



Te Kaunihera o
Te Awa Kairangi ki Uta
Upper Hutt City Council

Planning for growth

INTENSIFICATION PLANNING INSTRUMENT

FULL SUBMISSIONS

NOVEMBER 2022



Submission 1

Keith Bennett just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Keith Bennett

Postal address of submitter:

1 Ventura Avenue, UH

Agent acting for submitter (if applicable):

?

Email address:

keith@proshoot.co.nz

Telephone number:

021664369

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

At least this section.. and wherever else the below is mentioned. 1.2.2 Giving effect to Policy 3 of the NPS-UD A public meeting needs to be called with urgency to discuss the urban intensification mandates on a) CBD no height or intensification limits, b) 3 and 6 storey no resource consents required. Rate payers properties are devaluing as a consequence with no say in the matter. If this was a truly green sustainable proposal then where are the provisions for trees on boundaries and general shade protection.

My submission is that:

A public meeting is called to push back on Government interfering in district planning. This is a democracy not a dictatorship. All these provisions are as a direct result of World Economic Forum interference. Who realises in '21, NZ was the first country to join the UN's smart cities program. This is a concern because we never voted smart cities in as a country. The impact this will have on people's wellness building 3 and 6 storeys high and no height limit in the CBD taking away sunlight, you will see the contrast in the people living in them. We are taking the beauty of what makes New Zealand special and creates happiness away. We are turning Upper Hutt into China. You won't be able to just grow your vegetables and for those that love pottering in their garden your flowers won't grow because as you know we all need sunlight and water to grow and flourish. We need it as human's not just plants. Retirees only want single story and where will people charge their electric cars so who are we building them for?

I seek the following decision from the local authority:

That Upper Hutt rate payers are rightfully involved in these fundamental district planning changes that will dramatically change Upper Hutt forever.

Please indicate whether you wish to be heard in support of your submission:

I do wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do wish to make a joint case.

Submission 2

Silvia Purdie just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Silvia Purdie

Postal address of submitter:

10 Pattullo Cres, Wallaceville

Address for service (if different from above)

11 White Rd, Burnham Camp 7600

Email address:

purdies12345@gmail.com

Telephone number:

0272421113

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Proposed IPI - Residential intensification

My submission is that:

I support the move to urban intensification, and I want to be part of a thriving growing Upper Hutt city. My primary concern is to also provide sufficient green growing natural spaces. High density housing must be paired with careful green planning, or we just create slums for the next generation. Social, physical, mental and spiritual health demands connection with nature. And this is a massive

strength of Upper Hutt. We have a wonderful river, clean air, beautiful forest and the birds and biodiversity that comes with that. I bought in the Wallaceville Estate partly because of Grants Bush Reserve. The District Plan must include more dedicated green spaces. I don't mean more grass areas. I mean more native plantings to extend the pieces of forest we have already. We need more native trees planted along the river banks, and less mowed grass. We also desperately need an urban farm in Upper Hutt. Please allocate land for community gardens in every new development. As other parts of Wellington region become impacted by sea level rise, Upper Hutt will become even more desirable, with increase in land values. The Council must act now and give a strong lead to protect the natural spaces we already have in the city and to dedicate more land for food and biodiversity. This will have huge benefits for the people also!

I seek the following decision from the local authority:

a) Prioritise green spaces for every proposal for residential intensification b) increase and protect native forest to create bird corridors and greater forest cover for the whole city c) dedicate land for community gardens and urban farming d) support community initiatives to develop gardens and food production in the city

Please indicate whether you wish to be heard in support of your submission:

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do wish to make a joint case.

Submission 3

MHails just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Hayley Downing

Postal address of submitter:

159 Plateau Road

Email address:

lilpocket.ratcliffe@gmail.com

Telephone number:

0211051281

Could you gain an advantage in trade competition through this submission?

No

If you answered yes to the above, please choose one of the following options:

I am not directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

-building 3 story's high without consent. I do not support this. -building 1mtr close to boundary. As it will block out the houses next door sunlight and privacy. I do not support this as it creates a dominos affect with the house value next door and developers can buy that at a cheaper price as it has reduced the value of houses next to development, and so it continues down the street as people will sell as they don't want to feel overlooked and have no option.

My submission is that:

I am not in support of 3 stories high with no consents from neighbouring property, 2 level houses are ok but 3 is very intrusive.

I seek the following decision from the local authority:

To think of other people and not a flash in the pan rule change.

Please indicate whether you wish to be heard in support of your submission:

I do wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do wish to make a joint case.

Submission 4

Grant just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Grant Foster

Postal address of submitter:

19 McLeod Street

Email address:

grant.foster51@gmail.com

Telephone number:

0276933181

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Oppose three dwellings—each up to three storeys Oppose the provision for at least six storey housing and the high density areas

My submission is that:

Oppose three dwellings—each up to three storeys Oppose the provision for at least six storey housing and the high density areas I oppose both provisions for similar reasons. While I agree that more density and better walkable neighbourhoods are the best way forward for the city I believe just zoning entire areas is the wrong way to go about this. The fact that there could be 6+ storey buildings next to single storey family homes is ridiculous. I believe developments like Wallaceville Estate are positive as they are all of similar look and feel and creates better neighbourhoods and committes.

I seek the following decision from the local authority:

Rejection of any 3+ storey buildings within pre-existing neighbourhoods. A new and more considered approach to development within the city and working closer with developers to buy, build and develop blocks of land as opposed to single titles.

Please indicate whether you wish to be heard in support of your submission:

I do wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.



OFFICE USE ONLY

Submission number

5

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN **Planning for Growth - Intensification Planning Instrument (IPI)**

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

Deliver to: Upper Hutt Civic Centre, 838 – 842 Fergusson Drive, Upper Hutt 5019

Post to: Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

Scan and email to: planning@uhcc.govt.nz

Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at planning@uhcc.govt.nz.

NAME OF SUBMITTER [Bob Anker](#)

POSTAL ADDRESS OF SUBMITTER [76 Katherine Mansfield Drive](#)

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE [5286749](#)

CONTACT EMAIL bob.anker@xtra.co.nz

I could gain an advantage in trade competition through this submission (please tick one): **yes** / **no**

Only answer this question if you ticked 'yes' above:

I **am** / **am not** (tick one) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

[As per my emailed Word document](#)

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

[Refer to my Word document](#)

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

[Detailed in my Word document](#)

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I **do** wish to be heard in support of my submission.
 I **do not** wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I **do** wish to make a joint case.
 I **do not** wish to make a joint case.

Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE [R.J. Anker](#)

DATE [7 Sept 2022](#)

UHCC – Planning for growth

R. J. Anker

76 Katherine Mansfield Drive

Upper Hutt

The following is my submission on the proposed plan change to the Upper Hutt District Plan as triggered by NPS-UD.

In preparing my submission I have copied the relevant section from the plan and shown in black.

My observations are shown in red.

The decision that I am requesting is shown in green.

I wish to be heard by speaking in support of my submission.

I am led to believe that it was the intention of UHCC Planners to only amend those parts of the District Plan that are affected by NPS-UD.

For the most part this approach works but there are several instances where the NPS requirements lead to a single word or phrase being inserted into an already existing clause and that, in reality, has a knock on impact to aspects of the District Plan and that gives rise to what are probably unintended consequences arising from this chosen methodology.

3.1 Definitions

High Density Residential Zone

means the areas identified as High Density Residential Zone on the Planning Maps

There appears to be a conflict between the maps and the text definition of the areas. When there is a conflict between the text definition and the map, which one prevails?

Decision requested - clarification as to which shall have force.

3.1 Definitions

Papakāinga

means housing and ancillary activities (including social, cultural, educational, recreational, and commercial activities) for tangata whenua **on their ancestral land**.

The body of the document is proposing that there should be inclusion of General Title land owned by Maori which does not appear to be covered by the definition.

Decision requested - that the definition be amended to conform with the body of the document text or that the document text be amended to conform with the definition.

3.1 Definitions

Qualifying matter area

(l) The areas within 20 metres of the bank of any waterbody with an average width of 3 metres or more.

Assessed within what linear distance upstream, downstream from a given point on the bank? An average width cannot consist of a singular point.

Decision requested - that the document be changed to make it clearer as to the methodology to be employed to arrive at the average width

3.1 Definitions

Walkable catchment means areas within the High Density Residential Zone that are within a 10 minute walk of a train station, and the City Centre Zone based on average walking speeds

Rather than specify time x Average walking speed, which could be open to dispute, it would be better to state a straight-line distance – eg. 800 metres measured on an “as the crow flies basis”. An explanation as to the assumptions used to arrive at that distance could be given to remove doubt. “Walking Distance” could then be included as a definition. The delineation between High Density and Medium Density has the potential to give rise to demarcation disputes and certainty of measurement will be looked for in what will be a sensitive issue. Also this definition is incomplete as it only refers to the City Centre Zone and does not mention the other Zones as specified in the NPS-UD.

Decision requested - that this definition be amended to remove uncertainty.

UFD-03 The High Density Residential Zone provides for higher density housing types and sizes that respond to:

1. Identified housing needs and demand.
2. The proximity and walkability to the following train stations and 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
 - (ix) Neighbourhood Centre Zone
3. The planned urban built character of the zone including buildings up to 8 storey

UFD-03 clearly specifies that the High Density Zone incorporates **all** of these and would extend to walkable distance from the edge of all of these zones as per NPS-UD. Whilst it is clear that the intent is that the High Density Zone

extends out from the Centre Zones what is not clear is whether the Centre Zone itself forms a separate and distinct enclave with its own set of rules or is itself subject to the High Density Zone rules.

The Centre Zone definition conflicts with others that are to be found within this document.

Decision requested – that the entire document be checked to ensure that definitions are constant throughout.

UFD-P2

2. enabling building heights up to **26 metres** and greater densities within **the High Density Residential Zone**. The High Density Residential Zone comprises areas within a walkable catchment of the following train stations and centres:

f. City Centre Zone;

g. Town Centre Zone;

h. Local Centre Zone;

and i. Neighbourhood Centre Zone.

Note : These zones plus the stations are specified to form the High Density Residential Zones – height up to 26 metres.

3. enabling greater building heights and densities, including building heights of up to 22 metres, to occur in the Town Centre Zone and Local Centre Zone;

4. enabling increased building heights and densities, including building heights of up to 12 metres, to occur within the Neighbourhood Centre Zone;

Clause 3 and Clause 4 conflict with the specifications in Clause 2.

Decision requested – amend the document to make it clear whether Town Centre, Local Centre and Neighbourhood Centre Zones are enclaves with their own set of rules or are they covered by the High Density Zone rules. If the latter is the case then the document needs to be reviewed in its entirety to remove any inconsistencies.

TP-S8

Where any car parking area accommodates more than five vehicle spaces and adjoins a site which is zoned General Residential, **High Density Residential**, General Rural, Rural Production, Rural Lifestyle, Open Space or Special Activity, then it shall be effectively screened from that site by a close boarded fence, wall or landscaping of no less than 1.6m in height. A car parking area with more than five vehicle spaces that adjoins a road shall also be screened by a landscaped strip within the site of at least 0.6m in width. Note that additional landscape requirements apply in the Special Activities Zone

The way that this clause is worded raises a number of questions. Is it the intent that the adjoining site should be in different ownership from the location of the car park site? This clause also needs to be changed in regard to the Rural areas. In the Rural area the adjoining site may be a great distance from the location of the car parking area. It also seems that it will now capture car parks around the stations which was probably not the intention. Also it could be effectively argued that the City Centre carparks fall under this rule as they are within Walking distance of Upper Hutt station and as such are in a High Density Residential zone.

Decision requested – that this rule be reviewed in its entirety to be certain that the wording clearly expresses the intent. Alternatively delete the rule.

SUB-HRZ – Subdivision within the High Density Residential Zone (including Precinct 2 – St Patrick’s Estate Precinct

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

vi) City Centre Zone (vii) Town Centre Zone (viii) Local Centre Zone.

The list does not include the Neighbourhood Centre Zone which is shown under UFD-P2.

The High Density Zone incorporates these other zones and then extends by walking distance from the boundaries of these zones (Refer to NPS-UD which

specifies that the High Density Zone extends outward from the various Centre Zone boundaries.

Decision requested – Amend the document to give consistency of definitions within and between various sections of the District Plan.

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.

This needs to be worded differently as it could be argued that it does not reflect the intended purpose of the City Centre and the other zones unless those Zones are to be regarded as enclaves with their own sets of rules.

Decision requested – clarification as to how, when and where the different sets of rules apply.

SUB-HRZ-O3 High quality Intensive residential development is provided in close proximity to rapid transport stops, community facilities and commercial activities **in multi-storey flats and apartments**

Suggest that this should be phrased as “incorporating multi storey flats and apartments”.

Decision requested – amend wording.

SUB-HRZ-P1 Encourage development to achieve attractive and safe streets and public open spaces, including by providing for **passive surveillance**.

Need to define and clarify “passive surveillance”. Is this what the community wants?? Have they been consulted or is this document the extent of the consultation?? Who will install? Who will monitor? How will it be used? Who will pay for it? As has been seen recently, in numerous Ram Raid occurrences in Auckland, the presence of surveillance does not effectively deter offending and only gives a false sense of security.

Decision requested – Initiate an extensive consultation process to consider the questions and practicalities surrounding passive surveillance.

SUB-HRZ-P2 Recognise the benefits of wider adoption of public transport through the increase of density along public transport corridors and within walkable catchments of centres

Recognising the benefits does absolutely nothing to help individual members of the community. The current levels of public transport service are not fit for purpose. GWRC needs to commit to an overall increase in frequency and coverage. Try walking over 800 metres carrying a weeks' worth of shopping for a family of 5 and see how you get on. Better still incorporate the 2 kids under 5 as well as the shopping– not a good look!!

Decision requested – Council to institute a more comprehensive study as to the actual transport needs of the community in a revised Urban environment. Establish what a community focussed public transport network needs to look like for it to be effective. Present the outcome to GWRC and Government.

SUB-HRZ-P4 Maintain and enhance pedestrian **facilities established** urban areas within a walkable distance to urban railway stations and the centre zones to increase walking accessibility and safety

Insert the word “in” urban areas.

Decision requested – amend the document text.

SUB-HRZ-P5 Provide for the efficient function of **multimodal transport options** within the road corridor within a walkable distance to urban railway stations and the centre zones

Define multimodal transport – does it include private vehicles, EV? This needs to be more clearly expressed.

Decision requested – include a comprehensive definition within the “Definitions” section of this document.

SUB-HRZ-P6 Enable and encourage high density residential subdivision and development that

- a. is compatible with the planned built character of the High Density Residential Zone within a **minimum** of 800m walkable distance from urban railway stations and the City Centre Zone; and b. makes efficient use of land for high density residential subdivision, use and development.

Should be 'Maximum' not 'Minimum'.

Decision requested - Amend text accordingly.

SUB-HDR-R9 Subdivision creating one or more vacant allotments with a net site area greater than 800m²

This rule seems to be saying that nowhere within the High Density zone can you create an allotment larger than 800m². The way in which the High Density zones are mapped means that they cover a large proportion of the valley floor. It was my understanding that NPS-UD had the intention of facilitating more intense development, not preventing the creation of any larger area allotment within it. This will push any larger allotments away from the valley floor and on to the slopes which will in turn create the potential for the formation of a division between the advantaged and the not so well off which in turn will encourage a mono-culture development.

Decision requested – remove the maximum size limit.

PK – Papakāinga Background

The purpose of the Papakāinga Chapter is to assist tangata whenua in the development and use of papakāinga on their ancestral land. Ancestral land is land that belonged to tipuna/tupuna. It was a base upon which the hapū was nurtured and was handed down in succession through generations by continuous occupation. This is known as ahi kā or ahi kā roa. In the context of the District Plan, ancestral Māori land includes land held under the Te Ture Whenua Māori Act 1993, Māori customary land, Māori freehold land, **and general title land owned by Māori.**

It is questionable as to whether there is any valid reason to incorporate General Title Land owned by Maori for the purpose of applying the concept of Papakainga. Does Council, in fact, know what General Title Land is owned by

Maori and the time that it has been held. Is there even a cross reference against title within the Land Transfer Office. I would consider that Council should exercise extreme caution before going down this path. How will Council decide whether or not any given landowner is Maori.

There is no issue with Papakainga being applied to Maori ancestral land but the definition mooted here will not be widely acceptable.

Decision requested – delete the reference to General Title Land owned by Maori.

PK-R2 Papakāinga on general title land

- b. Evidence of appropriate legal mechanism(s) to ensure that land is maintained in Māori ownership.

Restriction on notification: Public notification of an application for resource consent under this Rule is precluded

Changing the status of land has far wider implications for neighbouring properties in that it would become eligible for the concept of Papakainga, which to all intents and purposes amounts to a change of use within a community. This change of use would enable commercial activity As such it is not acceptable for the process to be conducted in secrecy. It can raise the question “what are you trying to hide and why are you trying to hide it”.

Decision requested – remove the clause which precludes public notification.

PK-P1

Providing for papakāinga on Māori owned land

Papakāinga will be:

- (i) provided for on land held under Te Ture Whenua Māori Act 1993; and
- (ii) **allowed on general title land** where it can be demonstrated that there is a whakapapa or ancestral connection to the land, and the land will remain in Māori ownership

This process must be done in such a fashion that it happens under the light of public scrutiny and not hidden away. PK-P2 and PK-P3 specifically preclude Public Notification even when the proposed change is otherwise non-compliant. Why is there a need for secrecy.

Decision requested – ensure that at a minimum all adjoining property owners are notified and provide informed consent. Additionally notification should be placed in the community newspaper and/or social media.

GRZ-P1E

Provide for developments not meeting permitted activity status, while encouraging high-quality developments.

This amounts to a classic each way bet. What type and range of developments are envisaged?? More relevant would be the question as to what litigation opportunities could this give rise to when an entrepreneur decides to see how far the boundaries can be pushed.

Decision requested – provide greater clarity as to the type and range of developments envisaged.

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 account the capacity of the infrastructure*.

It can be argued that there is a potential conflict between this clause and GRZ-P1E. Who will assess the capacity and should this be covered in the document – More potential for conflict – my expert is better than your expert. Also there could be large sums of money riding on this type of decision process which will need to be robust.

Decision requested – amend clause to provide greater clarity and consistency.

HRZ – High Density Residential Zone

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

The list of zones omits Neighbourhood Zone which forms part of the definition at the commencement of this document.

Decision requested – amend to make the document consistent.

HRZ-O2 Housing Variety

- c. the neighbourhood's planned urban built character, including 3-storey buildings.

Is this the appropriate clause for the High Density Zone which is up to 8 storeys.??

Decision requested – amend the clause to show the correct height specification.

HRZ-S2 Building height

1. Buildings within the High Density Residential Zone ***must not exceed 20 metres in height***

The height specification for the High Density Zone is 26 metres NOT 20 metres. See HRZ-P7

Decision requested – amend the document to ensure consistency.

HRZ-S5 Number of Residential units per site

1. There must be no more than 6 residential units per site.

This clause is not going to work if the building is 8 storeys high. Each floor may well hold more than 1 residential unit depending on the footprint of the building

More thought is needed as to the intention and the wording.

Decision requested – amend or delete this clause.

HRZ-R8

Buildings within the High Density Residential Zone ***that exceed 20 metres in height.***

Height limit is 26 Metres NOT 20 metres. See HRZ-P7

Decision requested – amend this clause.

NCZ - Neighbourhood Centre Zone

The document is conflicted as to whether this “Centre Zone” does or does not form part of the High Density Zone. The document needs to be amended so that any conflict of intention is removed.

NPS-UD includes Neighbourhood as one of the defined “Centre Zones”. Where a Neighbourhood Zone falls within the catchment created by the presence of a station then it needs to be clarified if we are dealing with a separate enclave and if so which set of rules predominates.

Decision requested - Where a Centre Zone falls within the catchment created by the presence of a station then it needs to be clarified if we are dealing with a separate enclave and if so which set of rules predominates.

Local Centre Zone

LCZ-P3 Other activities

5. The location of the activity in the Local Centre Zone does not undermine the role and function of the City Centre Zone.

The factors that decide where an operation should be located should be determined by Commercial reality. Attempts by Council to skew the factors in favour of the City Centre by regulation risk distorting the economic business realities, impact profit margins and influence whether or not a commercial enterprise decides to locate in Upper Hutt. If the commercial factors stack up then business will gravitate to the best place for them. Council should not be seen to be favouring one group of property landlords over another which will in turn distort the rental market.

LCZ-R5 Commercial Service Activity

2. Activity status: Restricted discretionary

3. The potential of the location of the activity in the Local Centre Zone to undermine the role and function of the City Centre Zone.

Same observation as before. It is not the function of Council to favour one set of property landlords over another or skew business decision making process.

LCZ-R6 Food and Beverage Activity

LCZ-R7 Community Facility

LCZ-R8 Healthcare Activity

LCZ-R9 Educational Facility

LCZ-R10 Office activity

LCZ-R11 Visitor Accommodation

LCZ-R13 Supermarket

All of the above contain the same clause favouring the City Centre Zone. Clause should be removed.

MUZ-R5 Commercial Service Activity

Activity status: Restricted discretionary

Same clause favouring City Centre Zone.

MUZ-R6 Food and Beverage Activity

MUZ-R7 Community Facility

MUZ-R8 Healthcare Activity

MUZ-R9 Educational Facility

MUZ-R10 Entertainment Facility

MUZ-R12 Office activity

MUZ-R15 Visitor Accommodation

Same clause favouring City Centre Zone.

Decision requested – all of the above clauses which relate to the City Centre Zone are tantamount to restraint of trade provisions and should be removed from the document.

TCZ - Town Centre Zone

The Town Centre Zone applies to the Silverstream Centre

. Overall the Town Centre Zone is of a larger scale and has a wider focus than the Local Centre Zone ***while not undermining the primary function of the City Centre Zone***

Given the distance of some 6.1km between Silverstream and the City Centre, this clause is nonsensical and should be removed. All my other comments regarding Commercial reality and anti-competitive restraint of trade provisions apply.

This Centre certainly falls within the High Density catchment surrounding Silverstream station so which set of rules apply when there is a conflict.

Decision requested – confirm that the “City Centre Zone” clauses are to be removed. Also resolve the issue of whether the ‘Centre Zones’ are enclaves with distinct sets of rules. Resolve where zones overlap which rules prevail.

TCZ-P3 Other activities

Only allow for other activities, including larger scale activities, where:

- (5) The location of the activity in the Town Centre Zone does not undermine the role and function of the City Centre Zone.

This anti competition rule should be removed.

TCZ-R1 Buildings and structures, including additions and alterations

2. Activity status: Restricted discretionary

7. The potential of the size and scale of the building to undermine the role and function of the City Centre Zone

Remove clause 7.

TCZ-R5 Commercial Service Activity

2. Activity status: Restricted discretionary

4. The potential of the location of the activity in the Town Centre Zone to undermine the role and function of the City Centre Zone.

Remove clause 4.

TCZ-R6 Food and Beverage Activity

As above – remove City Centre Zone clause.

TCZ-R7 Community Facility

As above – remove City Centre Zone clause.

TCZ-R8 Healthcare Activity

As above – remove City Centre Zone clause.

TCZ-R9 Educational Facility

As above – remove City Centre Zone clause.

TCZ-R10 Office activity

As above – remove City Centre Zone clause.

TCZ-R11 Visitor Accommodation

As above – remove City Centre Zone clause.

TCZ-R13 Supermarket

As above – remove City Centre Zone clause.

Decision requested – in all of the above confirm that the reference to the City Centre Zone is to be removed.

SPECIAL PURPOSE ZONES

SAZ-P6

It is Council's view that the adverse effects of these fortifications on the environment, in particular in respect of the social, economic, aesthetic and cultural conditions of the Upper Hutt people and community, and the amenity values of the Upper Hutt environment, are such that these activities should not be permitted. The activity is therefore prohibited anywhere in Upper Hutt City.

This paragraph relates to Gang Fortifications. All other references have been deleted from the document and it would appear that this paragraph should also be removed.

Decision requested – remove the paragraph from the document.

Submission Ends.

Submission 6

Waldar just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Darren Walton

Postal address of submitter:

9 Palfrey Street, Wallaceville Upper Hutt

Email address:

d.walton@cnr.co.nz

Telephone number:

0272855211

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

You plan to remove the Conservation Precinct (pp.168) but have maintained it on p.22. The section now simply eliminated is: Within the General Residential Zone of the City are environments with special character. The Residential Conservation Precinct includes the areas adjoining Trentham Memorial Park, Palfrey Street, Chatsworth Road and parts of Pinehaven. These areas have a mature landscape and townscape, contain native flora and fauna, natural watercourses, as well as larger sections. They also include residential development on the hills surrounding the urban area. These areas require a lower density of development in order to maintain their important landscape and ecological values. You have also included (p.171): 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.

My submission is that:

I oppose the amendments that would alter the District plan and not maintain the Conservation Precinct with its original protections: There is a contradiction in your documents (you eliminate the

Conservation Precinct on p168 but keep it in p.22). Still, then you've indicated that the High-Density Residential Zone will prevail in the event of a conflict (p.171). Thus, the larger sections, special character, and the other important considerations of those areas are simply subject to the new rules for the High-Density Residential Zone you've applied. You have given no consideration to the previous purpose of the protections of the Conservation Precinct. There has been no consultation with the affected parties. The new rules may destroy the character of the areas you have sought to protect previously. You have given no clear indication as to the status of the Residential Conservation Precinct. (it is no longer mapped if it's intended to be kept, which is now ambiguous). The area is especially the habitat of Tui, Ruru, Kereru, korimako and Piwakawaka because the conservation protections have maintained areas in which they breed. Allowing the densification of these areas (without regard to their previous status) is wrong in principle.

I seek the following decision from the local authority:

Please re-instate the Conservation Precinct in the small but significant areas in which they previously applied and give a proper account for the rules of Intensification Planning regarding the character, heritage, special status, and ecological significance of those areas.

