought design guidance as a non-statutory tool for residential subdivision, multi-unit development and residential development in commercial centres. Sought reallocation of design guidelines/particular design outcomes Council wants within specific rules, matters of discretion or assessment criterion.	Kāinga Ora opposes proposed approach to Design Guides and instead supports the inclusion of key design outcomes in policies.

Further Submissions				
Submitter Name/ Submission Number	Kāinga Ora Further Submission Number	Plan Provision	Submission Summary	Kāinga Ora position following section 42A report
Waka Kotahi (S053.15)	FS.1.1	FC-Table x2	Amend FC-Table x2 - Financial Contribution payable provisions to allow financial contributions to be collected for access to or provision for alternative transport modes such as walking, cycling and public transport.	Waka Kotahi amendment not supported by reporting officer. Kāinga Ora supports section 42A report.
Transpower New Zealand Limited (S076.02)	FS.1.2	Definitions	Add definition 'Qualifying Matter' as same meaning as in section 2 of the RMA	Transpower amendment not supported by reporting officer. Kāinga Ora supports section 42A report.
Transpower New Zealand Limited (S076.03)	FS1.3	DO-O3	<p>Amend Objective DO-O3 so that areas which are not qualifying matter areas as follows:</p> <p>3. an urban environment that enables more people to live in, and more businesses and community services to be located in, parts of the urban environment:</p> <p>a. that are in or near a Centre Zone or other area with many employment opportunities; or</p> <p>b. that are well serviced by existing or planned public transport; or</p> <p>c. where there is high demand for housing or for business land relative to other areas within the</p>	Amendments made to DO-O3 – Kāinga Ora supports amendments.

Submitter Name/ Submission Number	Kāinga Ora Further Submission Number	Plan Provision	Submission Summary	Kāinga Ora position following section 42A report
			<p>urban environment; d.that are not qualifying matter areas.</p>	
Transpower New Zealand Limited (S076.09)	FS1.4	UFD-P1	<p>Amend Policy UFD-P1 as follows: <i>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:</i></p> <ol style="list-style-type: none"> 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: <ul style="list-style-type: none"> a. providing for a variety of housing types and densities in the General Residential Zone; b. enabling increased housing densities: <ol style="list-style-type: none"> i. in, and within a walkable catchment of the Metropolitan Centre Zone ; ii. within a walkable catchment of the train stations at Paekākāriki, Paraparaumu and Waikanae; and iii. in and adjacent to the Town Centre Zone and Local Centre 	Kāinga Ora seeks amendments to UFD-P1 – see above.

Submitter Name/ Submission Number	Kāinga Ora Further Submission Number	Plan Provision	Submission Summary	Kāinga Ora position following section 42A report
			<p><u>Zone:</u> <u>c. avoiding inappropriate locations, heights and densities in qualifying matter areas</u></p>	
Transpower New Zealand Limited (S076.16)	FS1.5	GRZ-Px1	<p>Amend policy GRZ-Px1 as follows: <u>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.</u></p>	Kāinga Ora seeking a number of amendments to the GRZ, with the inclusion of the new HRZ.
Fire and Emergency New Zealand (S089.07)	FS1.6	GRZ-R6	<p>Amend height standards for GRZ-R6 as follows: <u>Exclude emergency service facilities up to 9m and hose drying towers up to 15m from height and height in relation to boundary standards.</u></p>	Section 42A did not accept primary submissions. Kāinga Ora accepts section 42A response on this matter.
Fire and Emergency New Zealand (S089.09)	FS1.7	GRZ-Rx1	<p>Amend height standards for GRZ-Rx1 as follows: <u>Exclude hose drying towers up to 15m from height and height in relation to boundary standards.</u></p>	Section 42A did not accept primary submissions. Kāinga Ora accepts section 42A response on this matter.
Fire and Emergency New Zealand (S089.11)	FS1.8	GRZ-Rx2	<p>Amend height standards for GRZ-Rx2 as follows: <u>Exclude hose drying towers up to 15m from height and height in relation to</u></p>	Kāinga Ora seeks deletion of GRZ-Rx2.

Submitter Name/ Submission Number	Kāinga Ora Further Submission Number	Plan Provision	Submission Summary	Kāinga Ora position following section 42A report
			<u>boundary standards.</u>	
Fire and Emergency New Zealand (S089.13)	FS1.9	GRZ-Rx3	<p>Amend height standards for GRZ-Rx3 as follows:</p> <p><u>Exclude emergency service facilities up to 9m and hose drying towers up to 15m from height and height in relation to boundary standards.</u></p>	Kāinga Ora seeks deletion of GRZ-Rx2.
KiwiRail (S094.01)	FS1.10	GRZ-Rx1	<p>Add a new setback standard to GRZ-Rx1:</p> <p><u>x. Buildings and structures must not be located within a 5m setback from a boundary with a rail corridor.</u></p>	Section 42A report did not accept KiwiRail submissions. Kāinga Ora accepts section 42A recommendation. Kāinga Ora seeks further amendments to GRZ-Rx1.
KiwiRail (S094.02)	FS1.11	General Residential Zone – Restricted Discretionary Activity rules	<p>Add a new provision to Restricted discretionary activity rules in the GRZ:</p> <p><u>Matters of discretion [...]</u></p> <p><u>x. The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.</u></p>	<p>Kāinga Ora seeking amendments to restricted discretionary matters of discretion and standards as set out above.</p> <p>Section 42A report did not accept KiwiRail position. Kāinga Ora supports this approach.</p>
KiwiRail (S094.03)	FS1.12	Metropolitan Centre Zone, Town Centre Zone, Local Centre Zone	<p>Add a new permitted activity performance standard to MCZ, TCZ, and LCZ:</p> <p><u>x. Buildings and structures must not be located within a 5m setback from a boundary with a rail corridor.</u></p>	5m setback not accepted by section 42A report. Kāinga Ora accepts this position.

Submitter Name/ Submission Number	Kāinga Ora Further Submission Number	Plan Provision	Submission Summary	Kāinga Ora position following section 42A report
KiwiRail (S094.04)	FS1.13	Metropolitan Centre Zone, Town Centre Zone, Local Centre Zone	<p>Add a new matter of discretion to MCZ, TCZ, and LCZ:</p> <p>Matters of discretion [...]</p> <p>x. The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.</p>	<p>Kāinga Ora seeking amendments to restricted discretionary matters of discretion and standards as set out above.</p> <p>Section 42A report did not accept KiwiRail position. Kāinga Ora supports this approach.</p>
KiwiRail (S094.05)	FS1.14	NOISE-R14	<p>Amend Noise-R14:</p> <p>1. Any new or altered habitable room within a building that houses any noise sensitive activity (including rooms used for hospital recovery; but excluding rooms used for visitor accommodation, which is not temporary residential rental accommodation, outside of residential zones) on a subject site within any of the following:</p> <p>[...]</p> <p>e. within 40m 100m of the boundary of a designation for rail corridor purposes; and</p>	<p>Amendments to Noise-R14 not accepted in the section 42A report. Kāinga Ora supports this approach.</p>
KiwiRail (S094.06)	FS1.15	Noise Chapter - Vibration	<p>Add a new permitted activity rule to NOISE:</p> <p>Indoor railway vibration</p> <p>1. Any new buildings or alterations to existing buildings containing a noise sensitive activity, within 60 metres of</p>	<p>New permitted activity for Noise not accepted in the section 42A report. Kāinga Ora supports this approach.</p>

Submitter Name/ Submission Number	Kāinga Ora Further Submission Number	Plan Provision	Submission Summary	Kāinga Ora position following section 42A report
			<p><u>the boundary of any railway network, must be protected from vibration arising from the nearby rail corridor.</u></p> <p><u>2. Compliance with standard 1 above shall be achieved by a report submitted to the council demonstrating compliance with the following matters:</u></p> <p><u>(a) the new building or alteration or an existing building is designed, constructed and maintained to achieve rail vibration levels not exceeding 0.3 mm/s vw,95 or</u></p> <p><u>the new building or alteration to an existing building is a single-storey framed residential building with:</u></p> <p><u>i. a constant level floor slab on a full surface vibration isolation bearing with natural frequency not exceeding 10 Hz, installed in accordance with the supplier's instructions and recommendations; and</u></p> <p><u>ii. vibration isolation separating the sides of the floor slab from the ground; and</u></p> <p><u>no rigid connections between the building and the ground.</u></p>	
KiwiRail (S094.07)	FS1.16	Noise Chapter – Vibration	<p>Add a restricted discretionary activity rule to NOISE (where the permitted activity standards outlined in S094.06 are not met) with the following matters of discretion:</p> <p>Matters of discretion</p>	New restricted discretionary rule for Noise not accepted. Kāinga Ora supports this approach.

