

Before the Independent Hearings Panel
Upper Hutt City Council

under: the Resource Management Act 1991

in the matter of: Submissions and further submissions in relation to the
Intensification Planning Instrument to the Upper Hutt
City Council's District Plan

and: **Retirement Villages Association of New Zealand
Incorporated**

(Submitter 64)

and: **Ryman Healthcare Limited**

(Submitter 57)

Supplementary Evidence of **Nicola Marie Williams** on behalf of
the Retirement Villages Association of New Zealand Incorporated
and Ryman Healthcare Limited

Dated: 17 May 2023

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**SUPPLEMENTARY EVIDENCE OF NICOLA MARIE WILLIAMS
ON BEHALF OF THE RETIREMENT VILLAGES ASSOCIATION
OF NEW ZEALAND INCORPORATED AND RYMAN
HEALTHCARE LIMITED**

INTRODUCTION

- 1 My full name is Nicola Marie Williams and I am an Associate with Mitchell Daysh Limited. Mitchell Daysh Limited is a specialist environmental consulting practice with offices in Auckland, Hamilton, Napier, Nelson and Dunedin.
- 2 I presented evidence at the hearing on Monday, 8 May 2023, on behalf of Ryman and the RVA as Dr Phil Mitchell was unable to attend the hearing. As discussed at the hearing, I have set out below an overview of my qualifications and experience.
- 3 I hold the degree of a Bachelor of Regional Planning from Massey University (1988). I am a member of the New Zealand Planning Institute and the Resource Management Law Association. I have worked as a consultant and in local government. I have approximately 30 years of experience as a resource management adviser including 20 years local government experience involving plan preparation, policy planning work and resource consents.
- 4 Prior to joining Mitchell Daysh Limited I was the Manager for Research, Policy and Planning with Kāpiti Coast District Council. In this role I had the primary responsibility for overseeing the Kāpiti Coast Proposed District Plan (*Proposed District Plan*) and leading three variations to the Proposed District Plan:
 - 4.1 Variation 2: Waikanae Beach & Beach Character Setback;
 - 4.2 Variation 3: County Road, Otaki Low Density Precinct; and
 - 4.3 Variation 4 (A-H): Miscellaneous Changes and Corrections.
- 5 I was also previously the Principal Planner with Thames Coromandel District Council. In this role I was responsible for the resource consent team and was a member of planning project teams in a range of policy planning projects including:
 - 5.1 Peer review of the Thames Coromandel Draft District Plan;
 - 5.2 Plan Change 21 Whitianga Town Centre;
 - 5.3 Whitianga Waterways Structure Plan; and
 - 5.4 Variation 2 – Whitianga Airfield.

- 6 I am an accredited Hearings Commissioner (with a Chair's endorsement) and have acted as a Hearings Commissioner on numerous occasions, including recently as a Hearing Commissioner for Auckland Council.
- 7 I have been involved in the preparation of a number of applications for retirement villages in Wellington, Christchurch and Auckland and in various applications for variations to existing villages across New Zealand.
- 8 I have read the evidence of Dr Mitchell filed on 14 April 2023. As I confirmed at the hearing on Monday, 8 May 2023, I adopt the conclusions and analysis in Dr Mitchell's evidence.
- 9 In preparing this statement of evidence, I have reviewed:
- 9.1 The National Policy Statement on Urban Development 2020 (*NPS-UD*);
 - 9.2 The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (*Enabling Housing Act*);
 - 9.3 Upper Hutt City Council's District Plan (*District Plan*);
 - 9.4 The Intensification Planning Instrument (*IPI*) to the District Plan;
 - 9.5 The RVA and Ryman's submissions and further submissions on the IPI;
 - 9.6 The relevant sections of the section 32 evaluation of the IPI;
 - 9.7 The section 42A reports on the IPI;
 - 9.8 The relevant supplementary statements of evidence prepared on behalf of the Upper Hutt City Council (*Council*);
 - 9.9 The Wellington Regional Policy Statement (*WRPS*); and
 - 9.10 The evidence of Mr John Collyns, Mr Matthew Brown, Professor Ngaire Kerse and Mr Greg Akehurst for the RVA and Ryman.

EXPERT WITNESS CODE OF CONDUCT

- 10 I have read the Environment Court's Code of Conduct for Expert Witnesses contained within the Environment Court Practice Note 2023 and I agree to comply with it. My qualifications as an expert

are set out above. I am satisfied that the matters which I address in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

OVERVIEW

- 11 This supplementary evidence responds to matters arising from the questions of the Independent Hearing Panel, during the hearing held on 8 May 2023 as follows:
- 11.1 I provide an amended copy of **Appendix A** with the changes sought by the RVA and Ryman clearly highlighted.
 - 11.2 I provide an 'overall evaluation' within a wiring diagram in **Appendix B** showing the inter-relationship between the suggested objectives, policies, rules and standards governing villages;
 - 11.3 I provide further analysis on the reasons for including the 'Retirement Unit' definition;
 - 11.4 I provide further commentary on the provision for retirement villages as a restricted discretionary activity, the application of the Design Guides and include an updated **Appendix C**; and
 - 11.5 I also provide proposed amendments to the Financial Contributions provisions in **Appendix D**.

THE 'OVERALL EVALUATION' APPROACH

- 12 As outlined in the evidence of Dr Mitchell (dated 14 April 2023 and adopted by me at the hearing), the overall framework proposed by Ryman and the RVA seeks to ensure greater consistency and better provision for retirement villages as a bespoke subset of the "four or more" residential unit typology of the NPS-UD and MDRS provisions across the country. The general purpose is to clearly highlight the need to provide for the changing demographics of an ageing population and ensure that appropriate housing is sufficiently enabled, while at the same time, ensuring that the environmental effects are appropriately managed.
- 13 The policy framework has been designed at a high level to reflect the national policy direction and to fit into the IPI process rather than provide a fully bespoke 'standalone' planning framework for retirement villages. I have attached an updated copy of Appendix A which clearly sets out (shown in red underline) the proposed amendments to the relevant objectives and policies as set out in the RVA and Ryman's submissions, and further outlined in the

evidence of Dr Mitchell, to appropriately provide for the ageing population and retirement villages in Upper Hutt City.

- 14 In terms of managing potential adverse effects, the regime applies a restricted discretionary activity status for retirement village developments. The relevant matters of discretion are proportionate to the reduced expectation of controlling urban design effects prescribed in the NPS-UD and MDRS. Other matters of discretion would also require consideration of the need to provide for efficient use of larger sites, the functional and operational needs of retirement villages, their positive effects and ensuring the management of environmental effects.
- 15 It was intended that these matters of discretion would be considered against the broader policy framework in the Residential chapters along with the objectives and policies within the GRZ and HRZ. To illustrate, the wiring diagram in Appendix B shows the main objective and policy links between the matters of discretion and the retirement village policies and other relevant policies.
- 16 Overall, I consider this approach to be efficient and effective in delivering on the objectives of the NPS-UD and the MDRS, as well as working together with the wider planning context. I consider it is more appropriate than the regime proposed by Council for the reasons expressed and clearly articulates how the proposed objectives and policies align to provide for retirement villages.

SPECIFIC PROVISION FOR RETIREMENT VILLAGES

Definitions – Retirement Unit

- 17 The Panel raised the question of whether a standalone retirement unit definition is appropriate, and whether there is a conflict between retirement villages being a residential activity and having a separate definition for a 'retirement unit' which specifically excludes a 'retirement unit' from being a residential unit.
- 18 I have considered this further and provide the following commentary as to why the RVA and Ryman seek a separate definition of 'retirement unit':
- 18.1 Firstly, as outlined during the hearing retirement villages provide housing for the elderly offering a range of living options from independent townhouses and apartments through to higher levels of care including hospital care. While these living options are in fact the primary residence for the occupant, in some instances the units may not enable full independent living as required by the definition of 'residential unit' (*e.g. ...used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities*). As such, providing a

separate definition of 'retirement unit' clarifies that such a unit may not always be fully independent.

18.2 Secondly, including a separate 'retirement unit' definition enables the unique characteristics of retirement villages to be provided for in the zone standards. In particular, separate internal amenity provisions for a 'retirement unit' can be included to provide a different standard from a fully independent residential unit. For example, the standard of outdoor living space required for a fully independent residential unit is different from a 'retirement unit'. Residents in 'retirement units' have access to other amenities within the village such as a communal dining room for meals or a shared lounge area for socialising with friends, which residential multi-unit complexes do not have. Therefore, a reduced standard is sought for the 'retirement unit', but which I consider will not compromise the amenity of future residents. I also note the evidence of Mr Brown and Mr Collyns that retirement villages provide a high degree of amenity and care on site, which is consistent with my experience of retirement villages.

19 While I have carefully considered the issue raised by the Panel, I am of the view that the inclusion of a separate 'retirement unit' definition is required. The intention of this definition is not to exclude units from providing high quality living environments, but to enable units within retirement villages that have access to a range of communal facilities within the village to have reduced standards where appropriate.

20 I have also considered the question from the Panel in terms of the potential consequential effects of excluding a retirement unit from being a residential unit. The reason for this inclusion was simply a point of clarification to ensure the new internal controls are clearly separated from the controls for residential units. For example, the standard for outlook space or outdoor living space will have a different control for a retirement unit. In considering the Panel's questions at the hearing, I have identified that there are three possible options in relation to retirement units.

21 Option 1 is to amend the residential unit definition utilising the pathway under 14.1 of the NPS as follows:

Residential unit: Means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities, with the exception of residential units within retirement villages (retirement units) which in some cases do not always contain cooking, bathing and toilet facilities.

- 22 Option 2 is to retain Dr Mitchell's original proposal, that is, provide a new definition for 'retirement unit' and include specific rules within the relevant built form standards that apply to retirement units specifically.
- 23 Option 3 is to exclude retirement villages from all internal amenity standards where the retirement unit standard was proposed to be included, which will therefore render the definition redundant.
- 24 I don't support option 3 as this would leave no control on internal amenity for outlook space and outdoor living space. I also consider that option 1 will be challenging to implement because retirement units need specific internal amenity rules and therefore cannot be bundled in the residential unit definition.
- 25 I therefore support option 2 as being the most appropriate. The original premise for proposing the retirement unit definition was to enable specific provision for 'retirement units' within the rule requirements where retirement units may have nuanced standards and/or exclusion was required from the standard. I acknowledge that the Plan will need to be checked to ensure that there are no unintended consequences of separating retirement units from the residential unit definition. In the current process, my proposal would be to ringfence the definition to the GRZ, HRZ and commercial zones referred to in the submissions but would encourage the Council to undertake a plan change to provide a more comprehensive approach.
- 26 Alternatively, if option 2 is not the preferred option of the Panel on its recommendation, then the next best option is option 1.

Restricted Discretionary Activity and Design Guides

- 27 On reflection of the Panel's questions and discussion relating to the provision of construction of retirement villages as a restricted discretionary activity, I have reviewed the rule requirements that apply to residential developments and the matters for control of discretion that might also apply to the consideration of retirement villages. As confirmed at the hearing, I prefer a modified restricted discretionary rule which enables retirement villages as a restricted discretionary activity rather than the discretionary activity status proposed in the section 42A report.
- 28 A restricted discretionary activity status allows for the relevant matters of discretion to be considered by decision-makers, in a way that is focussed and proportionate to the reduced expectation of controlling urban design effects, as prescribed in the NPS-UD and MDRS. Restricted discretionary activity status also allows non-notification presumptions to be applied in the same way as for other multi-unit developments.

- 29 The Panel specifically asked questions in relation to the relevance of the design guides and how they could be confident of ensuring a high quality outcome if a retirement village proposal was developed without adherence to a design guide. The Panel highlighted that design guides can support a consistent methodology for assessing urban design in the consenting process providing a level of comfort to decision makers that a detailed assessment of design quality has been undertaken as part of the process.
- 30 As explained at the hearing, it is intended that the matters that a design guide is seeking to control, such as the interface between a retirement village and the adjoining sites and public realm, be specifically listed as matters of discretion within the restricted discretionary activity rather than requiring a full assessment against a design guide. This approach will still require a retirement village consent application to address urban design effects of relevance.
- 31 As outlined in the evidence of Dr Mitchell, the Medium and High Density Design Guide (*Design Guide*) has been prepared in relation to more typical residential developments and are largely inappropriate for retirement villages given their unique layouts and requirements.
- 32 Having considered this matter further, and noting that the Panel identified that the role of design guides had not been specifically raised through the IPI process, I have reassessed how the relevant matters in the design guides may be appropriately included in the restricted discretionary activity rule in the same manner as the construction of 4 or more residential units.
- 33 When thinking about the design principles in relation to a retirement village, it is the external effects in terms of the quality of the interface with adjoining sites and public areas rather than the internal design features that should be the primary focus in my view. The evidence of Mr Collyns and Mr Brown clearly indicates why retirement villages are different from that of standard residential development, for example by having communal internal amenity areas. Accordingly, retirement villages do not fit in with typical controls imposed on residential developments in terms of design and layout. Appendix D of Dr Mitchell's evidence also highlights the inconsistencies between the design guide and the MDRS and where the design guide provisions are not suitable in the retirement village context, for example the requirements for outdoor living (communal) open space. As such, I consider that the design guide in its current form is not an appropriate tool to manage the design assessment for a retirement village.
- 34 I remain of the view that the restricted discretionary rule criteria are the most appropriate method to address urban design matters.

Appendix C provides an amended version of the rule for the construction of retirement villages to better align with the Plan provisions for multi-unit developments, but without reference to the design guide.

- 35 In particular, I have carried over the matters of discretion that I consider should apply to retirement villages in the GRZ and HRZ zones. I have not carried over all of the provisions on the basis that urban design/amenity matters are already managed in the regime I propose.

Financial Contributions

- 36 At the hearing Mr Akehurst described the risks of the current provisions resulting in some developers (particularly retirement villages which have a lower demand on council services) paying more than their fair share and the risk of double dipping occurring. The Panel raised a number of questions regarding the specific relief sought by the RVA and Ryman on the Financial Contributions provisions in the IPI.
- 37 Accordingly, Mr Akehurst and I have prepared a number of proposed changes (Appendix D), to the Financial Contributions policies and rules to assist with clarifying these matters.
- 38 Mr Akehurst addresses his concerns and proposed relief in relation to the IPI provisions in his supplementary evidence.

CONCLUSION

- 39 As discussed at the hearing, the submissions by the RVA and Ryman on the IPI are seeking to ensure that the Plan provides an enabling framework for the establishment of retirement villages in the residential and commercial zones of the City, with proportionate restrictions to manage effects.
- 40 The further suggested amendments to the matters of discretion and the financial contributions provisions follow the discussions of the hearing and are intended to assist in ensuring the amendments provided through the IPI appropriately respond to the retirement housing and care shortage and are consistent with the NPS-UD.

Nicola Williams

17 May 2023

Appendix A – Amendments to Objectives and Policies

In Appendix A only, text in red underline and strikethrough are Ryman’s and the RVA’s requested amendments. Blue underlined and strikethrough is text that has been recommended by the Council Officer in Appendix 2: Recommended Provisions with black underline and strike through reflecting the notified provisions where required by Council.

Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
General Residential Zone (GRZ)				
Introductory Text	<p>The RVA seeks the following changes to the General Residential Zone background text:</p> <ul style="list-style-type: none"> - Expressly exclude retirement villages from the applicability of the Medium and High Density Design Guide; and - Specifically acknowledge that retirement villages and / or accommodation for the ageing population is anticipated / provided for in the General Residential Zone. 	<p>Reject</p> <p>Within the General Residential Zone, retirement villages are provided for via catch-all discretionary rule GRZ-R21. Depending on the proposed design and layout of a retirement village and its interaction with public areas, the design guide could be a relevant matter the Council wishes to consider. ¹</p>	<p>The proposed amendments better provide for retirement villages.</p>	<p>Retain paragraph 1-3 as notified.</p> <p>Insert the following as paragraph 4:</p> <p><u>Accommodation for the ageing population (such as retirement villages) is anticipated and provided for in the General Residential Zone.</u></p> <p>Retain paragraph 5 as notified.</p> <p>Amend paragraph 6 as follows:</p> <p>It is anticipated that the character, form and amenity of residential areas within the General Residential Zone will change over time. These</p>

¹ Page 228, submission point S64.20 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
				<p>changes may be significant and may detract from amenity values appreciated by the community but may improve the amenity values appreciated by other people and future generations, including by providing for increased and varied housing densities and types. To help manage this change, the Medium and High Density Design Guide in Appendix 1 promotes a high standard of urban design are included in the District Plan. It is anticipated this will encourage new development to make a positive contribution toward the evolving character of the General Residential Zone.</p> <p><u>However, Retirement villages are excluded from the applicability of both the</u></p>

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
				<u>Medium and High Density Design Guides.</u>
<p>GRZ-01 The promotion of a high quality residential environment which acknowledges the physical character of the residential areas, and provides a choice of living styles and types while recognising that character and amenity values develop and change over time.</p>	<p>Delete GRZ-01 or amend for consistency with the MDRS.</p>	<p>Reject No comment within the report.</p>	<p>The RVA opposes GRZ-01, which covers matters addressed by the MDRS policies inserted into the Plan, and unnecessarily introduces new, undefined concepts such as “acknowledging” the physical character of residential areas. It is unclear how a ‘high quality residential environment’ differs from a well-functioning urban environment’.</p>	<p>The changes Council have recommended in line with Kainga Ora’s submission point S58.97 are accepted. Noting <u>blue</u> is recommended by Council and <u>black</u> is what was updated in the notified provision.</p> <p>GRZ-01 The promotion of a high quality residential environment <u>which maintains and enhances</u> <u>acknowledges the physical character that is consistent with the planned urban built form</u> of the residential areas, <u>and</u> provides a choice of living styles <u>and types while recognising that character and amenity values develop and change over time</u> <u>and a high level of residential amenity.</u></p>

Appendix A – Amendments to Objectives and Policies

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>GRZ-02 Well-functioning Urban Environments</p> <p>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.</p>	Support	Accept	N/A	N/A
<p>GRZ-03 Housing variety</p> <p>A relevant residential zone provides for a variety of housing types and sizes that respond to</p> <ul style="list-style-type: none"> a. housing needs and demand; and b. the neighbourhood’s planned urban built character, including 3-storey buildings. 	Support	Accept	N/A	N/A

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>GRZ-P1A</p> <p>Enable a variety of housing types with a mix of densities within the General Residential Zone, including 3-storey attached and detached dwellings, and low-rise apartments.</p>	Support	Accept	N/A	N/A
<p>GRZ-P1B</p> <p>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 significant natural areas, historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga).</p>	Support	Accept	N/A	N/A
<p>GRZ-P1C</p>	Support	Accept	N/A	N/A

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.				
GRZ-P1D Enable housing to be designed to meet the day-to-day needs of residents.	Support	Accept	N/A	N/A
GRZ-P1E Provide for developments not meeting permitted activity status, while encouraging high-quality developments.	Support	Accept	N/A	N/A
GRZ-P1 To provide for a range of building densities within the residential areas that are compatible in form and scale with the neighbourhood’s planned built form and character which takes into	Support in Part Amend GRZ-P1 as follows: To provide for a range of building densities within the residential areas that <u>respond to are compatible in form and scale with</u> the neighbourhood’s planned built form and character	Reject “I consider the requested amendments to be inferior to those of the notified IPI. I consider the compatibility of building densities with the planned urban built form is a more appropriate wording as	The linkage between building density and infrastructure capacity is of concern. The wording as notified does not consider that infrastructure challenges can be overcome through innovative design and, in some cases, undertaking local works. It is not necessary to control	Amend the notified version of GRZ-P1 as follows: To provide for a range of building densities within the residential areas that <u>respond to are compatible in form and scale with</u> the neighbourhood’s planned built form and character

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
account the capacity of the infrastructure.	which takes into account the capacity of the infrastructure.	it better provides for the consideration of restricted discretionary activities – noting that restricted discretionary activities within the GRZ that give effect to the IPI are actually part of the planned urban built form as expressed in relevant policies such as GRZ-P1E”. ²	density as a proxy for managing infrastructure constraints.	which takes into account the capacity of the infrastructure.
GRZ-P2 To ensure that the scale, appearance and siting of buildings, structures and activities are compatible in form and scale with the neighbourhood’s planned built form and character.	Support in Part Amend GRZ-P2 as follows: To ensure that the scale, appearance and siting of buildings, structures and activities respond to are compatible in form and scale with the neighbourhood’s planned built form and character.	Reject (same reasoning as above). “I consider the requested amendments to be inferior to those of the notified IPI. I consider the compatibility of building densities with the planned urban built form is a more appropriate wording as it better provides for the	The proposed amendment sought would be more in line with Objective 2 of the MDRS.	Amend the notified version of GRZ-P2 as follows: To ensure that the scale, appearance and siting of buildings, structures and activities respond to are compatible in form and scale with the neighbourhood’s planned built form and character.