Please indicate whether you wish to be heard in support of your submission:

I do wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.

Submission 7

Destroy just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Jo Coffey

Postal address of submitter:

7a Ross Grove, Trentham, Upper Hutt

Email address:

jobird@icloud.com

Telephone number:

0274884895

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Objections to Trentham area.

My submission is that:

Trentham is a very green leafy suburb, trees over 12metres especially natives were historically protected, instead of just a map, more protection for trees needs to be given in the Trentham area. Three story is ok as long as light planes are still adhered to, no building consents is nonsense we all need sunlight. Height restrictions on high rises in the city centre should be given as it is as all city with mountain views. This should not be unlimited totally. UHHC doesn't need to do everything the Government dictates we pay rates to our local council to look after our city. The area at the entrance of UH on the river side of Fergusson Drive should not be high density. (what Are you doing about the unsightly graffiti on the building at the entrance to UH as it is). I also also do not support 3 waters planning.

I seek the following decision from the local authority:

More tree protection in Trentham. General residential zone at entrance to UH on river side of Fergusson Dr not orange on some map. Limit to height of high rises in main city. It is not Wgtn city it is a small city.

Please indicate whether you wish to be heard in support of your submission:

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.

Submission 8

Fiona Daniel just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Fiona Daniel

Postal address of submitter:

118 Cuba Street

Address for service (if different from above)

118 Cuba Street

Email address:

fiona.daniel@hapuhousingsolutions.com

Telephone number:

0224286831

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Amend the district Plan

My submission is that:

Adoption of a Papakainga Provision within the District Plan

I seek the following decision from the local authority:

The council should be committed to providing a section specifically for papakāinga developments on ancestral Māori land, as part of the proposed district plan. The provisions should reflect this commitment by providing a permitted activity status for papakāinga developments on Māori freehold land, provided that it can be demonstrated that the land has the capacity to cater for the development and that certain amenity standards are met. A restricted discretionary activity status should also be applied for “General land owned by Māori” that is either the subject of proceedings before the Māori Land Court to convert it to Maori freehold land, or where an ancestral link has been identified. On all other land, papakāinga developments should be adopted as non-complying activities.

Please indicate whether you wish to be heard in support of your submission:

I do wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do wish to make a joint case.

Submission 9

Dudley03 just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Sarah [REDACTED]

Postal address of submitter:

[REDACTED] street wallaceville upper hutt 5018

Email address:

[sarah.\[REDACTED\]projects@gmail.com](mailto:sarah.[REDACTED]projects@gmail.com)

Telephone number:

0204727245

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Oppose the suburbs near the train station will become rental slums with a minimum of 6 story rental apartments and houses will be sold to developers. Walking to the train from my house 2 minutes away will become unsafe the home ownership rates will decline and socio economic nature of the area will decline.

My submission is that:

Oppose i think areas like lower hutt should be expanded

I seek the following decision from the local authority:

Oose IPI

Please indicate whether you wish to be heard in support of your submission:

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do wish to make a joint case.

Submission 10

sylvester02 just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Jonathan [REDACTED]

Postal address of submitter:

[REDACTED] St Upper Hutt

Email address:

[REDACTED] [yahoo.com](#)

Telephone number:

0210625026

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

The growth plans for upper hutt calling for 6 story high rise apartment buildings close to railway stations to account for increased population growth by 2050

My submission is that:

I oppose. We should not be building apartment buildings close to the railway station or anywhere really in upper hutt or they will become low income, gang dominated, crime centres and it will be dangerous to walk past them on the way to the railway station. Upper Hutt is a long way from Wellington centre city and apartment buildings should be down town wellington or a short commute to downtown wellington so that young professionals live in them. Upper Hutt if it wishes to grow should open up lots for sale to developers north of upper hutt towards Te Marua Golf course for regular one level houses to be built. Upper Hutt is the suburbs and we should keep it that way and let places to closer to downtown have high density Apartment buildings.

I seek the following decision from the local authority:

Reject this proposal

Please indicate whether you wish to be heard in support of your submission:

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.

Submission 11

Russell just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Russell Browning

Postal address of submitter:

10 Wyndham Road, Pinehaven

Address for service (if different from above)

10 Wyndham Road

Email address:

russellpbrowning@yahoo.co.nz

Telephone number:

0212639115

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Proposed IPI Provisions and Cost Benefit Analysis. I would like to submit on what appears to be missing.

My submission is that:

I would like recognition in the IPI that as you increase population, by 50% according to your own information, you must also account for increases to public services - specifically schools, hospitals, train services and green space/playgrounds - ie land. A 50% increase in population could justify an

additional intermediate and high school (for example), and the land for this would need to be reserved before it all becomes housing. Increasing density will change the location density of students and families so will they be able to access the facilities that exist today and in the future? By your own Cost Benefit Analysis congestion will increase and air and water quality will decrease - given you have signs on parks claiming how good Upper Hutt air is, and poor air quality literally kills NZ'rs each year; are you sure this is the policy direction you wish to pursue?

<https://environment.govt.nz/publications/health-and-air-pollution-in-new-zealand-2016-findings-and-implications/> Aside - having no upper limit on CBD buildings seems stupid and asking for abuse.

I seek the following decision from the local authority:

Include in scope of the planning instrument, regard for all aspects of population growth not just property, which includes all aspects of living

Please indicate whether you wish to be heard in support of your submission:

I do wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do wish to make a joint case.

Submission 12

Jim just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

James Bade

Postal address of submitter:

16 Barton Rd

Email address:

j.bade@auckland.ac.nz

Telephone number:

0210756984

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Intensification Planning

My submission is that:

I think the delineation of the High Density Residential Zone and the General Residential Zone is appropriate. My only reservation concerns the area bounded by Benzie Ave, Palfrey St, Brown St and Martin St, which has high heritage associations and needs to be protected from high density housing.

I seek the following decision from the local authority:

Exempt the area bounded by Benzie Ave, Palfrey St, Brown St and Martin St from high density housing to protect the heritage of that area and maintain it as a key pleasant residential area close to the CBD.

Please indicate whether you wish to be heard in support of your submission:

I do wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do wish to make a joint case.

Submission 13

Murray just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Murray Cope

Postal address of submitter:

8 Montana Road

Address for service (if different from above)

8 Montana Road

Email address:

muzzerrox@gmail.com

Telephone number:

0274431587

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

IPI - planning for growth

My submission is that:

I object to multi story dwellings in existing residential areas - these will destroy what has taken years to achieve which is quality residential housing, who wants shading / loss of privacy / additional noise & traffic, in planning for the future we should not destroy what we already have and what current residents enjoy

I seek the following decision from the local authority:

No to multi story dwellings in existing residential areas

Please indicate whether you wish to be heard in support of your submission:

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.

Submission 14

Cameron just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Duncan Cameron

Postal address of submitter:

346B Fergusson Drive Heretaunga

Email address:

duncan@bluepencil.co.nz

Telephone number:

0275377119

Could you gain an advantage in trade competition through this submission?

Yes

If you answered yes to the above, please choose one of the following options:

I am directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

I oppose the proposed intensification designations as noted in the draft planning maps. The requirement for properties to be located within a 10min walk to railway stations is arbitrary in definition within the planning maps. Our property is located within this walking time frame to Heretaunga Station, but so are many others on the opposite side of Fergusson Drive, including the Mayors property and those surrounding it on Golf Road (where no specific architectural character exists!). To exclude all properties to the western side of Fergusson Drive is non nonsensical in regards to the objectives of intensification, given all can achieve the required traverse to the station within the 10 time frame. The proposal to allow for 20m high dwellings in locations away from shopping and education precincts and schools is also misguided. All high density areas should be immediately grouped around the CBD and localised shopping precincts such as Silverstream. The

proposal for up to six storey high buildings is not viable in regards to planning and growth, unless grouped to appropriate zoning. Density can be achieved without excessive height in suburban areas. The MDRS allowances are appropriate for achieving this within sites, rather than sporadic huge height scale increases in areas wholly not appropriate.

My submission is that:

All planning designations be revisited and all high density areas are positioned in locations that actually make sense, where a progression of height is grouped towards the centre of the city. Elsewhere the intensity benefits of the MDRS provide increased accommodation adjacent to railway stations as an instrument for intensification. Large groups of people concentrated (in apartment blocks) in areas where the only local facility is a railway station provides no benefit. The removal of parking requirements promotes the usage of public transport, but occupants are not going to travel for one stop with groceries etc and walking from the closest shopping zones is prohibitive. Again locate these potential taller buildings in sensible places!!!

I seek the following decision from the local authority:

Revise the proposed high density planning extent with a logical layout around the CBD and regional shopping centres only.

Please indicate whether you wish to be heard in support of your submission:

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.

Submission 15

Debbie just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Debbie Hawinkels

Postal address of submitter:

177 Mangaroa Valley Road, RD1, RD1

Address for service (if different from above)

177 Mangaroa Valley Road, RD1

Email address:

debhawinkels@gmail.com

Telephone number:

0273572766

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

I appreciate this opportunity to add my voice to the IPI Residential Intensification Planning consultation. I oppose more Urban Precincts covering Upper Hutt. Please can we retain the character while planning for more housing, as well as proper planning for infrastructure to cater for the increased population which Upper Hutt is expected to reach. I see the Urban Precincts in Wallaceville Estate and would hate to see more of these areas littered through Upper Hutt. The central city area needs planning and future proofing to ensure Upper Hutt remains a vibrant place where people want to live, not concrete jungles of high rise living!!

My submission is that:

We refrain from creating urban precincts throughout Upper Hutt which are devoid of character, most notably in reference to the following proposed IPI - Proposed IPI - St Patrick's Urban Precinct
Proposed IPI - St Patrick's College Precinct

I seek the following decision from the local authority:

To seek further public consultation as well as other urban planning ideas to retain Upper Hutt and its character - not just mass urban precincts.

Please indicate whether you wish to be heard in support of your submission:

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.

Submission 16

Peri just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Peri Zee

Postal address of submitter:

53A Mt Marua Drive, Timberlea

Address for service (if different from above)

53A Mt Marua Drive, Timberlea, Timberlea

Email address:

peri.zee.arends@gmail.com

Telephone number:

0273662933

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Lack of neighbourhood centre/local centre/mixed use zoned land in the northern suburbs of Upper Hutt.

My submission is that:

In the northern suburbs of Upper Hutt (including Maoribank, Timberlea, Brown Owl, Emerald Hill, Birchville, Te Marua and Plateau) the proposed provision of retail/commercial zoned land is very limited. Servicing all of these suburbs there is currently only a bottle store/gaming lounge, petrol

station, fish and chip shop and two dairies. There is no identifiable neighbourhood centre in any of these suburbs. People living in these suburbs (many being the most disadvantaged) have to travel long distances to obtain basic services. The proposed zone changes do not appear to provide for any additional accessibility for all people between housing, jobs and community services by active transport that support a reduction in greenhouse gases (as required to be a well-functioning urban environment).

I seek the following decision from the local authority:

Additional land should be up-zoned for retail/mixed use in the northern suburbs described above to provide necessary services (small supermarkets, pharmacy, GP, community centres etc) and to create identifiable centres within walking /biking distance to peoples homes.

Please indicate whether you wish to be heard in support of your submission:

I do wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.

Submission 17

Adam just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Adam Ricketts

Postal address of submitter:

8 Heretaunga Square, Silverstream, Upper Hutt 5019

Address for service (if different from above)

8 Heretaunga Square, Silverstream, Silverstream, Silverstream

Email address:

adam.cathryn@gmail.com

Telephone number:

0284231029

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

I oppose the intensification of the rail corridor in particular, and all intensification of urban areas in general.

My submission is that:

Proposed District Plan – Enabling Intensification in EXISTING Residential and Commercial Areas
Concerns based on the present proposed High Density and Medium Density intensification: To date development of existing urban areas has been in the main gradual, organic and mindful of the

existing lifestyles of the residents, owners and landlords of the properties. It has also sought to protect the environment, the quality of life and the lifestyle choice of the owners and landlords of the properties by protecting their interests, and therefore the inherent value of those properties. At a stroke, the new plan condemns large areas of many existing suburbs and urban areas to a level of intensification which will, over a relatively short period of time, change the nature and style of living beyond our recognition. It will cancel the KIWI way of life that most New Zealanders have lived through or emigrated to New Zealand to enjoy. It will result in the wholesale destruction of many of our existing houses in favour of high and medium density houses with no protection for the present and still prevalent, but fast disappearing, lower density style of properties. It is obvious to me, and I am sure many others, that this ill-conceived panic reaction to a housing shortage is a recipe for social and infrastructure failure in the not too distant future. At a stroke condemning the last 200 years of urbanisation to landfill (demolishing existing homes) and packing people into small areas with no space for vehicles (driveway, garages charging options for EV's where people live, let alone somewhere for children to play), is nothing short of extreme short sightedness; bordering on lunacy. It is important to note that until now the government has made it possible for councils to manage local infrastructure without a directive from central government dictating how people should be forced to live. Where is democratic choice and consultation with the public and, I might add, voters? Is there any true intention of getting the public's opinion and approval for any of these changes to ensure it is for the common good and a meaningful improvement to the lives and wellbeing of the current rate payers? Or is it a politically driven, irresponsible knee-jerk reaction to over-rated concerns in New Zealand? High density new developments are already well underway in Upper Hutt. This should not be allowed in current 1-2 storey areas as it completely overwhelms the existing Lower Density housing areas and if allowed will cause a domino effect and the destruction of the original character of the areas and the reason for people choosing to live there. The proposed district plan unilaterally specifies 3 houses for most existing sections (area of the section not specified) up to 3 storeys high (height not specified) it also removes the Special Residential, Historic and General Residential Activity existing Zoning. In the proposed new Medium & High Density, existing suburban areas, up to 6 storey buildings with no specifics on garages, parking spaces, charging spaces and garden/green areas are approved. This proposal/directive has been issued with next to no public discussion before being issued for local councils to implement. Councils and local area representatives have had next to no input and discussion on this irreversible, ill-conceived, ill considered, arrogant attack on 200 years of town and city development. Bearing in mind that the majority of Hutt Valley residents, and I am sure most suburban residents in NZ, are strongly against this government directive. Please summon the courage to question, and refuse to meekly accept this affront to our freedom to self-determine what we all would like to protect: our kiwi way of life. Please follow the examples of Christchurch and parts of Auckland who refuse to blindly accept this DECREE from Central Government. Adam Ricketts Adam.cathryn@gmail.com

I seek the following decision from the local authority:

Resist and delay the government directives for as long as possible. The government is powerless without the councils. If all councils refused, the government would have to abort this lunacy.

Please indicate whether you wish to be heard in support of your submission:

I do wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do wish to make a joint case.

Submission 18

Ginty just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

teresa Homan

Postal address of submitter:

5 Elm Street, , Ebdentown

Address for service (if different from above)

5 Elm Street, , Ebdentown

Email address:

tshoman@kinect.co.nz

Telephone number:

0225266963

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

I oppose the plan change in that it is not driven by local government but by central government. It should be amended in its entirety and put back in the hands of local government informed by local residents and interested groups.

My submission is that:

I believe there needs to be consent sort for the building of three story or higher apartment style housing that fits with a housing plan driven by local council. I also believe that the requirement to

intensify housing in areas close to rail is a misnomer . Public transport in the nature of buses and trains are and can be provided across the region and if this is taken into account intensified housing could be spread across the Upper Hutt district rather than concentrated in specific areas leaving more scope for green space and playgrounds.

I seek the following decision from the local authority:

I request either an advocating repeal of the RMA legislation to central government. Or an expanded district plan that takes into account the unnecessary concentration of intensified housing near rail.

Please indicate whether you wish to be heard in support of your submission:

I do wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.

Submission 19

Batman just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Serge Ritossa

Postal address of submitter:

26 Seddon Street, Wallaceville, Upper Hutt 5018

Agent acting for submitter (if applicable):

n/a

Address for service (if different from above)

n/a

Email address:

serge.ritossa@spark.co.nz

Telephone number:

+64274467528

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

I oppose High Density Residential Zones being applied in and around Upper Hutt and would like Council to revert to the MDRZ zone as it relates to my area in and around Seddon Street. I want amendments to only allow high density zones built at new purpose-built subdivisions. These subdivisions catering for the needs that high density environment bring with them and the

knowledge as to what people are buying into. I live in 26 Seddon Street and will be directly impacted. The reason I choose to live here because it is a traditional suburb and not an overcrowded high rise city centre. This will destroy the character of the neighborhood, place undue stress on existing residents and destroy the native flora and fauna that we are trying to foster. I have planted many native trees on my section to help with carbon emissions and enhance the native flora and fauna like many residents and now we have a proposal to destroy all that in the name of greed. More rates revenue for little investment. Shame on you councilors. I oppose the lack of foresight in proposing to foster the slums of the future. Cities are struggling with congestion because of concentrated buildings and dwellings and here you are trying to implement the same environment. Have you learnt nothing? I am concerned with the additional traffic and parking in the area. There are two nearby schools with kids and mums and dads walking to school which the additional road and residential driveway traffic will increase the safety of those people. I am opposed to the fact that roadside parking will be at a premium and create tension with existing dwellings and their families. The existing services in the street were not originally designed for high density dwellings can the council explain how they intend to upgrade services such as water, sewerage, power, mobile phone congestion, and fix the #%\$&%\$ potholes as more traffic means more wear on the streets. What is the plan for summer with water services unable to cope with existing demand and now this proposal to introduce high density housing is just madness. I oppose the fact that a scumbag developer could come in and build 3 x 3 on all sides of my property locking me into a prison with no sun. So where is the concern for people's wellbeing and the community now? Nowhere, that's where.

My submission is that:

I oppose High Density Residential Zones being applied in and around Upper Hutt and would like Council to revert to the MDRZ zone as it relates to my area in and around Seddon Street. I want amendments to only allow high density zones built at new purpose-built subdivisions. These subdivisions catering for the needs that high density environment bring with them and the knowledge as to what people are buying into. I live in 26 Seddon Street and will be directly impacted. The reason I choose to live here because it is a traditional suburb and not an overcrowded high rise city centre. This will destroy the character of the neighborhood, place undue stress on existing residents and destroy the native flora and fauna that we are trying to foster. I have planted many native trees on my section to help with carbon emissions and enhance the native flora and fauna like many residents and now we have a proposal to destroy all that in the name of greed. More rates revenue for little investment. Shame on you councilors. I oppose the lack of foresight in proposing to foster the slums of the future. Cities are struggling with congestion because of concentrated buildings and dwellings and here you are trying to implement the same environment. Have you learnt nothing? I am concerned with the additional traffic and parking in the area. There are two nearby schools with kids and mums and dads walking to school which the additional road and residential driveway traffic will increase the safety of those people. I am opposed to the fact that roadside parking will be at a premium and create tension with existing dwellings and their families. The existing services in the street were not originally designed for high density dwellings can the council explain how they intend to upgrade services such as water, sewerage, power, mobile phone congestion, and fix the #%\$&%\$ potholes as more traffic means more wear on the streets. What is the plan for summer with water services unable to cope with existing demand and now this proposal to introduce high density housing is just madness. I oppose the fact that a scumbag developer could come in and build 3 x 3 on all sides of my property locking me into a prison with no sun. So where is the concern for people's wellbeing and the community now? Nowhere, that's where.

I seek the following decision from the local authority:

I oppose High Density Residential Zones being applied in and around Upper Hutt and would like Council to revert to the MDRZ zone as it relates to my area in and around Seddon Street.

Please indicate whether you wish to be heard in support of your submission:

I do wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.

Submission 20

DC-KN just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Andrew Knight

Postal address of submitter:

28 Tennyson Street

Email address:

blue_shell@email.com

Telephone number:

0277372022

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Oppose being able to build dwellings of three storeys without a resource consent.

My submission is that:

I oppose being able to build dwellings of three storeys without resource consent in a residential zone.

I seek the following decision from the local authority:

Allow three dwellings - each up to TWO storeys - on each site in the residential zone without needing resource consent.

Please indicate whether you wish to be heard in support of your submission:

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.

Submission 21

Raine.P just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Lorraine Pells

Postal address of submitter:

67 Cashmere Avenue, Khandallah, Khandallah

Agent acting for submitter (if applicable):

N/A

Address for service (if different from above)

67 Cashmere Avenue, Khandallah, Khandallah

Email address:

lorraine.pells@xtra.co.nz

Telephone number:

0224108773

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

I oppose the specific provisions. Residential zones around the CBD are going to need to accommodate more people long term - that is not in dispute. But the scale and likely quality of the proposals is alarming in terms of the amenity that is currently enjoyed by residents in the Upper Hutt area. Six

story high blocks will in my view damage the quality of life in the Valley long term. These should be limited to no more than two or three stories high.

My submission is that:

I oppose the specific provisions as currently outlined. To maintain the lifestyle that current residents enjoy and future residents should be able to look forward to, the Upper Hutt City Council should be forward enough looking and progressive enough to keep the new developments to no more than two or three stories high. Spreading the development over a wider area with lower height density done well would enhance the environment/amenity for more residents.

I seek the following decision from the local authority:

Our local authority needs to better represent the rate payers and residents. There are areas of the country that will not slavishly allow the lives of the local residents to be damaged from unsuitable development and inappropriate development. I believe Christchurch is looking closely at this. I want our local representatives to look after our quality of life better and moderate this so that it enhances our lives and doesn't make living in the Valley a lowered compromise of quality and environment for all.

Please indicate whether you wish to be heard in support of your submission:

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.

Submission 22

Thagomiser just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Stephen J Bell

Postal address of submitter:

11 Milton Street, Trentham

Address for service (if different from above)

No Answer

Email address:

Bellsjnv@gmail.com

Telephone number:

0273398513

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Drinking Water: Upper Hutt suffers a water supply restriction every year – the population increase proposed will significantly exacerbate the situation. Sewage: The sewage disposal from the proposed new developments will also increase total overall sewage needing treatment – can our existing systems cope? Stormwater: Around my area – Trentham – we don't have off-site reticulated stormwater. Even our neighbour who's in-fill house that was built in 1988 required a soak pit for stormwater and now leaks into my garage. Increasing the sealed surface area by allowing infill and increased density will significantly increase the speed and amount of property run-off that will need managing. Noise: Some areas in Auckland have been experiencing excessive noise issues with infill. Commonly these problems relate to location of external heat-pump units adjacent neighbours bedroom windows. In addition, I have personally investigated a number of noise complaints in closely located properties where general living noise, for example people chatting on their deck; and

radio noise have led to ongoing complaints with no easy solutions. Parking: Walking around Trentham during lockdowns I was surprised at the number of houses with in excess of three vehicles on their property. If I interpreted these proposals correctly most parking will be on-street. If the streets are similar to those in the Kiln Street development that will create significant parking issues. Already Neighbourly has significant commentary about parking issues developing in residential Upper Hutt. This proposal will significantly aggravate a growing problem. Character and Sunlight: Intensification I have seen in Hamilton and elsewhere has destroyed the character of the area with multi-storey developments overshadowing existing single storey residential buildings. This proposed permission to go to 4/6 storeys is excessive and will generate significant issues in Poets Block and elsewhere with respect to both the character of the area and sunlight. It is well known that homes need access to sunlight if not you will be creating 19th century tenement conditions. These options should only be applied to new subdivisions, NOT existing single properties. I also believe the height allowance of 10 storeys in the proposed High-Density Zone is also excessive – no new buildings should be higher than Astral Towers to help maintain the character of the area. Relatively low level combined residential/commercial development of up to 5 storeys is popular in the UK, except over taverns, and could be used here! Inappropriate zoning: These proposed changes are far too liberal and excessive and, some situations, e.g., Lot 1 DP 85787 and other lots (labelled DCDB) immediately adjacent Silverstream Railway Museum should not be zoned high density residential (Currently zoned business). Changing to residential will likely lead to complaints over running of the railway and cause significant on-going issues, possibly leading to its eventual closure. There are a myriad of examples of this happening, the latest being the New Plymouth Pistol Club. There are likely to be others such as the hatched area on the map (across Fergusson Drive) near St Pats, that I understood was a flood zone and shouldn't be built on.

My submission is that:

I believe the significant changes in this proposal are a bonus for developers but a liability on existing residents and ratepayers and therefore OPPOSE the current proposal. Council needs to grow some balls and take the same action as Christchurch and reject these changes, and develop an intensification profile more in keeping with our current character; effectively managing water supply, stormwater, wastewater; controlling noise; providing adequate residential parking and maintaining the current character of existing Upper Hutt suburbs. .

I seek the following decision from the local authority:

Reject these changes, and develop an intensification profile more in keeping with our current character; ensuring effective managing of our water supply, stormwater, wastewater; controlling noise; providing adequate residential parking and maintaining the current character of existing Upper Hutt suburbs.

Please indicate whether you wish to be heard in support of your submission:

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.

Submission 23

Brad In NZ just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Brad M

Postal address of submitter:

Silverstream

Email address:

silentlyloud@zoho.com

Telephone number:

02108296751

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

I support the IPI.

My submission is that:

I support the proposed IPI. Even though I'm sure a few homeowners will complain loudly, I think a majority of Upper Hutt residents would likewise generally agree and support the proposed IPI. The upset people are always much more likely to make their voices heard, and I just want to counterbalance that a bit. There is a generation of homeowners who have seen their own property values skyrocket to dizzying heights in just a few years. The "haves" have gained extraordinary wealth at the expense of the "have-nots" (i.e. the renters / would-be-first-home-buyers). Meanwhile, we have record waiting lists for social housing and unprecedented numbers of families who are sleeping in their cars because there are exactly zero places that they can afford to live. We have massive, systemic issues with zoning / housing / infrastructure in the Hutt Valley (just as in the rest of NZ), and this plan looks prima facie to be a big step in the right direction. Please don't let the already-rich NIMBY's ruin things for the rest of us.

I seek the following decision from the local authority:

Please don't let the already-rich NIMBY's ruin things for the rest of us.