Submitter Name/ Submission Number	Kāinga Ora Further Submission Number	Plan Provision	Submission Summary	Kāinga Ora position following section 42A report
			<p>(a) location of the building;</p> <p>(b) the effects of any non-compliance with the activity specific standards;</p> <p>(c) special topographical, building features or ground conditions which will mitigate vibration impacts;</p> <p>(c) the outcome of any consultation with KiwiRail.</p>	
Greater Wellington Regional Council (S097.15)	FS1.17	Natural Hazards	Amend existing provisions or insert new provisions in the Natural Hazards chapter to have regard to Proposed RPS Change 1 Policies 29, 51 and 52 and Objectives 19 and 20.	Section 42A report does not support amendment. Kāinga Ora supports section 42A approach.
Greater Wellington Regional Council (S097.21)	FS1.18	Waikanae	Remove river corridors from General Residential Zone, and amend to a more appropriate zoning, such as open space.	Section 42A report does not support amendment. Kāinga Ora supports section 42A approach.
Greater Wellington Regional Council (S097.22)	FS1.19	Flood Hazard Overlays	Ensure the most recent flood hazard maps are used as qualifying matters in the District Plan.	Section 42A report does not support amendment. Kāinga Ora supports section 42A approach.
Toka Tū Ake EQC (S101.01)	FS1.20	Definition: Qualifying Matter Areas	Amend the definition of "Qualifying matter areas" to include liquefaction hazard.	Section 42A report does not support amendment. Kāinga Ora supports section 42A approach.
Toka Tū Ake EQC (S101.02)	FS1.21	District Plan Maps -	Add district planning maps to include Greater Wellington liquefaction	Section 42A report does not support amendment.

Submitter Name/ Submission Number	Kāinga Ora Further Submission Number	Plan Provision	Submission Summary	Kāinga Ora position following section 42A report
		Hazards and Risks	hazard maps as a district overlay.	Kāinga Ora supports section 42A approach.
Toka Tū Ake EQC (S101.03)	FS1.22	Tsunami	Add provisions to the District Plan to restrict Buildings of Importance Category (BIC) or higher in areas at highest risk of tsunami inundation and in those areas which are more difficult to evacuate.	Section 42A report does not support amendment. Kāinga Ora supports section 42A approach.
Ara Poutama Aotearoa, The Department of Corrections (S111.01)	FS1.23	Definitions	<p>Add definition of "Community Corrections Activity" as follows:</p> <p><u>Community Corrections Activity:</u> <u>means the use of land and buildings for non-custodial services for safety, welfare and community purposes, including probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, administration, and a meeting point for community works groups.</u></p>	Section 42A report does not support the proposed definition. . Kāinga Ora does not support section 42A approach and considers definition is appropriate.
Ara Poutama Aotearoa, The Department of Corrections (S111.02)	FS1.24	Definitions	<p>Replace the existing definition of "Household" with the following:</p> <p><u>Household:</u> <u>means a person or group of people who live together as a unit whether or not:</u> <u>a. any or all of them are members of the same family; or</u> <u>one or more members of the group (whether or not they are paid)</u></p>	Section 42A report does not support the proposed amendment. Kāinga Ora supports the section 42A report approach.

Submitter Name/ Submission Number	Kāinga Ora Further Submission Number	Plan Provision	Submission Summary	Kāinga Ora position following section 42A report
			provides day-to-day care, support and supervision to any other member(s) of the group.	
Ara Poutama Aotearoa, The Department of Corrections (S111.03)	FS1.25	DO-Ox2	Amend Objective DO-Ox2 as follows: DO-Ox2 – Housing in Relevant Residential Zones Relevant residential zones provide for a variety of housing types, households, and sizes that respond to: 1. housing needs and demands; and the neighbourhood’s planned urban built character, including 3-storey buildings.	Section 42A report does not support the proposed amendment. Kāinga Ora supports the section 42A report approach.
Ara Poutama Aotearoa, The Department of Corrections (S111.04)	FS1.26	GRZ-Px1	Amend policy GRZ-Px1 as follows: GRZ-Px1 Enable a variety of housing typologies and households with a mix of densities within the zone, including 3-storey attached and detached dwellings, and low-rise apartments.	Section 42A report does not support proposed amendments. Kāinga Ora does not support section 42A approach.
Ara Poutama Aotearoa, The Department of Corrections (S111.05)	FS1.27	MCZ, TCZ, MUZ - Policies and rules	1. Amend the following policies to enable Community Corrections Activities: <ul style="list-style-type: none">• Metropolitan Centre Zone Policy MCZ-P1, MCZ-P2, and MCZ-P3.• Town Centre Zone Policy TCZ-P1.• Mixed Use Zone Policy MUZ-P1,	Section 42A report does not support proposed amendments. Kāinga Ora does not support section 42A approach.

Submitter Name/ Submission Number	Kāinga Ora Further Submission Number	Plan Provision	Submission Summary	Kāinga Ora position following section 42A report
			<p>and MUZ-P2.</p> <p>2. Amend the rules in the following zones to enable Community Corrections Activity to be undertaken as permitted activities:</p> <ul style="list-style-type: none"> • Metropolitan Centre Zone. • Town Centre Zone. <p>Mixed Use Zone.</p>	
Ara Poutama Aotearoa, The Department of Corrections (S111.06)	FS1.28	GIZ-P1, GIZ-P2 and GIZ rules	<p>1. Amend General Industrial Zone Policies GIZ-P1, and GIZ-P2 to enable Community Corrections Activities.</p> <p>Amend the rules of the General Industrial Zone to enable Community Corrections Activity to be undertaken as a permitted activity.</p>	Section 42A report does not support proposed amendments. Kāinga Ora does not support section 42A approach.
Ministry of Education Te Tāhuhu o Te Mātauranga (S112.01)	FS1.29	DO-O3	<p>Amend DO-O3 as follows:</p> <p>Development Management</p> <p>To maintain a consolidated urban form within existing urban areas and a limited number of identified growth areas, which and to provide for the <u>development of new urban areas where these</u> can be efficiently serviced and integrated with existing townships, delivering:</p> <p>1. urban areas which maximise the efficient end use of energy and</p>	Section 42A report did not support proposed amendments. Kāinga Ora supports section 42A approach on this position.