² Paragraph 278 – Council Officers’ Section 42A Report.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		consideration of restricted discretionary activities – noting that restricted discretionary activities within the GRZ that give effect to the IPI are actually part of the planned urban built form as expressed in relevant policies such as GRZ-P1E”. ³		
<p>GRZ-P4</p> <p>To ensure that the location and design of buildings and earthworks do not significantly detract from the residential amenity of the area, while recognising that amenity values may change over time to reflect the neighbourhood’s planned built form.</p>	<p>Delete GRZ-P4</p>	<p>Reject</p> <p>“I consider that the NPS-UD does not require amenity values to be disregarded, but rather that amenity values are to be considered in light of the significant changes that may occur resulting from the planned urban built form of an urban area. I consider the wording of GRZ-P4 to be</p>	<p>Policy GRZ-P4 is insufficient to avoid conflict with the MDRS and NPS-UD Policy6(b)(i). The policy continues to refer to existing residential amenity and is therefore inconsistent with the expectation for significant change that may detract from amenity values.</p>	<p>Delete GRZ-P4</p>

³ Paragraph 278 – Council Officers’ Section 42A Report.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		<p>consistent with the NPS-UD as it does not refer to the retention of existing amenity values, and it also requires the recognition that amenity values may change over time to reflect the neighbourhood’s planned built form. I also note that the policy applies to other activities such as earthworks, and that the NPS-UD does not direct how the effects of earthworks must be considered”.⁴</p>		
<p>GRZ-P5 To encourage sites fronting streets to present a pleasant and coherent residential appearance.</p>	<p>Delete GRZ-P5</p>	<p>Reject I am recommending amendments to delete reference to 'pleasant' in response to submission</p>	<p>The reference to a 'pleasant and coherent' residential appearance is vague and subjective. It is also not necessary given GRZ-P1C addresses attractive streets.</p>	<p>The changes Council have recommended in line with Kainga Ora’s submission point S58.109 goes someway to meeting the original submission however as</p>

⁴ Paragraph 286 – Council Officers’ Section 42A Report.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		S58.109 – Kāinga Ora: Homes and Communities. I consider this recommendation addresses the submitter's concerns regarding the removal of vagueness and subjectiveness – without the deletion of policy GRZ-P5. ⁵		previous stated GRZ-P1C addresses attractive streets and GRZ-P5 is not necessary. Noting <u>blue</u> is recommended by Council and <u>black</u> is what was updated in the notified provision. GRZ-P5 To ensure that <u>encourage</u> sites fronting streets <u>to</u> present a pleasant and coherent residential appearance.
GRZ-P9 To promote residential development with a high level of amenity and ensure that it has adequate access to infrastructural requirements, while recognising that	Support in Part Amend GRZ-P9 as follows: To promote <u>high-quality</u> residential development with a high level of amenity and ensure that it has adequate access to infrastructural requirements, while	Reject I consider that the requested addition of 'high quality' would result in policy GRZ-P9 being less consistent with the direction of NPS-UD Policy 6. I am uncertain how the term	To recognise that amenity values may change over time to reflect the neighbourhood’s planned built form is positive, however, the policy suggests the reference to a 'high level of amenity' is unclear and inconsistent with the MDRS.	Amend the notified version of GRZ-P9 as follows: To promote <u>high-quality</u> residential development with a high level of amenity and ensure that it has adequate access to infrastructural requirements, while recognising that amenity

⁵ Paragraph 287 – Council Officers’ Section 42A Report.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
amenity values develop and change over time.	recognising that amenity values develop and change over time.	'high quality' would be interpreted during plan implementation. ⁶	The incorporation of the term "high-quality" reflects the intent of Policy 5 of the MDRS.	<p>values develop and change over time.</p> <p>Or</p> <p>The changes Council have recommended in line with Kainga Ora’s submission point S58.110 is accepted. Noting <u>blue</u> is recommended by Council and <u>black</u> is what was updated in the notified provision.</p> <p>GRZ-P9</p> <p>To promote residential development <u>that is consistent with the planned urban built form, appearance, and with a high level of amenity of the zone</u> and ensure that it has adequate access to infrastructural requirements, <u>while recognising that amenity</u></p>

⁶ Paragraph 283 – Council Officers’ Section 42A Report.

Appendix A – Amendments to Objectives and Policies

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
				<u>values develop and change over time.</u>
<p>GRZ-P11</p> <p>New buildings and development will be designed to achieve hydraulic neutrality.</p>	<p>Support in Part</p> <p>Amend GRZ-P11 as follows:</p> <p>New buildings and development <u>are encouraged to will</u> be designed to achieve hydraulic neutrality.</p>	<p>Reject</p> <p>The requested amendments to the policies listed by the submitter would be ineffective at achieving the relevant objectives, and would be inconsistent with the permitted activity standards for hydraulic neutrality. It is noted the relevant permitted standards require rather than encourage hydraulic neutrality, and it is not recommended to change this approach in response to other submission points.⁷</p>	<p>Achievement of hydraulic neutrality should be encouraged rather than required, noting that in some instances there may be sufficient capacity in the downstream system and / or the effects of increased water flows can be managed effectively.</p>	<p>Amend the notified version of GRZ-P11 as follows:</p> <p>New buildings and development <u>are encouraged to will</u> be designed to achieve hydraulic neutrality.</p>

⁷ Page 372, submission point S64.17 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
High Density Residential Zone (HRZ)				
Introductory Text	Support	Accept	N/A	N/A
HRZ-O1 Well-functioning Urban Environments 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.	Support	Accept	N/A	N/A
HRZ-O2 Housing Variety A relevant residential zone provides for a variety of housing types and sizes that respond to: <ul style="list-style-type: none"> a. housing needs and demand; and b. the neighbourhood’s planned urban built 	Support	Accept	N/A	N/A

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
character, including 3-storey buildings.				
<p>HRZ-03 Hydraulic Neutrality</p> <p>There is no increase in the peak demand on stormwater management systems and increase in flooding from subdivision and development.</p>	<p>Oppose in Part</p> <p>The RVA considers that in some instances there may be sufficient capacity in the downstream stormwater system and / or the effects of increased water flows can be managed effectively without achieving hydraulic neutrality.</p> <p>Amend HRZ-03 to address submission.</p>	<p>Reject</p> <p>The requested amendment would enable downstream systems that currently have sufficient capacity for stormwater to become overwhelmed before hydraulic neutrality becomes necessary. Such an approach would be likely to result in adverse stormwater issues in the future, and would pass on the costs of addressing this to people who did not contribute to the problem.</p> <p>It is noted the case-by-case consideration via the resource consent process is available for proposals that seek to not achieve hydraulic neutrality. This is considered</p>	<p>The achievement of hydraulic neutrality should be encouraged rather than required, noting that in some instances there may be sufficient capacity in the downstream system and / or the effects of increased water flows can be managed effectively.</p>	<p>Amend the notified version of HRZ-03 as follows:</p> <p>There is no <u>Any</u> increase in the peak demand on stormwater management systems and increase in flooding from subdivision and development <u>is appropriately managed</u>.</p>

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		to be the most appropriate method to achieve the relevant objectives. ⁸		
<p>HRZ-04 High Density Residential Zone</p> <p>The planned built urban form of the High Density Residential Zone includes high density residential development of heights and densities of urban form greater than that provided for in the General Residential Zone.</p>	Support	Accept	N/A	N/A
<p>HRZ-P1</p> <p>Apply the MDRS across all relevant residential zones in the district plan except in circumstances where a qualifying matter is relevant (including matters of</p>	Support	Accept	N/A	N/A

⁸ Page 373, submission point S64.50 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga).				
HRZ-P2 Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.	Support	Accept	N/A	N/A
HRZ-P3 Enable housing to be designed to meet the day-to-day needs of residents.	Support	Accept	N/A	N/A
HRZ-P4 Provide for developments not meeting permitted activity status, while encouraging high-quality developments.	Support	Accept	N/A	N/A

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>HRZ-P5</p> <p>To provide for a range of building densities within the residential areas that are compatible in form and scale with the neighbourhood’s planned built character.</p>	<p>Support in Part</p> <p>Amend HRZ-P5 as follows:</p> <p>To provide for a range of building densities within the residential areas that <u>respond to are compatible in form and scale with</u> the neighbourhood’s planned built character.</p>	<p>Reject</p> <p>The requested wording is not considered to provide a greater level of direction to decision makers than the existing wording, and in particular as recommended to be amended in response to submission point S58.149.⁹</p>	<p>The proposed amendment sought would be more in line with Objective 2 of the MDRS.</p>	<p>Amend the notified version of HRZ-P5 as follows:</p> <p>To provide for a range of building densities within the residential areas that <u>respond to are compatible in form and scale with</u> the neighbourhood’s planned built character.</p>
<p>HRZ-P7</p> <p>Enable more people to live in the High Density Residential Zone by enabling residential building heights up to 26 metres.</p>	<p>Support</p>	<p>Accept</p> <p>A consequential amendment is recommended to HRZ-P7 to correct the permitted height in the HRZ in response to submission point S5.26 – Bob Anker.</p>	<p>N/A</p>	<p>N/A</p>
<p>HRZ-P8</p>	<p>Support in Part</p> <p>Amend HRZ-P8 as follows:</p>	<p>Reject</p>	<p>Achievement of hydraulic neutrality should be encouraged rather than</p>	<p>Amend the notified version of HRZ-P8 as follows:</p>

⁹ Page 157, submission point S64.56 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>New buildings and development will be designed to achieve hydraulic neutrality.</p>	<p>New buildings and development <u>are encouraged to will</u> be designed to achieve hydraulic neutrality.</p>	<p>The requested amendments to the policies listed by the submitter would be ineffective at achieving the relevant objectives, and would be inconsistent with the permitted activity standards for hydraulic neutrality. It is noted the relevant permitted standards require rather than encourage hydraulic neutrality, and it is not recommended to change this approach in response to other submission points.¹⁰</p>	<p>required, noting that in some instances there may be sufficient capacity in the downstream system and / or the effects of increased water flows can be managed effectively.</p>	<p>New buildings and development <u>are encouraged to will</u> be designed to achieve hydraulic neutrality.</p>
<p>Neighbourhood Centre Zone (NCZ)</p>				

¹⁰ Page 372, submission point S64.17 - Appendix 1 – Recommendations on Submissions.

Appendix A – Amendments to Objectives and Policies

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>Introductory Text</p> <p>The Neighbourhood Centre Zone provides for a range of small scale commercial activities that service the day-to-day needs of the immediate residential neighbourhood.</p> <p>Neighbourhood Centres accommodate a range of commercial, retail and community services and provide a limited range of services, employment and living opportunities.</p> <p>Neighbourhood Centres are of a scale that aligns well with the medium density of the surrounding residential neighbourhoods. Most Neighbourhood Centres comprise of two to three small scale shops but can be as small as a single dairy.</p> <p>Buildings in the Neighbourhood Centre Zone usually are of a similar scale to the surrounding residential</p>	<p>Support in Part</p> <p>Amend the text to acknowledge that residential activities are anticipated / provided for at a level that is not “limited”.</p>	<p>Reject</p> <p>1. Residential activities are adequately captured by the reference to 'living opportunities'.</p> <p>2. The requested addition to the description of where residential activities are provided for within the NCZ is already captured by reference to 'or towards the rear of the site. The provision of residential activities within the NCZ is described in NCZ-P2, and enabled by rule NCZ-R8 where compliance with NCZ-S5 is achieved (location of residential units). To be a permitted activity, residential units must be located above ground floor, or on ground floor where no part of the residential unit fronts onto a</p>	<p>The Enabling Housing Act is not limited to residential zones and requires councils to ensure district plans provide for the intensification of urban non-residential zones, the RVA seeks that residential activities are provided for at a level that is not 'limited'.</p> <p>Residential activities at ground floor can be considered when appropriate and should be provided for on this basis.</p>	<p>Amend the notified version as follows:</p> <p>The Neighbourhood Centre Zone provides for a range of small scale commercial activities that service the day-to-day needs of the immediate residential neighbourhood.</p> <p>Neighbourhood Centres accommodate a range of commercial, retail, and community services and <u>residential activities, and</u> provide a limited range of services, <u>and</u> employment <u>and living opportunities</u>.</p> <p>...</p> <p>Residential <u>activities units</u> are located either above the ground floor or towards the rear of the site <u>or at ground floor where appropriate</u>.</p>

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
neighbourhood. Typically buildings are built up to the road frontage, with commercial windows along the frontage and carparking available on the street. Residential units are located either above the ground floor or towards the rear of the site.		public open space, including roads, and they do not prevent or interrupt an active frontage. ¹¹		
<p>NCZ-01 Purpose of the Neighbourhood Centre Zone</p> <p>Neighbourhood Centres are small-scale commercial sites and centres that service the day-to-day needs of surrounding residential neighbourhoods. They accommodate a range of small-scale commercial and community activities as well as residential activities.</p>	Support	Accept	N/A	N/A

¹¹ Page 305, submission point S64.66 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>NCZ-O2 Character and Amenity Values of the Neighbourhood Centre Zone</p> <p>Built development in the Neighbourhood Centre Zone is of medium density and reflects the anticipated built character of the surrounding residential neighbourhood. It is well-designed and contributes positively to the residential environment.</p>	<p>Support in Part</p> <p>Amend NCZ-O2 as follows:</p> <p>Built development in the Neighbourhood Centre Zone is of medium density and <u>reflects responds to</u> the anticipated built character of the surrounding residential neighbourhood. It is well-designed and contributes positively to the residential environment.</p>	<p>Reject</p> <p>It is considered appropriate to retain the reference to reflects rather than replace this with responds. The planned urban built form (as per NPS-UD Policy 6(a)) is that which is enabled and provided for by the IPI. It is considered appropriate that built development reflects the planned urban built form.</p> <p>The proposed deletion of the sentence 'It is well-designed and contributes positively to the residential environment', would result in a disconnect between NCZ-O2 and the direction of policies NCZ-P5 – Built Development, and NCZ-P7 – Interface with Residential Zones and Open</p>	<p>The wording should be amended to reflect the MDRS as drafted in the Enabling Housing Act. It is also suggested that the reference to built development being 'well-designed' and 'contributing positively' introduces undefined concepts. It is not clear whether these concepts are additional requirements to a 'well-functioning' urban environment or what they would entail.</p>	<p>Amend the notified version of NCZ-O2 as follows:</p> <p>Built development in the Neighbourhood Centre Zone is of medium density and <u>reflects responds to</u> the anticipated built character of the surrounding residential neighbourhood. It is well-designed and contributes positively to the residential environment.</p>

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		Space and Recreation Zones. ¹²		
<p>NCZ-04 Hydraulic neutrality</p> <p>There is no increase in the peak demand on stormwater management systems and increase in flooding from subdivision and development.</p>	<p>Support in Part</p> <p>Amend so that hydraulic neutrality is not required (but encourage) where there is sufficient capacity in the downstream system and / or the effects of increased water flows can be managed effectively.</p>	<p>Reject</p> <p>Achieving hydraulic neutrality is an important component of addressing increased stormwater flooding effects that may result from the additional level of permitted activity development enabled by the IPI. This is recognised by Section 80E(2)(f) specifically identifying hydraulic neutrality as a related provision that may be included in the IPI.</p> <p>The most appropriate method to achieve the relevant objectives is to require</p>	<p>The achievement of hydraulic neutrality should be encouraged rather than required, noting that in some instances there may be sufficient capacity in the downstream system and / or the effects of increased water flows can be managed effectively.</p>	<p>Amend the notified version of NCZ-04 as follows:</p> <p>There is no <u>Any</u> increase in the peak demand on stormwater management systems and increase in flooding from subdivision and development <u>is appropriately managed</u>.</p>

¹² Page 307, submission point S64.68 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		hydraulic neutrality for all new subdivision and development and enable the case-by-case consideration of proposals where this is not possible or necessary via the resource consent process. ¹³		
<p>NCZ-P2 Residential activity</p> <p>Provide for residential activity where:</p> <ol style="list-style-type: none"> The residential units are located either above ground floor or to the rear of a commercial activity; It does not compromise an active commercial frontage that addresses the street. 	<p>Oppose in Part</p> <p>Amend NCZ-P2 as follows:</p> <p>Provide for residential activity where:</p> <ol style="list-style-type: none"> The residential units are located either above ground floor or to the rear of a commercial activity; <u>or above ground where appropriate</u> ... 	<p>Reject</p> <p>The requested addition to policy NCZ-P2 regarding where residential activities are provided for within the NCZ is already captured by reference to 'or towards the rear of a commercial activity'.</p> <p>The provision of residential activities within the NCZ as described in NCZ-P2 is enabled by rule NCZ-R8</p>	<p>Residential activities should be able to locate at the ground floor where appropriate, and consider that these situations need to be determined on a case by case basis.</p>	<p>Amend the notified version of NCZ-P2 as follows:</p> <p>Provide for residential activity where:</p> <ol style="list-style-type: none"> The residential units are located either above ground floor or to the rear of a commercial activity <u>or at ground level where appropriate;</u> ...