Please indicate whether you wish to be heard in support of your submission:

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.



OFFICE USE ONLY

Submission number

24

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN
Planning for Growth - Intensification Planning Instrument (IPI)

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

Deliver to: Upper Hutt Civic Centre, 838 – 842 Fergusson Drive, Upper Hutt 5019

Post to: Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

Scan and email to: planning@uhcc.govt.nz

Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at planning@uhcc.govt.nz.

NAME OF SUBMITTER

Graham Bellamy

POSTAL ADDRESS OF SUBMITTER

16 Morepark Close, Riverglade
Upper Hutt

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

—

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

027 3433 574

CONTACT EMAIL

gbellamy@kinect.co.nz

I could gain an advantage in trade competition through this submission (please tick one): yes no

Only answer this question if you ticked 'yes' above:

I am / am not (tick one) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Housing intensification could impact on environment and residents.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

Do Upper Hutt residents really want their communities to grow by the numbers shown in the IPI documents. - Have they been asked, other than by this submission process?

Do they really want to live next to a 6 storey building and lose sun, light and privacy?

What about impacts on infrastructure, car parking on streets, rubbish, what about the impact on local environment of rivers & parks.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

house limit on housing intensification ie 3 story max on residential housing.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☐):

- I do wish to be heard in support of my submission.
 I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☐):

- I do wish to make a joint case.
 I do not wish to make a joint case.

Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE



DATE

29/8/22

OFFICE USE ONLY

Submission number

25

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN
Planning for Growth - Intensification Planning Instrument (IPI)

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

Deliver to: Upper Hutt Civic Centre, 838 – 842 Fergusson Drive, Upper Hutt 5019

Post to: Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

Scan and email to: planning@uhcc.govt.nz

Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at planning@uhcc.govt.nz.

NAME OF SUBMITTER

ANTHONY & KAYE SWANSON

POSTAL ADDRESS OF SUBMITTER

19a JOSEPH GROVE, ELDERSLA,
UPPER HUTT 5018.

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

—

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

—

CONTACT TELEPHONE

0220330455

CONTACT EMAIL

Arkpswanson@gmail.com

I could gain an advantage in trade competition through this submission (please tick one): **yes** / **no**

Only answer this question if you ticked 'yes' above:

I am / **am not** (tick one) directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

RE: 16 JOSEPH GROVE, ELDERSLEA, UPPER HUTT.

THE SMALL GROVE IS AN UNDER-WIDTH STREET WITH LIMITED PARKING. REGULAR SERVICES SUCH AS RUBBISH COLLECTIONS ARE ALREADY UNDER PRESSURE. TRUCKS + HEAVY VEHICLES, HAVE TO MAKE 3PT TURNS AS IT IS

USE ADDITIONAL PAPER IF NECESSARY

My submission is that: IF CARS ARE PARKED AT THE END ITS IMPOSSIBLE, OR EXTREMELY DIFFICULT. AMBULANCE + FIRE ACCESS ALSO BAD

THIS GROVE IS NOT SUITABLE FOR INTENSIFICATION. IN UPPER HUTT, TWO STORIED DEVELOPEMENTS WITH OFF ROAD PARKING WOULD ADEQUATELY SPREAD

THE REQUIRED INTENSIFICATION WHILST RECOGNISING THE NEED FOR SERVICING PROPOSED RESIDENCES + RETAIN THE SHARED SPACE + ROADING FOR ALL RESIDENTS

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

COMMON SENSE + RECOGNITION OF CURRENT RATEPAYERS EQUITY IN THEIR PROPERTIES IN ADDITION TO RECOGNISING THE CHARACTER OF THE AREA.

SERVICES, ESPECIALLY EMERGENCY, WOULD BE COMPROMISED.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

I do wish to be heard in support of my submission.

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

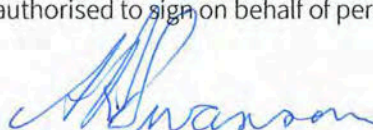
I do wish to make a joint case.

I do not wish to make a joint case.

Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE



DATE

25.09.2022

Submission 26

Coles just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Marian and Dennis Cole

Postal address of submitter:

7 Terminus St Silverstream

Email address:

colehaus@hotmail.com

Telephone number:

0211295052

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

SUB - RES - P9 SUB - HRZ - P6 SUB - HRZ - P3 SUB - HRZ - S2 SUB - GEN - P13 SUB - GEN - R2A

My submission is that:

Amendments to these could be considered in the following ways: SUB - RES - P9, SUB - HRZ - P3 relating to "District Wide Matters" - these need more consultation around: - notable trees - urban tree groups - eco-systems - indigenous bio-diversity - natural features and landscapes. Developments in the new high density subdivision areas need to identify these features and consult with local communities (in particular neighbours) before detailed planning for the development commences. It would seem that the community will not be consulted and that is unacceptable to those of us that are affected by this. SUB - HRZ - P6 What is "good planning" with respect to high density developments? The documents mention "sustainability and land coverage" but there are no details. Does sustainability include solar cells, grey water storage, permeable surfaces for driveways and paving? These should be mandatory either now or in the near future. There is simply not enough on the effects of climate change on citywide developments. SUB - HRZ - S2, SUB - GEN - P13,

SUB - GEN - R2A We cannot see how hydraulic neutrality can be achieved in high residential zones without the use of permeable surfaces around every development. These surfaces should apply eventually to all city roading and paving. General Comment: We do not wish to see the continuation of such developments as that recently completed in Silverstream beside the shopping area. This development comprises four single story conventional houses on a quarter acre section. With the driveways, this will take up most of the land area and not lead to hydraulic neutrality. We are not averse to proposed medium to high density of housing. The above is simply an example of poor design and land use.

I seek the following decision from the local authority:

We seek greater clarity in the document and the need to consult with neighbours and others immediately effected in all high density developments. It seems that we are excluded from doing so at present.

Please indicate whether you wish to be heard in support of your submission:

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.

Submission 27

Transpower New Zealand Limited

**Submission on the Upper Hutt City District Plan:
Intensification Planning Instrument**

29 September 2022

Keeping the energy flowing



Form 5

Submission on notified proposal for policy statement or plan, change or variation

Clause 6 of Schedule 1, Resource Management Act 1991

To Upper Hutt City Council (“the Council”)

Name of submitter: Transpower New Zealand Limited (“Transpower”)

This is a submission on changes proposed to the following operative plan (“the proposal”):

The Proposed Intensification Planning Instrument (“Proposed IPI”) for the Upper Hutt City District Plan (“District Plan”)

Transpower could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that my submission relates to are:

The Proposed IPI in its entirety, and particularly the extent to which the Proposed IPI gives effect to the National Policy Statement on Electricity Transmission 2008 (“NPSET”) and recognises the National Grid as a qualifying matter in the implementation of the Resource Management (Enabling Housing Supply and other Matters) Amendment Act 2021.

Transpower’s submission is:

Background and context

Transpower is the state-owned enterprise that plans, builds, maintains, owns and operates New Zealand’s high voltage electricity transmission network, known as the National Grid, that carries electricity across the country. Transpower provides the required infrastructure to transport electricity from the point of generation to local electricity distribution companies, which supply electricity to everyday users.

Transpower needs to efficiently operate, maintain, upgrade and develop the National Grid to meet increasing demand; to connect new generation; and to ensure security of supply, thereby contributing to New Zealand’s economic and social aspirations. For this reason, Transpower has a significant interest in the development of an effective, workable and efficient District Plan where it may affect the National Grid. In respect of the Proposed IPI, providing for greater urban densities in the vicinity of the National Grid has the potential to significantly impact Transpower’s ability to operate, maintain, upgrade and develop the National Grid.

The Proposed IPI addresses potential impacts on the National Grid through provisions in the District Plan that establish setbacks from transmission lines. While Transpower generally supports this approach, the operative District Plan provisions do not reflect the current policy and rule approach promulgated by Transpower. Noting that Plan Change 32, which was to give effect to the NPSET, was made operative in 2012, Transpower would support revision of the corridor provisions to reflect Transpower’s current, nationally consistent, engineering-based approach to managing effects on the National Grid and giving effect to the NPSET.

Appendix A contains further background information including an overview of Transpower.

Statutory framework

The NPSET confirms the national significance of the National Grid and establishes national policy direction to ensure that decision-makers under the Resource Management Act 1991 (“RMA”) recognise the benefits of electricity transmission, while managing the effects of the National Grid and managing the effects of activities and development in the vicinity of the National Grid.

The single Objective of the NPSET is:

“To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:

- *managing the adverse environmental effects of the network; and*
- *managing the adverse effects of other activities on the network.”*

Policies 10 and 11 of the NPSET provide the primary direction on the management of adverse effects of subdivision, land use and development activities on the transmission network. Similarly, the Operative Wellington Regional Policy Statement (“RPS”), along with proposed amendments in Proposed Plan Change 1 to the Wellington Regional Policy Statement (“RPS PC1”) includes policies that direct the protection of regionally significant infrastructure (including through buffer corridors).

Together, these policies are critical matters for a district plan to address and are of specific relevance to Transpower’s submission on the Proposed IPI given their clear direction that development does not compromise the National Grid.

The relevant statutory provisions are included in further detail in **Appendix A**.

National Grid assets in Upper Hutt City

Appendix A includes a description of the National Grid assets in Upper Hutt City. A map of the existing National Grid assets in Upper Hutt City is included as **Appendix B**.

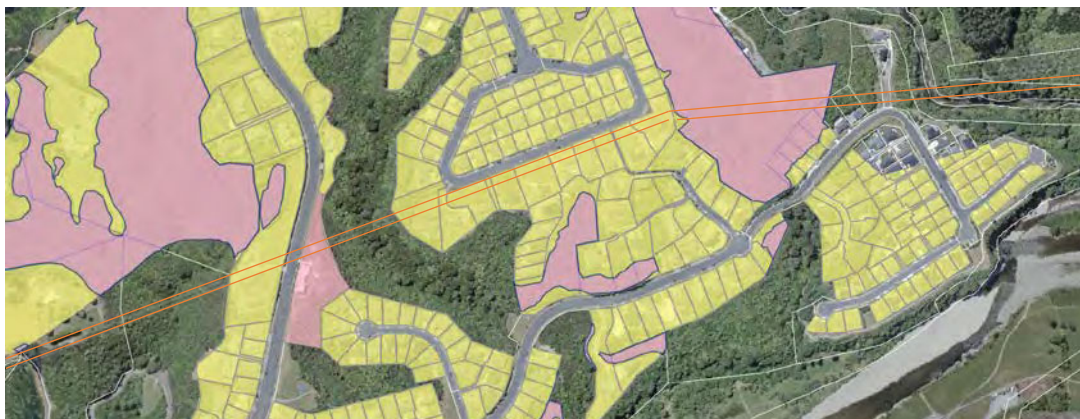
Specific to the Proposed IPI, and with reference to the interactive map provided on the Council’s website:

- the Haywards – Upper Hutt A transmission line traverses the General Residential Zone and the Neighbour Centre Zone, inserted through the Proposed IPI, in the vicinity of Riverstone Terraces; and
- the Haywards – Upper Hutt A and Masterton to Upper Hutt A transmission lines traverse the General Residential Zone in Birchville.

The Proposed IPI includes the Medium Density Residential Standards (“MDRS”) of the Resource Management (Enabling Housing Supply and other Matters) Amendment Act 2021 in the General Residential Zone.

By way of example, Figure 1 is an excerpt of the Proposed IPI planning map for the Riverstone Terraces area with an aerial photo showing the Haywards -Upper Hutt A transmission line (faintly) relative to the Proposed IPI zoning.

Figure 1: National Grid transmission lines (visible as two orange lines on the area photo) in Riverstone Terraces traversing the General Residential Zone (yellow), the Neighbourhood Centre Zone (pink without the bold outline). The pink area with a bold outline is a Proposed IPI - Indigenous Biodiversity Qualifying Matter Precinct



Transpower's submission

Transpower acknowledges that the Proposed IPI has the purpose of:

- incorporating the MDRS of the Resource Management (Enabling Housing Supply and other Matters) Amendment Act 2021;
- giving effect to Policies 3 and 4 of the NPS-UD; and
- including objectives and policies in accordance with clause 6 to Schedule 3A of the RMA (section 77G(5)).

Transpower's submission generally supports the proposed provisions and particularly supports the identification of the National Grid as an existing qualifying matter in the Proposed IPI. That said, Transpower's submission seeks limited amendments to refine the IPI's approach to embedding qualifying matters.

It is Transpower's conclusion that these amendments to the Proposed IPI are necessary to:

- provide greater clarity for plan users;
- give effect to Policies 1, 2, 10 and 11 of the NPSET;
- give effect to Policy 3 and Policy 4 of the NPS-UD;
- give effect to the RPS, and particularly Policy 8;
- meet the requirements of section 32, 62 and 75 of the RMA (as relevant); and therefore
- achieve the purpose of the RMA.

Transpower's specific submission points on the Proposed IPI are included as **Appendix C**.

Transpower seeks the following decision from the local authority:

Retain or amend the provisions of the Proposed Plan Change to give effect to the NPSET and RPS as set out in **Appendix C** including such further alternative or consequential relief as may be necessary to fully achieve the relief sought in this submission.

Transpower wishes to be heard in support of its submission.

Due to the specific interests of Transpower, and particularly the national significance of the National Grid, Transpower will not consider presenting a joint case.



Daniel Hamilton – Environmental Regulatory Team Leader, Transpower

Signature of person authorised to sign

on behalf of Transpower New Zealand Limited

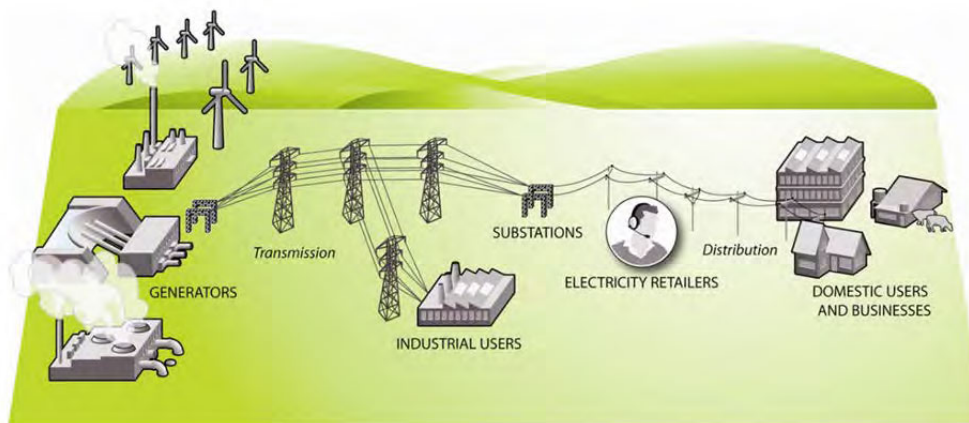
Date: 29 September 2022
Electronic address for service: environment.policy@transpower.co.nz
Telephone: +64 0210 236 4245
Postal address: PO Box 1021, Wellington 6140
Contact person: Pauline Whitney

Appendix A: Supporting Information

About Transpower

Transpower is the state-owned enterprise that plans, builds, maintains, owns and operates New Zealand's high voltage electricity transmission network, known as the National Grid. The National Grid connects power stations, owned by electricity generating companies, directly to major industrial users and distribution companies feeding electricity to the local networks that, in turn, distribute electricity to homes and businesses. The role of Transpower is illustrated in Figure 2.

Figure 2: Role of Transpower in New Zealand's Electricity Industry (Source: MBIE)



The National Grid stretches over the length and breadth of New Zealand from Kaikohe in the North Island to Tiwai Point in the South Island and comprises some 11,000 kilometres of transmission lines and cables and more than 170 substations, supported by a telecommunications network of some 300 telecommunication sites that help link together the components that make up the National Grid.

Transpower's role and function is determined by the State-Owned Enterprises Act 1986, the company's Statement of Corporate Intent, and the regulatory framework within which it operates. Transpower does not generate electricity, nor does it have any retail functions.

It is important to note that Transpower's role is distinct from electricity generation, distribution or retail. Transpower provides the required infrastructure to transport electricity from the point of generation to local lines distribution companies, which supply electricity to everyday users. These users may be a considerable distance from the point of generation.

Transpower's Statement of Corporate Intent for 1 July 2022, states that:

"Transpower is central to the New Zealand electricity industry, connecting New Zealanders to their power system through safe, smart solutions for today and tomorrow. Our principal commercial activities are:

- as grid owner, to reliably and efficiently transport electricity from generators to distributors and large users; and*
- as system operator, to operate a competitive electricity market and deliver a secure power system."*

In line with this role, Transpower needs to efficiently operate, maintain and develop the network to meet increasing demand and to seek security of supply, thereby contributing to New Zealand's economic and social aspirations. It must be emphasised that the National Grid is an ever-developing system, responding to changing supply and demand patterns, growth, reliability and security needs.

As the economy electrifies in pursuit of the most cost efficient and renewable sources, the base case in Transpower's 'Whakamana I Te Mauri Hiko' predicts that electricity demand is likely to increase around 55% by 2050. 'Whakamana I Te Mauri Hiko' suggests that meeting this projected demand will require significant and frequent investment in New Zealand's electricity generation portfolio over the coming 30 years, including new sources of resilient and reliable grid connected renewable generation. In addition, new connections and capacity increases will be required across the transmission system to support demand growth driven by the electrification of transport and process heat. Simply put, New Zealand's electricity transmission system is the infrastructure on which New Zealand's zero-carbon future will be built. This work supports Transpower's view that there will be an enduring role for the National Grid in the future, and the need to build new National Grid lines and substations to connect new, renewable generation sources to the electricity network.

Transpower therefore has a significant interest in the development of an effective, workable and efficient District Plan where it may affect the National Grid. In respect of the Proposed IPI, providing for greater residential densities in the vicinity of the National Grid has the potential to significantly impact Transpower's ability to operate, maintain, upgrade and develop the National Grid.

National Grid assets in Upper Hutt City

Transpower owns and operates the following assets in Upper Hutt City:

- Gracefield - Haywards A (GFD-HAY-A) 110kV overhead transmission line on towers;
- Haywards - Upper Hutt A (HAY-UHT-A) 110kV overhead transmission line on towers;
- Bunnythorpe – Haywards A (BPE-HAY-A) 220kV overhead transmission line on towers;
- Bunnythorpe – Haywards B (BPE-HAY-B) 220kV overhead transmission line on towers;
- Bunnythorpe – Wilton A (BPE-WIL-A) 220kV overhead transmission line on towers;
- Masterton - Upper Hutt A (MST-UHT-A) 110kV overhead transmission line on towers; and
- Upper Hutt Substation.

The location of these assets is shown on the map included as **Appendix B**.

Specific to the Proposed IPI, and with reference to the interactive map provided on the Council's website:

- the existing Haywards – Upper Hutt A transmission line existing traverses the General Residential Zone and the Neighbour Centre Zone, inserted through the Proposed IPI, in the vicinity of Riverstone Terraces; and
- the existing Haywards – Upper Hutt A and Masterton to Upper Hutt A transmission lines traverse the General Residential Zone in Birchville.

Statutory Framework

National Policy Statement on Electricity Transmission 2008

The NPSET was gazetted on 13 March 2008. The NPSET confirms the national significance of the National Grid and provides policy direction to ensure that decision makers under the RMA:

- recognise the benefits of the National Grid;
- manage the adverse effects on the environment of the National Grid;
- manage the adverse effects of third parties on the National Grid; and
- facilitate long term strategic planning for transmission assets.

The NPSET only applies to the National Grid, being the assets used or operated by Transpower, and not to electricity generation or distribution networks.

The NPSET sets a clear directive on how to provide for National Grid resources (including future activities) when drafting planning documents and therefore councils have to work through how to make appropriate provision for the National Grid in their plans, in order to give effect to the NPSET.

The single Objective of the NPSET is:

“To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:

- *managing the adverse environmental effects of the network; and*
- *managing the adverse effects of other activities on the network.”*

The NPSET’s 14 policies provide for the recognition of the benefits of the National Grid, as well as the environmental effects of transmission and the management of adverse effects on the National Grid. The policies have to be applied by both Transpower and decision-makers under the RMA, as relevant. The development of the National Grid is explicitly recognised in the NPSET.

Policies 10 and 11 of the NPSET provide the primary direction on the management of adverse effects of subdivision, land use and development activities on the transmission network. These policies are critical matters for a district plan to address and are specifically relevant to the Proposed Plan Change.

Policy 10 is as follows:

“In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.”

Policy 11 relates to the development of buffer corridors, and is as follows:

“Local authorities must consult with the operator of the national grid, to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. To assist local authorities to identify these corridors, they may request the operator of the national grid to provide local authorities with its medium to long-term plans for the alteration or upgrading of each affected section of the national grid (so as to facilitate the long-term strategic planning of the grid).”

Policy 12 requires the identification of the transmission network on territorial authority planning maps.

Section 75(3)(a) of the RMA requires that district plans must give effect to a national policy statement. Case law has established that the words "give effect to" means to implement, which is a strong directive, creating a firm obligation on the part of those subject to it.

The Operative Regional Policy Statement

The Wellington Regional Policy Statement (“RPS”) was made operative in 2013. Section 75(3)(c) of the RMA requires that a District Plan must give effect to any Regional Policy Statement. Of relevance to the National Grid are Objective 10 and supporting Policies 7, 8 and 39. These are as follows:

“Objective 10

The social, economic, cultural and environmental, benefits of regionally significant infrastructure are recognised and protected.”

“Policy 7: Recognising the benefits from renewable energy and regionally significant infrastructure – regional and district plans

District and regional plans shall include policies and/or methods that recognise:

(a) *the social, economic, cultural and environmental benefits of regionally significant infrastructure including:*

(i) *people and goods can travel to, from and around the region efficiently and safely;*

- (ii) *public health and safety is maintained through the provision of essential services:- supply of potable water, the collection and transfer of sewage and stormwater, and the provision of emergency services;*
- (iii) *people have access to energy so as to meet their needs; and*
- (iv) *people have access to telecommunication services.*
- (b) *The social, economic, cultural and environmental benefits of energy generated from renewable energy resources including:*
 - (i) *security of supply and diversification of our energy sources;*
 - (ii) *reducing dependency on imported energy resources; and*
 - (iii) *reducing greenhouse gas emissions.”*

“Policy 8: Protecting regionally significant infrastructure – regional and district plans

District and regional plans shall include policies and rules that protect regionally significant infrastructure from incompatible new subdivision, use and development occurring under, over, or adjacent to the infrastructure.”

“Policy 39: Recognising the benefits from renewable energy and regionally significant infrastructure – consideration

When considering an application for a resource consent, notice of requirement or a change, variation or review of a district or regional plan, particular regard shall be given to:

- (a) *the social, economic, cultural and environmental benefits of energy generated from renewable energy resources and/or regionally significant infrastructure; and*
- (b) *protecting regionally significant infrastructure from incompatible subdivision, use and development occurring under, over, or adjacent to the infrastructure; and*
- (c) *the need for renewable electricity generation facilities to locate where the renewable energy resources exist; and*
- (d) *significant wind and marine renewable energy resources within the region.”*

Objective 10 largely reflects Policy 1 of the NPSET, noting that the NPSET requires benefits to be ‘recognised and provided for’ whereas the RPS requires benefits of Regionally significant infrastructure¹ to be ‘recognised and protected’.

Policy 7 directs District Plans include policies and/or methods that recognise the benefits of regionally significant infrastructure. Policy 8 extends this further by requiring that plans include policies and rules to protect such infrastructure from incompatible new subdivision, use and development occurring under, over, or adjacent to it. The explanation to Policy 8 specifically references Policy 11 of the NPSET and states that *“in achieving protection for the transmission network, consultation occurs with the operator of the national grid to identify appropriate buffer corridors”*.

Regard to the benefits and protection of regionally significant infrastructure from *“incompatible subdivision, use and development occurring under, over or adjacent to the infrastructure”*, is also required to be given under Policy 39 in considering any application for resource consent, notice of requirement or a change, variation or review of any District Plan in the Region.

¹ Regionally significant infrastructure includes, by definition, *“the national electricity grid, as defined by the Electricity Governance Rules 2003”*.

The above objectives and policies provide a clear directive to ensure that development does not compromise the National Grid, and that electricity transmission is appropriately recognised and provided for in plans.

Proposed Plan Change 1 to the Regional Policy Statement

Also of relevance is the recently notified RPS PC1 (2022). Section 74(2)(a) of the RMA directs that a territorial authority must have regard to a proposed RPS when changing a district plan.

RPS PC1 amends the operative RPS and includes changes to take account of new national direction, including the NPS-UD, as well as addressing issues relating to climate change, indigenous biodiversity, and high natural character.

No specific National Grid provisions are proposed. However, Policy 7 and Policy 39 (Recognising the benefits for renewable energy and regionally significant infrastructure) is introduced to a proposed Climate Change chapter.

Changes are proposed to RPS Policy 7 and Policy 39 to give greater recognition of low and zero carbon regionally significant infrastructure, and the benefits of regionally significant infrastructure where it contributes to reducing greenhouse emissions. The National Grid is key in providing for the transmission (and therefore delivery) of renewable energy and achieving a zero-carbon economy. In effect, New Zealand's electricity transmission system is the infrastructure on which New Zealand's zero-carbon future will be built.