Submitter Name/ Submission Number	Kāinga Ora Further Submission Number	Plan Provision	Submission Summary	Kāinga Ora position following section 42A report
			<p>integration with infrastructure;</p> <p>2. a variety of living and working areas in a manner which reinforces the function and vitality of centres;</p> <p>3. <u>an urban environment that enables more people to live in, and more businesses and community services to be located in, parts of the urban environment:</u></p> <p><u>a. that are in or near a Centre Zone or other area with many employment opportunities; or</u></p> <p><u>b. that are well serviced by existing or planned public transport; or</u></p> <p><u>c. where there is high demand for housing or for business land relative to other areas within the urban environment;</u></p> <p><u>d. where there is sufficient capacity within the existing or planned infrastructure network (including additional infrastructure) to service the growth.</u></p> <p>...</p> <p>Add a definition of 'additional infrastructure' to the definitions chapter under the NPS-UD.</p>	
Ministry of Education Te Tāhuhu o Te Mātauranga (S112.02)	FS1.30	UFD-P1	<p>Amend UFD-P1 as follows:</p> <p>...</p> <p>4. <u>avoids urban expansion that</u></p>	Section 42A report propose amendments to UFD-P1(5). Kāinga Ora supports the section 42A

Submitter Name/ Submission Number	Kāinga Ora Further Submission Number	Plan Provision	Submission Summary	Kāinga Ora position following section 42A report
			<p>would compromise the distinctiveness of existing settlements and unique character values in the rural <i>environment</i> between and around settlements;</p> <p>5. can be sustained within and makes efficient use of existing capacity of public services and strategic infrastructure, <u>or is integrated with the planned capacity of public services, and infrastructure and additional infrastructure</u>; and</p> <p>promotes the efficient use of energy and water.</p>	<p>report proposed amendments, noting further changes are proposed to the policy for Kāinga Ora.</p>
<p>Ministry of Education Te Tāhuhu o Te Mātauranga (S112.03)</p>	<p>FS1.31</p>	<p>UFD-P4</p>	<p>Amend UFD-P4 as follows:</p> <p>The density of <i>subdivision and development</i> will be managed through an area-specific approach to achieve an appropriate range of housing types across the District, as set out below:</p> <p>...</p> <p><u>5. in areas where infrastructure constraints exist (such as water, wastewater or roading), densities will reflect these constraints residential densities will be integrated with existing or planned infrastructure (including additional infrastructure) capacity.</u></p>	<p>Section 442A report does not support the proposed amendments. Kāinga Ora supports the section 42A position, noting further changes are proposed to the policy for Kāinga Ora.</p>

High Density Residential Zone

The High Density Residential Zone provides opportunities for the development of high density, multi-storey housing within a walkable catchment of identified train stations and commercial centres. Building heights in the High Density Residential Zone are generally enabled to 6 storeys, except near the Metropolitan Centre Zone, where greater building heights are enabled in response to the scale and primacy of this zone.

Development at higher densities will provide an efficient use of land and infrastructure, increase the capacity of housing and ensure that residents have convenient access to amenities, employment, education facilities, retail and entertainment opportunities, public open space and public transport. This will promote walking and cycling neighbourhoods that are connected to and contribute to the vitality of centres.

The development of papakāinga is also provided for within the Zone.

It is anticipated that the form, appearance and amenity of neighbourhoods within the Zone will change over time as existing housing stock is redeveloped with more intensive typologies and densities. Development within the zone is expected to achieve quality urban design outcomes and manage transitions in building bulk and scale.

Within the High Density Residential Zone is the Marae Takiwā Precinct, which recognises and provides for cultural values as set out below:

Marae Takiwā Precinct

The purpose of the Marae Takiwā Precinct is to recognise that the cultural and traditional practices that occur at marae are likely to be sensitive to the effects of surrounding development. The precinct seeks to manage these effects by providing for a lower level of development to occur adjacent to marae as a permitted activity. Where development breaches permitted activity standards, it must avoid, remedy or mitigate adverse effects on the cultural values and tikanga Māori associated with the marae, and the use and function of the marae.

Strategic Context

The Primary Objectives that this chapter implements are:

- [DO-O1 – Tāngata Whenua;](#)
- [DO-O3 – Development Management;](#)
- [DO-Ox1 – Well-functioning Urban Environments;](#)
- [DO-Ox2 – Housing in Relevant Residential Zones;](#)
- [DO-Ox3 – Residential Zones;](#)
- [DO-O11 – Character and Amenity Values;](#)
- [DO-O12 – Housing Choice and Affordability;](#)
- [DO-O13 – Infrastructure;](#)
- [DO-O14 – Access and Transport;](#)
- [DO-O17 – Open Spaces / Active Communities; and](#)
- [DO-O19 – Housing Bottom Lines.](#)

DO-O1	Tāngata Whenua
--------------	--------------------------------

To work in partnership with the tangata whenua of the District in order to maintain kaitiakitanga of the District's resources and ensure that decisions affecting the natural environment in the District are made in accordance with the principles of Te Tiriti o Waitangi (Treaty of Waitangi).

DO-O3	Development Management
<p><u>To maintain a consolidated urban form within existing urban areas and a limited number of identified growth areas, and to provide for the development of new urban areas where these can be efficiently serviced and integrated with existing townships, delivering:</u></p> <ol style="list-style-type: none"> 1. <u>urban areas which maximise the efficient end use of energy and integration with infrastructure;</u> 2. <u>a variety of living and working areas in a manner which reinforces the function and vitality of centres;</u> 3. <u>an urban environment that enables more people to live in, and more businesses and community services to be located in, parts of the urban environment:</u> <ol style="list-style-type: none"> a. <u>that are in or near a Centre Zone or other area with many employment opportunities;</u> <u>or</u> b. <u>that are well serviced by existing or planned public or active transport; or</u> c. <u>where there is high demand for housing or for business land relative to other areas within the urban environment;</u> <p><u>while recognising that it may be appropriate to be less enabling of development to accommodate an identified qualifying matter;</u></p> 4. <u>resilient communities where development does not result in an increase in risk to life or severity of damage to property from natural hazard events;</u> 5. <u>higher residential densities in locations that are close to centres and public open spaces, with good access to public transport, particularly rapid transit;</u> 6. <u>management of development in areas of special character or amenity in a manner that has regard to those special values;</u> 7. <u>sustainable natural processes including freshwater systems, areas characterised by the productive potential of the land, ecological integrity, identified landscapes and features, and other places of significant natural amenity;</u> 8. <u>an adequate supply of housing and areas for business/employment to meet the needs of the District's anticipated population which is provided at a rate and in a manner that can be sustained within the finite carrying capacity of the District;</u> 9. <u>management of the location and effects of potentially incompatible land uses including any interface between such uses; and</u> 10. <u>urban environments that support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change.</u> 	
DO-Ox1	Well-functioning Urban Environments
<p><u>A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.</u></p>	
DO-Ox2	Housing in Relevant Residential Zones
<p><u>Relevant residential zones provide for a variety of housing types and sizes that respond to:</u></p> <ol style="list-style-type: none"> 1. <u>Housing needs and demand; and</u> 2. <u>The neighbourhood's planned urban built character, including 3-storey buildings.</u> 	
DO-Ox3	Residential Zones
<p><u>Residential Zones provide for higher density housing types and sizes that respond to:</u></p> <ol style="list-style-type: none"> 1. <u>Housing needs and demand;</u> 2. <u>The proximity of the area to the Metropolitan Centre Zone, Town Centre Zone or Local Centre Zone;</u> 3. <u>Accessibility to and from the area by active or public transport; and</u> 4. <u>The neighbourhood's planned urban built character, including:</u> <ol style="list-style-type: none"> a. <u>Buildings of at least 6-storeys within the High Density Residential Zone (with greater height being enabled in proximity to the Metropolitan Centre Zone); and</u> b. <u>buildings up to 4-storeys within the General Residential Zone.</u> 	
DO-O11	Character and Amenity Values
<p><u>To provide for the character and amenity values of the District's urban environment to develop and change over time in response to the diverse and changing needs of people, communities and future generations-</u></p>	
DO-O12	Housing Choice and Affordability