¹³ Page 372, submission point S64.18 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>3. Any residential units are designed to:</p> <ul style="list-style-type: none"> a. Achieve adequate indoor noise and ventilation levels for occupants; and b. Provide appropriate amenity for occupants; and <p>4. Reverse sensitivity effects on commercial activities are minimised.</p>		<p>where compliance with NCZS5 is achieved (location of residential units). To be a permitted activity, residential units must be located above ground floor, or on ground floor where no part of the residential unit fronts onto a public open space, including roads, and they do not prevent or interrupt an active frontage. On this basis the submission point is recommended for rejection.¹⁴</p>		
<p>NCZ-P4 Inappropriate Activities</p> <p>Avoid activities that are incompatible with the size, purpose and anticipated function of the Neighbourhood Centre Zone</p>	<p>Oppose in Part</p> <p>Amend NCZ-P4 to clarify that activities covered by NCZ-P2 are compatible.</p>	<p>Reject</p> <p>The compatibility of activities is determined through a combination of the activity status of a proposed activity, its' actual and potential</p>	<p>It is unclear what activities are incompatible within the zone and the policy should make this clear.</p>	<p>Amend the notified version of NCZ-P4 to clarify that activities covered by NCZ-P2 are compatible.</p>

¹⁴ Page 308-309, submission point S64.69 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
and the surrounding environment.		<p>effects on the environment, and its consistency with the relevant objectives and policies of the District Plan and any other relevant higher-order statutory planning documents such as the RPS and National Policy Statements.</p> <p>It is not the role of Policy NCZ-P4 to attempt to specifically identify all activities that would be compatible within the Neighbourhood Centre Zone on all sites within the zone.¹⁵</p>		
<p>NCZ-P8 Hydraulic neutrality</p> <p>New buildings and development will be designed</p>	<p>Support in Part</p> <p>Amend NCZ-P8 as follows:</p>	<p>Reject</p> <p>The requested amendments to the policies listed by the</p>	<p>The achievement of hydraulic neutrality should be encouraged rather than required, noting that in some</p>	<p>Amend the notified version of NCZ-P8 as follows:</p> <p>New buildings and development <u>are encouraged</u></p>

¹⁵ Page 311, submission point S64.70 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
to achieve hydraulic neutrality.	New buildings and development <u>are encouraged</u> to will be designed to achieve hydraulic neutrality.	submitter would be ineffective at achieving the relevant objectives, and would be inconsistent with the permitted activity standards for hydraulic neutrality. It is noted the relevant permitted standards require rather than encourage hydraulic neutrality, and it is not recommended to change this approach in response to other submission points. ¹⁶	instances there may be sufficient capacity in the downstream system and / or the effects of increased water flows can be managed effectively.	to will be designed to achieve hydraulic neutrality.
Local Centre Zone (LCZ)				
Introductory Text	Support in Part The RVA seeks for the Local Centre Zone to provide for residential activities (including	Reject The consideration of individual site characteristics	Residential activities should not be limited to being located above ground floor on identified street frontages	Amend the notified version of the introductory text to provide for residential activities (including retirement villages) at the

¹⁶ Page 372, submission point S64.17 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
	retirement villages) at the ground floor level if site characteristics / environmental circumstance is deemed to be appropriate (i.e. to be determined on a case-by-case basis).	/ circumstances for residential activities at ground level are already provided for via the matters of discretion under LCZ-R12.2. The matters of discretion link with the objectives and policies of the LCZ, and are considered appropriate for the consideration of all resource consent applications on a case-by-case basis that do not comply with the location of residential units requirements of LCZ-S5. ¹⁷	and should be considered on a case by case basis.	ground floor where appropriate.
LCZ-01 Purpose of the Local Centre Zone Local Centres are medium scale commercial centres that service the needs of the	Support	Accept	N/A	N/A

¹⁷ Page 282, submission point S64.127 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
surrounding residential catchment and accommodate a range of medium scale commercial and community activities as well as residential activities.				
<p>LCZ-02 Character and Amenity Values of the Local Centre Zone</p> <p>Local Centres are safe and attractive urban environments. The built environment is of a scale that reflects the planned built form of the medium to high density surrounding residential environment and contributes positively to the surrounding streetscape and commercial and residential environment.</p>	<p>Support in Part</p> <p>Amend LCZ-02 as follows:</p> <p>Local Centres are <u>well-functioning safe and attractive</u> urban environments. The built environment is of a scale that reflects the planned built form of the medium to high density surrounding residential environment and contributes positively to the surrounding streetscape and commercial and residential environment.</p>	<p>Reject</p> <p>Reference to safety and attractiveness within an objective for the LCZ is not considered to be inconsistent with the NPSUD.</p> <p>Safety is considered to be a component of a well-functioning urban environment, as it contributes toward enabling people and communities to provide for their social wellbeing and their health and safety (NPSUD Objective 1).</p>	<p>It is not clear how a ‘safe and attractive’ urban environment is different from a ‘well-functioning’ urban environment as set out under the NPSUD.</p>	<p>Amend the notified version of LCZ-02 as follows:</p> <p>Local Centres are <u>well-functioning safe and attractive</u> urban environments. The built environment is of a scale that reflects the planned built form of the medium to high density surrounding residential environment and contributes positively to the surrounding streetscape and commercial and residential environment.</p>

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		<p>Although attractiveness is subjective, it is considered to link with the active street frontage provisions.</p> <p>Reference to 'well-functioning' is recommended for rejection on the basis it is without context i.e. it is the identification of the components of a well-functioning urban environment that is important rather than simply referring to 'well-functioning' in the objective.¹⁸</p>		
<p>LCZ-O4 Hydraulic neutrality</p> <p>There is no increase in the peak demand on stormwater management systems and</p>	<p>Support in Part</p> <p>Amend so that hydraulic neutrality is not required (but encourage) where there is sufficient capacity in the</p>	<p>Reject</p> <p>Achieving hydraulic neutrality is an important component of addressing increased</p>	<p>The achievement of hydraulic neutrality should be encouraged rather than required, noting that in some instances there may be</p>	<p>Amend the notified version of LCZ-O4 as follows:</p> <p>There is no <u>Any</u> increase in the peak demand on stormwater management</p>

¹⁸ Page 284, submission point S64.80 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
increase in flooding from subdivision and development.	downstream system and / or the effects of increased water flows can be managed effectively.	<p>stormwater flooding effects that may result from the additional level of permitted activity development enabled by the IPI. This is recognised by Section 80E(2)(f) specifically identifying hydraulic neutrality as a related provision that may be included in the IPI.</p> <p>The most appropriate method to achieve the relevant objectives is to require hydraulic neutrality for all new subdivision and development and enable the case-by-case consideration of proposals where this is not possible or necessary via the resource consent process.¹⁹</p>	sufficient capacity in the downstream system and / or the effects of increased water flows can be managed effectively.	systems and increase in flooding from subdivision and development <u>is appropriately managed</u> .

¹⁹ Page 372, submission point S64.18 - Appendix 1 – Recommendations on Submissions.

Appendix A – Amendments to Objectives and Policies

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>LCZ-P2 Residential Activity</p> <p>Provide for residential activity and development where:</p> <ol style="list-style-type: none"> 1. The residential units are located above ground floor, where located along an active frontage identified on the planning maps; 2. It does not interrupt or preclude an attractive and active frontage that provides a positive interface with the public space; 3. Residential units are designed to: <ol style="list-style-type: none"> a. Achieve adequate indoor noise and ventilation levels for occupants; and b. Provide appropriate amenity for occupants; and 	<p>Oppose in Part</p> <p>Amend LCZ-P2 as follows:</p> <p>Provide for residential activity where:</p> <ol style="list-style-type: none"> 1. The residential units are located either above ground floor or to the rear of a commercial activity; <u>or above ground where appropriate</u> 2. ... 	<p>Reject</p> <p>The provision of residential activities within the LCZ as described in LCZ-P2 is enabled by rule LCZ-R12 where compliance with LCZ-S5 is achieved (location of residential units). To be a permitted activity, residential units must be located above ground floor along active frontages identified on the planning maps. I have not identified any contradiction or uncertainty between the existing policy wording and the relevant rules and standards, and I therefore do not consider there to be any</p>	<p>Residential activities should be able to locate at the ground floor where appropriate and consider that these situations need to be determined on a case by case basis.</p>	<p>Amend the notified version of LCZ-P2 as follows:</p> <p>Provide for residential activity where:</p> <ol style="list-style-type: none"> 1. The residential units are located either above ground floor or to the rear of a commercial activity <u>or at ground level where appropriate;</u> 2. ...

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
4. Reverse sensitivity effects on commercial activities are minimised		need to reword the policy as requested by the submitter. ²⁰		
<p>LCZ-P4 Inappropriate Activities</p> <p>Avoid activities that are incompatible with the anticipated purpose, role and function of the Local Centre Zone and the surrounding environment.</p>	<p>Oppose in Part</p> <p>Amend LCZ-P4 to clarify that activities covered by LCZ-P2 are compatible.</p>	<p>Reject</p> <p>The compatibility of activities is determined through a combination of the activity status of a proposed activity, its' actual and potential effects on the environment, and its consistency with the relevant objectives and policies of the District Plan and any other relevant higher-order statutory planning documents such as the RPS and National Policy Statements.</p> <p>It is not the role of Policy LCZ-P4 to attempt to</p>	<p>It is unclear what activities are incompatible within the zone and the policy should make this clear.</p>	<p>Amend LCZ-P4 to clarify that activities covered by LCZ-P2 are compatible.</p>

²⁰ Paragraph 768 – Council Officers’ Section 42A Report.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		specifically identify all activities that would be compatible within the Local Centre Zone on all sites within the zone. ²¹		
<p>LCZ-P5 Built Development</p> <p>Provide for medium to higher density development that:</p> <ol style="list-style-type: none"> 1. Is compatible with the planned built form and the anticipated role, character and density of the Local Centre Zone; 2. Is commensurate with the anticipated level of commercial activities and community services in the Local Centre Zone; 	<p>Support in Part</p> <p>Amend LCZ-P5 as follows:</p> <ol style="list-style-type: none"> 1. ... 2. ... 3. ... 4. Is well designed and contributes to an <u>attractive a well-functioning</u> urban environment; and 5. ... 	<p>Accept in Part</p> <p>The reference to "attractive" links with objective LCZ-O2 – as addressed under submission S64.80 – Retirement Villages Association of New Zealand.</p> <p>It is considered appropriate to refer to 'well-functioning urban environment, as this links with Strategic Direction Objective CMU-O1. However, it is not considered necessary</p>	<p>The requirement for development that contributes to an 'attractive urban environment'. It is not clear what this term means in relation to a 'well-functioning urban environment' and whether or not it adds additional requirements.</p>	<p>Amend LCZ-P5 as follows:</p> <ol style="list-style-type: none"> 1. ... 2. ... 3. ... 4. Is well designed and contributes to an <u>attractive a well-functioning</u> urban environment; and 5. ...

²¹ Page 287, submission point S64.82 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>3. Reflects the anticipated medium to high density of the surrounding residential environment,</p> <p>4. Is well designed and contributes to an attractive urban environment; and</p> <p>5. Provides active and attractive street frontages.</p>		<p>to delete reference to the LCZ being well designed, as good design within the LCZ will be necessary to achieve objective LCZ-O2 – Character and Amenity Values of the Local Centre Zone, and LCZ-O3 – Managing Effects at the Zone Interface.</p> <p>It is recommended to amend clause 4 of policy LCZ-P5 as follows:</p> <p>4. Is well designed and contributes to an attractive <u>well-functioning</u> urban environment; and</p>		
<p>LCZ-P8 Hydraulic neutrality</p> <p>New buildings and development will be designed to achieve hydraulic neutrality.</p>	<p>Support in Part</p> <p>Amend LCZ-P8 as follows:</p> <p>New buildings and development <u>are encouraged to will</u> be designed to achieve hydraulic neutrality.</p>	<p>Reject</p> <p>The requested amendments to the policies listed by the submitter would be ineffective at achieving the</p>	<p>The achievement of hydraulic neutrality should be encouraged rather than required, noting that in some instances there may be sufficient capacity in the downstream system and / or</p>	<p>Amend the notified version of LCZ-P8 as follows:</p> <p>New buildings and development <u>are encouraged to will</u> be designed to achieve hydraulic neutrality.</p>

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		relevant objectives, and would be inconsistent with the permitted activity standards for hydraulic neutrality. It is noted the relevant permitted standards require rather than encourage hydraulic neutrality, and it is not recommended to change this approach in response to other submission points. ²²	the effects of increased water flows can be managed effectively.	
Mixed Use Zone (MUZ)				
Introductory Text	Support in Part The RVA seeks that the Mixed Use Zone introduction is amended to remove the limitation of the provision of residential activities to above commercial activities, and to	Reject The limitation of ground floor residential activities is consistent with other zones that provide for a mixture of	Residential activities should not be limited to being located “over” commercial activities and that specific mention should be given to the enabling of residential	Amend the introductory text to align better with the direction in the NPSUD. It is unclear what a ‘safe, vibrant, and attractive’ environment means, and that the definition of a ‘well-

²² Page 372, submission point S64.17 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
	include retirement villages in the list of activities that are enabled in the Mixed Use Zone and to refer to a well-functioning urban environment.	<p>uses, such as the centres zones. This is to ensure proposed residential uses on the ground floor are considered on a case-by-case basis to ensure the purpose, character and amenity of the mixed use zone is achieved (Objectives MUZ-O1 and MUZ-O2), and to enable potential reverse sensitivity effects to be identified and managed on a case-by-case basis.</p> <p>Regarding the request for a new definition for 'well-functioning urban environment', in my opinion, the elements and qualities that contribute towards well-functioning urban environments are adequately specified by NPS-UD Objective 1 and Policy 1. I</p>	activities such as retirement villages.	functioning urban environment' as provided under the NPSUD covers those matters.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		<p>consider that these provisions require a degree of interpretation when being considered when making planning decisions that affect urban environments. I therefore do not consider it necessary or appropriate to duplicate or attempt to further refine these NPS-UD provisions via a new definition for 'well-functioning urban environment' in the IPI.²³</p>		
<p>MUZ-01 Purpose of the Mixed Use Zone</p> <p>The Mixed Use Zone accommodates a wide range of activities, including commercial, recreational, entertainment, large format</p>	<p>Support in Part</p> <p>Amend MUZ-01 so that “compatible” applies to light industrial activities only and not to residential activities.</p>	<p>Reject</p> <p>The compatibility of activities within the MUZ may depend on the existing activities that are present when a new activity is proposed. This</p>	<p>The provision for residential activities should be provided for in the Mixed Use Zone, however the qualifier for “compatible” applying to residential activities is inappropriate and does not</p>	<p>Amend the notified version of MUZ-01 as follows:</p> <p>The Mixed Use Zone accommodates a wide range of activities, including commercial, recreational, entertainment, <u>residential</u>,</p>

²³ Paragraph 908 – Council Officers’ Section 42A Report.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>retail and car focused activities as well as compatible light industrial activities and residential activities. The non-residential activities service the needs of business and surrounding residential catchments.</p>		<p>applies equally to light industrial activities and residential activities. Reverse sensitivity effects is a key issue in the consideration of the compatibility of activities.²⁴</p>	<p>reflect the intent of the NPS-UD.</p>	<p>large format retail and car focused activities as well as compatible light industrial activities and residential activities. The non-residential activities service the needs of business and surrounding residential catchments.</p>
<p>MUZ-O2 Character and Amenity Values of the Mixed Use Zone</p> <p>Mixed Use Zones are vibrant, attractive and safe urban environments. The built environment is well-designed, reflects the wide mix of activities and is generally of a medium to high scale and density.</p>	<p>Support in Part</p>	<p>Reject</p> <p>It is not necessary to amend MUZ-O2 to include 'well-functioning', as NPS-UD Policy 1 already requires that planning decisions contribute to well-functioning urban environments. It is noted that simply inserting 'well-functioning' into the objective would lack context as it is not</p>	<p>The policy should be amended to refer to “well-functioning” urban environments.</p>	<p>Amend the notified version of MUZ-O2 as follows:</p> <p>Mixed Use Zones are well-functioning vibrant, attractive and safe urban environments. The built environment is well-designed, reflects the wide mix of activities and is generally of a medium to high scale and density.</p>

²⁴ Page 335, submission point S64.93 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		<p>clearly linked with NPS-UD Policy 1.</p> <p>It is considered the requested deletion of reference to 'vibrant' is not necessary. Although this term is not used in any higher level statutory planning document with respect to mixed use zones, it is not considered to be contrary to any higher level direction. As an objective, it is considered appropriate as it reflects the diverse activities enabled and provided for within the Mixed Use Zone.²⁵</p>		
MUZ-04 Hydraulic neutrality	Support in Part Amend so that hydraulic neutrality is not required (but	Reject	The achievement of hydraulic neutrality should be encouraged rather than	Amend the notified version of MUZ-04 as follows:

²⁵ Page 336, submission point S64.94 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>There is no increase in the peak demand on stormwater management systems and increase in flooding from subdivision and development.</p>	<p>encourage) where there is sufficient capacity in the downstream system and / or the effects of increased water flows can be managed effectively.</p>	<p>Achieving hydraulic neutrality is an important component of addressing increased stormwater flooding effects that may result from the additional level of permitted activity development enabled by the IPI. This is recognised by Section 80E(2)(f) specifically identifying hydraulic neutrality as a related provision that may be included in the IPI.</p> <p>The most appropriate method to achieve the relevant objectives is to require hydraulic neutrality for all new subdivision and development and enable the case-by-case consideration of proposals where this is not</p>	<p>required, noting that in some instances there may be sufficient capacity in the downstream system and / or the effects of increased water flows can be managed effectively.</p>	<p>There is no <u>Any</u> increase in the peak demand on stormwater management systems and increase in flooding from subdivision and development <u>is appropriately managed</u>.</p>

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		possible or necessary via the resource consent process. ²⁶		
<p>MUZ-P2 Residential Activities</p> <p>Provide for residential activity where any residential units are designed to:</p> <ol style="list-style-type: none"> 1. Achieve adequate indoor noise and ventilation levels for occupants; 2. Provide a high level of amenity for occupants; and 3. Minimise reverse sensitivity effects on non-residential activities. 	<p>Support in Part</p> <p>Amend as follows:</p> <p>Provide for residential activity where any residential units <u>or retirement units</u> are designed to:</p> <ol style="list-style-type: none"> 1. Achieve adequate indoor noise and ventilation levels for occupants; 2. Provide a high level of amenity for occupants; and <p>Minimise reverse sensitivity effects on non-residential activities.</p>	<p>Reject</p> <p>It is noted retirement villages require restricted discretionary resource consent within the Mixed Use Zone under rule MUZR17. It is also noted retirements villages are defined as mix of activities, and these activities include residential units. On this basis the requested addition of 'or retirement units' to MUZ-P2 is recommended for rejection on the basis</p> <p>MUZ-P2 will be a consideration under rule</p>	<p>Unit types vary from relatively typical independent townhouses or apartments, through to serviced care suites, hospital care beds and areas for people with dementia. The size and amenity requirements of these units vary substantially from more typical housing typologies (hence the need for a new “retirement unit” definition);</p>	<p>Amend the notified version of MUZ-P2 as follows:</p> <p>Provide for residential activity where any residential units <u>or retirement units</u> are designed to:</p> <ol style="list-style-type: none"> 1. Achieve adequate indoor noise and ventilation levels for occupants; 2. Provide a high level of amenity for occupants; and <p>Minimise reverse sensitivity effects on non-residential activities.</p>