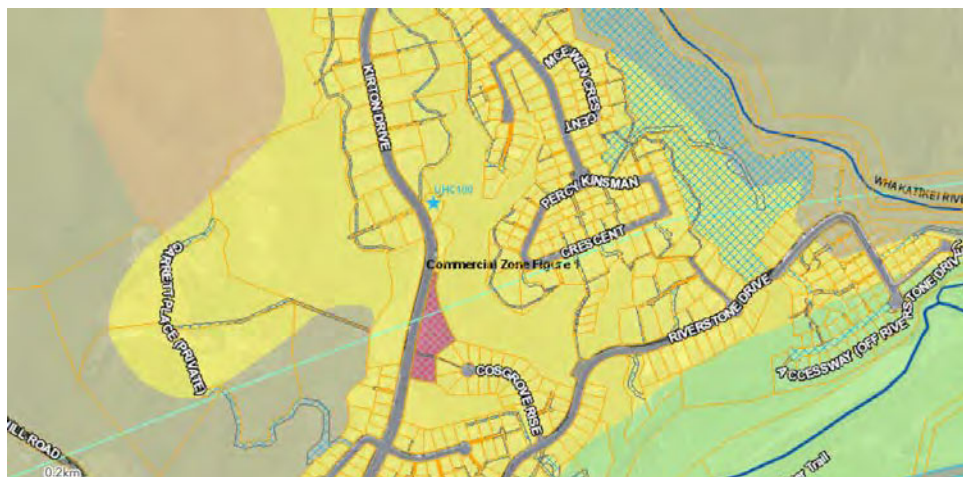
Of specific relevance the Proposed Plan Change, RPS Policy 55 is amended to "provide for appropriate urban expansion" with specific recognition of the protection of regionally significant infrastructure as identified by RPS Policy 8 (which is not proposed to be amended). The identification of the National Grid as a qualifying matter is consistent with the amended policy approach within Policy 55.

Operative District Plan National Grid Provisions

The Operative District Plan (2004) includes provisions that manage subdivision, earthworks and buildings and structures in close proximity to the transmission lines, and support structures.

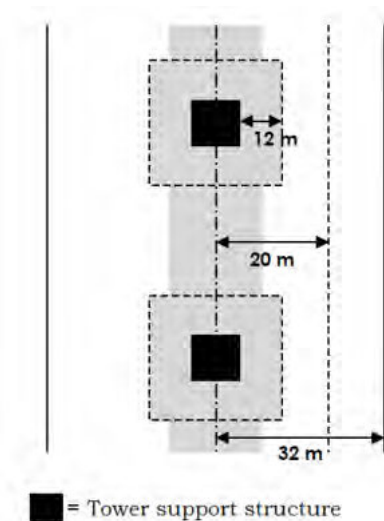
The District Plan identifies the National Grid transmission lines on its electronic planning maps as shown in Figure 3:

Figure 3: Excerpt of District Plan Planning Map showing the National Grid transmission line (light blue) traversing the Riverstone Terraces area



The District Plan includes setback distances in rules and in the following diagram (Figure 4) included in the definition of 'transmission line'.

Figure 4: National Grid Set-back Diagram



By way of example, rules that relate to the General Residential Zone provide for:

- buildings or structures within 12-20 metres of high voltage (110 kV or greater) electricity transmission lines as a restricted discretionary activity;
- buildings or structures within 12 m of high voltage (110 kV or greater) electricity transmission lines as a non-complying activity; and
- subdivision which creates building platforms within 20 m of high voltage (110 kV or greater) electricity transmission as a restricted discretionary activity.

This rule framework implements the strong policy direction given in the District Plan, and particularly the following provisions:

“NU-O2

The sustainable, secure and efficient use and development of the high voltage (110kV or greater) electricity transmission lines which avoids, remedies or mitigates adverse effects on the environment and recognises the technical and operational requirements and constraints of the network.

The efficient transmission of electricity on the national grid plays a vital role in the social, economic and cultural well-being of people. Technical, operational and security requirements associated with high voltage electricity transmission lines can limit the extent to which it is feasible to avoid or mitigate all adverse environmental effects.”

“NU-P4

To manage development within close proximity to existing high voltage (110kV or greater) electricity transmission lines to protect both:

- (1) *the safe, secure and efficient use and development of the electricity transmission network; and*
- (2) *the safety and amenity values of the community.*

A corridor management approach involves setting minimum buffer distances from high voltage electricity transmission lines to manage development both in the immediate proximity of and adjacent to the lines”.

“SUB-GEN-P10

To manage subdivision within close proximity to existing high voltage (110kV or greater) electricity transmission lines to protect both:

- (1) the safe, secure and efficient use and development of the electricity transmission network; and*
- (2) the safety and amenity values of the community.*

A corridor management approach involves setting minimum buffer distances from high voltage electricity transmission lines to manage development both in the immediate proximity of and adjacent to the lines.”

The Proposed IPI addresses potential impacts on the National Grid through the inclusion of setbacks from the transmission lines in the Proposed IPI as an existing qualifying matter. While Transpower generally supports this approach, the operative District Plan provisions do not reflect the current policy and rule approach promulgated by Transpower. Transpower would support revision of the National Grid corridor provisions to reflect Transpower’s current, nationally consistent, engineering-based approach to managing effects on the National Grid and giving effect to the NPSET.

The National Grid as an existing ‘qualifying matter’

Sections 77I and 77O of the RMA provides a specified territorial authority may make the MDRS and the relevant building height or density requirements less enabling of development in relation to a qualifying matter (as defined by section 77I and 77O of the RMA).

The existing rule framework that embeds setbacks from transmission lines clearly meets the definition of a qualifying matter because it is a matter required to give effect to the NPSET and it is a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure.

Giving effect to the NPSET

The NPSET confirms the national significance of the National Grid and addresses its effects. Importantly, it also addresses effects on the National Grid, including the activities of others (for example, residential development) and requires that these do not compromise the operation, maintenance, upgrading and development of the National Grid.

The NPSET mandates a corridor for this protection. Specifically, Policy 11 of the NPSET requires that local authorities consult Transpower to identify an appropriate buffer corridor within which sensitive activities (such as residential development) will generally not be provided for in plans and/or given resource consent. This outcome is appropriate and was tested through a comprehensive section 32 analysis undertaken by the Ministry for the Environment (when the NPSET was developed) and various planning processes including Board of Inquiry hearings. In respect of the Proposed IPI the ‘*Section 32 Evaluation Report - Volume 4: Qualifying Matters*’ clearly identifies the setbacks from electricity transmission lines as existing qualifying matters.

Ensuring the safe or efficient operation of nationally significant infrastructure

Development under and near transmission lines presents risks to the safe and efficient operation of the National Grid and needs to be managed carefully. It is critical that any development near the National Grid occurs in an appropriate and safe way. Transpower seeks to ensure that risks such as electrical shocks are minimised to the greatest extent possible, access for vital maintenance and upgrade work is not constrained, and reverse sensitivity and direct effects are managed, so that its nationally significant infrastructure can continue to operate in the long-term, keeping the lights on across New Zealand.

Transpower is not opposed to residential development and intensification and understands the intent of the recent reforms to address issues with New Zealand’s housing supply and affordability. Transpower is working with developers and individuals across New Zealand on a daily basis in an effort to accommodate and support new development in a manner which takes the National Grid assets fully into account. If new subdivisions and

land uses are properly designed and managed, effects on the safe and efficient operation of the National Grid can be reasonably managed.

Transpower prefers, wherever possible, to manage such risks and effects proactively. Proactive management through appropriate planning rules such as buffer corridors or setbacks is the most effective way of ensuring subdivision and development occurs in a manner that is compatible with the National Grid and is consistent with the policy direction in the NPSET and the resulting buffer corridor approach within district plans throughout New Zealand.

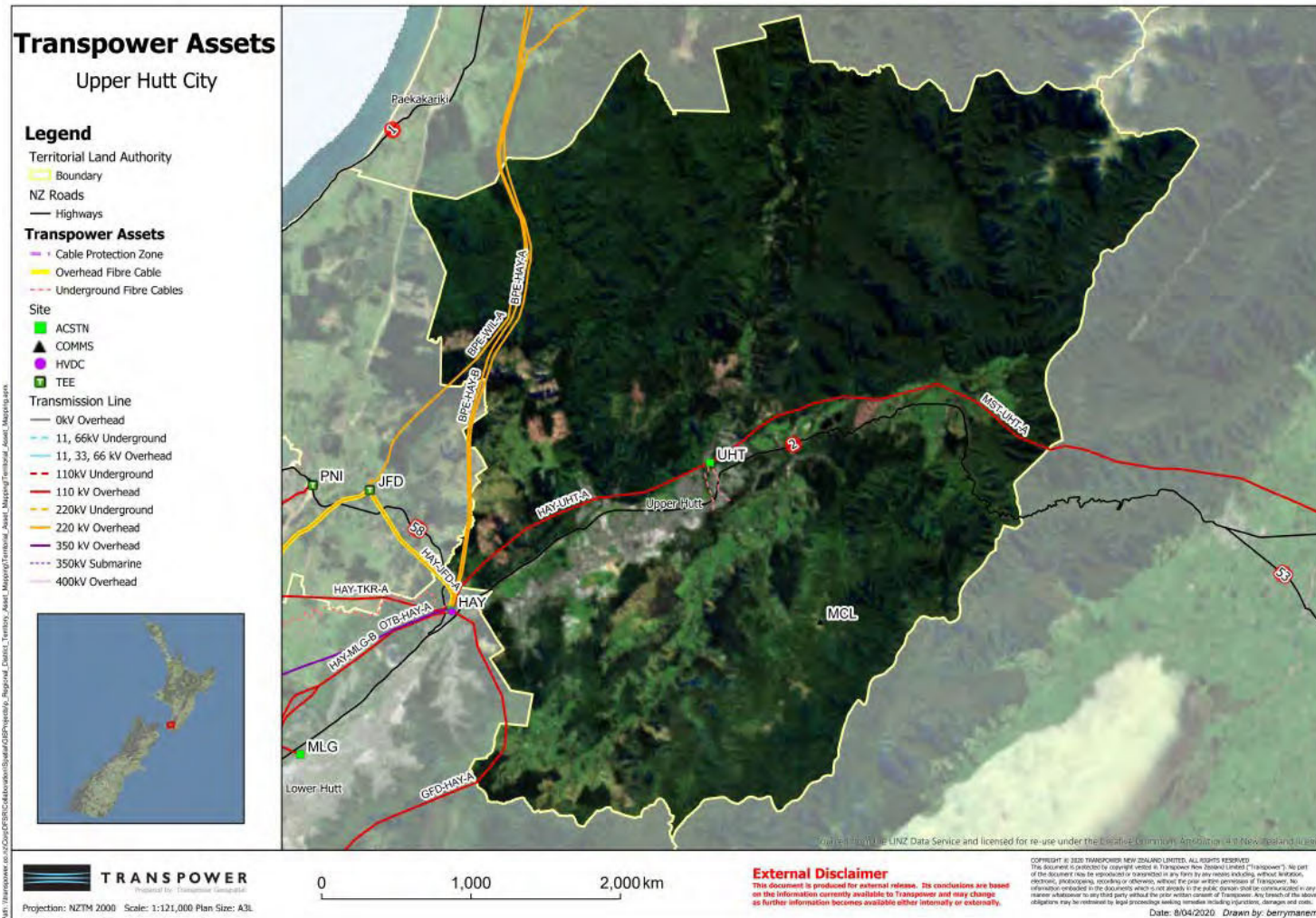
While assisting councils to give effect to the NPSET, the corridor-based approach to the National Grid protects the safe and efficient operation of the National Grid by:

- ensuring that sensitive activities such as residential development will generally not be provided for in close proximity to transmission lines;
- partially minimising the risk of inadvertent contact with transmission lines including the risk of flashovers (where an electrical discharge ‘jumps’ the air gap between an object and the line);
- helping to reduce nuisance impacts on landowners and subsequent complaints about transmission lines;
- partially protecting the transmission lines from activities and development that could have direct or indirect effects on them;
- partially protecting access to the National Grid by ensuring development activities cannot occur close to the National Grid and prevent Transpower’s access to it; and
- partially enabling efficient and safe operation, maintenance, upgrade and development of the transmission lines.

Summary

Based on the above, and consistent with the Council’s Section 32 Evaluation Report - Volume 4: Qualifying Matters’ for the Proposed IPI, it is submitted there is no ambiguity as to whether the setbacks from electricity transmission lines is an existing qualifying matter. It is noted that the Report of the Environment Committee on the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill dated December 2021, which noted at page 15 [emphasis added]: *“the qualifying matters set out in new section 77[1] include a matter of national importance and a matter required to ensure that nationally significant infrastructure operates safely or efficiently and avoid reverse sensitivity concerns. **This could include ensuring residential housing is safely set back from high voltage transmission lines, and other infrastructure such as airport noise areas, in order to avoid reverse sensitivity concerns**”*.

Appendix B: Map of Transpower Assets in Upper Hutt City



Appendix C: Specific Submission Points on the Upper Hutt City District Plan: Intensification Planning Instrument

The following table sets out the decisions sought by Transpower, including specific amendments to the provisions of the Proposed IPI, and the reasons for Transpower’s support for, or opposition to, the notified provisions of the Proposed IPI. Proposed IPI provisions are shown in black underlined and ~~black strikethrough~~ and Transpower’s proposed amendments are shown in red underlined and ~~red strikethrough~~.

Provision	Support/ Oppose	Submission/Reasons	Decision Sought
PART 1 – INTRODUCTION AND GENERAL PROVISIONS			
3 INTERPRETATION			
3.1 Definitions 'Medium Density Residential Standards (MDRS)'	Support	Transpower supports the inclusion of a definition of “Medium Density Residential Standards (MDRS)’ in the Proposed IPI on the basis that the definition provides clarity, assists plan users, and is consistent with, through reference to, Schedule 3A of the RMA.	Retain the definition of ‘Medium Density Residential Standards (MDRS)’ as notified.
3.1 Definitions 'Qualifying matter'	Support	Transpower supports the inclusion of a definition of ‘Qualifying matter’ in the Proposed IPI on the basis that the definition provides clarity, assists plan users, and is consistent with the definition in sections 77I and 77O of the RMA.	Retain the definition of ‘Qualifying matter’ as notified.
3.1 Definitions 'Qualifying matter area'	Support	Transpower supports the inclusion of a definition of ‘Qualifying matter Area’ on the basis that the definition includes: - in clause (n), <u>“the areas within 20 metres of a high voltage (110kV or greater) electricity transmission line”</u> ; and - in clause (o), <u>“the areas within 12-32m of a high voltage (110kV or greater) electricity transmission line”</u> .	Retain the definition of ‘Qualifying matter area’ as notified.
3.1 Definitions 'Reverse sensitivity'	Support	Transpower supports the definition of ‘Reverse sensitivity’ on the basis that the definition is not inconsistent with the management of effects of, and on, the National Grid in Policies 10 and 11 of the NPSET.	Retain the definition of ‘Reverse sensitivity’ as notified.
PART 2 – DISTRICT-WIDE MATTERS			
STRATEGIC DIRECTION			
UFD – Urban Form and Development	Support	Transpower supports proposed Objective UFD-01, and particularly the inclusion of reference to people and communities’ health, safety and wellbeing. Transpower	Retain Objective UFD-01 as notified.

Provision	Support/ Oppose	Submission/Reasons	Decision Sought
Residential UFD-O1		acknowledges that the Objective reflects the requirement of Schedule 3A Part 1(6)(1) of the RMA.	
UFD – Urban Form and Development Residential UFD-O2	Support	Transpower supports proposed Objective UFD-O2 and acknowledges that the Objective reflects the requirement of Schedule 3A Part 1(6)(1) of the RMA.	Retain Objective UFD-O2 as notified.
UFD – Urban Form and Development Residential UFD-O4	Support	Transpower supports proposed Objective UFD-O4, and particularly the inclusion of reference to the following continuing to be provided for as qualifying matters: - <i>“give effect to national policy statements”</i> ; and - <i>“ensure the safe and efficient operation of nationally significant infrastructure”</i> . Such an approach gives effect to Policy 4 of the NPS-UD and, as the proposed Objective relates to the National Grid, Policies 10 and 11 of the NPSET.	Retain Objective UFD-O4 as notified.
UFD – Urban Form and Development Residential UFD-P2	Support	Transpower supports proposed Policy UFD-P2 on the basis that the Policy provides clear direction that the intensification sought by the Policy is qualified by the following <i>“while avoiding inappropriate location, heights and densities of buildings and development within qualifying matter areas as specified by the relevant qualifying matter area provisions.”</i> Such an approach gives effect to Policy 4 of the NPS-UD and, as the proposed Policy relates to the National Grid, Policies 10 and 11 of the NPSET.	Retain Policy UFD-P2 as notified.
UFD – Urban Form and Development Residential Existing Strategic Direction	Support	Transpower supports the amendment to the existing Strategic Direction because the amendment appropriately recognised the relationship of qualifying matters to the extent of development through the inclusion of <i>“... existing qualifying matter areas may limit the amount of permitted medium density development possible on an allotment.”</i>	Retain the additional text in respect of existing qualifying matter areas in the existing Strategic Direction.
UFD – Urban Form and Development Commercial and Mixed Use CMU-O1	Support	Transpower supports proposed Objective CMU-O1, and particularly the inclusion of reference to people and communities’ health, safety and wellbeing. Transpower acknowledges that the Objective reflects the objective in Schedule 3A Part 1(6)(1) of the RMA.	Retain Objective CMU-O1 as notified.

Provision	Support/ Oppose	Submission/Reasons	Decision Sought
SUBDIVISION			
SUB-RES – Subdivision in the General Residential Zone SUB-RES-O2	Support	Transpower supports proposed Objective SUB-RES-O2, and particularly the inclusion of reference to people and communities’ health, safety and wellbeing. Transpower acknowledges that the Objective reflects the objective in Schedule 3A Part 1(6)(1) of the RMA.	Retain Objective SUB-RES-O2 as notified.
SUB-RES – Subdivision in the General Residential Zone SUB-RES-P6	Support in part	Transpower supports the amendments proposed to Policy SUB-RES-P6 to the extent that the Policy recognises that the General Residential Zone provides for medium density housing. However, Transpower considers that this Policy also needs to recognise that existing qualifying matters may constrain development and increased density. Transpower seeks a limited amendment to achieve this and to therefore give effect to Policy 4 of the NPS-UD.	Amend Policy SUB-RES-P6 as follows: <i>“To encourage provide for higher medium density housing within the General Residential Zone while:</i> <i>(a) encouraging the consideration of the protection and retention of indigenous biodiversity values within through the provision of reduced net site area standards and in the form of Comprehensive Residential Developments in identified areas of the City the Indigenous Biodiversity Precinct; and</i> <i>(b) recognising that some parts of the Zone contain qualifying matters that may modify or limit the density or height of development. ...”</i>
SUB-RES – Subdivision in the General Residential Zone New (District Wide Matters table)	Support in part	Transpower supports the inclusion of a new District-wide matters table and the reference to qualifying matter areas, but considers that the table appears to refer to qualifying matter areas that are listed in the table. If understood in this way, the provision would not apply to the electricity transmission line setbacks that are qualifying matters. Transpower seeks a minor amendment to more clearly provide for the intended outcome.	Amend the District-wide table as follows: <i>“District-wide matters</i> <i>Subdivision within the General Residential Zone must comply will all relevant rules and standards:</i> <i>(a) that relate to qualifying matter areas;</i> <i>(b) that are in the District-wide matters and qualifying matter areas of the Plan as listed below: ...”</i>
SUB-RES – Subdivision in the General Residential Zone SUB-RES-R6 SUB-RES-R8 SUB-RES-R9 SUB-RES-R10	Support	Transpower supports the amendments proposed to Rules R6, R8, R9 and R10 to insert a clear cross reference to Rule SUB-RES-R7 applying to subdivision within an ‘Electricity Transmission Corridor’. Transpower notes this replicates the cross reference in Rule SUB-RES-R2 that is retained in the Proposed IPI.	Retain the cross references to Rule SUB-RES-7 in Rules SUB-RES-R6, SUB-RES-R8, SUB-RES-R9, SUB-RES-R10 as notified.

Provision	Support/ Oppose	Submission/Reasons	Decision Sought
SUB-RES – Subdivision in the Commercial and Mixed Use Zone New (District Wide Matters table)	Support in part	Transpower supports the inclusion of a new District-wide matters table and the reference to qualifying matter areas, but considers that the table appears to refer to qualifying matter areas that are listed in the table. If understood in this way, the provision would not apply to the electricity transmission line setbacks that are qualifying matters. Transpower seeks a minor amendment to more clearly provide for the intended outcome.	Amend the District-wide table as follows: <u>“District-wide matters</u> <u>Subdivision within the Commercial and Mixed Use Zone must comply with all relevant rules and standards:</u> <u>(a) that relate to qualifying matter areas;</u> <u>(b) that are in the District-wide matters and qualifying matter areas of the Plan as listed below: ...”</u>
SUB-Subdivision in the Commercial and Mixed Use Zones SUB-CMU-R5	Support	Transpower generally supports the replication of Rule SUB-RES-R7 in SUB-CMU-R5 the Proposed IPI so that the same provisions apply in the new Zone.	Retain Rule SUB-CMU-R5 as notified.
PAPAKĀINGA			
PK-Papakāinga PK-R1, PK-R2 and PK-R3	Support in part	Transpower generally supports Rules PK-R1, PK-R2 and PK-R3 to the extent that the rules include a cross reference to relevant setbacks that apply in each zone. That said, Transpower does not consider that the rule is clear in respect of the way in which setbacks from transmission lines may apply to papakāinga (that are considered sensitive activities under Policy 11 of the NPSET). To clearly apply the appropriate rule and activity status to these provisions, Transpower seeks the addition of a further clause in the Rules.	Amend Rule PK-R1, PK-R2 and PK-R3 as follows: <u>“ 1. Activity Status: Permitted</u> <u>Where</u> <u>a. Any building must comply with the relevant zone standards for building height, height in relation to boundary, yard setbacks and building coverage where specified in the relevant zone chapter.</u> <u>...</u> <u>x) Any building or structure must comply with the relevant zone standard and associated activity status that applies where development is in the vicinity of high voltage (110 kV or greater) electricity transmission lines.</u>
PART 3 – AREA SPECIFIC MATTERS RESIDENTIAL ZONES			
GRZ-General Residential Zone Background	Support in part	Transpower generally supports the proposed amendments to the General Residential Zone ‘Background’ text but considers that the introduction would benefit from the inclusion of reference to the constraints imposed by qualifying	Amend the third sentence of the ‘Background’ as follows: <u>“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</u>

Provision	Support/ Oppose	Submission/Reasons	Decision Sought
		matters, such as the National Grid. Transpower seeks the inclusion of a further clause to address this.	<i><u>Residential Standards. It is recognised that there are parts of the Zone where the permitted development height and density may be modified or limited by qualifying matters. ...</u></i>
GRZ-General Residential Zone GRZ-O2	Support	Transpower supports proposed Objective GRZ-O2, and particularly the inclusion of reference to people and communities' health, safety and wellbeing. Transpower acknowledges that the Objective reflects the requirement of Schedule 3A Part 1(6)(1) of the RMA.	Retain Objective GRZ-O2 as notified.
GRZ-General Residential Zone GRZ-O3	Support	Transpower supports proposed Objective GRZ-O3 and acknowledges that the Objective reflects the requirement of Schedule 3A Part 1(6)(1) of the RMA.	Retain Objective GRZ-O3 as notified.
GRZ-General Residential Zone GRZ-P1A	Support in part	Within the General Residential Zone, qualifying matter areas may limit the amount of permitted medium density development possible on an allotment. While the policy directive within Policy GRZ-P1A is supported (and reflects Schedule 3A, Part 1, clause (6)(2)(a) of the RMA), Transpower supports reference to qualifying matter areas as they directly influence the capacity for intensification and residential development.	Amend Policy GRZ-P1A as follows: <i><u>"Enable a variety of housing typologies with a mix of densities within the Zone, including 3-storey attached and detached dwellings, and low-rise apartments, while avoiding inappropriate locations, heights and densities of buildings and development within qualifying matter areas as specified by the relevant qualifying area provisions."</u></i>
GRZ-General Residential Zone GRZ-P1B	Support	Transpower supports GRZ-P1B (noting it reflects that required under Schedule 3A Part 1(6)(2) of the RMA) on the basis that it recognises qualifying matters.	Retain Policy GRZ-P1B as notified.
GRZ-General Residential Zone Rules – Including Rule GRZ-R16 and Rule GRZ-R23 New (District Wide Matters table)	Oppose	Transpower opposes the Proposed IPI on the basis that, while identified as a qualifying matter the amended provisions do not explicitly include the restrictions that relate to structures and activities in the vicinity of electricity transmission lines in the IPI provisions or maps. To ensure that it is explicitly clear to plan users that the National Grid setbacks are qualifying matters, Transpower seeks the explicit reference be included in the Proposed IPI in a similar manner as addressed in the High Density Residential Zone and for subdivisions.	Amend the General Residential Zone rules to include a new District-wide table rule that states the following: <i><u>"District-wide matters Each activity in the General Residential Zone must comply with all relevant rules and standards that relate to qualifying matter areas."</u></i>
GRZ-General Residential Zone Precinct 1 Rule GRZ-PREC1-R1	Support	Transpower supports the Rules that apply in Precinct 1 (Indigenous Biodiversity) to the extent that the Rules explicitly provide for the rules in the underlying zone to also apply.	Retain Rule GRZ-PREC1-R1, Rule GRZ-PREC1-R3, Rule GRZ-PREC1-R4 and Rule GRZ-PREC1-R6 as notified.