<u>To meet diverse community needs by increasing the amount of housing that:</u>	
<ol style="list-style-type: none"> <u>1. is of densities, locations, types, attributes and size that meets the social and economic wellbeing needs of households in suitable urban and rural locations;</u> <u>2. is affordable and adequate for lower income households; and</u> <u>3. can respond to the changing needs of residents, regardless of age, mobility, health or lifestyle preference.</u> 	
<u>DO-O13</u>	<u>Infrastructure</u>
<u>To recognise the importance and national, regional and local benefits of infrastructure and ensure the efficient development, maintenance and operation of an adequate level of social and physical infrastructure and services throughout the District that:</u>	
<ol style="list-style-type: none"> <u>1. meets the needs of the community and the region; and</u> <u>2. builds stronger community resilience, while avoiding, remedying or mitigating adverse effects on the environment.</u> 	
<u>DO-O14</u>	<u>Access and Transport</u>
<u>To ensure that the transport system in the District:</u>	
<ol style="list-style-type: none"> <u>1. integrates with land use and urban form and maximises accessibility;</u> <u>2. improves the efficiency of travel and maximises mode choice to enable people to act sustainably as well as improving the resilience and health of communities;</u> <u>3. contributes to a strong economy;</u> <u>4. avoids, remedies or mitigates adverse effects on land uses;</u> <u>5. does not have its function and operation unreasonably compromised by other activities;</u> <u>6. is safe, fit for purpose, cost effective and provides good connectivity for all communities; and</u> <u>7. provides for the integrated movement of people, goods and services.</u> 	
<u>DO-O17</u>	<u>Open Spaces / Active Communities</u>
<u>To have a rich and diverse network of open space areas that:</u>	
<ol style="list-style-type: none"> <u>1. is developed, used and maintained in a manner that does not give rise to significant adverse effects on the natural and physical environment;</u> <u>2. protects the District's cultural, ecological and amenity values, while allowing for the enhancement of the quality of open space areas;</u> <u>3. supports the identity, health, cohesion and resilience of the District's communities; and</u> <u>4. ensures that the present and future recreational and open space needs of the District are met.</u> 	
<u>DO-O19</u>	<u>Housing Bottom Lines</u>
<u>To achieve sufficient development capacity as required by the National Policy Statement on Urban Development 2020 by meeting housing bottom lines of:</u>	
<ol style="list-style-type: none"> <u>1. 6,123 additional residential units over the short-medium term (2021 – 2031); and</u> <u>2. 10,063 additional residential units over the long term (2031-2051).</u> 	
<u>Policies</u>	
<u>HRZ-Px1</u>	<u>Medium Density Residential Standards – Policy 1</u>
<u>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.</u>	
<u>HRZ-Px2</u>	<u>Medium Density Residential Standards – Policy 2</u>
<u>Apply the MDRS across all relevant residential zones in the district plan except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga).</u>	
<u>HRZ-Px3</u>	<u>Medium Density Residential Standards – Policy 3</u>
<u>Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.</u>	
<u>HRZ-Px4</u>	<u>Medium Density Residential Standards – Policy 4</u>
<u>Enable housing to be designed to meet the day-to-day needs of residents.</u>	
<u>HRZ-Px5</u>	<u>Medium Density Residential Standards – Policy 5</u>

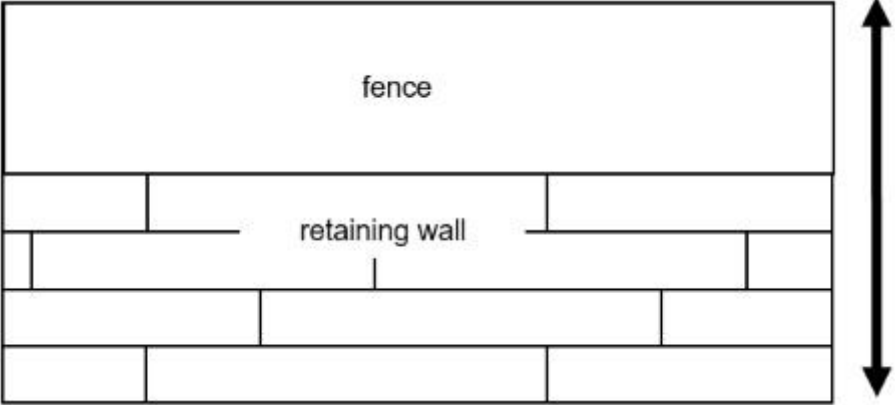
<u>Provide for more intensive housing developments and encouraging best practice urban design outcomes.</u>	
HRZ-Px6	<u>Achieving positive urban design outcomes</u>
<u>Provide for residential intensification of a site where it can be demonstrated that the development achieves positive urban design outcomes and living environments, taking into consideration the following design objectives, development type, and the planned urban built environment of the High Density Residential Zone:</u>	
<ol style="list-style-type: none"> 1. <u>Ensure the building location, form and appearance is comprehensively designed with the landscape and is compatible with the planned high density urban built character of the zone.</u> 2. <u>Achieve a positive frontage that engages and interacts with the street with a focus on human activity and scale.</u> 3. <u>Achieve visual interest and aesthetic coherence using architectural and landscape design techniques.</u> 4. <u>Minimise the impact of driveways, manoeuvring and parking areas on the quality of the site and street, while ensuring safety.</u> 5. <u>Integrate building form and open space design to achieve safe and functional outcomes for residents in both private and communal spaces, while respectful of neighbouring sites.</u> 6. <u>Achieve reasonable sunlight, daylight, and outlook for all residential units and associated outdoor spaces where possible, while minimising overlooking of neighbouring living and private outdoor spaces.</u> 7. <u>Provide reasonable internal visual privacy for all units through well considered location of elements, rather than relying on window coverings.</u> 8. <u>Achieve legible, safe and efficient circulation.</u> 9. <u>Provide for servicing that is suitably generous, convenient, and visually discreet.</u> 	
HRZ-Px7	<u>Marae Takiwā Precinct</u>
<u>Within the Marae Takiwā Precinct, subdivision, use and development will avoid, remedy or mitigate adverse effects on the cultural values and tikanga Māori associated with the marae, and the use and function of the marae, including by:</u>	
<ol style="list-style-type: none"> 1. <u>Seeking to avoid buildings that overlook the marae;</u> 2. <u>Seeking to avoid buildings and structures that further obstruct views from the marae to the Tararua Range;</u> 3. <u>Recognising that activities adjacent to a marae may be sensitive to the effects of activities that occur on a marae, by mitigating these effects through the design of the development;</u> <u>while providing for residential buildings up to 2-storeys.</u>	
HRZ-Px8	<u>High Density Urban Form</u>
<u>Enable the development of high density residential environments with a built form outcome that:</u>	
<ol style="list-style-type: none"> 1. <u>Is responsive to the degree of accessibility to services and facilities, public open space and multimodal and transport corridors;</u> 2. <u>Is responsive to housing demand;</u> 3. <u>Is of a scale, form and typology that is of a greater intensity than provided for in the General Residential Zone, including buildings of at least 6 storeys.</u> 	
HRZ-P9	<u>Residential Activities (excluding visitor accommodation other than temporary residential rental accommodation)</u>
<u>Residential activities will be recognised and provided for as the principal use in the High Density Residential Zone, while ensuring that the effects of subdivision, use and development is in accordance with the following principles:</u>	
<ol style="list-style-type: none"> 1. <u>adverse effects on natural systems will be avoided, remedied or mitigated;</u> 2. <u>new built development will respond to the planned urban form of the Zone;</u> 3. <u>transport choice, efficiency and accessibility to active or public transport will be maximised;</u> 4. <u>housing types which meet the need of multiple households on a site will be provided for;</u> 5. <u>the functional and operational requirements of different types of housing are recognized.</u> 	
HRZ-P10	<u>Residential Amenity</u>