²⁶ Page 372, submission point S64.18 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		MUZ-R17 for proposed residential units within proposed retirement villages.		
<p>MUZ-P4 Inappropriate Activities</p> <p>Avoid activities that area incompatible with the anticipated scale and character of the Mixed Use Zone and the surrounding environment.</p>	<p>Oppose in Part</p> <p>Amend MUZ-P4 to clarify that activities covered by MCZ-P2 are compatible.</p>	<p>Reject</p> <p>The determination of activities that may be incompatible with the MUZ requires a consideration of a proposed activity against the MUZ objectives, policies, rules and standards, and an assessment of actual and potential effects on the environment.</p> <p>Clearly activities that are listed as permitted activities, and where these activities comply with all relevant permitted standards would not be deemed inappropriate. All other activities require a case-by-case consideration</p>	<p>It is unclear what activities are incompatible within the zone and the policy should make this clear.</p>	<p>Amend the notified version of MUZ-P4 to clarify that activities covered by MCZ-P2 are compatible.</p>

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		via the resource consent process to determine their appropriateness on a specific site within the MUZ.		
<p>MUZ-P5 Built Development</p> <p>Provide for built development that:</p> <ol style="list-style-type: none"> 1. Is consistent with the anticipated role, character, planned built form and density of the Mixed Use Zone; 2. Is commensurate with the anticipated level of commercial activities and community services in the Mixed Use Zone; 3. Is well designed; and 4. Contributes to an attractive and safe urban environment. 	Oppose in Part	<p>Accept in Part</p> <p>Accepted to the extent to include the wording “well-functioning environment”.</p>	<p>The requirement for development that contributes to an ‘attractive and safe urban environment’ and is ‘well-designed’ is opposed. It is also not clear what this term means in relation to a ‘well-functioning urban environment’ and whether or not it adds additional requirements.</p>	<p>Amend MUZ-P5 as follows:</p> <p>Provide for built development that:</p> <ol style="list-style-type: none"> 1. Is consistent with the anticipated role, character, planned built form and density of the Mixed Use Zone; 2. Is commensurate with the anticipated level of commercial activities and community services in the Mixed Use Zone; 3. Contributes to a well-functioning urban environment Is well designed; and 4. Contributes to an attractive and safe urban environment.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>MUZ-P8 Hydraulic neutrality</p> <p>New buildings and development will be designed to achieve hydraulic neutrality.</p>	<p>Support in Part</p> <p>Amend MUZ-P8 as follows:</p> <p>New buildings and development <u>are encouraged to will</u> be designed to achieve hydraulic neutrality.</p>	<p>Reject</p> <p>The requested amendments to the policies listed by the submitter would be ineffective at achieving the relevant objectives, and would be inconsistent with the permitted activity standards for hydraulic neutrality. It is noted the relevant permitted standards require rather than encourage hydraulic neutrality, and it is not recommended to change this approach in response to other submission points.²⁷</p>	<p>The achievement of hydraulic neutrality should be encouraged rather than required, noting that in some instances there may be sufficient capacity in the downstream system and / or the effects of increased water flows can be managed effectively.</p>	<p>Amend the notified version of MUZ-P8 as follows:</p> <p>New buildings and development <u>are encouraged to will</u> be designed to achieve hydraulic neutrality.</p>
Town Centre Zone (TCZ)				

²⁷ Page 372, submission point S64.17 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
Introductory Text	Support in Part The RVA seeks that the Town Centre Zone is amended to provide for residential activities at the ground level where appropriate (including retirement villages).	Reject TCZ-S5 already provides for residential units at ground floor where not along active frontages identified on the Planning Maps. It is not recommended to amend the IPI to include any additional retirement village specific provisions to the Town Centre Zone. ²⁸	Residential activities should not be limited to being located above ground floor on identified street frontages and should be considered at the ground level where they are deemed appropriate.	Amend the introductory text to provide for residential activities (including retirement villages) at the ground floor where appropriate.
TCZ-01 Purpose of the Town Centre Zone The Town Centre Zone is a medium to large scale commercial centre that services the needs of the immediate and neighbouring suburbs and accommodates a wide range of commercial and	Support	Accept	N/A	N/A

²⁸ Page 255, submission point S64.105 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
community activities as well as residential activities.				
<p>TCZ-O2 Character and Amenity Values of the Town Centre Zone</p> <p>The Town Centre Zone is a vibrant, attractive and safe urban environment that is characterised by high-density urban development, well-designed buildings and high quality public spaces.</p>	<p>Support in Part</p> <p>Amend TCZ-O2 as follows:</p> <p>The Town Centre Zone is a <u>well-functioning vibrant, attractive and safe</u> urban environment that is characterised by high-density urban development, well-designed buildings and high quality public spaces.</p>	<p>Reject</p> <p>It is noted all subdivision, use and development within the TCZ that requires a resource consent is subject to the objectives within the Strategic Direction chapter including CMU-O1, which seeks as outcome that the Commercial and Mixed Use Zones are well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.</p> <p>Therefore, it is not considered necessary to refer to 'well-functioning' within</p>	<p>TCZ-O2 should be amended to refer to a 'well-functioning' urban environment.</p>	<p>Amend the notified version of TCZ-O2 as follows:</p> <p>The Town Centre Zone is a <u>well-functioning vibrant, attractive and safe</u> urban environment that is characterised by high-density urban development, well-designed buildings and high quality public spaces.</p>

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		objective TCZ-O2, as this is already addressed by CMU-O1. The existing wording is considered to appropriately link with the TCZ policies, rules and standards. ²⁹		
<p>TCZ-O4 Hydraulic neutrality</p> <p>There is no increase in the peak demand on stormwater management systems and increase in flooding from subdivision and development.</p>	<p>Support in Part</p> <p>Amend so that hydraulic neutrality is not required (but encourage) where there is sufficient capacity in the downstream system and / or the effects of increased water flows can be managed effectively.</p>	<p>Reject</p> <p>Achieving hydraulic neutrality is an important component of addressing increased stormwater flooding effects that may result from the additional level of permitted activity development enabled by the IPI. This is recognised by Section 80E(2)(f) specifically identifying hydraulic neutrality as a</p>	<p>The achievement of hydraulic neutrality should be encouraged rather than required, noting that in some instances there may be sufficient capacity in the downstream system and / or the effects of increased water flows can be managed effectively.</p>	<p>Amend the notified version of TCZ-O4 as follows:</p> <p>There is no <u>Any</u> increase in the peak demand on stormwater management systems and increase in flooding from subdivision and development <u>is appropriately managed</u>.</p>

²⁹ Page 257, submission point S64.107 - Appendix 1 – Recommendations on Submissions.

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		<p>related provision that may be included in the IPI.</p> <p>The most appropriate method to achieve the relevant objectives is to require hydraulic neutrality for all new subdivision and development and enable the case-by-case consideration of proposals where this is not possible or necessary via the resource consent process.³⁰</p>		
<p>TCZ-P2 Residential Activity</p> <p>Provide for medium to high density residential development and activity where:</p> <ol style="list-style-type: none"> The residential units are located above ground floor, where located 	<p>Oppose in Part</p> <p>Amend TCZ-P2 as follows:</p> <p>Provide for medium to high density residential development and activity where:</p>	<p>Reject</p> <p>The outcomes of the requested amendments, including the request to include reference to case-by-case basis are already provided for by the</p>	<p>Restrictions on ground level residential activities should be proportionate and determined on a case by case basis.</p>	<p>Amend the notified version of TCZ-P2 as follows:</p> <p>Provide for medium to high density residential development and activity where:</p> <ol style="list-style-type: none"> The residential units are located above ground

³⁰ Page 372, submission point S64.18 - Appendix 1 – Recommendations on Submissions.

Appendix A – Amendments to Objectives and Policies

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>along an active frontage identified on the planning maps;</p> <p>2. It does not interrupt or preclude an attractive frontage that provides a positive interface with the public space;</p> <p>3. Any residential units are designed to:</p> <p style="padding-left: 20px;">a. Achieve adequate indoor noise and ventilation levels for occupants; and</p> <p style="padding-left: 20px;">b. Provide appropriate amenity for occupants; and</p> <p>4. Reverse sensitivity effects on commercial activities are minimised.</p>	<p>1. The residential units are located above ground floor, where located along an active frontage identified on the planning maps <u>or at ground floor where assessed as appropriate on a case by case basis;</u></p> <p>2. ...</p>	<p>abovementioned rules and matters of discretion, and the restricted discretionary resource consent process itself.³¹</p>		<p>floor, where located along an active frontage identified on the planning maps <u>or at ground floor where assessed as appropriate on a case by case basis;</u></p> <p>2. ...</p>

³¹ Paragraph 678 – Council Officers’ Section 42A Report.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>TCZ-P4 Inappropriate Activities</p> <p>Avoid activities that are incompatible with the anticipated purpose, character and amenity values of the Town Centre Zone and the surrounding environment.</p>	<p>Oppose in Part</p> <p>Amend TCZ-P4 to clarify that activities covered by TCZ-P2 are compatible.</p>	<p>Reject</p> <p>The compatibility of activities is determined through a combination of the activity status of a proposed activity, its' actual and potential effects on the environment, and its consistency with the relevant objectives and policies of the District Plan and any other relevant higher-order statutory planning documents such as the RPS and National Policy Statements.</p> <p>It is not the role of Policy TCZ-P4 to attempt to specifically identify all activities that would be compatible within the Town</p>	<p>It is unclear what activities are incompatible within the zone and the policy should make this clear.</p>	<p>Amend the notified version of TCZ-P4 to clarify that activities covered by TCZ-P2 are compatible.</p>

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		Centre Zone on all sites within the zone. ³²		
<p>TCZ-P5 Built Development</p> <p>Provide for high-density development that:</p> <ol style="list-style-type: none"> 1. Is compatible with the anticipated role, character and function of the Town Centre Zone; 2. Is commensurate with the anticipated level of commercial activities and community services in the Town Centre Zone; 3. Reflects the anticipated high-density built environment of the Town Centre Zone; 	<p>Oppose in Part</p> <p>Amend TCZ-P5 as follows:</p> <p>Provide for high-density development that:</p> <ol style="list-style-type: none"> 1. Is compatible with the anticipated role, character and function of the Town Centre Zone; 2. Is commensurate with the anticipated level of commercial activities and community services in the Town Centre Zone; 3. Reflects the anticipated high-density built environment of the Town Centre Zone; 	<p>Accept in Part</p> <p>Amend as follows:</p> <ol style="list-style-type: none"> 4. Is well designed and contributes to <u>wards an attractive well-functioning</u> urban environment; and 	<p>Amendments are required to TCZ-P5 to more accurately reflect the wording of the NPSUD. It opposes the requirement for development that contributes to an ‘attractive and safe urban environment’ and is ‘well-designed’. It is not clear what this term means in relation to a ‘well-functioning urban environment’ and whether or not it adds additional requirements.</p>	<p>Accepted.</p>

³² Page 259, submission point S64.109 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>4. Is well designed and contributes to an attractive urban environment; and</p> <p>5. Provides active and attractive street frontages.</p>	<p>4. Is well designed and contributes to <u>a well-functioning an attractive</u> urban environment; and</p> <p>5. Provides active and attractive street frontages.</p>			
<p>TCZ-P8 Hydraulic neutrality</p> <p>New buildings and development will be designed to achieve hydraulic neutrality.</p>	<p>Support in Part</p> <p>Amend TCZ-P8 as follows:</p> <p>New buildings and development <u>are encouraged to will</u> be designed to achieve hydraulic neutrality.</p>	<p>Reject</p> <p>The requested amendments to the policies listed by the submitter would be ineffective at achieving the relevant objectives, and would be inconsistent with the permitted activity standards for hydraulic neutrality. It is noted the relevant permitted standards require rather than encourage hydraulic neutrality, and it is not recommended to change this</p>	<p>The achievement of hydraulic neutrality should be encouraged rather than required, noting that in some instances there may be sufficient capacity in the downstream system and / or the effects of increased water flows can be managed effectively.</p>	<p>Amend the notified version of TCZ-P8 as follows:</p> <p>New buildings and development <u>are encouraged to will</u> be designed to achieve hydraulic neutrality.</p>

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		approach in response to other submission points. ³³		
City Centre Zone (CCZ)				
Introductory Text	Support in Part The RVA seeks that the City Centre Zone is amended to provide for residential activities at the ground level where appropriate (including retirement villages)	Accept in Part Paragraph 1 retained High-density development and intensification is enabled and encouraged while maintaining and improving <u>recognising that amenity values develop and change over time in response to the diverse and changing needs of people, communities and future generations especially in the public realm.</u> There is opportunity for redevelopment and intensification as many sites within the City Centre Zone are currently not being used	Residential activities at the ground level where appropriate (including retirement villages):	Proposed changes recommended by Council are accepted. Further amendments are also sought as below. Noting <u>blue</u> is recommended by Council and <u>black</u> is what was updated in the notified provision. Amend the introductory text as follows: The City Centre Zone is the primary commercial centre of the city. It offers vibrant, attractive and high-quality public spaces and provides for a wide variety and diverse

³³ Page 372, submission point S64.17 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		<p>as intensively as they could be.</p> <p>There are specific requirements along identified street frontages to create attractive frontages that contribute a vibrant and active streetscape and improve the quality and appeal of City Centre Zone. New buildings and development are well designed and reflect the high quality urban environment planned urban built form of the City Centre Zone. While all new buildings require resource consent as a restricted discretionary activity, the relevant standards send a clear signal that maximum building heights and density of urban form are anticipated and encouraged. At the same time the restricted discretionary activity status for new buildings and</p>		<p>range of commercial, community, recreational, employment and residential opportunities.</p> <p>High-density development and intensification is enabled and encouraged <u>recognising that the urban environment while maintaining and improving including</u> amenity values <u>will develop and change over time in response to the diverse and changing needs of people and communities, especially in the public realm.</u> There is opportunity for redevelopment and intensification as many sites within the City Centre Zone are currently not being used as intensively as they could be.</p> <p>There are specific requirements along identified street frontages to create attractive frontages that contribute a vibrant and</p>

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		<p>substantial additions and alterations to existing buildings will allow for an assessment of the proposal to ensure that any new development is well designed, of high quality and consistent with the City Centre Design Guide.</p> <p>The City Centre Zone also encourages high-density residential developments such as apartments, to provide wider housing choices and increase vibrancy of the City Centre Zone. Residential units need to be located above ground floor along identified active frontages.</p>		<p>active streetscape and improve the quality and appeal of City Centre Zone. New buildings and development are well designed and reflect the <u>high quality urban environment planned urban built form</u> of the City Centre Zone. While all new buildings require resource consent as a restricted discretionary activity, the relevant standards send a clear signal that maximum building heights and density of urban form are anticipated and encouraged. At the same time the restricted discretionary activity status for new buildings and substantial additions and alterations to existing buildings will allow for an assessment of the proposal to ensure that any new development is well designed, of high quality and</p>

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
				<p>consistent with the City Centre Design Guide.</p> <p>The City Centre Zone also encourages high-density residential developments such as apartments, to provide wider housing choices and increase vibrancy of the City Centre Zone. Residential units need to be located above ground floor along identified active frontages <u>unless residential activity at ground floor is appropriately assessed on a case by case basis.</u></p>
<p>CCZ-01 Purpose of the CCZ- City Centre Zone</p> <p>The City Centre is Upper Hutt’s principal commercial, civic and cultural centre. It is vibrant and attractive and accommodates a wide range of commercial, community,</p>	<p>Support in Part</p> <p>Amend CCZ-01 as follows:</p> <p>The City Centre is Upper Hutt’s principal commercial, civic and cultural centre. It is <u>a well-functioning urban environment vibrant and attractive</u> and accommodates a wide range of commercial,</p>	<p>Reject</p> <p>The notified wording of CCZ-01 is considered to be appropriate for the City Centre Zone, and it is noted it does not conflict with the NPS-UD objectives or policies as it does not refer to the</p>	<p>The wording should be amended to include reference to “well-functioning” urban environment.</p>	<p>Amend the notified version of CCZ-01 as follows:</p> <p>The City Centre is Upper Hutt’s principal commercial, civic and cultural centre. It is <u>a well-functioning urban environment vibrant and attractive</u> and accommodates a wide range of commercial,</p>

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
recreational and residential activities.	community, recreational and residential activities.	retention or enhancement of amenity values. ³⁴		community, recreational and residential activities.
<p>CCZ-02 Character and Qualities of the CCZ- City Centre Zone</p> <p>The City Centre is characterised by a compact built form that reflects the high-density urban environment. Buildings and open spaces are of high quality, well-designed and create an attractive place to visit, work or live. Active and attractive street frontages create a lively environment with a strong pedestrian focus.</p>	Support	Accept	N/A	N/A
<p>CCZ-04 Hydraulic neutrality</p>	Support in Part Amend so that hydraulic neutrality is not required (but	Reject	The achievement of hydraulic neutrality should be encouraged rather than required, noting that in some	Amend the notified version of CCZ-04 as follows:

³⁴ Page 236, submission point S64.120 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>There is no increase in the peak demand on stormwater management systems and increase in flooding from subdivision and development.</p>	<p>encourage) where there is sufficient capacity in the downstream system and / or the effects of increased water flows can be managed effectively.</p>	<p>Achieving hydraulic neutrality is an important component of addressing increased stormwater flooding effects that may result from the additional level of permitted activity development enabled by the IPI. This is recognised by Section 80E(2)(f) specifically identifying hydraulic neutrality as a related provision that may be included in the IPI.</p> <p>The most appropriate method to achieve the relevant objectives is to require hydraulic neutrality for all new subdivision and development and enable the case-by-case consideration of proposals where this is not</p>	<p>instances there may be sufficient capacity in the downstream system and / or the effects of increased water flows can be managed effectively.</p>	<p>There is no <u>Any</u> increase in the peak demand on stormwater management systems and increase in flooding from subdivision and development <u>is appropriately managed</u>.</p>

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		possible or necessary via the resource consent process. ³⁵		
<p>CCZ-P1 Appropriate Activities</p> <ol style="list-style-type: none"> 1. Enable a wide range of activities that are compatible with the anticipated purpose, character and amenity values of the CCZ- City Centre Zone. 2. Encourage activities with a strong pedestrian focus to locate along roads with active street frontage requirements to create a vibrant interface and active public spaces. 	<p>Oppose in Part</p> <p>Amend CCZ-P1 as follows:</p> <ol style="list-style-type: none"> 1. Enable a wide range of activities that are compatible with the anticipated purpose, <u>and</u> character and amenity values of the CCZ- City Centre Zone. 			<p>Amend the notified version of CCZ-P1 as follows:</p> <ol style="list-style-type: none"> 1. Enable a wide range of activities that are compatible with the anticipated purpose, <u>and</u> character and amenity values of the CCZ- City Centre Zone.
<p>CCZ-P2 Residential Activity</p>	Oppose in Part	Reject	Ground level residential activities should be	Amend the notified version of CCZ-P2 as follows:

³⁵ Page 372, submission point S64.18 - Appendix 1 – Recommendations on Submissions.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>1. Provide for high-density residential activity and development where:</p> <ul style="list-style-type: none"> a. Residential units are located above ground floor; b. Residential units are designed to: <ul style="list-style-type: none"> i. Ensure appropriate indoor noise and ventilation levels; and ii. Provide amenity values for occupants; c. Reverse sensitivity effects on commercial activities are minimised; and d. It is consistent with the City Centre Design Guide. 	<p>Amend CCZ-P2 in line with submission point.</p>	<p>The case-by-case consideration of ground floor residential units at ground floor level is already provided for via clause 2 of the policy. This clause of the policy is to be had regard to during the consideration of discretionary resource consent applications for residential units at ground floor level under rule CCZ-R21.</p> <p>I consider that the City Centre Design Guide is an important and necessary component to ensuring development within the City Centre Zone achieves objectives CCZ-O1 – Purpose of the City Centre Zone, and CCZ-O2 – Character and Qualities of the CCZ – City Centre Zone. In my opinion, the requested deletion of</p>	<p>considered on a case by case basis.</p> <p>Furthermore, it is not appropriate for high density residential activity and development (including retirement villages) to only be provided where it is consistent with the City Centre Design Guide. The City Centre Design Guide makes no specific reference to retirement villages, with no guidance as to why the requirements that are applicable to non-retirement village activities apply in the same manner to retirement villages (despite retirement villages being a unique activity with substantially differing functional and operational needs).</p>	<p>1. Provide for high-density residential activity and development where:</p> <ul style="list-style-type: none"> a. Residential units are located above ground floor, <u>unless ground floor residential activity is assessed to be appropriate on a case by case basis;</u> b. Residential units <u>and / or retirement units</u> are designed to: <ul style="list-style-type: none"> i. Ensure appropriate indoor noise and ventilation levels; and ii. Provide amenity values for occupants.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>2. Only allow for the location of residential units on the ground floor where:</p> <p>a. It is not located along an Active Street Frontage identified on the planning maps;</p> <p>b. It does not preclude a positive interface with the public space;</p> <p>c. It will not compromise amenity values for residents;</p> <p>d. It will not result in reverse sensitivity effects on existing or anticipated and enabled non-residential activities in the City Centre Zone; and</p>		<p>reference to the design guide would fail to achieve these objectives.</p> <p>Retirement units are already provided for – either as a residential activity, or as part of a retirement village under restricted discretionary rule CCZ-R19. Therefore, I see no reasonable justification or need for policy CCZ-P2 to specifically refer to retirement units.</p> <p>The requested insertion of a clause into clause 2 of the policy stating ground floor residential units or retirement units are appropriate is, in my opinion, clearly in conflict with clause 1 of the policy, the relevant rules for the location of residential units in</p>		<p>c. Reverse sensitivity effects on commercial activities are minimised; and</p> <p>d. It is consistent with the City Centre Design Guide.</p> <p>2. Only allow for the location of residential units <u>and / or retirement units</u> on the ground floor where:</p> <p>a. It is not located along an Active Street Frontage identified on the planning maps;</p> <p>b. It does not preclude a positive interface with the public space;</p>

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>e. It will not compromise the function and role of the City Centre Zone.</p> <p>3. Avoid the location of residential units on the ground floor along Active Street Frontages identified on the planning maps.</p>		<p>the CCZ, and the objectives of the CCZ.³⁶</p>		<p>e. It will not compromise amenity values for residents;</p> <p>d. ...</p> <p>e. ...</p> <p>f. <u>When taking into account individual site characteristics and environments it is considered that residential units and / or retirement units are appropriate on the ground floor.</u></p> <p>3. Avoid the location of residential units on the ground floor along Active Street Frontages</p>

³⁶ Paragraph 621 – Council Officers’ Section 42A Report.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
				identified on the planning maps.
<p>CCZ-P4 Built Development</p> <p>Provide for and encourage high-density and high quality built development that:</p> <ol style="list-style-type: none"> 1. Acknowledges and reflects the purpose of the City Centre Zone as being the main commercial centre and focal point for Upper Hutt; 2. Realises as much development capacity as possible, to maximise the benefits of intensification; 3. Reflects the anticipated compact, high-density built environment of the City Centre Zone; 4. Is well designed and contributes to creating safe and vibrant public spaces; 	<p>Oppose in Part</p> <p>Amend CCZ-P4 as follows:</p> <ol style="list-style-type: none"> 1. ... 2. ... 3. ... 4. ... 5. ... 6. Is consistent with the City Centre Design Guide. 	<p>Reject</p> <p>No comment provided</p>	<p>The City Centre Design Guide makes no specific reference to retirement villages, and there is no guidance as to why the requirements that are applicable to non-retirement village activities apply in the same manner to retirement villages (despite retirement villages being a unique activity with substantially differing functional and operational needs).</p>	<p>Oppose in Part</p> <p>Amend the notified version of CCZ-P4 as follows:</p> <ol style="list-style-type: none"> 1. ... 2. ... 3. ... 4. ... 5. ... 6. Is consistent with the City Centre Design Guide.

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>5. Provides active and attractive street frontages; and</p> <p>6. Is consistent with the City Centre Design Guide.</p>				
<p>CCZ-P5 Public Space Interface and Active Street Frontages</p> <p>Require new development to create a positive interface with the public space through high quality building design.</p> <p>Encourage parking, storage and servicing areas to be visually unobtrusive and located preferably within or to the rear of buildings.</p> <p>Where located along identified active frontages, require new built development and activities to:</p> <p>1. Provide a positive interface with the public space through:</p>	<p>Oppose in Part</p> <p>Amend CCZ-P5 as follows:</p> <p>...</p> <p>Where located along identified active frontages, require new built development and activities to:</p> <p>1. ...</p> <p>2. Be consistent with the City Centre Design Guide</p> <p><u>Avoid new built development and activities that prevent or interrupt a continuous active street frontage along identified active frontages.</u></p> <p><u>Encourage new built development and activities to provide a continuous active</u></p>	<p>Reject</p> <p>No comment provided</p>	<p>New built development and activities (including retirement villages) should not be required to be consistent with the City Centre Design Guide.</p> <p>Furthermore, as detailed in the response to TCZ-S4, the RVA consider that active frontage requirements need to be determined on a case-by-case basis, with consideration given to individual site characteristics and environments. An ‘avoid’ requirement is contrary to the purpose of the NPSUD to enable intensification in this Zone.</p>	<p>Oppose in Part</p> <p>Amend the notified version of CCZ-P5 as follows:</p> <p>...</p> <p>Where located along identified active frontages, require new built development and activities to:</p> <p>1. ...</p> <p>2. Be consistent with the City Centre Design Guide</p> <p><u>Avoid new built development and activities that prevent or interrupt a continuous active street frontage along identified active frontages.</u></p> <p><u>Encourage new built development and activities to</u></p>

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>a. Being built up to and oriented towards the front boundary of the site;</p> <p>b. Providing verandahs or other adequate forms of pedestrian shelter;</p> <p>c. Providing display windows and obvious public entrances; and</p> <p>d. Requiring parking, storage and servicing areas to be visually unobtrusive and located within or to the rear of buildings.</p> <p>2. Be consistent with the City Centre Design Guide</p> <p>Avoid new built development and activities that prevent or interrupt a continuous active street frontage along identified active frontages.</p>	<p><u>street frontage along identified active frontages, whilst considering the individual site characteristics and environment.</u></p>			<p><u>provide a continuous active street frontage along identified active frontages, whilst considering the individual site characteristics and environment.</u></p>

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
<p>CCZ-P6 Inappropriate Activities</p> <p>Avoid activities that are incompatible with the anticipated purpose, character and amenity values of the City Centre Zone.</p>	<p>Oppose in Part</p> <p>Amend CCZ-P4 to clarify that activities covered by CCZ-P2 are compatible.</p>	<p>Reject</p> <p>The compatibility of activities is determined through a combination of the activity status of a proposed activity, its' actual and potential effects on the environment, and its consistency with the relevant objectives and policies of the District Plan and any other relevant higher-order statutory planning documents such as the RPS and National Policy Statements.</p> <p>It is not the role of Policy CCZ-P6 to attempt to specifically identify all activities that would be compatible within the City</p>	<p>It is unclear what activities are incompatible within the zone and the policy should make this clear.</p>	<p>Amend CCZ-P4 to clarify that activities covered by CCZ-P2 are compatible.</p>

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Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		Centre Zone on all sites within the zone. ³⁷		
<p>CCZ-P8 Hydraulic neutrality</p> <p>New buildings and development will be designed to achieve hydraulic neutrality.</p>	<p>Support in Part</p> <p>Amend CCZ-P8 as follows:</p> <p>New buildings and development <u>are encouraged to will</u> be designed to achieve hydraulic neutrality.</p>	<p>Reject</p> <p>The requested amendments to the policies listed by the submitter would be ineffective at achieving the relevant objectives, and would be inconsistent with the permitted activity standards for hydraulic neutrality. It is noted the relevant permitted standards require rather than encourage hydraulic neutrality, and it is not recommended to change this</p>	<p>The achievement of hydraulic neutrality should be encouraged rather than required, noting that in some instances there may be sufficient capacity in the downstream system and / or the effects of increased water flows can be managed effectively.</p>	<p>Amend the notified version of CCZ-P8 as follows:</p> <p>New buildings and development <u>are encouraged to will</u> be designed to achieve hydraulic neutrality.</p>

³⁷ Page 240-241, submission point S64.126 - Appendix 1 – Recommendations on Submissions.

Appendix A – Amendments to Objectives and Policies

In Appendix A only, text in red underline and strikethrough are Ryman’s and the RVA’s requested amendments. Blue underlined and strikethrough is text that has been recommended by the Council Officer in Appendix 2: Recommended Provisions with black underline and strike through reflecting the notified provisions where required by Council.

Provision	Original RVA / Ryman Submission	Section 42A Recommendation and Reasoning	Planning Response	Proposed Amendments
		approach in response to other submission points. ³⁸		

³⁸ Page 372, submission point S64.17 - Appendix 1 – Recommendations on Submissions.

Objective UFD- OX Ageing Population → Objective-GRZ-O2 / HRZ-O1 Well-functioning urban environment



GRZ-RX – Land Use Component – Permitted Activity

GRZ-R12AA / HRZ-R2A - Construction Component – Restricted Discretionary Activity

The effects arising from exceeding any of the relevant built form standards (both individually and cumulatively);

The effects of the retirement village on the safety of adjacent streets or public open spaces

The extent to which articulation, modulation and materiality addresses adverse visual dominance effects;

The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;

The matters contained in the Code of Practice for Civil Engineering Works

Transport Effects

The positive effects of the construction, development and use of the retirement village.

GRZ-PX / HRZ-PX Retirement Villages

GRZ-P1A, GRZ-P1B, GRZ-P1C, GRZ-P1E, GRZ-P1 and GRZ-P2; or HRZ-P1, HRZ-P4, HRZ-P5, HRZ-P6, HRZ-P7 and HRZ-P8

GRZ-P2, GRZ-P4, GRZ-P5; or HRZ P1, HRZ-P4, HRZ P5

GRZ-P2, GRZ-P4, GRZ-P5; or HRZ P1, P2, P4

GRZ-P9 and GRZ-P11; or HRZ-P8

GRZ-P7 or HRZP2

GRZ-P1D and PX (New Policies); or HRZ-P3 and PX (New Policies)

Policy-GRZ/HRZ-PX Larger Sites

Policy-GRZ/HRZ-PX Changing Communities

Policy GRZ/HRZ-PX Retirement Villages

Policy-GRZ/HRZ-PX Role of Density Standards

APPENDIX C

REPLACEMENT PROVISIONS

Definitions:

Strategic Directions:

General Residential Zone; and

High Density Residential Zone

PART 1 – INTERPRETATION – DEFINITIONS

The following sets out the provisions sought by the RVA and Ryman within the General Residential Zone and High Density Residential Zone Chapters as part of the Intensification Planning Instrument of the Upper Hutt District Plan.

Text highlighted with underlining represents the RVA and Ryman's proposed insertions. Text highlighted with ~~strikethrough~~ represents the RVA and Ryman's proposed deletions. Red text that is also highlighted represents new changes proposed in the supplementary evidence following the Hearing. **Black text** that is highlighted is Objective GRZ-O1 that has been reverted back to the notified provisions.

Insert the following (with amendment from the original submission point):

'Retirement Unit' - means any unit within a retirement village that is used or designed to be used for a residential activity (whether or not it includes cooking, bathing, and toilet facilities). A retirement unit is not a residential unit.

PART 2 – DISTRICT WIDE MATTERS – STRATEGIC DIRECTIONS

UFD – URBAN FORM AND DEVELOPMENT

Objectives	
UFD-O1	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.
UFD-O2	Relevant residential zones provide for a variety of housing types and sizes that respond to: <ol style="list-style-type: none"> 1. Housing needs and demand; and 2. The neighbourhood's planned urban built character, including 3-storey buildings.
UFD-O3	The High Density Residential Zone provides for higher density housing types and sizes that respond to: <ol style="list-style-type: none"> 1. Identified housing needs and demand; 2. The proximity and walkability to the following train stations and zones: <ol style="list-style-type: none"> i. Silverstream Station ii. Heretaunga Station iii. Trentham Station iv. Wallaceville Station v. Upper Hutt Station vi. City Centre Zone vii. Town Centre Zone viii. Local Centre Zone ix. Neighbourhood Centre Zone 3. The planned urban built character of the zone including buildings up to 8 storeys.

UFD-O4	Qualifying matters continue to be provided for via qualifying matter areas to: <ul style="list-style-type: none"> i. ensure the ongoing recognition and provision for Matters of National Importance under Section 6 of the RMA; ii. give effect to national policy statements; iii. ensure the safe and efficient operation of nationally significant infrastructure; and iv. open space is provided for public use.
UFD-OX	Ageing Population Recognise and enable the housing and care needs of the ageing population.

PART 3 – AREA SPECIFIC MATTERS – RESIDENTIAL REPLACEMENT PLAN PROVISIONS SOUGHT BY THE RVA AND RYMAN

GRZ – GENERAL RESIDENTIAL ZONE

Background

The residential areas within the City are characterised by mainly low rise residential units sited on individual allotments. Past architectural styles, settlement patterns and geographical factors have resulted in diverse residential characteristics and form, resulting in a range of individual neighbourhoods. These residential areas make an important contribution towards a well-functioning urban environment; however it is important to recognise that the past character, densities and styles of residential development currently enjoyed by the community will develop and change over time in response to the diverse and changing needs of the community and future generations.

Demand for higher density residential development is increasing in the City. Higher density residential development is becoming more desirable to certain sectors of the community and it is also desirable in establishing a variety of housing types and styles, thereby providing a greater variety to the housing stock of the City.

A mix of housing densities are provided for, with medium density housing enabled across the General Residential Zone by the incorporation of the Medium Density Residential Standards. The development of papakāinga is also provided for within the Zone.

Accommodation for the ageing population (such as retirement villages) is anticipated and provided for in the General Residential Zone.

Within the General Residential Zone the Indigenous Biodiversity Precinct reflects the significant indigenous vegetation and habitats that have been identified in the area. The Precinct encourage the protection and retention of indigenous biodiversity values.

It is anticipated that the character, form and amenity of residential areas within the General Residential Zone will change over time. These changes may be significant and may detract from

amenity values appreciated by the community but may improve the amenity values appreciated by other people and future generations, including by providing for increased and varied housing densities and types. To help manage this change, the Medium and High Density Design Guide in Appendix 1 promotes a high standard of urban design are included in the District Plan. It is anticipated this will encourage new development to make a positive contribution toward the evolving character of the General Residential Zone. However, Retirement villages are excluded from the applicability of both the Medium and High Density Design Guides.

The City’s residential areas are also characterised by the presence of non-residential activities and community facilities. These activities tend to provide essential community services, including shops, churches, schools, doctors’ surgeries, day care centres and halls. In some areas motels and hotels have been established. Many non-residential activities and community facilities are generally accepted within residential areas provided they do not give rise to significant adverse effects.

GRZ - Objectives

GRZ-Objectives	
GRZ-O1	The promotion of a high quality residential environment which acknowledges the physical character of the residential areas, and provides a choice of living styles and types and while recognises that character and amenity values develop and change over time.
GRZ-O2	Well-functioning Urban Environments 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.
GRZ-O3	Housing Variety A relevant residential zone provides for a variety of housing types and sizes that respond to: <ul style="list-style-type: none"> a. housing needs and demand; and b. the neighbourhood’s planned urban built character, including 3-storey buildings.
GRZ-O4	Any There is no increase in the peak demand on stormwater management systems and increase in flooding from new buildings and development is appropriately managed.

GRZ - Policies

GRZ-Policies	
GRZ-P1A	Enable a variety of housing types with a mix of densities within the General Residential Zone, including 3-storey attached and detached dwellings, and low-rise apartments.
GRZ-P1B	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 significant natural areas, historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga).
GRZ-P1C	Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.

GRZ-P1D	Enable housing to be designed to meet the day-to-day needs of residents.
GRZ-P1E	Provide for developments not meeting permitted activity status, while encouraging high-quality developments.
GRZ-P1	To provide for a range of building densities within the residential areas that respond to are compatible in form and scale with the neighbourhood's planned built form and character which takes into account the capacity of the infrastructure.
GRZ-P2	To ensure that the scale, appearance and siting of buildings, structures and activities respond to are compatible in form and scale with the neighbourhood's planned built form and character.
GRZ-P3	<p>To ensure that non-residential activities within residential areas do not cause significant adverse environmental effects.</p> <p><i>Some business activities service or benefit the local community. Changing technology and business practices mean that some non-residential activities can occur without adversely affecting the character or amenity values of the residential environment.</i></p> <p><i>Similarly, many people now work from home, and this creates social and economic advantages. This policy provides the opportunity for home business and non-residential activities to establish, provided any adverse effects are avoided, remedied, or mitigated, and the character of residential areas is maintained.</i></p> <p><i>Certain activities such as early childhood centres, can be appropriately located within residential areas provided the adverse environmental effects caused by these activities, primarily noise and traffic effects, are appropriately managed.</i></p> <p><i>To control the adverse effects of such uses on residential amenity, the Plan includes standards on the scale and location of buildings, noise, car parking and use of hazardous substances.</i></p>
GRZ-P4	<p>To ensure that the location and design of buildings and earthworks do not significantly detract from the residential amenity of the area, while recognising that amenity values may change over time to reflect the neighbourhood's planned built form:</p> <p><i>There are a number of matters that influence residential amenity. These include:</i></p> <ol style="list-style-type: none"> <i>1.—The density and topography of sites.</i> <i>2.—The closeness of residential units to boundaries and other buildings.</i> <i>3.—The height and orientation of buildings.</i> <i>4.—The height or existence of fences, trees or other vegetation.</i> <i>5. The size, location and appearance of earthworks, retaining walls and fill batters.</i>
GRZ-P5	To encourage sites fronting streets to present a pleasant and coherent residential appearance.
GRZ-P6	<p>To mitigate the adverse effects of noise within residential areas to a level consistent with a predominantly residential environment.</p> <p><i>Noise is a particularly important amenity consideration in residential areas as people are living in close proximity to each other. This policy aims to ensure that noise levels experienced are reasonable for a Residential Zone.</i></p>
GRZ-P7	To promote a safe and efficient roading network which avoids, remedies or mitigates the adverse effects of road traffic on residential areas.