Provision	Support/ Oppose	Submission/Reasons	Decision Sought
Rule GRZ-PREC1-R3 Rule GRZ-PREC1-R4 Rule GRZ-PREC1-R6			
COMMERCIAL AND MIXED USE ZONES			
New NCZ- Neighbourhood Centre Zone Introduce new Rules Advice Note	Support	<p>Transpower supports the following text included in the new Rules Advice Note on the basis that the rule confirms that rules relating to electricity transmission line setbacks will apply to the site that is in the Neighbourhood Centre Zone and traversed by the National Grid:</p> <p><i><u>"Each activity in the Neighbourhood Centre Zone shall comply with the relevant qualifying matter areas, and permitted activity standards in the district-wide matters of the Plan as listed below."</u></i></p>	Retain the direction in respect of qualifying matter areas included in the new Advice Note.
NCZ- Neighbourhood Centre Zone New NCZ – Site Specific Controls NCZ-SSC-S1	Support in part	<p>Transpower acknowledges that the one site in the Neighbourhood Centre Zone that is traversed by the National Grid is managed by 'Site Specific Controls'. Transpower supports the identification of the site through the inclusion of the following aerial photograph:</p> <div data-bbox="860 767 1193 1257" data-label="Image"> </div> <p>Transpower also supports the inclusion of a setback distance in the Standards for buildings from the transmission line and support structure. That said, Transpower</p>	Amend NCZ-SSC-S1(1)(c) as follows: <i><u>"c. Minimum sensitive activity, building and structure setback from the power pylon and electricity transmission lines on the site ..."</u></i>

Provision	Support/ Oppose	Submission/Reasons	Decision Sought
		seeks limited amendments to the Standard to better align with Transpower's current, nationally consistent, approach to the management of activities near the National Grid to give effect to Policies 10 and 11 of the NPSET.	
Section 32 Reports – General			
Section 32 Report - General	Support in part	Transpower acknowledges that the Section 32 Reports, and particularly the 'Section 32 Evaluation Report - Volume 4: Qualifying Matters' identifies the NPSET as being relevant to the Proposed IPI and confirms that the National Grid is an existing qualifying matter. Subject to the relief sought elsewhere in this submission, Transpower generally supports the various Section 32 Reports, including the 'Section 32 Evaluation Report - Volume 4: Qualifying Matters', to the extent that the Reports identifies the National Grid as an existing qualifying matter.	
Planning Map			
Planning Maps: General – extent of zones and precincts	Neutral	Transpower is neutral on the extent (as notified) of the zones and precincts that are the subject of the Proposed IPI. However, should the extent of the various areas be amended in the vicinity of the National Grid, Transpower seeks that the provisions that manage effects on the National Grid that are proposed to reflect the National Grid as a qualifying matter are similarly extended to the new areas.	



**ARA POUTAMA AOTEAROA, THE DEPARTMENT OF CORRECTIONS:
SUBMISSION ON THE UPPER HUTT CITY DISTRICT PLAN
INTENSIFICATION PLANNING INSTRUMENT PLAN CHANGE**

To: Upper Hutt City Council
Private Bag 907
Upper Hutt 5140

Email: planning@uhcc.govt.nz

Submitter: Ara Poutama Aotearoa the Department of Corrections
Private Box 1206
Wellington 6140

Attention: Andrea Millar – Manager, Resource Management and Land Management
Phone: 027 216 7741
Email: andrea.millar@corrections.govt.nz

Ara Poutama Aotearoa, the Department of Corrections (**Ara Poutama**) makes submissions on the Upper Hutt City District Plan (**UHCDP**) Intensification Planning Instrument Plan Change in the **attached** document.

Ara Poutama confirms it could not gain an advantage in trade competition through this submission.

Ara Poutama would like to be heard in support of its submission. If other submitters make a similar submission, Ara Poutama will consider presenting a joint case with them at a hearing.

A handwritten signature in blue ink, appearing to read 'Andrea Millar', is positioned above a horizontal line.

Andrea Millar – Manager, Resource Management and Land Management

For and behalf of Ara Poutama Aotearoa, the Department of Corrections

Dated this 29th day of September 2022

Introduction

Ara Poutama Aotearoa, the Department of Corrections (**Ara Poutama**) is responsible under the Corrections Act 2004 for enforcing sentences and orders of the criminal court and the New Zealand parole board. In meeting this responsibility, Ara Poutama establishes and operates custodial and non-custodial corrections facilities, monitors people in the care of the Ara Poutama serving their sentences in the community, and provides supported and transitional accommodation to assist people to reintegrate back into the community.

Custodial Corrections Facilities

Custodial corrections facilities include prisons and detention facilities and may also include non-custodial transitional accommodation (i.e. on a custodial facility site) for people with high and complex needs, who have completed a prison sentence and are being supported and prepared for reintegration and transition back into the community. Non-custodial rehabilitation activities and programmes may also occur on-site.

Within Upper Hutt City, Ara Poutama operates Rimutaka Prison, which is located at Fryberg Road Extension, Trentham. Under the UHCDP this custodial facility is located within the Special Activity Zone and Rural Hill Zone, and is subject to designation COR-1, with the Minister of Corrections being the Requiring Authority. Designation COR-1 has been given effect to and is not subject to any conditions.

Non-Custodial Community Corrections Sites

Non-custodial community corrections sites include service centres and community work facilities and are essential social infrastructure. Non-custodial services and their associated infrastructure play a valuable role in reducing reoffending. Community work helps offenders learn vital skills and to give back to their community, and in return the community benefits from improved amenities. Ara Poutama considers that its services enable people and communities to provide for their social and cultural well-being and for their health and safety, and therefore those activities and services contribute to the sustainable management purpose of the Resource Management Act 1991 (**RMA**).

The service centres provide for probation, rehabilitation, and reintegration services. Offenders report to probation officers as required by the courts or as conditions of parole. Ara Poutama's staff use service centres to undertake assessments and compile reports for the courts, police and probation officers. Service centres may also be used as administrative bases for staff involved in community-based activities or used as a place for therapeutic services (e.g., psychological assessments). The overall activity is effectively one of an office where the generic activities involved are meetings and workshop type sessions, activities which are common in other office environments.

In addition to these service centres, Ara Poutama operates community work facilities. Community work is a sentence where offenders are required to undertake unpaid work for non-profit organisations and community projects. Offenders will report to a community work facility where they subsequently travel to their community work project under the supervision of a Community Work Supervisor. The community work facilities can be large sites with yard-based activities and large equipment and/or vehicle storage.

Service centres and community work facilities may also be co-located on the same site.

Community corrections sites support offenders living in that community. Ara Poutama therefore looks to locate its sites in areas accessible to offenders, and near other supporting government agencies. Commonly, sites are therefore located in commercial or business areas, but may also be located in industrial areas, where large lots and accessibility suit the yard-based nature of some operations. As community corrections facilities are not sensitive to the effects of an industrial environment (e.g., noise, high traffic movements, etc), they are not prone to reverse sensitivity.

Ara Poutama operates one non-custodial community corrections site in Upper Hutt City. Upper Hutt Community Corrections is located at 8 Railway Avenue, Upper Hutt, and is located within the General Industrial Zone under the UHCDP. Ara Poutama requires that the UHCDP also provides for community corrections facilities in other appropriate locations, should they be required in the future.

Intensification and population growth in urban areas creates more demand for these types of facilities. It is important that provision is made to enable non-custodial community corrections sites to establish, operate and redevelop, within appropriate areas.

Residential Activities

Ara Poutama operates residential housing in the community throughout New Zealand, providing support for some people in its care to assist with their transition and/or integration in the community. There is a range of rehabilitation, reintegration and support provided in these houses, depending on the needs of the residents. Housing and associated support services may be for people following their release from prison or may be used to accommodate those on bail or community-based sentences (such as home detention).

Residential accommodation (with support) provides necessary facilities, such as sleeping, cooking, bathing and toilet facilities, which encompass a typical household living scenario; and a typical residential dwelling, within a residential setting, is utilised for such purposes. People living in this residential environment are not detained on-site, the same as anyone else living in the community, except that some people may be electronically monitored and/or supervised. In some instances, supervisory staff are present on-site to provide a level of care (being a range of rehabilitation, re-integration and support services) appropriate to meet the needs of the individual(s) residing at the site. It is noted that these support staff do not reside on-site and have an alternative residential address. In other instances, supervisory staff will provide support on a part-time basis.

The Courts may sentence an offender to home detention as an alternative to imprisonment. Individuals on home detention serve a home-based sentence at a suitable and approved residence and are electronically monitored 24 hours a day, seven days a week. The purpose of electronic monitoring is to deter the offender from breaching conditions that relate to his or her whereabouts and monitor compliance with those conditions.¹ Home detention and electronic monitoring allow individuals to seek or maintain employment, complete a sentence of community work if imposed, access programmes to address their offending, be involved in prosocial activities, and maintain their family relationships. It is an increasingly common sentence for many individuals in our care who otherwise would have received a short prison sentence for their offending (they can be sentenced to home detention from 14 days to one year). People on a home detention sentence are generally required to remain at a typical residential dwelling.

Ara Poutama is therefore responsible for a range of residential accommodation (with support), which vary in nature and scale, all of which within the ambit of a residential activity.

Demand for these services exist nationally, including within Upper Hutt City. It is important that provision is made to enable residential accommodation activities (with support), to establish and operate, within appropriate areas, which is likely to include areas of housing intensification.

Ara Poutama's Submission on the Upper Hutt City District Plan Intensification Planning Instrument Plan Change

Ara Poutama has an interest in the implications that the UHCDP will have on the establishment and operation of custodial corrections facilities, non-custodial community corrections sites, and residential accommodation (with support) in Upper Hutt City.

The UHCDP Intensification Planning Instrument Plan Change incorporates the requirements of the National Policy Statement for Urban Development (**NPS-UD**) 2020 and gives effect to the Medium Density Residential Standards (**MDRS**). Intensification and population growth in urban areas has an implication for the delivery of the services Ara Poutama is required to provide in Upper Hutt City.

¹ Sentencing Act 2002, section 80E.

While Ara Poutama considers that the Intensification Planning Instrument Plan Change provides for an appropriate spatial pattern of residential areas, it notes any intensive residential development should not be enabled adjacent to Rimutaka Prison due to potential operational security risks for the prison (e.g. contraband incursions).

Ara Poutama's specific submissions on the Intensification Planning Instrument Plan Change are outlined in the following table.

Submissions

UHCDP Provision	Submission	Relief Sought (additions shown in <u>underline</u> , deletions shown in strikethrough)
<p>Part 1 – Section 3.1 Definitions</p>	<p>Oppose</p> <p>Ara Poutama requests the addition of a new definition of “Household”.</p> <p>The National Planning Standards includes definitions for “Residential Activity” and “Residential Unit” that must be used when a local authority includes a definition for such in its plan. Whilst the National Planning Standards do not include a definition for “household”, the definition of “residential unit” refers to this term.</p> <p>The current definition of “Residential Unit” in the UHCDP aligns with the National Planning Standard and refers to a “Household” which is not defined in the UHCDP, nor the Intensification Planning Instrument Plan Change. Ara Poutama seeks that a new definition be added, to clarify that use of a residential unit by a household is not necessarily limited to a family unit or a flatting arrangement (which are more commonly perceived household situations).</p> <p>Ara Poutama provides residential activities offering housing, and associated care and support for people following their release, to assist with their transition and integration back into the community; and housing for those on bail or community-based sentences.</p> <p>Providing for a range of residential activities with support in residential zones is important to meet community needs, build strong and resilient communities, and enable people and communities to provide for their social and cultural well-being and health and safety to achieve the purpose of the RMA and give effect to the NPS-UD.</p> <p>The addition of a definition of “Household” will enable Ara Poutama to implement residential activities with support, subject to an appropriate regulatory framework, within Upper Hutt City.</p>	<p>1. Add a new definition of “Household” as follows:</p> <p><u>Household:</u></p> <p><u>means a person or group of people who live together as a unit whether or not:</u></p> <p><u>a. any or all of them are members of the same family; or</u></p> <p><u>b. one or more members of the group (whether or not they are paid) provides day-to-day care, support and supervision to any other member(s) of the group.</u></p>
<p>Part 2 – Strategic Direction – Objective UFD-O2</p>	<p>Support in part</p> <p>Ara Poutama requests objective UFD-O2 is retained but amended so that a variety of household types that meet the community’s diverse social and economic housing needs are provided for in residential zones, including households that involve an element of supervision, assistance, care and/or treatment support.</p> <p>Providing for a range of residential activities with support in residential zones is important to meet community needs, build strong and resilient</p>	<p>1. Amend Objective UFD-O2 as follows:</p> <p>UFD-O2</p> <p><u>Relevant residential zones provide for a variety of housing types, households, and sizes that respond to:</u></p> <p><u>a. Housing needs and demands; and</u></p>

UHCDP Provision	Submission	Relief Sought (additions shown in <u>underline</u> , deletions shown in strikethrough)
	<p>communities, and enable people and communities to provide for their social and cultural well-being and health and safety to achieve the purpose of the RMA and give effect to the NPS-UD.</p>	<p><i>b. The neighbourhood's planned urban built character, including 3-storey buildings.</i></p>
<p>Part 3 – General Residential Zone – Objective GRZ-O3</p>	<p>Support in part</p> <p>Ara Poutama requests objective GRZ-O3 is retained but amended so that a variety of household types that meet the community's diverse social and economic housing needs are provided for in the General Residential Zone, including households that involve an element of supervision, assistance, care and/or treatment support.</p> <p>Providing for a range of residential activities with support in residential zones is important to meet community needs, build strong and resilient communities, and enable people and communities to provide for their social and cultural well-being and health and safety to achieve the purpose of the RMA and give effect to the NPS-UD.</p>	<p>1. Amend Objective GRZ-O3 as follows:</p> <p>GRZ-O3 Housing Variety</p> <p>A relevant residential zone <u>The general residential zone provides for a variety of housing types, households, and sizes that respond to:</u></p> <p>a. <i>Housing needs and demands; and</i></p> <p>b. <i>The neighbourhood's planned urban built character, including 3-storey buildings.</i></p>
<p>Part 3 – General Residential Zone – Policy GRZ-P1A</p>	<p>Support in part</p> <p>Ara Poutama requests policy GRZ-P1A is retained but amended so that a variety of household types that meet the community's diverse social and economic housing needs are provided for in the General Residential Zone, including households that involve an element of supervision, assistance, care and/or treatment support.</p> <p>Providing for a range of residential activities with support in residential zones is important to meet community needs, build strong and resilient communities, and enable people and communities to provide for their social and cultural well-being and health and safety to achieve the purpose of the RMA and give effect to the NPS-UD.</p>	<p>1. Amend Policy GRZ-P1A as follows:</p> <p>GRZ-P1A</p> <p><i>Enable a variety of housing types <u>and households</u> with a mix of densities within the General Residential Zone, including 3-storey attached and detached dwellings, and low-rise apartments.</i></p>
<p>Part 3 – High Density Residential Zone – Objective HRZ-O2</p>	<p>Support in part</p> <p>Ara Poutama requests objective HRZ-O2 is retained but amended so that a variety of household types that meet the community's diverse social and economic housing needs are provided for in the High Density Residential Zone, including households that involve an element of supervision, assistance, care and/or treatment support.</p> <p>Providing for a range of residential activities with support in residential zones is important to meet community needs, build strong and resilient communities, and enable people and communities to provide for their social and cultural well-being and health and safety to achieve the purpose of the RMA and give effect to the NPS-UD.</p>	<p>1. Amend Objective HRZ-O2 as follows:</p> <p>HRZ-O2 Housing Variety</p> <p>A relevant residential zone <u>The high density residential zone provides for a variety of housing types, households, and sizes that respond to:</u></p> <p>a. <i>Housing needs and demands; and</i></p> <p>b. <i>The neighbourhood's planned urban built character, including 3-storey buildings.</i></p>

UHCDP Provision	Submission	Relief Sought (additions shown in <u>underline</u> , deletions shown in strikethrough)
Part 3 – High Density Residential Zone – Policies	<p>Support in part</p> <p>Ara Poutama requests the addition of a new policy HRZ-P9 so that a variety of household types that meet the community’s diverse social and economic housing needs are provided for in the High Density Residential Zone, including households that involve an element of supervision, assistance, care and/or treatment support.</p> <p>Providing for a range of residential activities with support in residential zones is important to meet community needs, build strong and resilient communities, and enable people and communities to provide for their social and cultural well-being and health and safety to achieve the purpose of the RMA and give effect to the NPS-UD.</p>	<p>1. Add a new Policy HRZ-P9 as follows:</p> <p><u>HRZ-P9</u></p> <p><u>Enable a variety of housing types and households with a mix of densities within the General Residential Zone, including 3-storey attached and detached dwellings, and low-rise apartments.</u></p>
Part 3 – Commercial and Mixed Use Zones	<p>Oppose</p> <p>Ara Poutama requests the amendment of the objectives, policies, and rules for the City Centre Zone, Town Centre Zone, and Mixed Use Zone to enable “Community Corrections Activity” as a permitted activity. The rules of these zones as amended by the Intensification Planning Instrument do not currently refer to “Community Corrections Activity” as defined by the UHCDP, resulting in the activity being captured by the default “activities not otherwise provided for” rules which prescribe a discretionary activity status.</p> <p>Community corrections activities are essential social infrastructure and play a valuable role in reducing reoffending. They build strong and resilient communities and enable people and communities to provide for their social and cultural well-being and for their health and safety to achieve the purpose of the RMA.</p> <p>Intensification and population growth in urban areas creates more demand for these types of facilities, specifically the higher population the perceptible of those people needing community corrections services will correspondingly increase. It is important that provision is made to enable non-custodial community corrections sites to establish, operate and redevelop, within appropriate areas.</p>	<p>1. Amend the following objectives and policies to enable Community Corrections Activities:</p> <ul style="list-style-type: none"> • Mixed Use Zone Objective MUZ-O1. <p>2. Amend the rules in the following zones to enable Community Corrections Activity to be undertaken as permitted activities:</p> <ul style="list-style-type: none"> • City Centre Zone. • Town Centre Zone. • Mixed Use Zone.

Submission 29

Proposed Plan Changes to the Upper Hutt City Council District Plan Planning for Growth – Intensification Planning Instrument (IPI) Submission

Details of submitter: Farrah Breads Family Trust

Name of submitter: Farrah Breads Family Trust

Postal address of submitter: 57 Kiln Street, Silverstream, Upper Hutt

Agent acting for submitter (if applicable): N/A

Address for service (if different from above): N/A

Contact telephone: 04 570 4184

Contact email: mhb@gywlaw.co.nz

I will not gain an advantage in trade competition through this submission.

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

The proposed zoning maps under the proposed IPI.

The subject site this submission relates to is located at 57 Kiln Street, Silverstream, Upper Hutt. The site is legally described as Lot 1 Deposited Plan 426564 and is 4.03 hectares in area. The specific area of the site this submission relates to is identified at Appendix A. The subject area is currently unused by the existing industrial operation on the site. The area is currently vegetated with a mixture of indigenous and exotic species and has a gentle slope from the existing factory towards the residential sites to the south-west of the site.

The site is currently zoned Business Industrial under the Operative District Plan and is not proposed to be re-zoned under the proposed IPI. The subject area has no District Plan restrictions over it which would impact on the ability to subdivide and construct residential dwellings.

The site is not identified as being susceptible to flooding on the Greater Wellington Region Council (GWRC) Flood Hazard Areas Map. The site is also not identified as contaminated under the GWRC Selected Land Use Register (SLUR) and the subject area has not been used for industrial purposes, such that the site is unlikely to have contained activities listed on the Hazardous Activities and Industries List (HAIL).

My submission is that:

The identified subject area be re-zoned to General Residential Area under the proposed IPI to provide for residential development in accordance with the MDRS standards. The subject area is identified at Appendix A.

The area is located at the western portion of the site and is currently covered by vegetation. This area has been selected due to its topography, its unsuitability for industrial use, and its proximity to existing residential areas.

This area is suitable for re-zoning for the following reasons:

- The area is unsuitable for industrial use due to the sloping topography of the subject area and the proximity to the adjacent established residential area. The proposed area for re-zoning has been deliberately located around the existing water tank due to the existing industrial operation's use of the water tank.
- The proposed re-zoning provides opportunity for further residential sites which will accommodate future dwellings being built on them. This will add additional housing stock to Upper Hutt, which will assist with housing capacity.
- The area proposed for rezoning is of a suitable size to accommodate several sites and associated dwellings. The exact layout of any future subdivision will be determined at the time of applying for resource consent.
- The area of land to the north-west of the site and directly across the road from the area requested to be re-zoned is proposed for the High-Density Residential Zone under the proposed IPI. Therefore, re-zoning the subject area to General Residential Area is not unprecedented in the immediate environment. The proposed re-zoning will complement the existing residential area.
- The area can support the additional housing. The site is within a 10-minute walk to the Silverstream rail station and a 5-minute walk to two bus stops located to the east of the site, on Field Street. Additionally, the site is within a 10-minute walk to the Silverstream Centre which contains several shops, a supermarket, a doctor's surgery, and a pharmacy. State Highway 2 is a 2-minute drive from the site which connects the site south towards Wellington City, or north, towards Upper Hutt City.
- Kiln Street is approximately 8m wide and is identified as a Local Road in Chapter 37 of the Operative District Plan. Therefore, the existing roading infrastructure in the immediate area can support additional housing.

I seek the following decision from the local authority:

Rezoning of the subject area at 57 Kiln Street to General Residential Area. The area proposed to be rezoned is identified at Appendix A.

Note:

I do not wish to be heard in support of my submission.

I do not wish to make a joint case at the hearing if others make a similar submission.

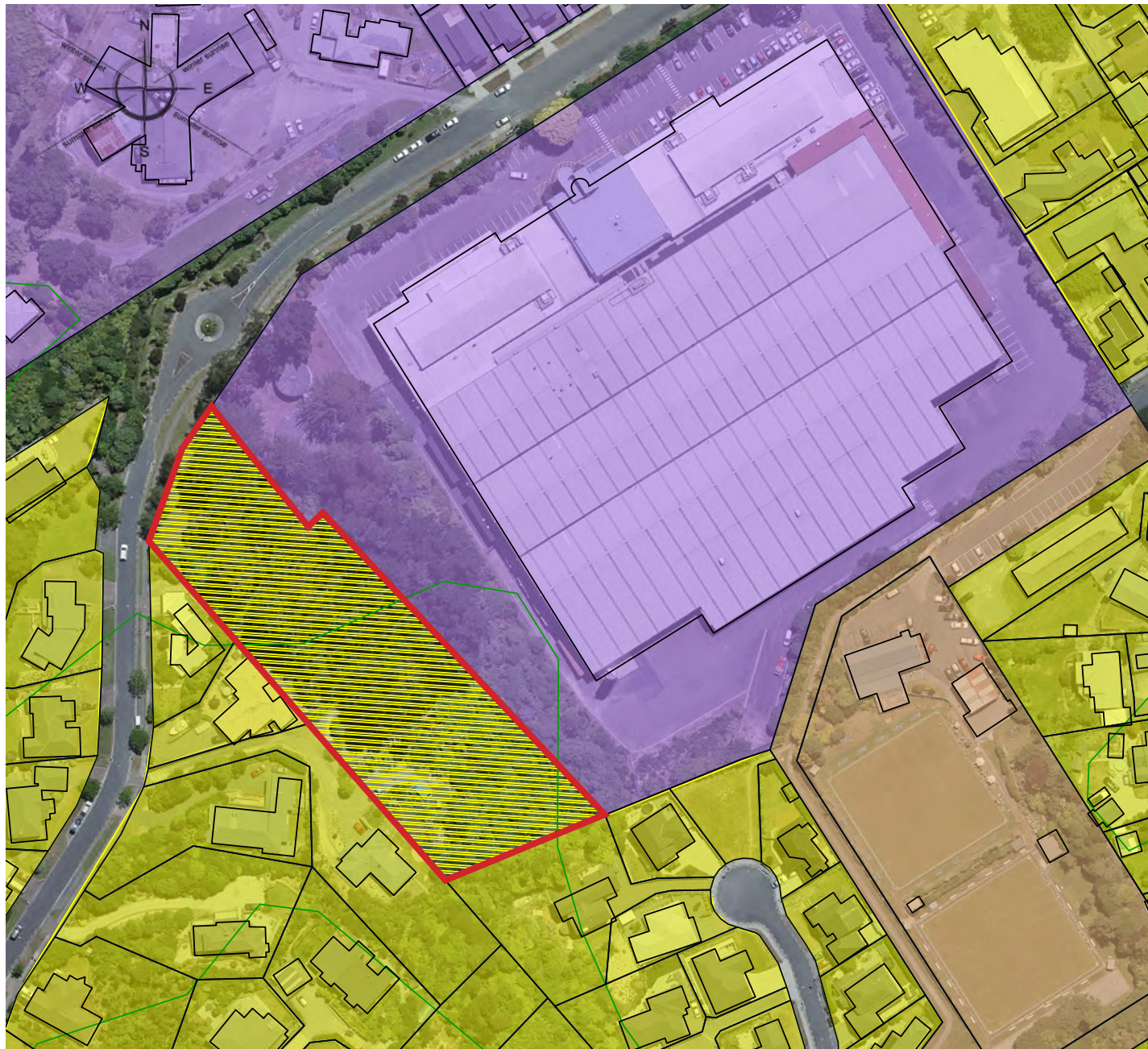


Signature:

Michael Hofmann-Body on behalf of the Trustees of Farrah Breads Family Trust

Date: 29 June 2022

57 KILN STREET RESIDENTIAL REZONING



Key:

- Residential Zone
- Business Industrial Zone
- Open Space Zone
- Area proposed to be rezoned as Residential
- Contours

Submission 30

Submission on Upper Hutt City Council's Intensification Planning Instrument 2022

Introduction. This joint submission incorporates parts of what we wrote separately to the Council in September 2021 in relation to its Plan Change 50. We recognise that a great deal of thought and care has gone into the huge document under review, but considered there was no way in which we could respond to the hundreds of interesting matters that it raises, and should instead revert to some significant criteria which we hope the Council has either already decided to observe or may now observe.