<p><u>Subdivision, use and development will be required to achieve on-site amenity for residents in accordance with the following principles:</u></p> <ol style="list-style-type: none"> 1. <u>the bulk, scale and site layout of buildings will:</u> <ul style="list-style-type: none"> - <u>provide for adequate daylight access</u> - <u>provide outlook with privacy separation;</u> 2. <u>usable and easily accessible private outdoor living spaces will be provided;</u> 3. <u>buildings and structures will be designed and located to respond to the planned urban form of the Zone;</u> 4. <u>yards will be provided to achieve appropriate building setbacks from neighbouring areas and the street;</u> 5. <u>hard and impermeable surfaces will be offset by permeable areas on individual allotments;</u> 6. <u>unreasonable and excessive noise, odour, smoke, dust, light, glare and vibration will be avoided;</u> 7. <u>non-residential buildings will be of a form and scale which is compatible with the surrounding residential environment; and</u> 8. <u>service areas for non-residential activities will be screened, and planting and landscaping will be provided.</u> 	
<u>HRZ-P11</u>	<u>Residential Streetscape</u>
<p><u>Development, use and subdivision will enhance the amenity, functionality and safety of the streetscape. To achieve a positive relationship between development and the street, development will be undertaken in accordance with the following principles:</u></p> <ol style="list-style-type: none"> 1. <u>direct pedestrian access will be provided from the street to the front entrance of the primary residential building, where practicable;</u> 2. <u>the safety of road users, including pedestrians and cyclists, will not be adversely affected; and</u> 3. <u>on-site vehicle manoeuvring will be provided for rear allotments, allotments with significant sloping driveways and on strategic arterial routes.</u> 4. <u>adverse effects on the amenity and safety of people using public spaces will be minimized.</u> 	
<u>HRZ-P12</u>	<u>Landscaping</u>
<p><u>Landscaping will be located and designed in accordance with the following principles:</u></p> <ol style="list-style-type: none"> 1. <u>enhance residential amenity</u> 2. <u>service areas, loading areas and outdoor storage areas will be screened;</u> 3. <u>on-site outdoor living spaces will be defined and enhanced by landscaping;</u> 4. <u>sunlight access and passive surveillance to adjoining areas will not be unreasonably restricted;</u> 5. <u>planting of locally indigenous vegetation will be encouraged; and</u> 6. <u>permeable surfaces will be provided for the natural infiltration of surface waters.</u> 	
<u>HRZ-P13</u>	<u>Energy Efficiency</u>
<p><u>Where practicable, development and subdivision will be designed to minimise energy consumption by maximising sunlight access, and incorporating passive ventilation. Specifically, development will be undertaken in accordance with the following principles:</u></p> <ol style="list-style-type: none"> 1. <u>good sunlight access should be prioritised to main living areas, habitable rooms (including rooms used for hospital recovery) and the private open space associated with living areas; and</u> 2. <u>the potential for natural cross-ventilation will be maximised to enable cooling breezes to reduce internal temperatures in the summer months.</u> 	
<u>HRZ-P14</u>	<u>Supported Living and Older Persons Accommodation</u>
<p><u>Supported living accommodation will be undertaken in accordance with the following principles:</u></p> <ol style="list-style-type: none"> 1. <u>on-site pedestrian movement and use of open space by residents will not be unduly restricted by the slope of the land;</u> 2. <u>design and development to promote interaction with surrounding communities, without compromising privacy and safety;</u> 	

	<ol style="list-style-type: none"> 3. <u>the scale and design of development will be consistent with the planned residential nature and character of the location, and ensure access through the subject site by the public and residents, including the provision of public legal roads and pedestrian accessways consistent with residential scale blocks; and</u> 4. <u>where practicable, the development will be located within walking distance of essential facilities such as local shops, health and community services and public transport networks.</u>
HRZ-P15	<u>Shared and Group Accommodation</u>
<p><u>Shared and group accommodation will be undertaken in accordance with the following principles. The development should be:</u></p> <ol style="list-style-type: none"> 1. <u>located within walking distance of essential facilities such as local shops, health and community services and public transport networks;</u> 2. <u>located where on-site pedestrian movement of residents is not unduly restricted by the slope of the land;</u> 3. <u>located and designed to promote interaction with other sections of the community, without compromising privacy and safety;</u> 4. <u>of a scale and appearance that reflects the planned urban built form of the surrounding neighbourhood; and</u> 5. <u>of a scale and design which ensures access through the subject site by the public and residents, including the provision of public legal road and pedestrian accessways consistent with residential-scale blocks.</u> 	
HRZ-P16	<u>Home Business</u>
<p><u>The opportunity to undertake home-based employment will be provided for in a manner which avoids, remedies or mitigates adverse effects on the amenity values of the Residential Zones and the primacy and vitality of centres.</u></p>	
HRZ-P17	<u>Non-Residential Activities</u>
<p><u>Non-residential activities will be allowed where activities are compatible with residential activities. In determining whether or not the scale of effects of non-residential activities is appropriate, particular regard shall be given to:</u></p> <ol style="list-style-type: none"> 1. <u>the appropriateness of the scale, size and intensity of the proposed buildings and activities and visual or landscape mitigation proposed;</u> 2. <u>the effects generated by the buildings and activities on the safety and efficiency of the local transport network, including the extent to which the activities make efficient use of the transport network by minimising the need to travel;</u> 3. <u>the appropriateness – in the design and amount – of proposed access and car parking for staff, customers, visitors and service/delivery vehicles;</u> 4. <u>the hours of operation, including the timing and frequency of delivery/service vehicles;</u> 5. <u>the effects on residential character and the planned urban form of the surrounding environment;</u> 6. <u>nuisance effects (including noise, odour, light, glare, smoke and dust) produced on-site;</u> 7. <u>whether or not any proposed signage on the subject site is associated with the activity, visually distracting to motorists or dominating or detracting from the planned character of the surrounding environment;</u> 8. <u>whether the activities adversely affect the vitality of centres;</u> 9. <u>whether the activity provides goods and services to meet the daily needs of the local neighbourhood; and</u> 10. <u>any cumulative effects.</u> 	
HRZ-P18	<u>Beach Residential Precincts</u>
<p><u>Subdivision, use and development in the Beach Residential Precincts will give consideration to:</u></p> <ol style="list-style-type: none"> 1. <u>Maintaining, where practicable, the intactness of existing dune landforms;</u> 2. <u>Retaining, where practicable, existing mature trees and areas of extensive vegetation; and</u> 3. <u>The relationship between built form and the landscape and streetscape setting, having regard to (1) and (2).</u> 	

HRZ-P19	<u>Waikanae Garden Precinct</u>
Subdivision, use and development in the Waikanae Garden Precinct will give consideration to:	
<ol style="list-style-type: none"> 1. <u>Retaining, where practicable, existing mature trees and areas of extensive vegetation; and</u> 2. <u>The relationship between built form and the landscape and streetscape setting, having regard to (1).</u> 	

Rules	
HRZ-R1	<u>Any activity that is a permitted activity under the rules in this chapter.</u>
HRZ-R2	<u>Any residential activity which is not specified as a permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited activity in the rules in this chapter.</u>
<u>Permitted Activity</u>	Standards <ol style="list-style-type: none"> 1. <u>The activity complies with all permitted activity standards in this chapter.</u>
HRZ-R3	<u>Fences and Walls</u>
<u>Permitted Activity</u>	Standards <u>Height (measured above original ground level)</u> <ol style="list-style-type: none"> 1. The maximum height of any fence or wall on a boundary shall be 2 metres, except: <ol style="list-style-type: none"> a. in the front yard, where the maximum height shall be 1.8 metres; b. along any boundary which adjoins any Natural Open Space or Open Space Zone (excluding the Private Recreation and Leisure Precinct), esplanade or any access strip, where the maximum height shall be 1.8 metres. 1. <u>Fences, walls and retaining structures adjoining any Natural Open Space or Open Space Zone, esplanade, access strip or public walkway, or within 1.5 metres of the road boundary shall have a combined height of:</u> <ol style="list-style-type: none"> a. <u>1.2 metres; or</u> b. <u>1.8 metres for no more than 50 percent of the site frontage and 1.2 metres for the remainder; or</u> c. <u>1.8 metres if the fence is at least 50 percent visually permeable as viewed perpendicular to the boundary.</u> 2. <u>Any fence or standalone wall, retaining wall or combination of these structures, must not exceed a maximum height of 2 metres above ground level where within 1 metre of any side or rear boundary.</u> 3. <u>For the purposes of calculating maximum height under standard (1) above where a fence is erected atop a retaining wall, the height shall be the combined distance measured vertically from the base of the retaining wall to the top of the fence.</u>