	<p>Traffic on roads, whether mobile or stationary, can have major impacts on the amenity values of residential areas.</p> <p>An efficient residential roading network of a high standard will meet the mobility needs of the City's residents, give access to available transport services, provide safety for those using the network and mitigate the adverse effects of traffic on the environment.</p>
GRZ-P8	<p>To provide for new residential development within the City in a sustainable manner.</p> <p>The edge of the urban area is defined primarily by a rural interface. Council generally intends to contain new residential development within the existing zoned urban area. Continuous expansion at the City's edge, while large parts of the urban areas remain undeveloped, does not constitute sustainable management.</p> <p>Greenfield subdivision, for urban residential development outside Residential Zones should be considered by way of a District Plan change to extend the urban area. This enables the full effects of the potential development to be assessed.</p>
GRZ-P9	<p>To promote high-quality residential development with a high level of amenity and ensure that it has adequate access to infrastructural requirements, while recognising that amenity values develop and change over time.</p>
GRZ-P11	<p>New buildings and development will be encouraged to be designed to achieve hydraulic neutrality.</p>
GRZ-Px	<p>Retirement Villages</p> <ol style="list-style-type: none"> 1. Enable retirement villages that: <ol style="list-style-type: none"> a. Provide for greater density than other forms of residential developments to enable shared spaces, services, amenities and / facilities, and affordability and the efficient provision of assisted living and care services. b. Provide good quality on site amenity, recognising the unique layout, internal amenity and other day-to-day needs of residents as they age. 2. Encourage the scale and design of retirement villages to: <ol style="list-style-type: none"> a. be of a high-quality and be aligned with the planned urban character of the zone; and b. achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.
GRZ-Px	<p>Changing communities</p> <p>To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the residential zones will change over time to enable a variety of housing types with a mix of densities.</p>
GRZ-Px	<p>Larger sites</p> <p>Recognise the intensification opportunities provided by larger sites within all residential zones by providing for more efficient use of those sites.</p>
GRZ-Px	<p>Provision of housing for an ageing population</p> <ol style="list-style-type: none"> 1. Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in Medium Density Residential Areas, such as retirement villages. 2. Recognise the functional and operational needs of retirement villages, including that they:

	<p>a.— <u>May require greater density than the planned urban built character to enable efficient provision of services.</u></p> <p>b.— <u>Have a unique layout and internal amenity needs to cater for the requirements of residents as they age.</u></p>
GRZ-Px	<p>Role of density standards</p> <p><u>Enable the density standards to be utilised as a baseline for the assessment of the effects of developments.</u></p>

GRZ - Rules

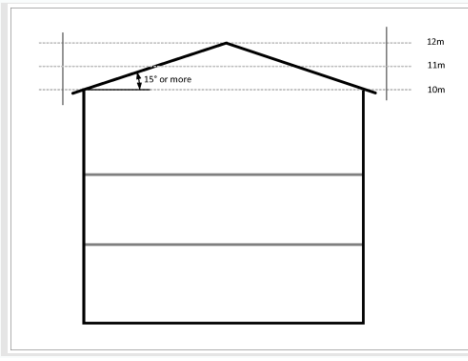
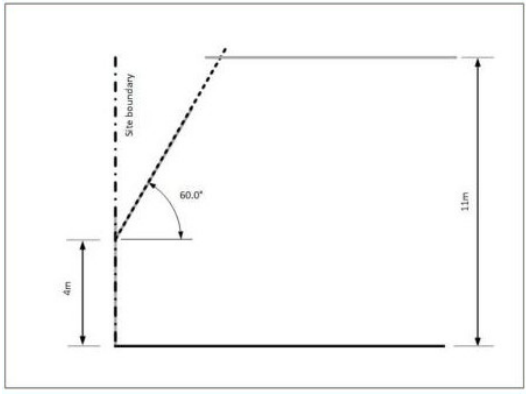
District-wide matters		
<i>Retain as notified</i>		
Activities Tables		
Permitted Activities		
Residential Activities		
GRZ-R1	Minor Structures	PER
GRZ-R2	Three residential units per site	PER
GRZ-R3	Buildings.	PER
GRZ-R4	Rest homes and community care housing	PER
GRZ-R5	Removal of a building from a site	PER
GRZ-R5A	Residential activities	PER
GRZ-X	<u>Retirement Villages</u>	<u>PER</u>
Non-Residential Activities		
GRZ-R6	Home business ancillary to residential activities carried out on the site	PER
GRZ-R7	Passive Recreation	PER
Controlled Activities		
GRZ-R10	<p>Marae</p> <p><i>Policies</i> Council may impose conditions over the following matters:</p> <p><i>GRZ-P3</i></p> <p><i>GRZ-P6</i></p> <ol style="list-style-type: none"> 1. Bulk, location, appearance and design of the buildings. 2. Design and layout of car parking, loading, manoeuvring and access areas. 3. Provision of and effects on utilities and/or services. 4. Landscaping, including the retention of existing trees. 5. Hours of operation. 	CON

	6. Financial contributions.	
<p>Controlled activities – restrictions on notification</p> <p>Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application for a controlled activity is precluded from public notification under section 95A and, subject to section 95B(3), is precluded from limited notification under section 95B(2) of the Act.</p>		

GRZ – Standards for Permitted and Controlled Activities

Standards for Permitted and Controlled Activities	
GRZ-S1	<p>Access standards for land use activities</p> <ol style="list-style-type: none"> Where vehicle access points are shared by three or more residential units, for all rear allotments and for all sites fronting arterial, or distributor/collector streets (identified in the Transport and Parking (TP) Chapter) there must be provision for turning a vehicle on site in order that vehicles do not reverse into the street. All accessways and manoeuvring areas shall be formed and surfaced in accordance with the Code of Practice for Civil Engineering Works. The required surfacing must be completed prior to certification of the survey plan. Exemption – the requirement for accessways serving sites solely occupied by unstaffed utilities shall be that the accessway shall be surfaced with permanent all weather surfacing for a minimum length of 5m from the edge of the road carriageway seal. Sites shall have practical vehicle access to car parking and loading spaces, in accordance with the Code of Practice for Civil Engineering Works. This requirement does not apply to sites solely occupied by unstaffed utilities, provided that vehicles associated with utilities shall not obstruct the footpath or create a traffic hazard on the road. Vehicular access to a corner allotment shall be located no closer than 8m from the street corner. Where a site is located on an intersection of a primary or secondary arterial traffic route (identified in the Transport and Parking (TP) Chapter) the siting of the vehicular access shall be located as far as practicable from the corner of the street. The 8 metre setback shall be measured from where the two front boundaries of the site (refer to the definition of a corner allotment) join, or in accordance with the diagram below. <div style="text-align: center;"> <p>The diagram illustrates a corner allotment at the intersection of two roads. A building is situated within the allotment, with a driveway leading to the street. The driveway is positioned such that its start is at least 8 meters away from the street corner. The area between the driveway and the street is labeled 'Road Reserve'. The building is also within the allotment boundary.</p> </div> <ol style="list-style-type: none"> Where a corner allotment is located at an intersection of a national, primary or secondary arterial traffic route, as identified in the Transport and Parking (TP) Chapter, no building, fence or other structure is to be erected and no vegetation allowed to grow so as to obstruct a traffic sight line.

	<p>6. At the intersection of a road or rail level crossing, no building, fence or other obstructions which block sight lines for trains shall be erected, placed or grown in the hatched area marked in TP-Diagram 1 in the Transport and Parking (TP) Chapter.</p> <p>7. Land use activities with direct access to a State Highway shall comply with the access and visibility standards set out in TP-Diagrams 2 to 9 in the Transport and Parking (TP) Chapter.</p>								
GRZ-S3	<p>Building coverage</p> <p>1. The maximum building coverage must not exceed 50% of the net site area.</p>								
GRZ-S4	<p>Setbacks</p> <p>1. Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:</p> <table border="1" data-bbox="432 638 1345 875"> <thead> <tr> <th>Yard</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Front</td> <td>1.5 metres</td> </tr> <tr> <td>Side</td> <td>1 metre</td> </tr> <tr> <td>Rear</td> <td>1 metre (excluding corner sites)</td> </tr> </tbody> </table> <p>2. This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</p>	Yard	Minimum depth	Front	1.5 metres	Side	1 metre	Rear	1 metre (excluding corner sites)
Yard	Minimum depth								
Front	1.5 metres								
Side	1 metre								
Rear	1 metre (excluding corner sites)								
GRZ-S5	<p>Outdoor living space (per residential unit)</p> <p>1. A residential unit at ground floor level must have an outdoor living space that is at least 20 square metres and that comprises ground floor, balcony, patio, or roof terrace space that,—</p> <ol style="list-style-type: none"> where located at ground level, has no dimension less than 3 metres; and where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; and is accessible from the residential unit; and may be— <ol style="list-style-type: none"> grouped cumulatively by area in 1 communally accessible location; or located directly adjacent to the unit; and is free of buildings, parking spaces, and servicing and manoeuvring areas. <p>2. 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—</p> <ol style="list-style-type: none"> is at least 8 square metres and has a minimum dimension of 1.8 metres; and is accessible from the residential unit; and may be— <ol style="list-style-type: none"> grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or located directly adjacent to the unit. <p>3. <u>For retirement units, clauses 1 and 2 apply with the following modifications:</u></p> <ol style="list-style-type: none"> <u>the outdoor living space may be in whole or in part grouped cumulatively in 1 or more communally accessible location(s) and/or located directly adjacent to each retirement unit; and</u> <u>a retirement village may provide indoor living spaces in one or more communally accessible locations in lieu of up to 50% of the required outdoor living space.</u> 								

<p>GRZ-S7</p>	<p>Building height</p> <p>Buildings must not exceed 11 metres in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more, as shown on the following diagram:</p> 
<p>GRZ-S8</p>	<p>Height in relation to boundary</p> <p>1. Buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown on the following diagram. 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.</p>  <p>2. This standard does not apply to—</p> <ol style="list-style-type: none"> a boundary with a road: existing or proposed internal boundaries within a site: site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed; <u>Boundaries adjoining open space and recreation zones, rural zones, commercial and mixed use zones, industrial zones and special purpose zones.</u>
<p>GRZ-S9</p>	<p>Hydraulic neutrality</p> <p>New buildings and development must be designed to ensure that the stormwater runoff from all new impermeable surfaces will be disposed of or stored on-site and released at a rate that does not exceed the peak stormwater runoff when compared to the pre-development situation for the 10% and 1% rainfall Annual Exceedance Probability event (<u>whilst recognising that in some instances there may be sufficient capacity in the downstream system and / or the effects of increased water flows can be managed effectively without achieving hydraulic neutrality</u>).</p>
<p>GRZ-S10</p>	<p>Water supply, stormwater and wastewater</p> <p>1. All activities shall comply with the water supply, stormwater and wastewater standards in the Code of Practice for Civil Engineering Works.</p>

GRZ-S11	<p>Screening</p> <ol style="list-style-type: none"> 1. Outdoor storage areas shall be screened by a close-boarded fence, a solid wall or dense planting of vegetation. The screening shall: <ol style="list-style-type: none"> a. Be no less than 1.8m in height
GRZ-S12	<p>Home business ancillary to residential activities carried out on the site</p> <ol style="list-style-type: none"> 1. At least one of the persons engaged in the home business shall live on the site as their principal place of residence. 2. No more than three non-resident persons may be engaged in the home business at any one time. 3. The repair or maintenance of vehicles or engines, other than those belonging to the residents, is not permitted. 4. The site shall not be used as a depot for any heavy vehicle associated with a trade. 5. Only goods produced or grown on the site may be sold from the site, provided that no retailing activity shall take place where access is to the State Highway. 6. Homestay activities, where accommodation and meals are provided in a family type environment, are permitted provided the total number of persons accommodated on the site at any one time, including persons normally resident on the site, does not exceed twelve. 7. Equipment used shall not interfere with radio and television reception.
GRZ-S13	<p>Number of residential units per site</p> <p>There must be no more than 3 residential units per site.</p>
GRZ-S14	<p>Outlook space (per residential unit)</p> <ol style="list-style-type: none"> 1. An outlook space must be provided for each residential unit as specified in this clause. 2. An outlook space must be provided from habitable room windows as shown in the diagram below. <div data-bbox="427 1182 1166 1720" data-label="Diagram"> <p>The diagram illustrates a habitable room layout. It is divided into two sections: a 'Habitable room' at the top and a 'Principal living room' at the bottom. To the left of the habitable room, there is an 'Outlook space' with a vertical dimension of 4m. To the left of the principal living room, there is another 'Outlook space' with both horizontal and vertical dimensions of 4m. A window is shown in the top wall of the habitable room, with its 'Centre point of window' marked. A 1m wide outlook space extends from this window center point to the left. A second window is shown in the left wall of the principal living room, with its 'Centre point of window' marked. A 1m wide outlook space extends from this window center point to the left, into the 4m wide outlook space area.</p> </div> <ol style="list-style-type: none"> 3. The minimum dimensions for a required outlook space are as follows: <ol style="list-style-type: none"> a. a principal living room must have an outlook space with a minimum dimension of 4m in depth and 4m in width; and b. all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width.

	<ol style="list-style-type: none"> 4. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies. 5. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space. 6. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building. 7. Outlook spaces may be under or over a balcony. 8. Outlook spaces required from different rooms within the same building may overlap. 9. Outlook spaces must: <ol style="list-style-type: none"> a. be clear and unobstructed by buildings and structures, including fences; and b. not extend over an outlook space or outdoor living space required by another dwelling. 10. <u>For retirement units, clauses 1 – 9 apply with the following modification: The minimum dimensions for a required outlook space are 1 metre in depth and 1 metre in width for a principal living room and all other habitable rooms.</u>
GRZ-S15	<p>Windows to street</p> <p>Any residential unit <u>or retirement unit</u> facing <u>the a public</u> street must have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors.</p>
GRZ-S16	<p>Landscaped area</p> <ol style="list-style-type: none"> 1. A residential unit <u>or retirement unit</u> 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. 2. 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>or retirement unit</u>.

GRZ – Restricted Discretionary Activities

Restricted Discretionary Activities		
Residential Activities		
GRZ-R11	<p>Buildings which do not comply with permitted activity standards</p> <p>a) Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> 1. Height and sunlight access. 2. Setbacks and coverage. 3. Landscaping and screening. 4. Provision of and effects on utilities and/or services. 5. Standard, construction and layout of vehicular access, manoeuvring and traffic safety. 6. Streetscape effects. 7. Effects on amenity. 8. Financial contributions. 9. The matters contained in the Medium and High Density Design Guide in Appendix 1. 10. measures to avoid, remedy or mitigate adverse effects. 	RDIS

	<p>11. Cumulative effects.</p> <p>This rule does not apply to residential units or retirement villages and retirement units.</p> <p>b) For the construction of buildings associated with a retirement village, council will restrict its discretion to, and may impose conditions on:</p> <p>a.—The effects arising from exceeding any of the following standards: GRZ-S3, GRZ-S4, GRZ-S5, GRZ-S7, GRZ-S8, GRZ-S14, GRZ-S15; and GRZ-S16.</p> <p>2.—The effects of the retirement village on the safety of adjacent streets or public open spaces;</p> <p>3.—The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;</p> <p>4.—The extent to which articulation, modulation and materiality addresses adverse visual dominance effects associated with building length;</p> <p>5.—The matters in GRZ-P1A – P1E, GRZ-P1 – P2, GRZ-P6 – P11 and GRZ-Px (new policies);</p> <p>6.—The positive effects of the construction, development and use of the retirement village.</p> <p>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</p> <p>Notification status:</p> <p>An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</p> <p>An application for resource consent for a restricted discretionary activity under this rule that complies with GRZ-S3, GRZ-S4, GRZ-S7 and GRZ-S8 is precluded from being limited notified.</p>	
<p>GRZ-R12</p>	<p>The construction and use of 1, 2 or 3 residential units that do not comply with one or more of the following permitted standards:</p> <ul style="list-style-type: none"> i. GRZ-S3 – Building coverage. ii. {GRZ-S4} – Setbacks. iii. GRZ-S5 - Outdoor living space. iv. GRZ-S7 – Building height. v. GRS-S8 – Height in relation to boundary. vi. GRZ-S9 – Hydraulic neutrality. vii. GRZ-S14 – Outlook space (per unit). viii. GRZ-S15 – Windows to street. ix. GRZ-S16 – Landscaped area. <p>Council will restrict its discretion to, and may impose conditions on:</p> <ul style="list-style-type: none"> 1. The matters contained in the Medium and High Density Design Guide in Appendix 1. 2. Site layout and design. 3. Consideration of the effects of the standard not met. 4. Cumulative effects. 5. The matters contained in the Code of Practice for Civil Engineering Works. 6. The imposition of financial contributions. <p>Restriction on notification:</p>	<p>RDIS</p>

	Public notification of an application is precluded under this rule.	
GRZ-R12A	<p>The construction and use of 4 or more residential units that comply with the following permitted standards:</p> <ol style="list-style-type: none"> i. GRZ-S3 – Building coverage. ii. GRZ-S4 – Setbacks. iii. GRZ-S5 - Outdoor living space. iv. GRZ-S7 – Building height. v. GRS-S8 – Height in relation to boundary. vi. GRZ-S9 – Hydraulic neutrality. vii. GRZ-S14 – Outlook space (per unit). viii. GRZ-S15 – Windows to street. ix. GRZ-S16 – Landscaped area. <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> 1. The matters contained in the Medium and High Density Design Guide in Appendix 1. 2. Site layout. 3. The matters contained in the Code of Practice for Civil Engineering Works. 4. Transport effects. 5. Cumulative effects. <p>Restriction on notification: Public and limited notification of an application under this rule is precluded.</p>	RDIS
GRZ-R12AA	<p>The construction of buildings associated with a retirement village.</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> 1. The effects (both individually and cumulatively) arising from exceeding any of the following standards: <ol style="list-style-type: none"> a. GRZ-S3 building coverage, b. GRZ-S4 setbacks, c. GRZ-S5 outdoor living space, d. GRZ-S7 building height, e. GRZ-S8 height in relation to boundary, f. GRZ-S14 outlook space (per unit), g. GRZ-S15 windows to street; and h. GRZ-S16 landscaped area. 2. The effects of the retirement village on the safety of adjacent streets or public open spaces; 3. The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces; 4. The extent to which articulation, modulation and materiality addresses adverse visual dominance effects associated with building length; 5. The matters contained in the Code of Practice for Civil Engineering Works. 6. Transport Effects 	RDIS

	<p>7. The matters in GRZ-P1A – P1E, GRZ-P1 – P2, GRZ-P6 – P11 and GRZ-Px (new policies);</p> <p>8. The positive effects of the construction, development and use of the retirement village.</p> <p>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</p> <p>Notification status:</p> <p>An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</p> <p>An application for resource consent for a restricted discretionary activity under this rule that complies with GRZ-S3, GRZ-S4, GRZ-S7 and GRZ-S8 is precluded from being limited notified.</p>	
GRZ-R12B	<p>The construction and use of a residential unit(s) that is not a permitted activity, and do not fall under rules GRZ-R12, or GRZ-R12A or GRZ-R12AA.</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> 1. The matters contained in the Medium and High Density Design Guide in Appendix 1. 2. Site layout and design. 3. The matters contained in the Code of Practice for Civil Engineering Works. 4. Consideration of the effects of the standard not met. 5. Transport effects. 6. Methods to avoid, remedy, or mitigate adverse effects. 7. Cumulative effects. <p>Restriction on notification:</p> <p>Public notification of an application under this rule is precluded.</p>	RDIS
Non-Residential Activities		
GRZ-R13	<p>Home business ancillary to residential activities carried out on the site, which do not comply with permitted activity standards</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> 1. External storage. 2. The number of non-resident workers employed on the site. 3. The creation of dust, light, noise, vibration or other nuisance. 4. Appearance of buildings. 5. Size, number of location and appearance of signs. 6. Car parking, traffic and pedestrian safety and the efficient functioning of the roading network. 7. Financial contributions. 	RDIS
GRZ-R15	<p>Early childhood centre(s)</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> 1. Location of the proposed early childhood centre. 2. Bulk, location, appearance and design of the buildings. 3. The extent to which the proposal will adversely affect traffic and pedestrian safety, and the efficient functioning of the roading network. 4. Design and layout of car parking, loading, manoeuvring and access areas. 	RDIS