In general we regret that Upper Hutt has not joined up with councils throughout New Zealand in resisting or seeking to mitigate the government's unfortunate and ill-considered intensification policy, which is likely to make New Zealand a much less pleasant country to live in than it has been heretofore. Rather than, for example, attempting to disperse population growth across the country more evenly or establishing entirely new towns, it has provided a recipe for social conflict and slums. It is most important to recognise the past and present experience of many cities overseas, including London, Paris and Glasgow, where many multi-storeyed blocks of flats have become unpleasant and often dangerous, with inferior cladding, broken lifts, permanent graffiti, unsafe approaches, inadequate play areas, and even in some cases violent intimidation by drug gangs. This is not to be thought of as something that couldn't happen here, but as a lesson to be learnt. It was also very naive of a government to think that people living crowded along a railway line would give up their cars and go everywhere by train: railways in New Zealand function so erratically, having very frequent stoppages for maintenance, and don't necessarily serve places where people want to go. Besides, many streets throughout New Zealand in the close vicinity of a railway station may be among a city's loveliest, as is our York Avenue! The prospect of a future with more and more three- to six-storeyed dwellings in residential areas is depressing, and we entreat our Council to do everything it can to limit their number and prevent developers from transforming much of Upper Hutt for the worse.

Recommendations. Every application to build dwellings of more than two storeys must be carefully scrutinised by the Council and permitted only where certain standard criteria can be met. Its Intensification Planning Instrument has clearly had regard for some of these, but perhaps not all. For any proposed new housing block of three storeys or more to be acceptable anywhere in the city, it must be demonstrated that:

- 1) its likely effect on the natural environment including birdlife will be mitigated by obligatory planting of appropriate trees and shrubs;
- 2) the extent of concrete surfaces around it must be kept to a minimum, to reduce the likelihood of flooding of neighbouring properties, to provide space

for planting of trees and shrubs, and to retain some unsurfaced land available for waste disposal following an earthquake or other natural disaster;

3) it must be sited far enough away from existing houses not to impair their inhabitants' privacy, free movement and quality of life;

4) it must not obstruct sunlight from surrounding properties;

5) it must not destroy the pleasant outlook of surrounding properties for which these were located where they are;

6) it must not create wind tunnels for surrounding properties;

7) it must have adequate provision for tenants' off-street vehicle parking, whether underground or not, so that roadways are not clogged up with cars and in some cases perhaps even made impassable;

8) the approach to it by ambulances, delivery vans, service vehicles, tradespeople and rubbish collectors must be safe and unimpeded;

9) it must have adequate, safely fenced play areas for resident families with children;

10) its pedestrian access and entrances must be safe and unobstructed, including for prams and wheelchairs;

11) the building materials used, including for its cladding, must be of prime quality and resistant to fire and water damage;

12) assurance must be given that any internal corridors, stairs, lifts, doors, windows and balconies will be safe, reliable and fireproof;

13) the proposed building must be aesthetically pleasing and aspire to improve rather than detract from the existing environment; and

14) the consequential costs of any kind determined by the Council to be necessary such as those due to new drains, safety walls and fences, realigned public pavements, traffic lights or roundabouts in the general area of the dwellings or groups of dwellings must be met by developers, not by Upper Hutt ratepayers at large.

Patrick Waddington and
Kim Gutchlag
16 York Avenue, Upper Hutt,
29 September 2022.

Submission 31

Julie just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Julie Cowan

Postal address of submitter:

1/51A Pine Avenue, Ebdentown, Upper Hutt 5018

Email address:

juliecowan@xtra.co.nz

Telephone number:

0274632015

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

I oppose the following: Three dwellings each up to three storeys on each site in the residential zone without needing a resource consent. Housing at least six storeys within walking distance of trains and the CBD in the proposed high density residential zone. No maximum height for City Centre Buildings. Developers pay more up front to fund infrastructure required for growth.

My submission is that:

Resource Consent should be required for any building especially those up to 3 storeys high affecting neighbouring properties and long time Upper Hutt residents. There is no protection for neighbouring properties and developers seem to have very little restrictions. Lighting and privacy are lost. Native trees possibly hundreds of years old that have been overlooked and are not on the Notable Trees register are being chopped down in urban areas to squeeze yet another unit. Neighbouring properties are losing their appeal and value with Developers squeezing in as many units as possible right to the boundaries with little or no distance between housing. Upper Hutt is rapidly losing its fresh green clean image. Can Upper Hutt cope with the sudden influx of people? Pressure on

essential services, Health etc. All of the above relates to six storeys. No max height City Centre Buildings. There should be a maximum height restriction and also abide by building code so buildings are up to specifications should there be a major earthquake.. Worried Upper Hutt will loose its appeal. Developers should not be able to pay extra money for less restrictions!! Money should not be a factor!! Upper Hutt City will become a concrete jungle with no thought to the environment.

I seek the following decision from the local authority:

These new rules need to be carefully reviewed for the sake of Upper Hutt and the Environment!!! Reasons above. My decision would be to oppose (4 rules above). More restrictions and resource consents should be required to protect our people and especially our environment!!

Please indicate whether you wish to be heard in support of your submission:

I do wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do wish to make a joint case.

Submission 32



**SUBMISSION ON PROPOSED IPI PLAN CHANGE TO THE UPPER HUTT CITY DISTRICT PLAN
PURSUANT TO CLAUSE 6 OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT
1991**

To: Upper Hutt City Council
Civic Centre
838 – 842 Fergusson Drive
Upper Hutt 5019

Via email: planning@uhcc.govt.nz

Submitter: Z Energy Limited (“Z Energy”)
PO Box 2091
Wellington 6140

Address for Service: 4Sight Consulting Limited
201 Victoria Street West
Auckland Central
Auckland 1010

Attention: Sarah Westoby
Phone: 021 022 23527
Email: sarahw@4sight.co.nz

A. INTRODUCTION

1. Upper Hutt City Council (*Council*) is a Tier 1 authority and required to implement the intensification policies of the National Policy Statement for Urban Development (*NPS: UD*) and Medium Density Residential Standards (*MDRS*) to enable greater housing choice throughout Upper Hutt City (*the district*). Council has notified the Intensification Planning Instrument Plan Change (*IPI*) to its district plan in response to these requirements.
2. Z Energy has business interests within the district.
3. Z Energy's primary business includes a fuel retail network, pipelines, terminals and bulk storage terminal infrastructure situated around the country.
4. Z Energy supplies fuel to retail customers and large commercial customers like airlines, trucking companies, mines, shipping companies and vehicle fleet operators. It also provides bitumen to roading contractors.
5. Z Energy owns and manages:
 - a 15.4 per cent stake in Refining NZ which runs New Zealand's only oil refinery. Refining NZ was renamed Channel Infrastructure from April 2022, and now operates as an import terminal from Marsden Point under long-term contracts with its three customers, BP Oil New Zealand, Mobil Oil New Zealand Limited, and Z Energy;
 - a 25 per cent stake in Loyalty New Zealand which run Fly Buys;
 - approximately 200 service stations;
 - about 140 truck stops; and
 - pipelines, terminals and bulk storage terminal infrastructure around the country.
6. In June 2016, Z also purchased the assets of Chevron New Zealand, which sees Z as the wholesale fuel supplier to the network of Caltex-branded service stations. Most of the Caltex-branded retail network remains independently owned and operated, with the operators setting their own retail fuel prices. Since May 2022, Z Energy Limited is a subsidiary of Australian petroleum company, Ampol.
7. Part of Z Energy's retail fuel network includes two service station sites in Upper Hutt.
8. Z Energy's wider networks, and including its individual service stations, are important to the social and economic success of the district. It is important that the management of these networks are appropriately addressed in the IPI in order to ensure fuel supply for the district and beyond. This submission is focused on those issues that Z Energy perceives may inappropriately restrict or limit its existing operations. Broader environmental management concerns and concerns relating to the management of terminal assets are addressed in a separate submission.
9. In this case, Z Energy's two service station assets are both located on sites proposed to be (re)zoned Mixed-Use with residential zoning adjoining or in close proximity. This is reflected in the scope of the submission, which extends to new provisions proposed through the IPI that are relevant to service stations in the Mixed Use Zone.

B. THE SPECIFIC PROVISIONS OF THE IPI PLAN CHANGE THAT Z ENERGY'S SUBMISSION RELATES TO ARE SUMMARISED AS FOLLOWS

The specific provisions submitted on, the rationale for Z Energy's submission on each of these matters, and the relief sought is contained in Schedule A below. Specific changes sought to the provisions are highlighted **yellow** with deletions in ~~double strikethrough~~ and additions in double underline. Z Energy will also support alternative relief that achieves the same outcome(s).

In addition to the specific outcomes and relief sought, the following general relief is sought:

- a) Achieve the following:
 - i. The purpose and principles of the Resource Management Act 1991 (*RMA*) and consistency with the relevant provisions in Sections 6 - 8 *RMA*;
 - ii. Give effect to the Wellington Regional Policy Statement;
 - iii. Assist the Council to carry out its functions under Section 31 *RMA*;
 - iv. Meet the requirements of the statutory tests in section 32 *RMA*; and
 - v. Avoid, remedy or mitigate any relevant and identified environmental effects.
- b) Make any alternative or consequential relief as required to give effect to this submission, including, to the degree there is scope, any consequential relief required in any other sections of the Upper Hutt City District Plan ("the District Plan") and/or the IPI that are not specifically subject of this submission but where consequential changes are required to ensure a consistent approach is taken throughout the documents; and
- c) Any other relief required to give effect to the issues raised in this submission.

C. Z ENERGY REQUESTS TO BE HEARD IN SUPPORT OF THIS SUBMISSION.

D. IF OTHERS MAKE SIMILAR SUBMISSIONS Z ENERGY MAY BE PREPARED TO CONSIDER PRESENTING A JOINT CASE WITH THEM AT ANY HEARING.

E. Z ENERGY COULD NOT GAIN AN ADVANTAGE IN TRADE COMPETITION THROUGH THIS SUBMISSION.

F. Z ENERGY IS DIRECTLY AFFECTED BY AN EFFECT OF THE SUBJECT MATTER OF THE SUBMISSION THAT –

- I. ADVERSELY AFFECTS THE ENVIRONMENT; AND**
- II. DOES NOT RELATE TO TRADE COMPETITION OR THE EFFECTS OF TRADE COMPETITION.**

Signed for and on behalf of Z Energy Limited



Sarah Westoby
Principal Planner

Date this 30th September 2022

SCHEDULE A - SERVICE STATIONS, DRIVE THROUGH ACTIVITIES AND LANDSCAPING

Overview

- 1.1 The intent of the new / amended definitions of drive through activity and service station are generally supported. Drive through activities, as defined, include service stations. Both of Z Energy's service stations are therefore drive through activities. In the new Mixed Use Zone, drive through activities are a permitted activity (PA) (rule MUZ-R13) subject to two standards relating to maximum GFA (1(a)) and landscaping and screening (1(b)). The PA status of drive through activities is supported by Z Energy.
- 1.2 The change to the definition of service station is not supported insofar as it has consequential implications on the entire district plan, changes which are not supported and are considered questionable in terms of scope.
- 1.3 It is unclear, however, whether the PA rule and associated compliance with the standards relates to new service station activities **and** alterations to existing activities (such as an upgrade to an existing service station in the Mixed Use Zone). Z Energy supports PA status for existing activities.
- 1.4 It is also unclear whether existing activities need to comply with both of the associated standards. Z Energy seeks to clarify that:
 - a. The limitation on GFA does not include external areas of parking and manoeuvring or, in the alternative, if the intention is to include such areas, that parking and manoeuvring areas associated with a service station are specifically excluded from that limitation; and
 - b. The landscaping standards would not be triggered by additions, alterations, redevelopment, upgrades, new structures associated with and/or changes to an existing service station / drive through activity. Or, if the intention is that those activities comply with these standards, that the requirements in the standards can be reasonably applied to existing service station activities.
- 1.5 The key reasons for Z Energy's submission include:
 - a. Most service stations have a relatively small building footprint but include a comparatively larger area of hardstand, which includes the forecourt area and refilling areas for the underground tanks and can include car care areas (carwashes, air dispenser, vacuum dispenser), EV refuelling spaces and car parking spaces for vehicles to access the shop. While the spaces adjacent fuel dispensers or car care areas have not traditionally been interpreted as 'parking spaces', neither have external parking and manoeuvring areas been traditionally interpreted as part of GFA. The IPI is designed to introduce new outcomes into the District Plan and, as such, clarity about interpretation is required.
 - b. A significant number of traffic movements are made into and out of service station sites per day and hence visibility to the forecourt and signage is critical to a safe and successful operation. Landscaping along the front boundary of a service station, in particular, needs to be carefully managed to ensure that it does not compromise the operation of service station sites.
 - c. The requirement in the landscaping standard for screening of certain areas of a service station site from adjacent residential sites is impractical. Given that residential development on adjacent sites could be three storey's or more in height, this would require complete enclosure of certain areas (including carparks). This is not considered to be the intention, and nor is it considered necessary. Clarity is required.

Table 1: Z Energy submission to the IPI

Sub Point	Plan Provision	Position	Reason	Relief Sought
Definitions				
1	Drive-Through activity	Support	<p>The definition of drive-through activity is supported insofar as it relates to customers generally being vehicle-centric (as opposed to pedestrian-centric) and includes service stations.</p> <p>The proposed definition of drive through activity is as follows: <i>means any activity with a substantial focus on drive-through transactions, including service stations and drive-in or drive-through retail and services outlets and restaurants.</i></p>	Retain the definition as notified insofar as it relates to customers generally being vehicle-centric (as opposed to pedestrian-centric) and includes service stations.
2	Service Station	Support and Oppose	<p>The amendments to the definition of service station are supported in that the amended definition includes the refuelling of motorised vehicles. Electric vehicles (EVs) contain an electric motor (but not an internal combustion engine) so the refuelling of EVs is considered to be included in this definition.</p> <p>The proposed definition of service station is as follows: <i>means a vehicle orientated facility where the principal activity is the refuelling of motorised vehicles and sale of products and services associated with fuels and/or motor vehicles including lubricating oils, kerosene, LPG, spare parts, carwash facilities. It may also include ancillary activities such as car wash facilities, trailer hire and the sale of food and beverage.</i></p> <p>The definition is also supported, in the context of the IPI only to the extent that it describes the principal activity as being the refuelling of motorised vehicles AND the sale of certain products and services (associated with fuels and/or motor vehicles). The term 'and' in this definition implies that both components would need to be met in order for the activity to be a service station, meaning that unstaffed service stations (ie: those without a retail shop), would not be permitted activities in, for example, the Mixed Use zone. While that can be supported in the context of the IPI, the definition of service station is used throughout the Plan and including in zones not affected by the IPI. As an example, service stations that do not meet the new definition (eg: truck stops) would no longer be controlled activities in the Industrial zone. Accordingly, the change proposed to this definition has consequential implications on the entire district plan, changes which are not supported and are considered questionable in terms of scope.</p>	Retain the definition as notified but apply it only to those zones affected by the IPI; or Retain the definition as notified but ensure that the status of a <i>vehicle orientated facility where the principal activity is the refuelling of motorised vehicles and sale of products</i> does not consequentially change throughout the plan. As an example, ensure that the status of truck stop activities in the industrial zone is not inadvertently changed.
Mixed-Use Zone				
3	Rule MUZ-R3	Support	Demolition of buildings is a permitted activity under Rule MUZ-R3 and this is supported.	Retain Rule MUZ-R3 as notified.
4	Rule MUZ-R14	Support	Proposed Rule MUZ-R14 permits drive through activities, subject to meeting two qualifying standards; one relating to GFA and one relating to MUZ-S6. The existing definition of drive through activities includes service stations and is supported. The activity status for drive through activities in Rule MUZ-R14 is supported, including insofar as it does not differentiate between new or existing drive through activities and therefore includes additions, alterations, redevelopment, upgrades, new structures and changes to an existing service station / drive through activity. The requirement for permitted activity drive throughs to comply with the two qualifying standards is supported, notwithstanding that changes are also sought to those standards (see separate submission points).	Retain the permitted activity status of Drive through activities in rule MUZ-R14 subject to meeting two qualifying standards relating to GFA and Rule MUZ-S6.

Sub Point	Plan Provision	Position	Reason	Relief Sought
5	Rule MUZ-R14(1)(a)	Oppose	<p>The first qualifying standard (Condition 1a.) for PA status under MUZ-R14 identified above, is as follows: <i>The gross floor area of the activity including parking and manoeuvring areas does not exceed 1,500m².</i></p> <p>Z Energy does not support this condition if it includes the car parking and manoeuvring areas of service stations, such as forecourt areas, parking spaces associated with car care facilities and /or entry/ exit and other hardstand areas facilitating access throughout the site. – To apply the qualifying standard in that way would effectively mean that service stations were not permitted activities, as most modern service stations have an area exceeding 1500m².</p> <p>Z Energy seeks to exclude parking and manoeuvring areas at service stations from the calculation of GFA.</p>	<p>Amend Rule MUZ-R14(1)(a) to exclude parking and manoeuvring areas at service stations from the calculation of GFA. One way of achieving this outcome would be to make the following changes:</p> <p><i>Drive through Activity</i> <i>1. Activity status: Permitted</i> <i>Where:</i> <i>a. The gross floor area of the activity including parking and manoeuvring areas does not exceed 1,500m². For the purposes of this standard, except for service stations, gross floor area shall include parking and manoeuvring areas; and</i></p>
6	Rule MUZ – R14(1)(b)	Support	<p>The second qualifying standard (Condition 1b.) for PA status under MUZ-R14 is as follows: <i>... Compliance is achieved with MUZ-S6 (Landscaping and Screening).</i></p> <p>The requirement for permitted activity drive throughs to comply with 1b. is supported, notwithstanding that changes are sought to MUZ-S6 (Landscaping and Screening), (see separate submission points).</p>	<p>Retain MUZ-R14(1)(b)</p>
7	Standard MUZ-S6	Oppose	<p>In order to maintain the PA status under MUZ-R14 identified above, the second condition that is required to be met is Standard MUZ-S6 (via MUZ-R14(1)(b)).</p> <p>MUZ-S6 requires, inter alia, service areas and car parking areas to be screened, provision of landscaping or screening along a road boundary if there is car parking, and provision of at least 5% landscaping cover of ground level parking areas.</p> <p>Screening of service areas from adjoining sites are required to be “adequately screened” where they are visible from various areas. It is not clear what is meant by “adequately screened”. Furthermore, screening of such areas from adjoining sites is an impracticable requirement, unless full enclosure of such areas is the desired outcome, such screening should only be required from ground floor level of those sites. Clarification of the intent of this clause is required.</p> <p>Existing and established service stations have a significant number of traffic movements into and out of the site per day, and where visibility to the forecourt and signage is critical to a successful and safe operation. Clause 2(b) has the potential to compromise functional operations at existing Z Energy service station sites. As such, it is considered an exclusion for such activities to meeting clause 2(b) is warranted.</p> <p>Clause 3 requires additional landscaping for ground level parking areas not contained within buildings. Clarification is required that this landscaping is not in addition to the landscaping required in clause 2, for example, where the ground level parking is along the site boundary <u>directly adjoining a site zoned</u></p>	<p>Amend Standard MUZ-S6 as follows:</p> <p>Clarify the intent of clause 1 by deleting the word “adequately” and by amending the requirement to screen such areas from ground level only of adjoining more sensitive zoned land (unless the intent is to require full enclosure of such areas, in which case that outcome needs to be included if it can be justified). One way of achieving this would be to amend as follows:</p> <ol style="list-style-type: none"> 1. <u>Any on-site service areas, including rubbish collection areas, and areas for the outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be adequately screened by a fence or landscaping where they are visible from any:</u> <ol style="list-style-type: none"> a. <u>Public road;</u> b. <u>Other public space; or</u> c. <u>The ground level of any directly adjoining site zoned Residential or Open Space and Recreation.</u> <p>Amend clause 2, clarify what is meant by “fully screened” from adjoining more sensitive zones by including a reference to 1.8m high fencing or the equivalent in landscaping. And exclude existing service stations from compliance with clause 2(b). One way of achieving this would be to make changes as follows:</p> <ol style="list-style-type: none"> 2. <u>Any on-site parking area must:</u> <ol style="list-style-type: none"> a. <u>Be fully screened, by either a 1.8m high fence fencing or the equivalent in landscaping or a combination of both, from any directly adjoining site zoned Residential or Open Space and Recreation.</u> b. <u>Where located along a street edge, provide a landscaping strip that extends at least 1.5m from the boundary with the road and comprise a mix of trees, shrubs and ground cover plants, without preventing the provision of an entry point to the site. This does not apply to individual parking spaces for residential development, if provided or where the site is utilised by an existing service station activity.</u> <p>Amend clause 3, such that it does not apply in addition to the landscaping required in clause 2 (i.e.: for ground level parking along a site boundary <u>directly adjoining a site zoned Residential or Open Space and Recreation, or directly adjoining the front boundary</u>).</p> <ol style="list-style-type: none"> 3. <u>At least 5% of any ground level parking area not contained within a building and not directly adjoining the boundaries where screening or landscaping is required by clause (2) above.</u>

Sub Point	Plan Provision	Position	Reason	Relief Sought
			<u>Residential or Open Space and Recreation, or directly adjoining the front boundary.</u>	Note on 2(b): In the alternative, this standard could be amended to require that at existing service station sites, the existing landscape strip along the front boundary be retained up to a width of 1.5m and to not require trees.

Submission 33



**SUBMISSION ON PROPOSED IPI PLAN CHANGE TO THE UPPER HUTT CITY DISTRICT PLAN
PURSUANT TO CLAUSE 6 OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT
1991**

To: Upper Hutt City Council
Civic Centre
838 – 842 Fergusson Drive
Upper Hutt 5019

Via email: planning@uhcc.govt.nz

Submitter: bp Oil New Zealand Limited
PO Box 99 873
Auckland 1149

Mobil Oil New Zealand Limited
PO Box 1709
Auckland 1140

Z Energy Limited
PO Box 2091
Wellington 6140

Hereafter referred to as the Fuel Companies

Address for Service: 4Sight Consulting Limited
201 Victoria Street West
Auckland Central
Auckland 1010

Attention: Sarah Westoby
Phone: 021 022 23527
Email: sarahw@4sight.co.nz

A. INTRODUCTION

Upper Hutt City Council (*Council*) is a Tier 1 authority and required to implement the intensification policies of the National Policy Statement for Urban Development (*NPS: UD*) and Medium Density Residential Standards (*MDRS*) to enable greater housing choice throughout Upper Hutt City (*the district*). Council has notified the Intensification Planning Instrument Plan Change (*IPI*) to its district plan in response to these requirements.

bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (*the Fuel Companies*) receive, store, and distribute refined petroleum products around New Zealand. In the district, the Fuel Companies' core business relates to retail fuel outlets, including service stations, and supply to commercial facilities.

These existing activities include the storage and use of hazardous substances (typically petrol, diesel, and LPG), the refuelling of vehicles, and often other vehicle services (air pump, car wash, etc.), and retail activities. Fuel deliveries are undertaken via tankers which occur infrequently but often without restriction in terms of frequency or times. All sites have established vehicle crossings for access and exit, buildings, and signage (often illuminated). Dispensers are located beneath a forecourt canopy which is usually lit via under canopy lighting. Hours of operation vary and are not infrequently 24/7. These sites are required to comply with permitted noise limits of the district plan or limits otherwise included as conditions in an approved land use consent. The Fuel Companies' sites operate in accordance with Emergency Management Plans detailing procedures in case of emergency, including spills of hazardous substances.

These retail fuel activities are often located in a variety of zones, including at the edge of zones, and it is not unusual for these sites to immediately adjoin boundaries with residential zones (often where those residential activities are of lower density than anticipated by the NPS:UD and MDRS) or residential activities. While retail fuel activities can and do occur appropriately in a range of environments/zones, the perceived acceptability of potential adverse effects can be influenced by the intensity and nature of adjoining activities. This submission relates primarily to the interface of proposed higher density residential activities with existing lawfully established non-residential activities.

In this case, the Fuel Companies' assets are all located in sites proposed to be zoned Mixed-Use with residential zoning adjoining or in close proximity. This is reflected in the scope of the Fuel Companies' submission, which extends to new provisions proposed through the IPI that are relevant to service stations in the Mixed Use Zone.

B. THE SPECIFIC PROVISIONS OF THE IPI PLAN CHANGE THAT THE FUEL COMPANIES' SUBMISSION RELATES TO ARE SUMMARISED AS FOLLOWS

The specific provisions submitted on, the rationale for the Fuel Companies' submission on each of these matters, and the relief sought is contained in the schedule below. Specific changes sought to the provisions are highlighted **yellow** with deletions in ~~double strikethrough~~ and additions in double underline. The Fuel Companies support alternative relief that achieves the same outcome(s).

In addition to the specific outcomes and relief sought, the following general relief is sought:

- a) Achieve the following:
 - i. The purpose and principles of the Resource Management Act 1991 (*RMA*) and consistency with the relevant provisions in Sections 6 - 8 RMA;
 - ii. Give effect to the Wellington Regional Policy Statement;
 - iii. Assist the Council to carry out its functions under Section 31 RMA;
 - iv. Meet the requirements of the statutory tests in section 32 RMA; and
 - v. Avoid, remedy or mitigate any relevant and identified environmental effects;

- b) Make any alternative or consequential relief as required to give effect to this submission, including any consequential relief required in any other sections of the proposed plan that are not specifically subject of this submission but where consequential changes are required to ensure a consistent approach is taken throughout the document; and
- c) Any other relief required to give effect to the issues raised in this submission. In particular:
 - This submission has focussed on the proposed Mixed Use Zone because the Fuel Companies' assets are located in that proposed zone. Similar gaps in the policy and rule framework may be present in other non-residential zones (such as the City Centre Zone, Town Centre Zone, Local Centre Zone, and the Neighbourhood Centre Zone). For the purposes of consistency through the Plan and to appropriately manage and minimise effects of reverse sensitivity in similar instances as discussed in submission points below, additional relief may be necessary to any other provision in any other chapter in accordance with the relief sought to the proposed Mixed Use Zone.