	 <p>Note: For the avoidance of doubt, the standards for fences and walls do not apply to seawalls that are constructed for natural hazard mitigation purposes. In addition, any wall used as an internal partition or external surface of any building shall be excluded from this rule.</p>
HRZ-R4	<u>Shared and group accommodation and supported living accommodation.</u>
<u>Permitted Activity</u>	<p>Standards</p> <p><u>Number of residents and residential units</u></p> <ol style="list-style-type: none"> <u>No more than 10 residents shall be accommodated at any time.</u>
HRZ-R5	<u>Outdoor storage associated with non-residential activities.</u>
<u>Permitted Activity</u>	<p>Standards</p> <p><u>Location</u></p> <ol style="list-style-type: none"> <u>Outdoor storage must not be located in any front yard or any coastal yard.</u> <p><u>Screening</u></p> <ol style="list-style-type: none"> <u>Outdoor storage must be screened from neighbours and any legal road by landscaping or a fence or wall to a maximum height of 2 metres (measured above original ground level). Outdoor storage must not exceed the height of the screening.</u> <p><u>Maximum area</u></p> <ol style="list-style-type: none"> <u>Outdoor storage (including screening or landscaping) must not exceed a total area of 25m².</u>
HRZ-Rx1	<p><u>New buildings and structures, and any minor works, additions or alterations to any building or structure.</u></p> <p><u>The following are excluded from this rule:</u></p> <ul style="list-style-type: none"> <u>Buildings and structures within the Marae Takiwā Precinct (refer rule HRZRx2)</u> <u>Papakāinga (refer rules HRZ-Rx4 or HRZ-Rx9)</u> <u>Minor Buildings</u>
<u>Permitted Activity</u>	<p>Standards</p> <p><u>Number of residential units per site</u></p> <ol style="list-style-type: none"> <u>There must be no more than 3 residential units per site.</u> <p><u>This standard does not apply to minor works, additions, or alterations to buildings and structures that do not increase the number of residential units.</u></p> <p><u>Height</u></p> <ol style="list-style-type: none"> <u>Buildings and structures must not exceed a height of:</u> <ol style="list-style-type: none"> <u>21 metres; or</u>

b. 36 metres where identified on the Planning Maps as a Height Variation Control

Height in relation to boundary

3. a. Where no more than 3 residential units occupy the site:
 - i. Buildings and structures must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries
- b. Where four or more units occupy the site:
 - i. Buildings and structures must not project beyond a 60° recession plane measured from a point 19m vertically above ground level along the first 22m of the side boundary as measured from the road frontage.
 - ii. 60° recession plane measured from a point 8m vertically above ground level along all other boundaries
 - iii. Except no part of any building or structure may project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along any boundary that adjoins a site:
 - a. in the General Residential Zone;
 - b. containing a scheduled historic heritage building or structure or an area scheduled as waahi tapu and other places and areas of significance to Māori;

Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.

This standard does not apply to:

- a. a boundary with a road;
- b. existing or proposed internal boundaries within a site;
- c. site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

Setbacks

4. Buildings and structures must be set back from the relevant boundary by the minimum depth listed in the yards table below:

<u>HRZ-Table x – Yard setbacks</u>	
<u>Yard</u>	<u>Minimum depth</u>
<u>Front</u>	<u>1.5 metres</u>
<u>Site</u>	<u>1 metre</u>
<u>Rear</u>	<u>1 metre (excluded on corner sites)</u>

This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

Building coverage

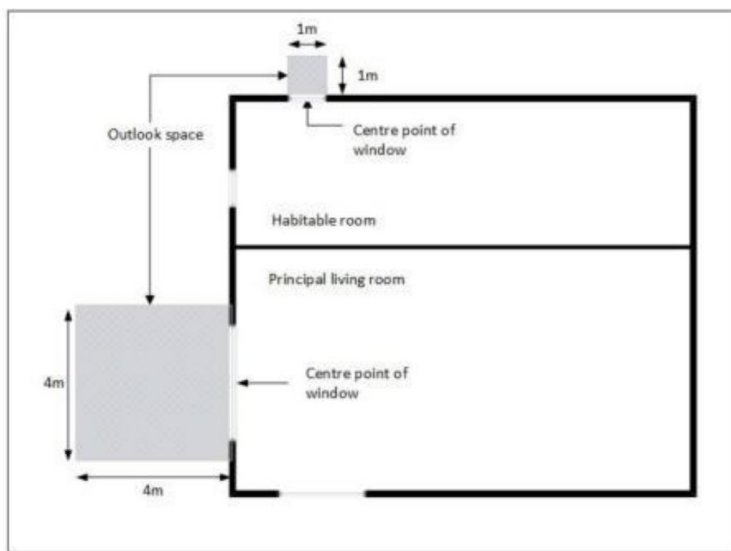
5. The maximum building coverage must not exceed 50% of the net site area.

Outdoor living space (per unit)

6. A residential unit at ground floor level must have an outdoor living space that is at least 20m² and that comprises ground floor, balcony, patio, or roof terrace space that:
 - i. Where located at ground level, has no dimension less than 3 metres; and
 - ii. where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8 metres; and
 - iii. is accessible from the residential unit; and
 - iv. may be:
 - i. grouped cumulatively by area in 1 communally accessible location; or
 - ii. located directly adjacent to the unit; and
 - v. is free of buildings, parking spaces, and servicing and manoeuvring areas.
7. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:
 - i. is at least 8m² and has a minimum dimension of 1.8 metres; and
 - ii. is accessible from the residential unit; and
 - iii. may be:
 - i. grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
 - ii. located directly adjacent to the unit.

Outlook space (per unit)

8. An outlook space must be provided for each residential unit as specified in this standard:
 - i. An outlook space must be provided from habitable room windows as shown in the diagram below:



HRX-Diagram x2 – Outlook space

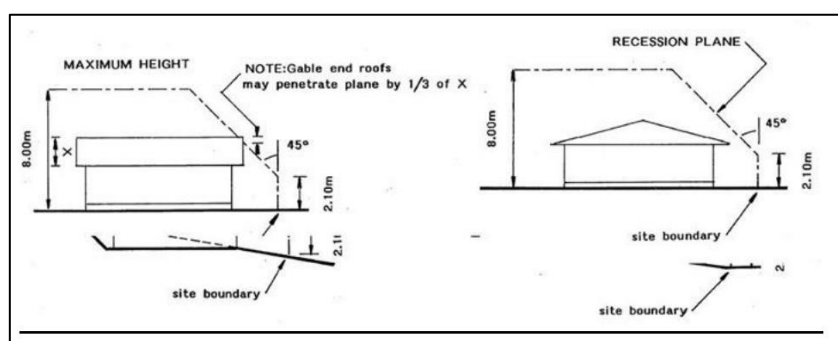
- ii. The minimum dimensions for a required outlook space are as follows:
 - i. a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
 - ii. all other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
- iii. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.

	<p>iv. <u>Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.</u></p> <p>v. <u>Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.</u></p> <p>vi. <u>Outlook spaces may be under or over a balcony.</u></p> <p>vii. <u>Outlook spaces required from different rooms within the same building may overlap.</u></p> <p>viii. <u>Outlook spaces must:</u></p> <ol style="list-style-type: none"> i. <u>be clear and unobstructed by buildings; and</u> ii. <u>not extend over an outlook space or outdoor living space required by another dwelling.</u> <p><u>Windows to street</u></p> <p>9. <u>Any residential unit facing the street must have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors.</u></p> <p><u>Landscaped area</u></p> <p>10. <u>A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.</u></p> <p>11. <u>The landscaped area may be located on any part of the development site, and does not need to be associated with each residential unit.</u></p>
<u>HRZ-Rx2</u>	<p><u>New buildings and structures, and any minor works, additions or alterations to any building or structure within the Marae Takiwā Precinct.</u></p> <p><u>The following are excluded from this rule:</u></p> <ul style="list-style-type: none"> • <u>Papakāinga (refer rules HRZ-Rx4 or HRZ-Rx9)</u> • <u>Minor Buildings</u> <p><u>Measurement criteria apply to some activities under this rule.</u></p>
<u>Permitted Activity</u>	<p><u>Standards</u></p> <p>1. <u>Compliance with the standards set out under rule HRZ-Rx1 except for:</u></p> <ol style="list-style-type: none"> a. <u>Standard 1;</u> b. <u>Standard 2; and</u> c. <u>Standard 3</u> <p><u>For boundaries with Raukawa Marae at 19 Raukawa Street, 23 Raukawa Street, 88 Mill Road, 90 Mill Road and 94 Mill Road, standard 3.</u></p> <p><u>Number of residential units per site</u></p> <p>2. <u>There must be no more than 1 residential unit per site.</u></p> <p><u>Height</u></p> <p>3. <u>Buildings and structures must not exceed 8 metres in height.</u></p> <p><u>Measurement criteria:</u> <u>Height must be measured using the height measurement criteria.</u></p> <p><u>Height in relation to boundary</u></p> <p>4. <u>Buildings and structures must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries.</u></p> <p><u>Except for boundaries with Raukawa Marae at 19 Raukawa Street, 23 Raukawa Street, 88 Mill Road, 90 Mill Road and 94 Mill Road, any building or structure must fit within a height in relation to boundary envelope which is made up of</u></p>

recession planes which commence at a point 2.1 metres above the original ground level at the site boundary and inclines inwards at an angle of 45 degrees.