	<p>5. Provision of and utilities and/or services.</p> <p>6. Landscaping, including the retention of existing trees.</p> <p>7. Hours of operation.</p> <p>8. Financial contributions.</p> <p>Restriction on notification</p> <p>Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application for an early childhood centre will be precluded from public notification under section 95A, but limited notification of an application will be determined in accordance with section 95B.</p>	
GRZ-R16	<p>Buildings or structures within 12-20m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps *(refer to the definition of transmission line)</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> 1. Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001). 2. The location, height, scale, orientation and use of buildings and structures to ensure the following are addressed: <ol style="list-style-type: none"> a. The risk to the structural integrity of the transmission line. b. The effects on the ability of the transmission line owner to operate, maintain and upgrade the transmission network. c. The risk of electrical hazards affecting public or individual safety, and risk of property damage. d. The extent of earthworks required, and use of mobile machinery near the transmission line which may put the line at risk. e. Minimising the visual effects of the transmission line. f. The outcome of any consultation with the affected utility operator. <p>Restriction on notification</p> <p>Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on Transpower New Zealand Limited as the only affected party under section 95B.</p>	RDIS
GRZ-R17	<p>Activities listed as permitted or controlled which do not comply with the access standards in GRZ-S1</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> 1. The extent to which the activity will adversely affect traffic and pedestrian safety. 2. The extent to which the activity will adversely affect the efficient functioning of the roading network. 	RDIS

GRZ – Discretionary Activities

Discretionary Activities		
Non-Residential Activities		
GRZ-R18	Veterinarian, medical and health clinics	DIS
GRZ-R19	Places of assembly (including places of worship, educational facilities)	DIS

GRZ-R20	Visitor accommodation including hotels and motels, other than as part of any home business	DIS
GRZ-R21	Activities which are not listed in this Table unless otherwise covered in the district-wide matters of the Plan	DIS
GRZ-R22	Activities listed as permitted or controlled which do not comply with the relevant standards in this chapter, unless specifically provided for under other rules.	DIS

GRZ – Non-Complying Activities

Non-Complying Activities		
Non-Residential Activities		
GRZ-R23	Buildings or structures within 12m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps *(refer to the definition of transmission line)	NC

GRZ – Matters for Consideration

Matters for Consideration		
Matters that may be relevant in the consideration of any resource consent, other than for a restricted discretionary activity, may include the following:		
GRZ-MC1	<p>Site layout, area and Building coverage</p> <ol style="list-style-type: none"> 1. The arrangement of buildings, car parking and vehicle movements on site. 2. The extent of landscaping and screening. 3. Whether the topography of the site has been taken into account. 4. Whether a better standard of development can be achieved by varying the design standards. 5. The ability to provide adequate outdoor living areas. 6. The extent to which increased building coverage is compatible in form and scale with the neighbourhood's planned built character. 	
GRZ-MC2	<p>Bulk and location of buildings</p> <ol style="list-style-type: none"> 1. Whether the buildings will cause a loss of privacy, interfere with sunlight access or create shadows on surrounding allotments. 2. Whether the building location, design, appearance and scale is compatible in form and scale with the neighbourhood's planned built character. 	
GRZ-MC3	<p>Traffic generation and access</p> <ol style="list-style-type: none"> 1. Accessibility for public transport, cyclists and pedestrians. 2. Whether activities which generate significant traffic flows have the necessary access, do not adversely impact upon the street environment, and maintain public safety. 	
GRZ-MC4	<p>On-site soakage</p> <ol style="list-style-type: none"> 1. Whether there are any factors that limit or preclude the provision of on-site soakage, and the extent to which any reasonable alternatives to providing on-site soakage have been explored. 	
GRZ-MC5	<p>Sunlight access</p> <ol style="list-style-type: none"> 1. Whether the building will adversely interfere with sunlight access or create adverse shading on surrounding sites. 	

	<ol style="list-style-type: none"> 2. Whether the topography of the site or the location of any built features on the site or other requirements, such as easements, impose constraints that make compliance impracticable.
GRZ-MC6	<p>Non-residential activities</p> <ol style="list-style-type: none"> 1. Whether the buildings, structures or other works are of a compatible scale having regard to the local environment and the nature of the surrounding development. 2. The extent to which the amenity values and the quality of the residential environment can be maintained and enhanced.
GRZ-MC7	<p>Hours of operation</p> <ol style="list-style-type: none"> 1. The nature, extent and duration of noise and traffic effects from active recreation.
GRZ-MC8	<p>Nuisance</p> <ol style="list-style-type: none"> 1. The potential impacts of noise, dust, glare, vibration, fumes, smoke, other discharges or pollutants or the excavation or deposition of earth.
GRZ-MC9	<p>Infrastructure</p> <ol style="list-style-type: none"> 1. The capacity of the infrastructure.
GRZ-MC10	<p>Cumulative effects</p> <ol style="list-style-type: none"> 1. Whether cumulative effects such as pollution, risk to public safety and nuisances have been assessed.

HRZ - HIGH DENSITY RESIDENTIAL ZONE

Background

The High Density Residential Zone is to be used predominantly for residential activities with high concentration and bulk of buildings, such as apartments, and other compatible activities.

The High Density Residential Zone is located adjacent to and within a walkable catchment of the following train stations and centre zones:

- i. Silverstream Station
- ii. Heretaunga Station
- iii. Trentham Station
- iv. Wallaceville Station
- v. Upper Hutt Station
- vi. City Centre Zone
- vii. Town Centre Zone
- viii. Local Centre Zone

The High Density Residential Zone provides for heights and densities of residential units and buildings greater than those provided for by the Medium Density Residential Standards that apply in the General Residential Zone. The High Density Residential Zone gives effect to policy 3(c) and (d) of the National Policy Statement on Urban Development (2020).

Within the High Density Residential Zone, development within the St Patrick's Estate Precinct will maintain and enhance linkages to the Hutt River walkway and Silverstream Railway Station.

Should there be any conflict between the High Density Residential Zone and the General Residential Zone provisions, the provisions of the High Density Residential Zone prevail.

HRZ - Objectives

HRZ-Objectives	
HRZ-O1	<p>Well-functioning Urban Environments</p> <p>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.</p>
HRZ-O2	<p>Housing Variety</p> <p>A relevant residential zone provides for a variety of housing types and sizes that respond to:</p> <ul style="list-style-type: none"> a. housing needs and demand; and b. the neighbourhood's planned urban built character, including 3-storey buildings.
HRZ-O3	<p>Hydraulic Neutrality</p> <p>There is no Any increase in the peak demand on stormwater management systems and increase in flooding from subdivision and development <u>is appropriately managed.</u></p>

HRZ-O4	High Density Residential Zone The planned built urban form of the High Density Residential Zone includes high density residential development of heights and densities of urban form greater than that provided for in the General Residential Zone.
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HRZ - Policies

HRZ-Policies	
HRZ-P1	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 significant natural areas, historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga).
HRZ-P2	Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.
HRZ-P3	Enable housing to be designed to meet the day-to-day needs of residents.
HRZ-P4	Provide for developments not meeting permitted activity status, while encouraging high-quality developments.
HRZ-P5	To provide for a range of building densities within the residential areas that respond to are compatible in form and scale with the neighbourhood's planned built form and character.
HRZ-P6	Provide for and encourage medium and high density residential development that is consistent with the Council's Medium and High Density Design Guide in Appendix 1 (with exception to retirement villages).
HRZ-P7	Enable more people to live in the High Density Residential Zone by enabling residential building heights up to 26 metres.
HRZ-P8	New buildings and development are encouraged to will be designed to achieve hydraulic neutrality.
HRZ-Px	<p><u>Retirement Villages</u></p> <ol style="list-style-type: none"> 1. <u>Enable retirement villages that:</u> <ol style="list-style-type: none"> a. <u>Provide for greater density than other forms of residential developments to enable shared spaces, services, amenities and / facilities, and affordability and the efficient provision of assisted living and care services.</u> b. <u>Provide good quality on site amenity, recognising the unique layout, internal amenity and other day-to-day needs of residents as they age.</u> 2. <u>Encourage the scale and design of retirement villages to:</u> <ol style="list-style-type: none"> a. <u>be of a high-quality and be aligned with the planned urban character of the zone; and</u> b. <u>achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.</u>
HRZ-Px	<p><u>Changing communities</u></p> <p><u>To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the residential zones will change over time to enable a variety of housing types with a mix of densities.</u></p>

HRZ-Px	<p>Larger sites</p> <p>Recognise the intensification opportunities provided by larger sites within all residential zones by providing for more efficient use of those sites.</p>
HRZ-Px	<p>Provision of housing for an ageing population</p> <p>1.— Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in Medium Density Residential Areas, such as retirement villages.</p> <p>2.— Recognise the functional and operational needs of retirement villages, including that they:</p> <p>a.— May require greater density than the planned urban built character to enable efficient provision of services.</p> <p>b.— Have a unique layout and internal amenity needs to cater for the requirements of residents as they age.</p>
HRZ-Px	<p>Role of density standards</p> <p>Enable the density standards to be utilised as a baseline for the assessment of the effects of developments.</p>

HRZ - Rules

District-wide matters	
<i>Retain as notified</i>	
HRZ-R1	Residential Activity
<p>1. Activity Status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with all permitted activity rules and standards that apply to the General Residential Zone (excluding building height, height in relation to boundary, and building coverage).</p> <p>2. Activity Status: Restricted discretionary</p> <p>a. Compliance is not achieved with one or more of the permitted activity standards that apply to the General Residential Zone (excluding building height, height in relation to boundary, and building coverage). See the General Residential Zone for relevant rules, standards, matters, and information requirements.</p> <p>Restriction on notification:</p> <p>See the General Residential Zone provisions for specific restrictions on notification.</p>	
HRZ-R2	Building
<p>1. Activity Status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <ol style="list-style-type: none"> i. HRZ-S2 – Building height. ii. HRZ-S3 – Height in relation to boundary. iii. HRZ-S4 – Building coverage. iv. HRZ-S5 – Number of Residential units per site. <p>2. Activity Status: Restricted discretionary</p> <p>This rule does not apply to retirement villages and retirement units.</p>	

3.

3.—Activity status: Restricted discretionary

Where:

- a.—Compliance is not achieved with one or more of the standards under HRZ-R2.1.a, and the activity is for the construction of buildings associated with a retirement village.

Matters of discretion are restricted to:

- 1) The effects arising from exceeding any of the relevant density standards;
- 2) The effects of the retirement village on the safety of adjacent streets or public open spaces;
- 3) The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;
- 4) The extent to which articulation, modulation and materiality addresses adverse visual dominance effects associated with building length;
- 5) The matters in HRZ-P1–P5, P7–P8 and HRZ-Px (new policies);
- 6) The positive effects of the construction, development and use of the retirement village.

For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.

Notification status:

An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.

An application for resource consent for a restricted discretionary activity under this rule that complies with HRZ-S2, HRZ-S3, HRZ-S4 and GRZ-S4 is precluded from being limited notified.

HRZ-R2A Buildings for retirement villages

Activity status: Restricted discretionary

Where:

Compliance is not achieved with one or more of the standards under HRZ-R2.1.a, and the activity is for the construction of buildings associated with a retirement village.

The construction and use of buildings associated with a retirement village.

Council will restrict its discretion to, and may impose conditions on:

1. The effects (both individually and cumulatively) arising from exceeding any of the following standards:
 - a. HRZ-S2 building height;
 - b. HRZ-S3 height in relation to boundary;
 - c. HRZ-S4 building coverage;
 - d. GRZ-S4 setbacks;
 - e. GRZ-S5 outdoor living space (per unit);
 - f. GRZ-S14 outlook space (per unit);
 - g. GRZ-S15 windows to street; and
 - h. GRZ-S16 landscaped area.
2. The effects of the retirement village on the safety of adjacent streets or public open spaces;
3. The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;
4. The extent to which articulation, modulation and materiality addresses adverse visual dominance effects associated with building length;
5. The matters contained in the Code of Practice for Civil Engineering Works.
6. Transport Effects

<p>7. The positive effects of the construction, development and use of the retirement village.</p> <p>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</p> <p>Notification status:</p> <p>An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</p> <p>An application for resource consent for a restricted discretionary activity under this rule that complies with HRZ-S2, HRZ-S3, HRZ-S4 and GRZ-S4 is precluded from being limited notified.</p>	
HRZ-R3	All controlled activity rules, standards, matters, and information requirements in the General Residential Zone apply unless specifically stated in this table.
HRZ-R4	All restricted discretionary activity rules, standards, matters, and information requirements in the General Residential Zone apply unless specifically stated in this table.
HRZ-R5	All discretionary activity rules in the General Residential Zone apply unless specifically stated in this table.
HRZ-R6	All non-complying rules in the General Residential Zone apply unless specifically stated in this table.
HRZ-R7	All prohibited activity rules in the General Residential Zone apply unless specifically stated in this table.

HRZ - Standards for Permitted Activities

Standards for Permitted Activities		Matters of Discretion where Permitted Activity Standard(s) are not met
HRZ-S1	The standards for permitted activities within the General Residential Zone apply except as specifically provided for in this table.	The matters of discretion within the General Residential Zone apply except as specifically provided for in this table.
HRZ-S2	<p>Building height</p> <p>1. Buildings within the High Density Residential Zone must not exceed 20 metres in height.</p>	<p>Matters of Discretion where Permitted Activity Standard(s) are not met</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Height and sunlight access. 2. Effects on public spaces 3. Setbacks and coverage. 4. Landscaping and screening. 5. Privacy effects. 6. The matters contained in the Medium and High Density Design Guide in Appendix 1. 7. Whether the building location, design, appearance, and scale is compatible in form and scale with the neighbourhood's planned built character.

		<u>For retirement villages, the matters of discretion under HRZ-R2A(3)(a)(1)-(7) apply.</u>
HRZ-S3	Height in relation to boundary 1. Buildings must not project beyond a 60° recession plane measured from a point 5 metres vertically above ground level along all boundaries. 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.	Matters of Discretion where Permitted Activity Standard(s) are not met Matters of discretion are restricted to: 1. Height and sunlight access. 2. Setbacks. 3. Landscaping and screening. 4. Privacy effects. 5. The matters contained in the Medium and High Density Design Guide in Appendix 1. 6. Whether the building location, design, appearance, and scale is compatible in form and scale with the neighbourhood's planned built character. <u>For retirement villages, the matters of discretion under HRZ-R2A(3)(a)(1)-(7) apply.</u>
HRZ-S4	Building coverage 1. The maximum building coverage on an allotment must not exceed 70% of the net site area.	Matters of Discretion where Permitted Activity Standard(s) are not met Matters of discretion are restricted to: 1. Height and sunlight access. 2. Setbacks and coverage. 3. Landscaping and screening. 4. Privacy effects. 5. The matters contained in the Medium and High Density Design Guide in Appendix 1. 6. Whether the building location, design, appearance, and scale is compatible in form and scale with the neighbourhood's planned built character. <u>For retirement villages, the matters of discretion under HRZ-R2A(3)(a)(1)-(7) apply.</u>
HRZ-S5	Number of Residential units per site. 1. There must be no more than 6 residential units per site.	Matters of Discretion where Permitted Activity Standard(s) are not met Matters of discretion are restricted to: 1. Height and sunlight access. 2. Setbacks and coverage. 3. Landscaping and screening. 4. Privacy effects. 5. The matters contained in the Medium and High Density Design Guide in Appendix 1. 6. Whether the building location, design, appearance, and scale is compatible in form and scale with the neighbourhood's planned built character. <u>For retirement villages, the matters of discretion under HRZ-R2A(3)(a)(1)-(7) apply.</u>

HRZ-R8	Buildings within the High Density Residential Zone that exceed 20 metres in height.	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Height and sunlight access. 2. Effects on public spaces. 3. Setbacks and coverage. 4. Landscaping and screening. 5. Privacy effects. 6. The matters contained in the Medium and High Density Design Guide in Appendix 1. 7. Whether the building location, design, appearance, and scale is compatible in form and scale with the neighbourhood's planned built character. <p><u>For retirement villages, the matters of discretion under HRZ-R2A(3)(a)(1)-(7) apply.</u></p>
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APPENDIX D
REPLACEMENT PROVISIONS
Financial Contributions

DFC – DEVELOPMENT FINANCIAL CONTRIBUTIONS

The following sets out the provisions sought by the RVA and Ryman within the Development Contributions Chapter as part of the IPI to the Upper Hutt District Plan.

Text in black underline or strike out represents the notified changes under the IPI.

Text in red with underline or strikethrough represents the recommended changes within Councils Section 42A Report.

Blue text that is also underline or struck out and highlighted represents changes proposed by the RVA and Ryman.

Background

~~Section 77E(1) of The Act empowers Council to impose financial contributions. The types of possible authorises rules requiring financial contributions are described for any class of activity other than a prohibited activity.~~

Section 108 (9) defines financial contributions as:

- a. Money, or
- b. Land, including an esplanade reserve or esplanade strip (other than in relation to a subdivision consent), but excluding Maori land within the meaning of the Te Ture Whenua Maori Act as money, land 1993 unless that Act provides otherwise; or
- c. A combination of money and land.

~~This chapter part of contains the Plan sets out the objective, policy, methods and rules relating to the imposition of requirements for financial contributions which can be imposed for reserves subdivision and leisure facilities development of land noting that Financial Contributions referred to in this Chapter are different from, and have a different purpose than Development Contributions imposed under the Local Government Act 2002. Under section 200 of that Act, the Council cannot collect financial contributions for the same development and for the same purpose as a development contribution (and vice versa). Financial contributions are assessed, calculated, and directly related to the effects of subdivision and development of land.~~

Purpose of Financial Contributions

Financial contributions received for reserves and local leisure facilities may be used anywhere in the City. The allocation of such contributions is made through the Annual Plan process.

The purposes for which reserves and local leisure facilities contributions may be used are as follows:

- The provision for community local facilities, reserves, amenities and open space.
- The protection and conservation of amenity values, and the like supporting capacity of ecosystems and waterbodies.
- The provision of access to identified rivers, streams or lakes.

Commented [CT1]: For clarity, the District Plan should refer to "financial contributions", noting that development contributions are sought under the Local Government Act and are addressed in the Council's Development Contributions Policy.

Commented [CT2]: Addresses double dipping

Commented [CT3]: The Council's Draft Development and Financial Contributions Policy for 2023-2024 specifies that FCs will be sought to fund "local leisure facilities", while district-wide community infrastructure will be funded via DCs. The District Plan should therefore align with this approach.

- The protection of historical, scientific, cultural or aesthetic values of landscape features, landforms, places or buildings.