- C. THE FUEL COMPANIES WISH TO BE HEARD IN SUPPORT OF THIS SUBMISSION.**
- D. IF OTHERS MAKE SIMILAR SUBMISSIONS THE FUEL COMPANIES MAY BE PREPARED TO CONSIDER PRESENTING A JOINT CASE WITH THEM AT ANY HEARING.**
- E. THE FUEL COMPANIES COULD NOT GAIN AN ADVANTAGE IN TRADE COMPETITION THROUGH THIS SUBMISSION.**
- F. THE FUEL COMPANIES ARE DIRECTLY AFFECTED BY AN EFFECT OF THE SUBJECT MATTER OF THE SUBMISSION THAT –**
 - I. ADVERSELY AFFECTS THE ENVIRONMENT; AND**
 - II. DOES NOT RELATE TO TRADE COMPETITION OR THE EFFECTS OF TRADE COMPETITION.**

Signed on behalf of Z Energy Limited, bp Oil New Zealand Limited and Mobil Oil New Zealand Limited



Sarah Westoby
Principal Planner

Date this 30th September 2022

SCHEDULE A - INTENSIFICATION

- 1.1 The Fuel Companies appreciate intensification changes are required under either the NPS:UD or the MDRS with little to no discretion on their applicability, other than for qualifying matters, and are neutral to them subject to ensuring reverse sensitivity effects on lawfully established retail fuel activities are appropriately managed.
- 1.2 The IPI will alter development potential around these facilities with corresponding potential to give rise to reverse sensitivity effects including nuisance effects (e.g., noise and lighting) and amenity effects. For instance, an occupier of a terraced apartment or residential occupier of a multi storey mixed use development is more likely to perceive noise and visual effects compared to an occupier of single storey dwelling and, more than likely, setback from the boundary and screened by a fence and landscaping, or commercial activity. The Fuel Companies consider this is a potential adverse effect on the ongoing operation, maintenance, and upgrade of these facilities, which are a physical resource that must be managed under the Act. The Fuel Companies anticipate that this will be a wider issue for non-residential activities more generally, which, like fuel industry sites, have demonstrated that they can operate in a range of zones and at zone interfaces.
- 1.3 The Fuel Companies acknowledge that relief is not appropriate in relation to the construction and use of up to three dwellings per site in accordance with permitted activity standards in residential zones. However, where consent is required in residential zones, and where residential development is a component of development in the Mixed Use Zone, the Fuel Companies consider that residential amenity and existing activities need to be appropriately protected by provisions which respond to the interface with the Mixed-Use Zone. This is reflected in the *National Medium Density Design Guide (Ministry for the Environment, May 2022)*¹ which encourages new development to respond to existing or proposed nearby non-residential activities.
- 1.4 To this effect, the Fuel Companies seek that the IPI be amended to ensure that reverse sensitivity effects on existing lawfully established non-residential activities are minimised. This could be achieved by amending the following provisions as set out in the following table (deletions in double strikethrough, additions in double underline). Alternative relief may achieve the same outcome.

SCHEDULE B - SERVICE STATIONS AND DRIVE THROUGH ACTIVITIES

- 1.5 The intent of the new / amended definitions of drive through activity and service station are generally supported. Drive through activities, as defined, include service stations. All of the Fuel Companies' assets in the district are service stations are therefore drive through activities. In the new Mixed Use Zone, drive through activities are a permitted activity (PA) (rule MUZ-R13) subject to two standards relating to maximum GFA (1(a)) and landscaping and screening (1(b)). The PA status of drive through activities is supported by the Fuel Companies.
- 1.6 The change to the definition of service station is not supported insofar as it has consequential implications on the entire district plan, changes which are not supported and are considered questionable in terms of scope.
- 1.7 It is unclear, however, whether the PA rule and associated compliance with the standards relates to new service station activities **and** alterations to existing activities (such as an upgrade to an existing service station in the Mixed Use Zone). The Fuel Companies support the PA status for existing activities and seek clarification that the rule, and compliance with the relevant standards does not relate to existing operation, maintenance, changes or upgrades to existing service station activities.
- 1.8 It is unclear whether existing activities and ongoing operations, maintenance, changes and upgrades need to comply with both of the associated standards. The Fuel Companies seek to clarify that:

¹ <https://environment.govt.nz/publications/national-medium-density-design-guide/>, accessed on 27 September 2022

- a. The limitation on GFA does not include external areas of parking and manoeuvring or, in the alternative, if the intention is to include such areas, that parking and manoeuvring areas associated with a service station are specifically excluded from that limitation; and
- b. The landscaping standards would not be triggered by additions, alterations, redevelopment, upgrades, new structures associated with and/or changes to an existing service station / drive through activity. Or, if the intention is that those activities comply with these standards, that the requirements in the standards can be reasonably applied to existing service station activities.

Table 1: Fuel Companies submission to the IPI

Sub Point	Plan Provision	Position	Reason	Relief Sought
Definitions				
1	Drive-Through activity	Support	<p>The definition of drive-through activity is supported insofar as it relates to customers generally being vehicle-centric (as opposed to pedestrian-centric) and includes service stations.</p> <p>The proposed definition of drive through activity is as follows: <i>means any activity with a substantial focus on drive-through transactions, including service stations and drive-in or drive-through retail and services outlets and restaurants.</i></p>	Retain the definition as notified insofar as it relates to customers generally being vehicle-centric (as opposed to pedestrian-centric) and includes service stations.
2	Service Station	Support and Oppose	<p>The amendments to the definition of service station are supported in that the amended definition includes the refuelling of motorised vehicles. Electric vehicles (EVs) contain an electric motor (but not an internal combustion engine) so the refuelling of EVs is considered to be included in this definition.</p> <p>The proposed definition of service station is as follows: <i>means a vehicle orientated facility where the principal activity is the refuelling of motorised vehicles and sale of products and services associated with fuels and/or motor vehicles including lubricating oils, kerosene, LPG, spare parts, carwash facilities. It may also include ancillary activities such as car wash facilities, trailer hire and the sale of food and beverage.</i></p> <p>The definition is also supported, in the context of the IPI only to the extent that it describes the principal activity as being the refuelling of motorised vehicles AND the sale of certain products and services (associated with fuels and/or motor vehicles). The term 'and' in this definition implies that both components would need to be met in order for the activity to be a service station, meaning that unstaffed service stations (ie: those without a retail shop), would not be permitted activities in, for example, the Mixed Use zone. While that can be supported in the context of the IPI, the definition of service station is used throughout the Plan and including in zones not affected by the IPI. As an example, service stations that do not meet the new definition (eg: truck stops) would no longer be controlled activities in the Industrial zone. Accordingly, the change proposed to this definition has consequential implications on the entire district plan, changes which are not supported by the Fuel Companies and are considered questionable in terms of scope.</p>	Retain the definition as notified but apply it only to those zones affected by the IPI; or Retain the definition as notified but ensure that the status of a <i>vehicle orientated facility where the principal activity is the refuelling of motorised vehicles and sale of products</i> does not consequentially change throughout the plan. As an example, ensure that the status of truck stop activities in the industrial zone is not inadvertently changed.
General Residential Zone				
3	Policies	Support in Part	<p>The overall suite of proposed policies are broadly supported however they do not appear to cover all relevant matters that the rules and standards seek to achieve.</p> <p>The IPI has potential to generate reverse sensitivity effects on lawfully established non-residential activities, particularly those operating at the interface with residential zones but also in mixed-use zones with increased residential density and this is not appropriately recognised throughout the policy framework of the GRZ.</p> <p>For the reasons set out in Schedule A above, it is appropriate that further policy direction in this regard be provided. A new policy is therefore sought to be amended to recognise that reverse sensitivity effects can affect residential</p>	<p>Include a new Policy as follows:</p> <p><u>New residential development should be designed to minimise reverse sensitivity effects on existing non-residential activities</u></p>

Sub Point	Plan Provision	Position	Reason	Relief Sought
			amenity and provide direction that such effects should be minimised through design.	
4	Rule GRZ-R11	Support in part	<p>Rule GRZ-R11, as amended, provides that buildings which do not comply with permitted activity standards are a restricted discretionary activity (RDA). This amendment is supported.</p> <p>The matters over which discretion is restricted are listed under the Rule in the same table and includes an amendment to matter 7 and proposed additional matters 9, 10 and 11.</p> <p>The Fuel Companies consider that residential amenity will be better protected for larger-scale and higher-density residential developments where they have been appropriately designed to manage reverse sensitivity where there is an interface with a Mixed-Use Zone, or with lawfully established non-residential activities.</p> <p>The relief sought is consistent with design principle 1(c): The Site of the National medium density design guide (Ministry for the Environment, May 2022) which seeks that current or proposed nearby non-residential activities are identified and that the development responds to them.</p>	<p>Amend the Matters of Discretion under Rule GRZ-R11 as follows:</p> <p>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 neighbourhood character and amenity. (8) Financial contributions. (9) <u>The matters contained in the Medium and High Density Design Guide in Appendix 1.</u> (10) <u>measures to avoid, remedy or mitigate adverse effects.</u> (11) <u>Cumulative effects.</u> (12) <u>Reverse sensitivity effects on existing lawfully established non-residential activities.</u> <p><u>This rule does not apply to residential units.</u></p>
5	New Rule GRZ-R12A	Support in part	<p>New Rule GRZ-R12A is supported insofar as it provides that construction and use of 4 or more residential units that comply with the listed standards is a restricted discretionary activity.</p> <p>However, the matters of discretion listed below the rule (which may also be used to impose conditions) do not go far enough to enable all relevant effects on residential amenities to be appropriately assessed.</p> <p>The Fuel Companies consider that residential amenity will be better protected for larger-scale and higher-density residential developments where they have been appropriately designed to manage reverse sensitivity where there is an interface with a Mixed-Use Zone, or with lawfully established non-residential activities.</p> <p>The relief sought is consistent with design principle 1(c): The Site of the National medium density design guide (Ministry for the Environment, May 2022) which seeks that current or proposed nearby non-residential activities are identified and that the development responds to them.</p>	<p>Amend the Matters of Discretion under Rule GRZ-R12A as follows:</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) <u>The matters contained in the Medium and High Density Design Guide in Appendix 1.</u> (2) <u>Site layout.</u> (7) <u>The matters contained in the Code of Practice for Civil Engineering Works.</u> (8) <u>Transport effects.</u> (3) <u>Cumulative effects.</u> (XX) <u>Reverse sensitivity effects on existing lawfully established non-residential activities.</u> <p>Note: it is recommended that the numbering is fixed.</p>
6	Rule GRZ-R12B	Support in part	<p>New Rule GRZ-R12B is supported insofar as it provides that construction and use of residential units that is not a PA and not covered by Rules R12 or R12A is an RDA.</p> <p>For the same reasons as identified and explained in Submission point 5 above, an amendment is sought.</p>	<p>Amend the Matters of Discretion under Rule GRZ-R12B as follows:</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) <u>The matters contained in the Medium and High Density Design Guide in Appendix 1.</u> (2) <u>Site layout and design.</u> (3) <u>The matters contained in the Code of Practice for Civil Engineering Works.</u> (4) <u>Consideration of the effects of the standard not met.</u> (5) <u>Transport effects.</u> (6) <u>Methods to avoid, remedy, or mitigate adverse effects.</u> (7) <u>Cumulative effects.</u> (8) <u>Reverse sensitivity effects on existing lawfully established non-residential activities.</u>

High Density Residential Zone

Sub Point	Plan Provision	Position	Reason	Relief Sought
7	Policy HRZ-P6	Support with amendment	<p>The IPI has potential to generate reverse sensitivity effects on lawfully established non-residential activities, particularly those operating at the interface with residential zones but also in centre and mixed-use zones with increased residential density and this is not appropriately recognised throughout the policy framework of the HDRZ.</p> <p>For the reasons set out in Schedule A above, it is appropriate that further policy direction in this regard be provided. Policy HRZ-P6 is therefore sought to be amended to recognise that reverse sensitivity effects can affect residential amenity and provide direction that such effects should be minimised through design. The Fuel Companies would support an amendment to another policy with similar effect or a new policy which appropriately addresses the management of effects of reverse sensitivity.</p>	<p>Amend Policy HRZ-P6 as follows:</p> <p><u>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 that achieves a built form that contributes to high-quality built environment outcomes including by:</u></p> <ul style="list-style-type: none"> (i) <u>Requiring designs to be consistent with Council's Medium and High Density Design Guide in Appendix 1; and</u> (ii) <u>Minimising reverse sensitivity effects on existing lawfully established non-residential activities</u>
8	Standard HRZ-S1	Support	<p>Standard HRZ-S1 states that the standards and matters of discretion contained in the GRZ chapter are applicable to permitted activities in the HRZ unless specifically provided for in the HRZ table below. This approach is supported.</p>	<p>Retain Standard HRZ-S1 as notified.</p>
9	Standard HRZ-S2	Support in part	<p>Permitted Activity Standard HRZ-S2 requires buildings in the HRZ to not exceed 20m in height. The same table also identifies the matters of discretion to consider where that standard is not met.</p> <p>The Fuel Companies consider that residential amenity will be better protected for larger-scale and higher-density residential developments, and where a development does not meet the PA height limit, where they have been appropriately designed to manage reverse sensitivity where there is an interface with a Centre or Mixed-Use Zone, or with lawfully established non-residential activities.</p> <p>The relief sought is consistent with design principle 1(c): The Site of the National medium density design guide (Ministry for the Environment, May 2022) which seeks that current or proposed nearby non-residential activities are identified and that the development responds to them.</p>	<p>Amend Standard HRZ-S2 as follows:</p> <p><u>Matters of discretion are restricted to:</u></p> <ul style="list-style-type: none"> (1) <u>Height and sunlight access.</u> (2) <u>Effects on public spaces</u> (3) <u>Setbacks and coverage.</u> (4) <u>Landscaping and screening.</u> (5) <u>Privacy effects.</u> (6) <u>The matters contained in the Medium and High Density Design Guide in Appendix 1.</u> (7) <u>Whether the building location, design, appearance, and scale is compatible in form and scale with the neighbourhood's planned built character.</u> (8) <u>Reverse sensitivity effects on existing lawfully established non-residential activities.</u>
10	Standard HRZ-S3	Support in part	<p>Permitted Activity Standard HRZ-S3 requires buildings in the HRZ to comply with HIRTB recession planes. The same table also identifies the matters of discretion to consider where that standard is not met.</p> <p>For the same reasons as identified above in submission point 9, the Fuel Companies consider that an amendment by way of addition to the matters of discretion is required.</p>	<p>Amend Standard HRZ-S3 to include the following matter of discretion:</p> <p><u>(7) Reverse sensitivity effects on existing lawfully established non-residential activities.</u></p>
11	Standard HRZ-S4	Support in part	<p>Permitted Activity Standard HRZ-S4 requires buildings in the HRZ to comply with a building coverage standard of 70%. The same table also identifies the matters of discretion to consider where that standard is not met.</p> <p>For the same reasons as identified above in submission point 9, the Fuel Companies consider that an amendment by way of addition to the matters of discretion is required.</p>	<p>Amend Standard HRZ-S4 to include the following matter of discretion:</p> <p><u>(7) Reverse sensitivity effects on existing lawfully established non-residential activities.</u></p>
12	Standard HRZ-S5	Support in part	<p>Permitted Activity Standard HRZ-S5 requires that there shall be no more than 6 residential units per site. The same table also identifies the matters of discretion to consider where that standard is not met.</p> <p>For the same reasons as identified above in submission point 9, the Fuel Companies consider that an amendment by way of addition to the matters of discretion is required.</p>	<p>Amend Standard HRZ-S5 to include the following matter of discretion:</p> <p><u>(7) Reverse sensitivity effects on existing lawfully established non-residential activities.</u></p>

Sub Point	Plan Provision	Position	Reason	Relief Sought
13	Rule HRZ-R8	Support in part	<p>Rule HRZ-R8 provides that buildings within the HRZ that exceed 20 metres in height are an RDA. The same table also identifies the matters of discretion to consider where that Rule is not met.</p> <p>For the same reasons as identified above in submission point 9, the Fuel Companies consider that an amendment by way of addition to the matters of discretion is required.</p>	<p>Amend Rule HRZ-R8 to include the following matter of discretion:</p> <p><u>(8) Reverse sensitivity effects on existing lawfully established non-residential activities.</u></p>
Mixed-Use Zone				
14	Objective MUZ-O1	Support	<p>The Fuel Companies support new Objective MUZ-O1 which provides that the mixed use zone accommodates a wide range of activities, including commercial, recreational, entertainment, 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>The objective is supported because it caters for a range of activities within the zone.</p>	Retain MUZ-O1 as notified.
15	Objective MUZ-O2	Support in part	<p>The Fuel Companies support new Objective MUZ-O2 in part.</p> <p>The heading associated with the objective is “Character and Amenity Values of the Mixed Use Zone”. The associated objective doesn’t appear to cover all aspects that the heading indicates that the objective relates to, at least in a way that makes it clear what the intent of the objective is. The objective doesn’t appear to address amenity values of the Mixed Use Zone which is understood to be founded on controls to ensure that the mix of activities are compatible. To better address the objective for the character and amenity values for the zone it is suggested an amendment is necessary.</p>	<p>Amend MUZ-O2 as follows:</p> <p><u>Mixed Use Zones are vibrant, attractive and safe urban environments. The built environment is well-designed, reflects the wide mix of compatible residential and non-residential activities and is generally of a medium to high scale and density.</u></p>
16	Objective MUZ-O3	Support in part	<p>The Fuel Companies support new Objective MUZ-O3 in part.</p> <p>The Fuel Companies consider it is important to manage effects between activities in the mixed use zone and activities on adjoining zones, in particular zones which enable more sensitive activities, including residential activities. It is just as important to manage the effects of activities within the zone with other activities in the same zone, given that it enables a mix of activities including more sensitive activities such as residential. This approach is reflected in Policy P2, Rule R16 and Standard S4 and on this basis, an amendment is sought at the objective level.</p>	<p>Amend MUZ-O3 heading, and text as follows:</p> <p><u>Managing Effects on Residential Amenity and at the Zone Interface</u></p> <p><u>Use and development within the Mixed Use Zone are of an appropriate scale and manage potential adverse effects on:</u></p> <ol style="list-style-type: none"> <u>the amenity values of adjoining sites in Residential or Open Space and Recreation Zones.</u> <u>the amenity values of residential activities within the same Zone.</u> <u>reverse sensitivity.</u>
17	Policy MUZ-P2	Support	The Fuel Companies support MUZ-P2 because it seeks to minimise reverse sensitivity effects on non-residential activities.	Retain Policy MUZ-P2 as notified.
18	Rule MUZ-R3	Support	Demolition of buildings is a permitted activity under Rule MUZ-R3 and this is supported.	Retain Rule MUZ-R3 as notified.
19	Rule MUZ-R14	Support	Proposed Rule MUZ-R14 permits drive through activities, subject to meeting two qualifying standards; one relating to GFA and one relating to MUZ-S6. The existing definition of drive through activities includes service stations and is supported. The activity status for drive through activities in Rule MUZ-R14 is supported, including insofar as it does not differentiate between new or existing drive through activities and therefore includes additions, alterations, redevelopment, upgrades, new structures and changes to an existing service station / drive through activity. The requirement for permitted activity drive throughs to comply with the two qualifying standards is supported subject to clarification that compliance is not required for ongoing operation, maintenance, changes and upgrades to existing service stations.	Retain the permitted activity status of Drive through activities in rule MUZ-R14 subject to meeting two qualifying standards relating to GFA and Standard MUZ-S6.

Sub Point	Plan Provision	Position	Reason	Relief Sought
20	Rule MUZ-R16	Support	Rule MUZ-R16 permits residential activities in the Mixed Use Zone where, inter alia, compliance is achieved with Standard MUZ-S4 (Noise and Ventilation). This rule is supported in that it appropriately protects new residential activities from potential effects from existing non-residential activities on adjoining sites	Retain Rule MUZ-R16 as notified.
21	Standard MUZ-S4	Support	Standard MUZ-S4 requires residential units to meet internal sound insulation standards in habitable rooms. The Fuel Companies support this standard and the associated Matters of Discretion because they both seek to manage effects of reverse sensitivity.	Retain Rule MUZ-S4 and associated matters of discretion as notified.
Medium and High Density Design Guide				
22	New Medium and High Density Design Guide	Support in part	<p>The Medium and High Density Design Guide is supported in part. It does not, however, mention a key good design principle of responding to the existing environment in terms of managing reverse sensitivity effects (not just in terms of responding to design for a high-quality built form outcome).</p> <p>The Fuel Companies therefore consider that the Medium and High Density Design Guide should be amended to include Point 1(c) on Page 6 of the <i>National Medium Density Design Guide (Ministry for the Environment, May 2022)</i>², which states (emphasis added):</p> <p><i>How close the development is to local centres, public transport services, and cycling infrastructure can help to determine site accessibility requirements. Identifying current or proposed non-residential activities nearby may also influence how the development responds, for example, maximising frontages to parks or minimising noise impacts of commercial activities and sites near main roads and railways.</i></p>	<p>Amend the Medium and High Density Design Guide so that it includes the following as an early-stage design criteria for medium and high density housing:</p> <p>Identifying current or proposed non-residential activities nearby may also influence how the development responds; for example, minimising noise impacts of commercial activities and sites near main roads and railways.</p>
Transport and Parking Chapter				
23	Rule TP-R3	Support	Proposed new Rule TP-R3 permits activities, buildings and structures if site access is compliant with Standard TP-S1. This new rule is supported in principle.	Retain Rule TP-R3 as notified.
24	Standard TP-S1	Support with clarification	<p>Proposed new Standard TP-S1 requires site access (if required or provided) to comply with six standards. Each are commented on below:</p> <ol style="list-style-type: none"> 1. The requirement that accessways and manoeuvring areas shall be formed and surfaced in accordance with the Council's CoP for Civil engineering Works (<i>the CoP</i>) is supported in principle. However, the CoP is comprehensive and refers to all stages of design and construction, and so, to be able to demonstrate compliance with the standard at the building consent, COC or resource consent stage, it should be made clearer as to which sections (by reference or heading) of the CoP need to be met. 2. As above 3. The requirement that vehicle access to a corner allotment be not closer than 8m from the street corner is not opposed. The Fuel Companies seek clarification as to when the standard is triggered by an activity. For example, it is unclear whether it relates to changes to existing operations, maintenance and upgrades of existing service stations. The Fuel Companies do not consider it appropriate to require resource consent for access purposes for changes to existing lawfully established operations, in particular where operations, 	<p>Amend Standard TP-S1 as follows:</p> <p><u>Where site access is required or provided the following standards apply:</u></p> <p>(1) All accessways and manoeuvring areas shall be formed and surfaced in accordance with the Code of Practice for Civil Engineering Works Sections X and Y. 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.</p> <p>(2) Sites shall have practical vehicle access to car parking and loading spaces (where provided or required), in accordance with the Code of Practice for Civil Engineering Works Sections X and Y. 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.</p> <p>3) Adequate vehicular access shall be made available to the rear of every new building in accordance with the Code of Practice for Civil Engineering Works.</p> <p>(3) 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 (as 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</p>

² <https://environment.govt.nz/publications/national-medium-density-design-guide/>, accessed on 27 September 2022

Sub Point	Plan Provision	Position	Reason	Relief Sought
			<p>maintenance and upgrades will not materially change vehicle movements to / from an existing lawful activity and no changes to existing vehicle crossings are proposed. The Fuel Companies consider sub-standard 3 need only apply to new activities and therefore relief is sought.</p> <p>4. <i>Where a corner allotment is located at an intersection of a national, primary or secondary arterial traffic route, as identified in TP-SCHED 1 – Roading Hierarchy, no building, fence or other structure is to be erected and no vegetation allowed to grow so as to obstruct a traffic sight line.</i> – The Fuel Companies support this standard as it is important to protect signage so that road users have clear visibility of all information necessary them to make clear and safe decisions. The standard, however, could potentially come into conflict with proposed Standard MUZ-S6 in the Mixed Use Zone (and potentially other landscaping standards in other Zones that require trees to be planted) because it requires road frontages to be planted with a mixture of vegetation including trees.</p> <p>5. Supported 6. Supported</p>	<p>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. <u>Note: This standard only relates to new allotments, new activities, or, where associated with an existing lawfully established activities, where the activity will result in a material change to the number or change to the nature of vehicle trips to and from the site.</u></p> <p><u>(4) Where a corner allotment is located at an intersection of a national, primary or secondary arterial traffic route, as identified in TP-SCHED 1 – Roading Hierarchy, no building, fence or other structure is to be erected and no vegetation allowed to grow so as to obstruct a traffic sight line.</u></p> <p><u>(5) 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.</u></p> <p><u>(6) 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.</u></p>

Submission 34

Mary Beth just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Mary Beth Taylor

Postal address of submitter:

165A Katherine Mansfield Drive, Whitemans Valley, Upper Hutt 5371

Address for service (if different from above)

165A Katherine Mansfield Drive,

Email address:

mbtaylor.tierra@gmail.com

Telephone number:

045283884

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

I support the proposed Plan Change in principle in its entirety.