Measurement Criteria:

5. The height in relation to boundary envelope must be measured from a point above the original ground level at the boundary (including restrictive covenant areas of cross lease properties).
6. Residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aerials are excluded from the height in relation to boundary
7. Where there is a right-of-way or an access strip/leg adjoining the allotment boundary, the height in relation to boundary envelope shall be measured from a point 2.1 metres above a point midway across the right-of-way or access strip/leg.



8.

Note: Any solar panel erected on, or anchored to, a building is exempt from the standard above where it does not breach the maximum permitted height in relation to boundary envelope by more than 1 metre (measured vertically) (see ENG-R2).

HRZ-R6	Relocation of any building excluding minor buildings.
<u>Permitted Activity</u>	<p>Standards</p> <ol style="list-style-type: none"> 1. <u>Any relocated building must be able to comply with the permitted activity standards for buildings set out under Rule HRZ-Rx1 or HRZ-Rx2.</u>
HRZ-R7	<p><u>Home business and home craft occupations</u> <u>Qualifying criteria apply to activities under this rule.</u></p>
<u>Permitted Activity</u>	<p>Standards</p> <ol style="list-style-type: none"> 1. <u>Home businesses and home craft occupations must:</u> <ol style="list-style-type: none"> a. <u>be carried out within a lawfully established residential building (excluding minor buildings) or an associated accessory building that meets the permitted activity standards in Rule HRZ-Rx1 or HRZ-Rx2.</u> b. <u>not involve the use of any source of motor power other than electric motors of not more than 0.56kw;</u> c. <u>not have more than one non-resident person working in the residential unit at any one time; and</u> d. <u>not have any deliveries related to the activity made to or from the residential unit between the hours of 7pm and 7am.</u> 2. <u>The total floor area used for home businesses or home craft occupations must not exceed 40m² per residential unit.</u> 3. <u>In addition to Standards (1) and (2) above, for any home businesses:</u> <ol style="list-style-type: none"> a. <u>any retailing must be an ancillary activity to the home business;</u> b. <u>no goods on display shall be visible from outside the building in which the home business is undertaken; and</u> c. <u>the maximum retail floor space or sales area must not exceed 10m² per residential unit.</u>

	<p><u>Qualifying Criteria:</u> Home businesses and home craft occupations are performed entirely within a residential building or accessory building. Home businesses and home craft occupations shall not include any activity involving any panel beating, spray painting, motor vehicle repairs, fibre glassing, heavy trade vehicles, sheet metal work, wrecking of motor vehicles, bottle or scrap metal storage, rubbish collection service (except that empty, clean drums may be stored in a suitably screened area), wrought iron work or manufacture, motor body building, fish processing, breeding or boarding of dogs or cats, visitor accommodation or any process which involves repetitive use of power tools, drills or hammering or any business activity, trade, craft or profession which creates a nuisance effect at or beyond the boundary of the property on which the activity is occurring, and does not include temporary residential rental accommodation.</p>	
HRZ-Rx4	<p><u>Papakāinga on land held under Te Ture Whenua Māori Act 1993.</u></p>	
<u>Permitted Activity</u>	<p><u>Standards</u></p> <ol style="list-style-type: none"> <u>Buildings and structures (excluding minor buildings) must comply with the following Standards:</u> <ol style="list-style-type: none"> <u>Standards 2, 3, 4 and 5 set out under rule HRZ-Rx1</u> <u>The gross floor area of all commercial activities must not exceed the lesser of 20% of the area of the subject site, or 500m².</u> 	
HRZ-R8	<p><u>Visitor accommodation, excluding temporary residential rental accommodation and excluding the use of land for accommodating five or less visitors, subject to a tariff being paid.</u></p>	
<u>Controlled Activity</u>	<p><u>Standards</u></p> <ol style="list-style-type: none"> <u>Any building (excluding minor buildings) associated with the activity must comply with the permitted activity standards under HRZ-Rx1.</u> <u>The activity must not receive any delivery between the hours of 7pm and 7am.</u> 	<p><u>Matters of Control</u></p> <ol style="list-style-type: none"> <u>Transport effects.</u> <u>Landscaping.</u> <u>Noise effects.</u> <u>Layout, size, design and location of any proposed buildings (excluding minor buildings) associated with the activity.</u> <u>The imposition of conditions to manage visual, character and amenity effects.</u> <u>Any positive effects to be derived from the activity.</u> <u>Cumulative effects.</u> <u>The imposition of financial contributions in accordance with the Financial Contributions Chapter of this Plan.</u> <u>Note:</u> Other contributions may be applicable under the provisions of the Local Government Act 2002.
HRZ-R9	<p><u>Any activity which is listed as a permitted activity or a controlled activity and does not comply with one of more of the associated standards, unless otherwise specifically stated.</u></p>	
<u>Restricted Discretionary Activity</u>		<p><u>Matters of Discretion</u></p> <ol style="list-style-type: none"> <u>Consideration of the effects of the standard not met.</u> <u>The effect of non-compliance with the relevant standard, including any positive effects.</u> <u>Measures to avoid, remedy or mitigate adverse effects.</u> <u>Cumulative effects.</u>

<p><u>HRZ-Rx5</u></p>	<p>New buildings and structures, and any minor works, additions or alterations to any building or structure, that do not comply with one or more of the standards under rule HRZ-Rx1, except for standard 1 under rule HRZ-Rx1.</p> <p>The following are excluded from this rule:</p> <ul style="list-style-type: none"> • <u>Papakāinga</u> <p><u>Notification</u> Public notification of an application for resource consent under this Rule is precluded. Limited notification is precluded where the application results in a breach to any of the standards 6 to 10 of HRZ-Rx1.</p>	
<p><u>Restricted Discretionary Activity</u></p>		<p><u>Matters of Discretion</u></p> <ol style="list-style-type: none"> 1. <u>The matters contained in the Land Development Minimum Requirements.</u> 2. Consideration of the effects of the standard not met. 2. <u>The effect of non-compliance with the relevant standard, including any positive effects.</u> 3. <u>Where the site is located adjacent to a Place and Area of Significance to Māori identified in Schedule 9 effects on cultural values.</u> 4. <u>Where the site is located adjacent to a site containing a historic heritage feature, effects on historic heritage values.</u> 5. <u>The imposition of financial contributions in accordance with the Financial Contributions Chapter.</u>
<p><u>HRZ-Rx6</u></p>	<p>New buildings and structures, and any minor works, additions or alterations to any building or structure, that do not comply with standard 1 under rule HRZ-Rx1.</p> <p>The following are excluded from this rule:</p> <ul style="list-style-type: none"> • <u>Papakāinga</u> <p><u>Notification</u> Public and limited notification of an application for resource consent under this Rule is precluded.</p>	
<p><u>Restricted Discretionary Activity</u></p>		<p><u>Matters of Discretion</u></p> <ol style="list-style-type: none"> 1. <u>The extent to which the development, building design, siting and external appearance achieves an outcome that:</u> <ol style="list-style-type: none"> a. <u>Responds to the planned urban built form of the zone;</u> b. <u>Contributes to attractive and safe streets and public open spaces, and provides safe pedestrian access to buildings from the street;</u> c. <u>Achieves onsite living environments, including landscaping, which support resident amenity and liveability.</u> 2. <u>The extent to which residential units:</u> <ol style="list-style-type: none"> a. <u>Orientate and locate windows to maximise privacy and encourage natural cross ventilation within the dwelling</u>