Financial contributions received for water, wastewater, stormwater, or transport infrastructure will be used to address the specific effects generated by a land use or subdivision for the following purposes (unless otherwise addressed by development contributions collected under the Local Government Act):

- Upgrades to the water, wastewater, or stormwater networks.
- Footpaths, streetlighting or pedestrian shelter
- Road upgrades;
- Shared paths;
- Cycle parking; or
- Offsetting any adverse effect(s) to ensure positive effects on the environment.

Commented [CT4]: Addresses double dipping

Development Impact Fees - Calculation of Financial Contributions

This chapter contains provisions relating to how development impact fees financial contributions are assessed and calculated, including provisions related to:

- The effects of specific activities,
- Defining areas affected,
- Methods of calculation, and,
- Methods of application.

The development contributions policy is included in the Long Term Council Community Plan (LTCCP) under Section 102(4)(d) of the Local Government Act 2002. Provisions relating to esplanade reserves and esplanade strips and financial contributions in lieu of car parks are found in the Transport and Parking Chapter (TP) and the Public Access Chapter (PA) respectively.

Resource Management Issue

<p>DEC-I1</p>	<p><i>When subdivision or development takes place within the City, a contribution towards the provision of acceptable standards of utilities, services, roading, community facilities, reserves and amenities should be made by the subdivider or developer.</i></p> <p>Development within the City, including that arising from subdivision, may generate a demand for the provision of services such as water supply, sewage disposal and access to roading. These services and utilities are required to ensure an acceptable standard of development, to protect and promote community health and safety, and to avoid, remedy or mitigate any adverse effects on the environment. Development may also create a demand for community facilities (such as the library), amenities, reserves and esplanade reserves and strips.</p>
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Commented [CT5]: Changes to the numbering of the policies and rules for clarity.

Objectives

<p>DFC-O1</p>	<p><i>Contribution by developers and subdividers towards the costs of providing acceptable standards of utilities, services, roading, community facilities and amenities.</i></p> <p>This objective aims to promote an appropriate allocation of the costs incurred in the provision of utilities, services, roading, community facilities and amenities.</p>
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Policies

<p>DFC-P1</p>	<p>To require those developing or subdividing land subdividers or developers to <i>make a fair and reasonable contribution towards</i> contribute to <i>the provision of utilities, community facilities, services, roading transportation and amenities where such costs are not otherwise addressed by development contributions collected under the Local Government Act.</i></p> <p>The most effective means of ensuring that these financial contributions are made is to require them at the time land is either subdivided or developed</p>
<p>DFC-P2</p>	<p><i>Require those developing or subdividing the land Subdividers and developers should to be responsible for the fair and reasonable bear the cost of providing all utility services within the land being subdivided or developed where the benefits accrue to the land being subdivided or developed, where such costs are not otherwise addressed by development contributions collected under the Local Government Act.</i></p>
<p>DFC-P3</p>	<p><i>In circumstances where the existing services outside the land being subdivided or developed are adequate but, the proposed subdivision or development will require upgrading or provision of new services and facilities, the subdivider or developer shall pay a fair and reasonable contribution towards the full and actual cost of such upgrading or new utility services and facilities that is proportionate to its demand on those services, accounting for cumulative effects from other developments, and where such costs are not otherwise addressed by development contributions collected under the Local Government Act.</i></p>
<p>DFC-P4</p>	<p><i>Where Council has provided the necessary utility services in advance of land being subdivided or developed, it is necessary for owners of such land to make a fair and reasonable contribution when the land is subdivided or developed that is proportionate to its demand on those services, accounting for cumulative effects from other developments, and where such costs are not otherwise addressed by development contributions collected under the Local Government Act.</i></p>

Commented [CT6]: Added for consistency with other policies

Commented [CT7]: To recognise that there will be cumulative effects from multiple developments that lead to the need for an upgrade and it would be unfair on the developer to pay all costs of upgrades when others have benefited from existing capacity.

DFC-P5	<i>Subdivision or development of land can lead to an increase in demand or need for reserves and open space and have adverse effects on the environment. It is important that subdividers or developers make a fair and reasonable contribution, either in cash or land, so that demand or need can be met and adverse effects can be avoided, remedied or mitigated. Require those developing or subdividing land to make a fair and reasonable contribution, in money or land, to open space and/or reserve contribution, that is proportionate to its demand on those services, accounting for cumulative effects from other developments, where such costs are not otherwise addressed by the Council's Development Contributions collected under the Local Government Act.</i>
DFC-P6	<i>To ensure that developers make a fair and reasonable financial contribution to manage or mitigate adverse transportation or infrastructure effects arising from residential intensification activities where such costs are not otherwise addressed by development contributions collected under the Local Government Act.</i>
DFC-P7	<i>A financial contribution may be required for any land use or subdivision application to ensure positive effects on the environment are achieved to offset any adverse effects that cannot otherwise be avoided, remedied or mitigated.</i>
FC-P7	<i>Recognise that different types of development may place different demands on utilities, community facilities, services, transportation and amenities and that any financial contributions imposed should be proportionate to the actual demand of a development on those services accounting for cumulative effects from other developments.</i>
FC-P8	<i>Recognise that the demand for utilities, community facilities, services, transportation and amenities associated with retirement villages are expected to be substantially less than those from typical residential developments, on a per unit basis, due to the age and mobility of older residents, onsite amenities and operational efficiencies.</i>
FC-P9	<i>When calculating and determining Financial Contributions under this Plan, the Council must ensure that the matters addressed by such Financial Contributions are distinct from and do not overlap with, any Development Contributions imposed under the Local Government Act 2002 and meet the other requirements of section 200 of that Act.</i>

Commented [CT8]: Changes for consistency with other policies

Commented [CT9]: Added for consistency with other policies

Commented [CT10]: This proposed policy is too wide and raises risk of double dipping.

Commented [CT11]: As previously noted, this policy recognises that there will be cumulative effects from multiple developments that lead to the need for an upgrade and it would be unfair on the developer to pay all costs of upgrades when others have benefited from existing capacity.

Commented [CT12]: As above and to particularly address retirement village demands.

Commented [CT13]: Addresses double dipping

Rules

Reserve and Local Leisure Facilities Contribution

<p>DC-R1</p> <p><i>Policy</i></p> <p>DC-P1</p>	<p>A Reserve and Local Leisure Facilities Contribution is required where:</p> <ol style="list-style-type: none"> 1. Any additional site is created as part of a subdivision; 2. Two or more residential units are erected on a vacant site; 3. One or more additional residential units are erected on a site. <p>A Reserves and Local Leisure Facilities Contribution will be required in the form of money, land or a combination of money and land, taking into account whether the development generates substantially lower levels of demand for reserves and open space per residential unit than the average (for example, Retirement Villages), in accordance with the following table:</p> <table border="1"> <tr> <th data-bbox="343 779 1061 831">Reserves and Local Leisure Facilities Contribution (All Zones)</th> </tr> <tr> <th data-bbox="343 831 1061 882">Money</th> </tr> <tr> <td data-bbox="343 882 1061 934">4% of market value of each additional allotment created</td> </tr> <tr> <td data-bbox="343 934 1061 1093">4% of market value of the net site area identified for each additional residential unit or retirement unit on a site, recognising that for Retirement Villages the load placed on Reserves and Local Leisure Facilities is generally 10% of the load of a typical residential unit.</td> </tr> <tr> <th data-bbox="343 1093 1061 1144">Land in lieu of money (if applicable)</th> </tr> <tr> <td data-bbox="343 1144 1061 1234">Council will only accept land in lieu of money in accordance with the matters identified in DC-R3</td> </tr> </table> <p>Notes:</p> <ul style="list-style-type: none"> • For clarity, the amount of Reserves and Leisure Facilities Contribution will always be based on 4% of the market value of each additional allotment or where a residential unit is created without subdivision, 4% of the market value of the net site area identified for the residential unit, regardless of whether money, land, or a combination of money and land is accepted. • Where the development is a Retirement Village, the amount of Reserves and Local Leisure Facilities Contribution will be based on 0.4% of the value of each additional allotment or the net site area identified for each additional retirement unit, except for care and hospital suites/rooms within Retirement Villages which shall be rated at 0%. • Where the market value of the land to be accepted is less than the money contribution due, then the balance shall be paid to Council. Conversely, if the land accepted is of greater market value than the 	Reserves and Local Leisure Facilities Contribution (All Zones)	Money	4% of market value of each additional allotment created	4% of market value of the net site area identified for each additional residential unit or retirement unit on a site, recognising that for Retirement Villages the load placed on Reserves and Local Leisure Facilities is generally 10% of the load of a typical residential unit.	Land in lieu of money (if applicable)	Council will only accept land in lieu of money in accordance with the matters identified in DC-R3
Reserves and Local Leisure Facilities Contribution (All Zones)							
Money							
4% of market value of each additional allotment created							
4% of market value of the net site area identified for each additional residential unit or retirement unit on a site, recognising that for Retirement Villages the load placed on Reserves and Local Leisure Facilities is generally 10% of the load of a typical residential unit.							
Land in lieu of money (if applicable)							
Council will only accept land in lieu of money in accordance with the matters identified in DC-R3							

Commented [CT14]: To particularly address retirement village demands.

Commented [CT15]: As above, to particularly address retirement village demands.

Commented [CT16]: As above, to particularly address retirement village demands. The proposed figures are based on data collated from the industry in terms of load placed on Council infrastructure by the retirement sector.

	<p>money contribution due, Council will compensate the developer/subdivider the balance.</p> <ul style="list-style-type: none"> For clarity, when land is subdivided and then developed or vice versa, any additional contributions shall only relate to the additional demand of that subdivision or development to ensure no double charging.
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Commented [CT17]: Added to ensure no double charging of FCs

Financial contribution for Infrastructure and transport for residential intensification activities in Residential zones and Commercial and Mixed Use Zones

<p>DFC-R2A</p>	<ul style="list-style-type: none"> In all Residential or Commercial and Mixed Use Zones all residential intensification activities where two or more residential units, retirement units or allotments are proposed, a financial contribution shall be a maximum contribution in cash or land to an equivalent value equal to 4% of the value of each new residential unit or allotment up to a maximum of \$10,000 per residential unit or allotment. A. Council recognises that the financial contribution is not appropriate in all cases and in determining whether the base maximum should be adjusted the following matters will be taken into account: <ol style="list-style-type: none"> Whether there will be an increase in the intensity of use of land from that which existed before the development. Whether there is a change in nature and character of the use of land. The subsidies that council may receive from New Zealand Transport Agency or other central government agencies. Whether a development contribution for the same purpose applies under the Council's Development Contributions Policy When the development is a Retirement Village, the contribution area will be based on 0.4% of the value of each additional allotment or the net site area identified for each additional retirement unit, except for care and hospital suites/rooms within Retirement Villages which shall be rated at 0%. <p><u>Notes:</u></p> <p>For clarity, when land is subdivided and then developed or vice versa, any additional contributions shall only relate to the additional demand of that subdivision or development to ensure no double charging.</p>
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Commented [CT18]: As above, to particularly address retirement village demands. The proposed figures are based on data collated from the industry in terms of load placed on Council infrastructure by the retirement sector.

Financial Contributions relating to transport including roads, private ways, service lanes, accessways, footpaths, cycleways and walkways

DFC-R2B

In all zones, except rural zones, the following financial contribution will be required for all subdivision and development:

- a. ~~The full and actual costs~~ A fair and reasonable contribution for of providing all new roads, private ways, service lanes, accessways, ~~facilities to access public transport, cycleways,~~ footpaths and walkways within the land being developed or subdivided ~~that is proportionate to its demand on those transport facilities, accounting for cumulative effects from other developments.~~ The developer must meet a fair and reasonable contribution ~~the full and actual cost~~ of providing the necessary road lighting within the land being developed ~~that is proportionate to its demand on those transport facilities, accounting for cumulative effects from other developments.~~
- b. Where existing roads, service lanes, accessways, footpaths and walkways outside the subdivision or development are adequate to serve the existing development but the proposed development will result in such roading facilities being inadequate the developer must pay a fair and reasonable contribution ~~the full and actual cost~~ for all upgrading and any new facilities ~~that is proportionate to its demand on those facilities, accounting for cumulative effects from other developments.~~
For all Council provided services the council may elect to reduce the financial contribution ~~from full and actual costs~~ where the works address an existing and meaningful level of service deficit or provide significant benefits to other parties, such as other development sites.
- c. Where Council has upgraded facilities to take into account both vehicular and pedestrian traffic increases from land yet to be developed, developers of such undeveloped land shall be required to pay a fair and reasonable contribution based on what is proportionate to its demand on ~~the full and actual costs of~~ the upgrading and the new facilities based on trips generated by the development ~~and the related impact on levels of service after~~ and taking into account the time value of money.
- d. ~~When the subdivision or development is a Retirement Village, the contribution will be based on an assumption that retirement units generate on average 70% less traffic than typical residential developments on a per unit basis and retirement units that are care and hospital suites/rooms generate on average 80% less traffic than typical residential development, including all staff, guest and servicing movements.~~

Notes:

Commented [CT19]: Proposed addition to specify the activities covered as per other rules.

Commented [CT20]: As above, to particularly address retirement village demands. The proposed figures are based on data collated from the industry in terms of load placed on Council infrastructure by the retirement sector.

For clarity, when land is subdivided and then developed or vice versa, any additional contributions shall only relate to the additional demand of that subdivision or development to ensure no double charging.

Financial Contributions relating to site formation and development works, electricity, gas and telephone supply in all zones

DFC-R2C

- a. Within the land being subdivided or developed the subdivider or developer must pay a fair and reasonable contribution for the full and actual cost of providing the necessary site formation and development works, electricity, gas and telephone services for the site based on what is proportionate to its demand on these facilities.
- b. The subdivider or developer must pay for a fair and reasonable contribution the full and actual cost of all site formation and development works within the land being subdivided or developed.
- c. Where site formation and development works within the land being subdivided or developed require remedial or stabilising work to be carried out on land adjoining or adjacent to the land being subdivided or developed the subdivider or developer must pay a fair and reasonable contribution the full and actual cost of such work.

Notes:

For clarity, when land is subdivided and then developed or vice versa, any additional contributions shall only relate to the additional demand of that subdivision or development to ensure no double charging.

Financial Contributions relating to water supply, disposal of waste water and stormwater for subdivision or development of land

DFC-R2D

In all zones, except rural zones, the following financial contribution will be required for all subdivision and development:

- a. Within the land being subdivided or developed the subdivider or developer must pay a fair and reasonable contribution the full and actual cost of providing the necessary water supply, wastewater and stormwater disposal facilities for the proposed allotments or dwellings based on what is proportionate to its demand on these services, taking into account cumulative effects from other developments.
- b. Where the existing water supply, wastewater and/or stormwater capacity and pressure is adequate to serve existing development but the proposed subdivision will result in the capacity and/or pressure being inadequate the subdivider or developer must pay a fair and

Commented [CT21]: Proposed addition to specify the activities covered as per other rules.

	<p>reasonable contribution the full and actual costs for all such upgrading and new facilities based on what is proportionate to its demand on these services, taking into account cumulative effects from other developments.</p> <p>c. Where the Council provides the necessary water, sewage or stormwater disposal system for vacant land in advance of such land being subdivided or developed either by carrying out the necessary work the Council shall require a contribution from the subdivider or developer when such land is subdivided or developed based on a fair and reasonable contribution the actual and full cost of providing the service to that land based on what is proportionate to its demand on the use of the services, taking into account cumulative effects of other developments, after taking into account the time value of money.</p> <p>d. The above provisions shall also apply to all staged subdivisions.</p> <p>e. When the subdivision or development is a Retirement Village, the contribution will be based on an assumption that retirement units generate 200 litres per day for water usage and 160 litres per day for wastewater, including all staff, guest and other water usage in a village.</p> <p>Notes:</p> <p>For clarity, when land is subdivided and then developed or vice versa, any additional contributions shall only relate to the additional demand of that subdivision or development to ensure no double charging.</p>
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Commented [CT22]: As above, to particularly address retirement village demands. These figures are based on data collated from the industry.

Offsetting of adverse environmental effects

<p>DFC-R2E</p>	<p>In all Residential or Commercial and Mixed Use Zones all residential intensification activities where two or more residential units or allotments are proposed, a financial contribution may be required for the amount of money or land or both needed to offset any adverse environmental effects that cannot otherwise be avoided, remedied or mitigated.</p>
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Commented [CT23]: This proposed rule is too wide and raises risk of double dipping.

Financial Contributions

<p>DFC-R2</p> <p><i>Policy</i></p> <p>DFC-P1</p>	<p>Requirements for financial contributions</p> <ol style="list-style-type: none"> All financial contributions on subdivisions are payable prior to the release of the completion certificate for the subdivision.
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	<p>2. All financial contributions for any additional residential unit, <u>retirement unit</u> or multiple residential unit/unit development, where a subdivision has not taken place, are payable prior to the issuing of the <u>Code Compliance Certificate for Building Consent(s)</u> for the second or more residential unit /unit.</p> <p>3. The valuation shall apply to the land only. For the purposes of the valuation, where the size of the site is larger than 1000m² the valuation will be based on a hypothetical 1000m² building site.</p> <p>4. Where staged and further development takes place within 10 years, then a credit will apply against the reserves and leisure facilities contribution for the earlier payment, but no refunds will be given.</p> <p>5. Contributions in accordance with the above are exclusive of GST.</p> <p>Exemptions:</p> <p>The following forms of subdivision will not be required to provide financial contributions:</p> <p>6. Subdivision around any existing principal buildings lawfully established prior to 4 August 2006 that do not create any vacant sites.</p> <p>7. <u>Subdivision around existing a residential unit(s) where a financial contribution has been paid previously for the residential unit(s).</u></p> <p>8. Allotments set aside as reserves or for conservation purposes.</p> <p>9. Access lots.</p> <p>10. Rural allotments where there is a legal instrument preventing use of the allotment for residential purposes (e.g. – a forestry allotment).</p> <p>11. Allotments created for unstaffed utility services up to 200m² in area.</p> <p>12. Boundary adjustments or amalgamation of allotments with no resulting increase in titles.</p>
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Guidelines for accepting land	
<p>DFC-R3</p> <p><i>Policy</i></p> <p>DFC-P1</p>	<p>Generally, the contribution will be required in the form of money, however Council, at its complete discretion, may consider accepting a contribution of land instead of money, or a combination of land and money. Land may be accepted if it is designated for a reserve or if the land furthers Council's objectives relating to the City's open space network. Council may also accept land for the protection of ecological, scenic, historical or scientific values or to provide for the active or passive recreational needs of the community.</p>

	<p>In determining whether land will be accepted by Council, a number of matters may be taken into account, including but not limited to the following:</p> <ol style="list-style-type: none"> 1. The size and nature of the land. 2. The topography of the land. 3. Whether the land contributes to Council's objectives for the City's open space network. 4. Whether the land is designated for proposed reserve purposes. 5. Whether the land has been identified as a Council reserve in a structure plan. 6. The accessibility of the land for users. 7. The ecological, recreational, historic, scenic or scientific values associated with the land. 8. The cost of acquiring and maintaining the land.
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Methods

<p>DEC-M1</p>	<p>District Plan provisions that set out the purposes and the level of financial contributions. Reserves and local leisure facilities contributions will usually be in the form of money, land, or a combination of both.</p> <p>Generally however, Council will require the contribution to be made in the form of money.</p>
<p>DEC-M2</p>	<p>Policy on Development Contributions in the Long Term Council Community Plan (LTCCP).</p>