		<ol style="list-style-type: none"> b. <u>Maximise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space</u> c. <u>Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate.</u> d. <u>Provide the necessary waste collection and recycling facilities in locations conveniently accessible and screens from streets and public open spaces.</u> <ol style="list-style-type: none"> 3. <u>The extent to which the activity may adversely impact on traffic generation, road safety, and access.</u> 4. <u>The matters contained in the Land Development Minimum Requirements.</u> 5. <u>The imposition of financial contributions in accordance with the Financial Contributions Chapter</u>
HRZ-Rx7	<p><u>New buildings and structures, and any minor works, additions or alterations to any building or structure, within the Marae Takiwā Precinct that do not comply with one or more of the standards under rule HRZ-Rx2.</u></p> <p><u>The following are excluded from this rule:</u></p> <ul style="list-style-type: none"> • <u>Papakāinga</u> <p>Notification <u>Public notification of an application for resource consent under this Rule is precluded.</u></p>	
<u>Restricted Discretionary Activity</u>		<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. <u>The matters of discretion listed under rule HRZ-Rx6.</u> 2. <u>Effects on cultural values and tikanga Māori.</u> 3. <u>Effects on the use and function of the marae.</u>
<p>Notes:</p> <ol style="list-style-type: none"> 1. <u>For resource consent applications under this rule, the owners and occupiers of the relevant marae will be considered an affected person in accordance with section 95E of the Act and notified of the application, where written approval is not provided.</u> 2. <u>For resource consent applications under this rule, the Council will seek advice from the relevant iwi authority and will rely on this advice. The matters that Council will seek advice from iwi authorities on include the cultural values and tikanga Māori associated with the marae.</u> 		
HRZ-Rx8	<u>Papakāinga on general title land.</u>	
<u>Restricted Discretionary Activity</u>	<p>Standards</p> <ol style="list-style-type: none"> 1. <u>The applicant is a member of Ngāti Toa Rangatira, Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga), or Te Āti Awa ki Whakarongotai.</u> 2. <u>Compliance with the Standards set out under rule HRZ-Rx4.</u> 	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. <u>Whether the applicant has demonstrated their whakapapa or ancestral connection to the land;</u> 2. <u>Evidence of appropriate legal mechanism(s) to ensure that land is maintained in Māori ownership.</u> 3. <u>The matters contained in the Land Development Minimum Requirements.</u>
HRZ-Rx9	<u>Papakāinga on land held under Te Ture Whenua Māori Act 1993 or on general title land that do not comply with one or more of the Standards set out under Rules HRZ-Rx4 or HRZ-Rx8.</u>	

	Notification Public notification of an application for resource consent under this Rule is precluded.	
Restricted Discretionary Activity	Standards For papakāinga on general title land, the applicant is a member of Ngāti Toa Rangatira, Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga), or Te Āti Awa ki Whakarongotai.	Matters of Discretion 1. Consideration of the effects of the standard not met. 1. <u>The effect of non-compliance with the relevant standard, including any positive effects.</u> 2. <u>Measures to avoid, remedy or mitigate adverse effects.</u> 3. <u>The matters contained in the Land Development Minimum Requirements.</u> 4. <u>For papakāinga on general title land:</u> a. <u>Whether the applicant has demonstrated their whakapapa or ancestral connection to the land;</u> b. <u>Evidence of appropriate legal mechanism(s) to ensure that land is maintained in Māori ownership.</u>
Notes: 1. <u>Refer to chapter PK – Papakāinga for Objectives and Policies specific to papakāinga.</u> 2. <u>For resource consent applications under this rule, the Council will seek advice from the relevant iwi authority (Ngāti Toa Rangatira, Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga), or Te Āti Awa ki Whakarongotai) and will rely on this advice. The matters that Council will seek advice from iwi authorities on include:</u> a. <u>where the papakāinga is on general title land, whether the applicant has demonstrated a whakapapa or ancestral connection to the land;</u> b. <u>any other matter related to tikanga Māori.</u>		
HRZ-Rx10	Commercial activities	
Restricted Discretionary Activity	Standards 1. <u>The commercial activity is limited to the ground floor of apartment building.</u> 2. <u>The gross floor area of the commercial activity/activities shall not exceed 200m².</u> 3. <u>Hours of operation shall be limited to:</u> a) <u>7:00am to 9:00pm Monday to Friday</u> b) <u>8:00am to 7:00pm Saturday, Sunday, and public holidays.</u> 4. <u>Where any building in which the activity is undertaken adjoins or is within 2 metres of any road boundary, at least 75% of the ground floor elevation(s) of the building that front onto the road boundary shall be active retail frontage including pedestrian entrances</u>	Matters of Discretion 1. <u>The extent to which the intensity and scale of the activity may adversely impact on the amenity of the surrounding neighbourhood.</u> 2. <u>Whether the business is compatible with the character of the surrounding neighbourhood, or whether it would be better located in a Centre.</u> 3. <u>Effect on amenity values of nearby residential properties, especially hours and days of operation, noise, and privacy impacts.</u> 4. <u>The extent to which the activity may adversely impact on traffic generation, road safety, onsite and street parking, and access.</u> 5. <u>Any positive effects to be derived from the activity.</u> 6. <u>Cumulative effects.</u> 7. <u>The imposition of financial contributions in accordance with the Financial</u>

	<p>and clear glass for the display of goods.</p> <p>5. The activity shall have road frontage to a Strategic Arterial Route (excluding any State Highway), a Major Community Connector Route, or Local Community Connector Route (as identified in District Plan Maps and TR-Table 7 - Transport Network Hierarchy).</p>	<p>Contributions chapter of this Plan.</p> <p>Note: Other contributions may be applicable under the provisions of the Local Government Act 2002.</p>
HRZ-R10	Any activity which is listed as a restricted discretionary activity and does not comply with one of more of the associated standards, unless otherwise specifically stated.	
Discretionary Activity		
HRZ-R11	Any building, minor works, and any additions or alterations to any building, which does not comply with one or more of the permitted activity standards under HRZ-R6	
Discretionary Activity		
HRZ-R12	Shared or group accommodation or supported living accommodation which does not comply with one or more permitted activity standards under HRZ-R4.	
Discretionary Activity		
HRZ-R13	Visitor accommodation, excluding Temporary Residential Rental Accommodation and excluding the use of land for accommodating five or less visitors subject to a tariff being paid, which does not comply with one or more of the controlled activity standards under HRZ-R11.	
Discretionary Activity		
HRZ-R14	Any home business or home craft occupation that complies with Standard 3 of HRZ-R10 but does not comply with one or more of the other permitted activity standards under HRZ-R10.	
Discretionary Activity		
HRZ-R15	Any commercial activity that does not comply with one or more of the restricted discretionary standards under HRZ-R14.	
Discretionary Activity		
HRZ-R16	Any commercial, industrial or retail activity that is not listed as a permitted, controlled, restricted discretionary or discretionary activity.	
Non-Complying Activity		
HRZ-R17	Offensive trades	
Non-Complying Activity		
HRZ-R18	Boarding or housing of animals for commercial gain	
Non-Complying Activity		
HRZ-R19	The keeping of goats, pigs, deer, roosters, or more than 12 pigeons or doves.	

<u>Non-Complying Activity</u>	
<u>HRZ-R20</u>	<u>Car wrecking indoors and outdoors and the storage of wrecked or unroadworthy vehicles not within an enclosed building (excluding minor buildings).</u>
<u>Non-Complying Activity</u>	
<u>HRZ-R21</u>	<u>The parking or placing of any motor vehicle, boat, caravan or material for the purposes of sale or lease within road or Council reserve other than specified areas by resolution of Council.</u>
<u>Non-Complying Activity</u>	
<u>HRZ-R23</u>	<u>Commercial panelbeating and spraypainting</u>
<u>Prohibited Activity</u>	