My submission is that:

I support all provisions in the Plan Change with these considerations: 1. I would like to see work done around 'Limits to Growth' in Upper Hutt. Unlimited growth cannot be supported by the environment and its resources anywhere on the planet. Any future development must be dictated by the environment's ability to sustain all life without depletion and with enhancement. The current

poor health of Te Awakairangi shows that the river is already indicating it has reached its limit and further growth/extraction of water will further damage it. Much (much!) better water management and building code changes to introduce mandatory water collection and storage for new dwellings could help ease increasing pressure on the river. We need to know how far we can push the environment and resources and still maintain a healthy, function local natural environment. 2. Moderate intensification in areas that are already well functioning communities and where intensification is naturally controlled by difficult topography such as Pinehaven hills. 3. Plan to be protective of the natural environment in all cases. "The maintenance of indigenous biological diversity values within the Indigenous Biodiversity Precinct is encouraged." "Encouraged" is not strong enough language. The protection and enhancement of indigenous biodiversity is a must. Change 'encouraged' to "mandatory" or similar. The NPS IB will support this. 4. "The Indigenous Biodiversity Precinct identifies areas where the Council is applying additional policy direction and guidance regarding significant natural areas that have been identified for the purpose of giving effect to section 6(c) of the RMA and Policies 23 and 24 of the RPS, but have not yet been incorporated into the district plan via a comprehensive plan change." The lack of detail around the where and how of establishing the Biodiversity Precinct makes me nervous. This is not an optional future add-on. Biodiversity protection and enhancement must be at the core of all development from now on. There must be more than one Biodiversity Precinct. A good place to start is to formalise and enhance the Green Belt along the hills that frame the entire Upper Hutt river valley, east and west, north and south including the Silverstream Spur in its entirety as a road free reserve . 5. Infrastructure first. Combine need to expand and strengthen infrastructure with climate change mitigations. Include renewable generation-micro distributed or included in building plans for individual dwellings. Include storm water collection and storage for toilets, garden, car, pool where potable water is not necessary. Include a 3000lt minimum storage capacity for all dwellings either individual tanks or collective tanks. These tanks can be designed as in underground storage with car parking on top. Include carless areas with permeable surfaces. Create a ring road for CBD, a carless Main Street with provision for disabled access. Include cycle lanes and secure cycle storage on all main arterials such as Fergusson Drive, Alexander Road. More impermeable surfaces 6. Financial contributions (max \$10,000) is light. The need to incorporate renewable energy and other sustainability features into future infrastructure will be much more costly than it currently is. Increase development contributions to at least \$20,000 per allotment if not more. 7. I note that the existing Special Character Zone around the Golf Road, Barton Road and other areas is not mentioned in the IPI. Why not? Will this be included in the urban intensification plans for the city? Is this an equity issue? 8. Papakainga provisions are welcomed and long overdue. Having lived in SE Alaska (Juneau) in the 1970's I witnessed poor urban design for the local indigenous people. The result was an isolated, fenced 'Indian Village' with poorly, cheaply built, unhealthy housing along mud roads. I know this is not acceptable for this PC and hope to see the best urban design and healthy homes principles applied to Papakainga. In addition include maraes or spiritual gathering places and mara kai to create fully integrated and functional communities to include not only dwellings but active spaces where people can engage in meaningful work to support their community. 9. Landscaping must include a high percentage (at least 50%) of indigenous vegetation. This will help to re-create nature corridors across the river valley to join the east/west hills and provide safer passage and habitat for fauna.

I seek the following decision from the local authority:

Add additional and stronger environmental protections and enhancements in the Plan Change, research limits to growth for Upper Hutt, move ahead to enable urban intensification particularly along the existing main transport corridors.

Please indicate whether you wish to be heard in support of your submission:

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.



***Wellington Electricity Lines Limited
UHCC Intensification Planning Instrument (IPI)***

To Upper Hutt City Council

Sent via email to: planning@uhcc.govt.nz

FROM: Wellington Electricity Lines Limited
("WELL") PO Box 31049
Lower Hutt 5040

Date 30 September 2022



1.0 Introduction

- 1.1 Wellington Electricity Lines Limited ('WELL') appreciates the opportunity to provide comments in regard to Upper Hutt City Council's *Planning for Growth - Intensification Planning Instrument (IPI)* Plan Change.
- 1.2 WELL has provided preliminary feedback to other Councils within the Wellington Region in relation to the *Resource Management (Enabling Housing Supply and Other Matters) Amendment Act* and the National Policy Statement on Urban Development (NPS-UD).
- 1.3 In providing this feedback to Upper Hutt City Council (UHCC), concerns previously provided to other councils by WELL have been revisited in consideration of the IPI, particularly in regard to the adverse effects of Reverse Sensitivity on facilities owned and operated by WELL for electricity supply purposes.
- 1.4 In summarising this submission, WELL seeks to have protections in place for its electricity distribution network in consideration of intensified urban development in close proximity to key substation sites.
- 1.5 WELL wishes to ensure that any infrastructure issues are considered should anyone apply for a permitted activity high or medium density housing proposal.

2.0 Submission Context: Wellington Electricity Lines Limited

- 2.1 Wellington Electricity Lines Limited owns and operates electricity distribution network assets within the Wellington Region - inclusive of the Upper Hutt Valley.
- 2.2 WELL owns distribution substations, lines and cables located in public road reserve, as well as on private property and along easements.
- 2.3 WELL owns and operates Regionally Significant Infrastructure across the UHCC District as well as containing several critical substation sites within Upper Hutt City's residential areas. In consideration of the critical role and service these substations sites provide to current and future residents of the City, WELL wishes to ensure that only appropriate housing development occurs within close proximity to such facilities so as to ensure its continued safe and efficient functioning.
- 2.4 By providing this feedback it is the intention that matters pertaining to WELL's infrastructure operation and development across Upper Hutt City is recognised and protected in the wake of housing intensification – and furthermore, that the proposed IPI adequately recognises the potential effect of reverse sensitivity on the District's electricity supply network.
- 2.5 WELL appreciates that the IPI only allows for restricted feedback, and that submissions on the plan change can only be provided within the scope of the IPI currently being notified by Council under the Intensification Streamlined Planning Process (as set out in section 80E of *the Resource Management (Enabling Housing Supply and other matters) Amendment Act 2021*).
- 2.6 In consideration of this scope – WELL has concentrated this submission on the use of *Qualifying Matters* as a mechanism which is available to ensure that higher density housing



intensification on land abutting established electricity facilities is provided for so as to mitigate the actual and potential effects of reverse sensitivity.

- 2.7 Pursuant to the Resource Management Act 1991 (RMA) - WELL's electricity infrastructure is a significant physical resource that must be sustainably managed, and any adverse effects on that infrastructure must be remedied or mitigated – the impacts of the IPI currently being proposed is no exception to this management requirement.
- 2.8 Through this submission, WELL seeks to ensure protection of existing and lawfully established key substation sites which are located within the City's residential areas. The central point of protection stems from the actual and or potential effects of reverse sensitivity that will potentially be brought about through IPI implementation, and which will significantly increase the intensity of sensitive land use in close proximity to established substation facilities.

3.0 Submission: Overview

- 3.1 Through the IPI Plan Change Upper Hutt City Council is revising its operative district plan so as to give effect to Government directives on urban intensification.
- 3.2 As the plan change provisions are now open to 'limited' stakeholder feedback, it is important to note that such planning direction will ultimately require WELL to undertake significant works within the existing sections of distribution network that currently services the District - as well as to strategically plan for the required network expansion that will need to be sequenced to enable connections to the area's ensuing residential and commercial land use growth.
- 3.3 Through making this submission WELL wishes to stress the importance that existing *Regionally Significant Infrastructure* distribution assets in MRDS and High Density areas will need to be protected; and secondly, that new infrastructure that will undoubtedly be required is appropriately considered and integrated into the IPI Plan Change.
- 3.4 Following this context, this submission concentrates on how the IPI will affect WELL's effective supply of electricity to service current community needs, as well as across the district as a whole.
- 3.5 In particular – this submission seeks to ensure that the substation sites (as identified below) will not be unreasonably constrained through housing intensification on abutting residential land, and furthermore, that any such intensification will not result in the creation or exacerbation of Reverse Sensitivity effects.

<p>Brown Owl Zone Substation: 7/7A Akatarawa Road</p>	
<p>Trentham Zone Substation: 20 Sutherland Avenue</p>	

- 3.6 In this submission reverse sensitivity is taken to mean the vulnerability of an existing lawfully established activity to other activities in the vicinity which are sensitive to adverse environmental effects that may be generated by such existing activity, thereby creating the potential for the operation of such existing activity to be constrained.
- 3.7 Under the above meaning WELL's Brown Owl and Trentham Zone Substations are examples of lawfully established activities. Intensifying sensitive residential land use on properties abutting these facilities will increase the risk of reverse sensitivity – unless adequate recognition in the IPI is provided.

4.0 Brown Owl and Trentham Zone Substations

- 4.1 Through this submission WELL wishes to raise Council's awareness of the critically important Brown Owl Zone Substation and the Trentham Zone Substation, and seeks to have future residential intensification surrounding the sites reflect the established operation of the substation facilities – and thus mitigate the potential adverse effects of reverse sensitivity.
- 4.2 The Brown Owl Zone Substation is located in a residential setting on 7/7A Akatarawa Road and is supplied by two 33kV feeders. The site contains two indoor 33/11 kV, 20 MVA transformers, each supplying an 11kV 1,200 A bus section.
- 4.3 The residential properties surrounding the substation are all determined to be contained in a **Medium Density Residential Standard Zone** (as highlighted in yellow) under the IPI planning



maps, thereby enabling a high intensity and bulk of buildings such as apartments and townhouses as close as 1.0m from the site boundary and up to 3-stores high.

- 4.4 The Trentham Zone Substation is located in a residential setting at 20 Sutherland Avenue and is supplied by two 33kV feeders. The site contains two outdoor 33/11 kV, 20 MVA transformers, each supplying an 11kV 1,200 A bus section.
- 4.5 The residential properties to the north of the substation are all determined to be contained in a **High Density Residential Standard Zone** under the IPI planning maps, thereby enabling an even higher intensity and bulk of buildings such as apartments as close as 1.0m from the site boundary and up to a height of 20m.
- 4.6 The substation sites are identified in the Operative Upper Hutt City District Plan ('ODP') as being within the General Residential Zone (and Trentham Residential Centre Precinct) and both facilities are designated for electricity distribution purposes.
- 4.7 Notwithstanding the current land use zoning - under the IPI the site is to be contained in and surrounded by an increased medium density and high density urban development and therefore can be expected to see significant residential intensification surrounding the properties (to the west and south of Brown Owl, and north of Trentham).
- 4.8 In consideration of the potential for further sensitive land use to establish on abutting land, WELL seeks Council's agreement to apply their discretion in treating the designated zone substations as a 'Qualifying Matter' under the NPSUD, and thus protect the critical electricity supply facility from the adverse effects of actual or potential reverse sensitivity.
- 4.9 Concern over reverse sensitivity has been raised to other territorial authorities within the Wellington Region by WELL as a component of preliminary feedback to the housing enabling legislation – however, as the intensity provisions have now come in to effect by UHCC, WELL wish to take this opportunity to formally submit on this concern thus seeking effective and enduring protection to the Brown Owl and Trentham Substations.
- 4.10 As the City grows, so too will its demand for electricity and hence the demand on the Brown Owl and Trentham Substations. Such growth could ultimately require upgrades to the substations (for example new larger transformer(s) and possibly additional feeder lines).
- 4.11 WELL considers that Council's ability to regulate intensification in the MRDS and High Density Zone through qualifying matters could be applied to such areas immediately abutting existing sites and facilities owned by WELL.
- 4.12 Further to the above, Section 771 of the legislation - (Qualifying matters in applying medium density residential standards and policy 3 to relevant residential zones) of *the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021* - allows Council to make the relevant requirements within pockets of the high density areas less enabling of development if it is considered inappropriate for the area to accommodate it.



- 4.13 In consideration of UHCC’s ability to allocate qualifying matters, WELL seek that intensified urban development is appropriately regulated through the qualifying matters provisions in the legislation on land which abuts critical Regionally Significant Infrastructure and associated facilities such as the identified Substations.
- 4.14 WELL does not wish to prohibit intensified development being undertaken adjacent to the facilities as this is not the primary concern being expressed under this submission; rather, WELL seeks that any intensification of the above mentioned properties surrounding the substations are provided for as restricted discretionary development so as to adequately integrate appropriate feedback from WELL (as an affected party) and the provision of mitigation against the potential adverse effects of reverse sensitivity (i.e., noise mitigation, screening, health and safety).

5.0 Decisions Sought

- 5.1 As indicated above, WELL acknowledges the scope available to submitters on the IPI is limited in consideration of the parameters set under the Intensification Streamlined Planning Process (ISPP).
- 5.2 Notwithstanding the submission scope available to WELL, it is sought that, as a mechanism, ‘Qualifying Matters’ be applied by Council in relation to the substation site identified in this submission to the extent that neighbouring (abutting) Medium and High Density Standard Zone properties cannot develop (as a permitted activity) multi-unit housing only 1.0m setback for the boundary and up to 20m in height.
- 5.3 WELL seeks that all activities and development must comply with the provisions of the underlying Residential Activity Area of the ODP as they currently stand (as are currently operative).
- 5.4 WELL seeks that the sites identified in this submission are identified on the applicable district planning map overlays with appropriate annotations to the effect that either medium or high-density housing developments on abutting sites will require a land use consent as a Restricted Discretionary Activity thus enabling an effects assessment to be provided with appropriate reverse sensitivity mitigation being inherent to the development.
- 5.5 Should Council consider the ISPP process unable to adopt the sought relief, WELL alternatively seeks that the permitted activity performance standards contained within the IPI for Medium and High Density housing include reference to the potential effects of Regionally Significant Infrastructure, in particular linking the provisions to Proposed Policy **GRZ-P1B** and **HRZ-P1** of the ODP – and to amend the Policies as follows (additional text underlined):

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, Regionally Significant Infrastructure, historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga).



5.6 In addition to the above, WELL seek that Policy NU-P3 of the ODP is similarly reflected in the MRDS to ensure the adverse effects of the proposed housing intensification appropriately consider the adverse effects of reverse sensitivity on Regionally Significant Infrastructure such as the Brown Owl and Trentham Zone Substations.

6.0 Conclusion

6.1 WELL has reviewed the IPI Plan Changes to the Operative Upper Hutt City District Plan and has identified that the proposed provisions carry risks associated with reverse sensitivity.

6.2 The specific Sites identified in this submission are the Brown Owl and Trentham Zone Substations.

6.3 WELL seeks that Council identify these Sites on the applicable planning maps with the land surrounding the site being subject to Qualifying Matters so to enable development controls to be put in place through a Restricted Discretionary Activity status.

6.4 In the event that the ISPP process cannot assign Qualifying Matters to land within and surrounding the identified site, WELL seeks that the medium and high density performance standards indicate that permitted activity discretion can be given to the ODP Infrastructure chapter – particularly in regard to the avoidance of reverse sensitivity to Regionally Significant Infrastructure.

Signature for and on behalf of Wellington Electricity Lines Limited:

A handwritten signature in blue ink, appearing to read 'Tim Lester', written over a dotted line.

Tim Lester
021 993 223
tim.lester@edison.co.nz

Address for service:

Wellington Electricity Lines Limited
c/- Edison Consulting Group Ltd

PO Box 875

Hamilton 3240

Attention: Tim Lester

- WELL could not gain an advantage in trade competition through this submission.
- WELL is not directly affected by an effect of the subject matter of the submission that:



(a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition.

- WELL wishes to be heard in support of their submission.
- WELL will consider presenting a joint case with other submitters, who make a similar submission, at a hearing.



Summerset Group Holdings Limited
Level 27, Majestic Centre, 100 Willis St, Wellington
PO Box 5187, Wellington 6140
Phone: 04 894 7320 | **Fax:** 04 894 7319
Website: www.summerset.co.nz

28 September 2022

To: Upper Hutt City Council
By email: planning@uhcc.govt.nz

Dear Sir/Madam

Submission on Intensification Planning Instrument (IPI) on behalf of Summerset Group Holdings Limited

Summerset is one of New Zealand's leading and fastest growing retirement village operators, with more than 6,600 residents living in our village communities. We offer a range of independent living options and care, meaning that as our residents' needs change, we have support and options within the village. Summerset has 35 villages which are either completed or in development, spanning from Whangārei to Dunedin. We employ over 1,800 staff members across our various sites.

Summerset welcomes the opportunity to provide feedback to the Council on its IPI to respond to the National Policy Statement on Urban Development 2020 and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.

The Retirement Villages Association of New Zealand has made a submission on the provisions for zones, which is supported by Summerset. In particular, Summerset supports the inclusion of changes that are provided by the MDRS provision of the Enabling Housing Supply Act. Summerset requests the Council engages constructively with the Retirement Villages Association in relation to Council's IPI.

Summerset could not gain advantage in trade competition through this submission. Summerset does wish to be heard in support of its submission. If others are making a similar submission, Summerset would consider presenting a joint case with them at the hearing.

Yours faithfully,

A handwritten signature in blue ink, appearing to be "O. Boyd".

Oliver Boyd
National Development Manager



OFFICE USE ONLY

Submission number

37

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN
Planning for Growth - Intensification Planning Instrument (IPI)

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

Deliver to: Upper Hutt Civic Centre, 838 – 842 Fergusson Drive, Upper Hutt 5019

Post to: Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

Scan and email to: planning@uhcc.govt.nz

Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at planning@uhcc.govt.nz.

NAME OF SUBMITTER

KIMBERLEY VERMAEY

POSTAL ADDRESS OF SUBMITTER

42A CAMBRIDGE TERRACE

WAIWHETU, LOWER HUTT

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

CONTACT EMAIL

kimberley.vermaey@gmail.com

I could gain an advantage in trade competition through this submission (please tick one ☉): **yes** / **no**

Only answer this question if you ticked 'yes' above:

I am / **am not** (tick one ☉) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

see email

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

see email

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

see email

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I **do** wish to be heard in support of my submission.
 I **do not** wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I **do** wish to make a joint case.
 I **do not** wish to make a joint case.

Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE



DATE

30-09-22

From: [Kimberley Vermaey](#)
To: [UHCC Planning](#)
Subject: IPI submission
Date: Friday, 30 September 2022 12:07:46 pm
Attachments: [30092022114503-0001.pdf](#)

Hi

Please take this as my submission on the proposed residential changes to the Upper Hutt District Plan. My submissions points are as follows:

1. The new high density zone sets a maximum permitted number of residential units on a site as 6. This is highly permissive and will lead to poor urban design outcomes. Due to how the other rules of the chapter work, there is no control around having good solar access to outdoor living or internal living areas, the need for residential units to face the street, and generally trying to achieve good urban design outcomes for the City. The proposed approach is inconsistent with both Lower Hutt and Wellington City. The threshold should be reduced to 4 residential units as with these other cities. This will strike a balance between ensuring appropriate development is allowed for, while also ensuring more intense development achieves good urban design outcomes. I think it is important for Upper Hutt to recognise that a large amount of its future development is likely to be in the form of terraced housing and multi-unit development and therefore the rules should be designed for this development form.
2. The threshold for 6 residential units is inconsistent with how the Wellington Regional Water Services Standards work. These standards set a threshold of 3 residential units to when on-site mitigation is required to be considered to address the impacts of development on infrastructure. This higher level that Upper Hutt is proposing is inconsistent with the current Wellington Water approach and could result in significant impacts on infrastructure (including existing areas that are constrained). Again, a four residential unit limit is sought to allow for the consideration of the demand of future infrastructure to be considered. I would be surprised if Wellington Water was comfortable with such a high permitted threshold.
3. Related to the above is that under HRZ-S5 there is no consideration on the impact on infrastructure demand associated with developments that do not comply with this requirement. This appears to be a gap in the Matters of Discretion and it seems that Upper Hutt is relying on the subdivision process for this to be captured. However, developers would be able to get around this by obtaining land use consent first prior to seeking subdivision consent. It is sought that the loophole is closed and that the impacts on infrastructure from development is added as a Matter of Discretion to this standard. For the purposes of completion the GRZ-R12A allows for the consideration of the impacts on infrastructure (though it is questioned given the age of the Code of Practice whether this is the most appropriate reference and whether it should be the Wellington Regional Water Services Standards.
4. The new Matters of Discretion when a development does not comply with the standards are just a replication of one another and are not specific to the non-compliance (which they should be). For example with HRZ-S2 one of the matters of non-compliance is setbacks and coverage. This should not be a matter for consideration in a height non-compliance. This is an issue for all the HRZ standards and needs to be reviewed and the matters of discretion made more specific to the effects from non-compliance. This may result in a substantive change in the matters of discretion for both the GRZ and HDRZ chapters.

5. The hydraulic neutrality rules GRZ-S9 needs greater clarity to determine compliance. For starters does this apply to all buildings as intended (even garden sheds) and what constitutes development within the rule wording (I believe this word should be removed). Furthermore there is no allowance for climate change of soak pits. I feel the rule should be worded to only require hydraulic neutrality for buildings containing residential units and are also being connected into the council mains via either a lateral or kerb to channel connection. It should not apply to soakpit designs.
6. Within the HRZ-S4 a site coverage maximum of 70% has been set. However, for most of Upper Hutt City, stormwater control is through soakpit designs. There are minimum clearance distances that apply to soakpits from building edges. This high site coverage would likely not allow for these clearances to be met and therefore represents a threshold that cannot be met. Furthermore given the 20% landscaping requirement, outdoor living requirements and outlook requirements, and the fact that sites need appropriate pedestrian access it would be very difficult to ever achieve this 70% threshold. I feel that 60% site coverage for this standard would be more appropriate and would ensure that sites have sufficient space to provide for their servicing needs, access, while also meeting other District Plan standards requirements. A 60% requirement would still be more generous than the MDRS provisions and would still allow for housing yields to be met. It feels like this 70% provision has not been tested against the Wellington Water requirements as well as other District Plan standards.
7. There is no clear rule framework around fences. Given the need for better urban design outcomes, there is a case for fence heights in the General and High Density Residential Zones to be further controlled. It is suggested that a maximum fence height of 1.8m on the side boundary and 1.5m on the front boundary would be appropriate. The 1.5m fence height on the front boundary should also have a permeability requirement of either 25% or 50% to ensure the passive surveillance outcome sought through the glazing rule is achieved.
8. There is a proposal to remove the screen rule (GRZ - PREC1-S9). This rule should be retained and expanded and rewritten to require storage areas to be screened from public spaces. As residential intensification increases, the provision of on-site services becomes more important. The rules at the moment would allow for unscreened storage areas which are unsightly and can detract from streetscape values. There should be a rule that requires this as a minimum basic requirement. A rule like this would be consistent with other councils in the region.
9. It would be appropriate to bring in a rule that limits development around stream edges to allow for better environmental outcomes that align Regional Policy Statement and Proposed Natural Resources Plan. These include improved water quality, riparian margins, cultural outcomes and conveyancing of flood flows. The Enabling and Housing Bill would allow for these setbacks to be introduced as a qualifying matter. This change would require objective, policy, and rule changes to the High Density and General Density Residential Zones.
10. The proposed GRZ-Precinct 1 is pointless at the moment as there are no rules that relate to the vegetation retention. As the rule framework for residential development in the GRZ and HDRZ that intersect GRZ-Precinct 1 only elevates to Restricted Discretionary Activity status. The Matters of Discretion does not mention vegetation protection. As such, there is no way to give effect to the objective and policy direction. This can be addressed in two different ways:
 1. Making the protection of indigenous vegetation as a matter of discretion for all residential development that exceeds the maximum number of permitted residential units and site coverage non-compliances. This would have the benefit of applying to all sites in the urban areas and allows for the protection of significant vegetation that may be on site and

- will align with the proposed RPS-direction; or
2. Have a rule framework that requires introduces a vegetation protection consideration matter for new buildings in the Precinct area, when a building does not comply with the permitted activity standard.
11. My final point is that there is absolutely zero consideration of the potential impacts from wind from buildings over a certain height in the commercial and High Density Residential Zones. Wind deflection can present a significant risk to people and property. There needs an objective, policy and rule framework to address the wind effects from new buildings over 12m in height. Again this approach would be consistent with other District Plans and ensure that wind deflection issues are appropriately addressed from increased building height.
 12. This submission covers any consequential changes needed to the District Plan to ensure that the above 17 points are achieved.

Please let me know if you have any questions regarding my submission.

Kimberley

Submission 38

What would I know just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Rowena Simpkins

Postal address of submitter:

45 Blueberry Grove Timberlea Upper Hutt

Email address:

rowrnasimpkiss3@gmail.com

Telephone number:

0220329515

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Housing intensification as directed by Central government

My submission is that:

I oppose the government's housing intensification plan. Some of this type of housing is already being built in Upper Hutt in areas such as Royal and Gibbons Streets, Exchange Street, Merton Street and Marion. Street. Privacy and sunlight will be minimal with nowhere to grow food or flowers and no space for children to play on their own property. Upper Hutt City Council needs to stand strongly against this type of housing as Christchurch has done. People will be living like chickens in intensive chicken factory farms. The affect on mental health and well-being will be depression, anxiety and feelings of claustrophobia. I will be gone by the time Upper Hutt's greenery and unique environment is replaced by wind tunnels and shade. I feel for those growing up now who will have this lifestyle to look forward to and for the children they have.

I seek the following decision from the local authority:

I want this blanket housing intensification opposed.

Please indicate whether you wish to be heard in support of your submission:

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.



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Submission number

39

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN
Planning for Growth - Intensification Planning Instrument (IPI)

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

Deliver to: Upper Hutt Civic Centre, 838 – 842 Fergusson Drive, Upper Hutt 5019

Post to: Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

Scan and email to: planning@uhcc.govt.nz

Details of submitter

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NAME OF SUBMITTER **Design Network Architecture Limited**

POSTAL ADDRESS OF SUBMITTER **PO Box 30614, Lower Hutt 5040**

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE **(04) 569 6109**

CONTACT EMAIL **planning@designnetwork.co.nz**

I could gain an advantage in trade competition through this submission (please tick one): **yes** / **no**

Only answer this question if you ticked 'yes' above:

I **am** / **am not** (tick one) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

HRZ-S3 - Height in relation to boundary

GRZ-S15 - Windows to street

GRZ-S16 - Landscaped area

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

We are seeking clarification of these standards, as per the attached document

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

As per attached document

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I **do** wish to be heard in support of my submission.
- I **do not** wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I **do** wish to make a joint case.
- I **do not** wish to make a joint case.

Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

Laura Gaudin

(on behalf of Design Network Architecture Limited)

DATE

30/09/2022

30 September 2022

**DISTRICT PLAN TEAM
UPPER HUTT CITY COUNCIL**

Dear Planning Team,

We put forward this submission to clarify the following rules/standards of the Intensification Planning Instrument:

○ **Standard HRZ-S3 – Height in relation to boundary**

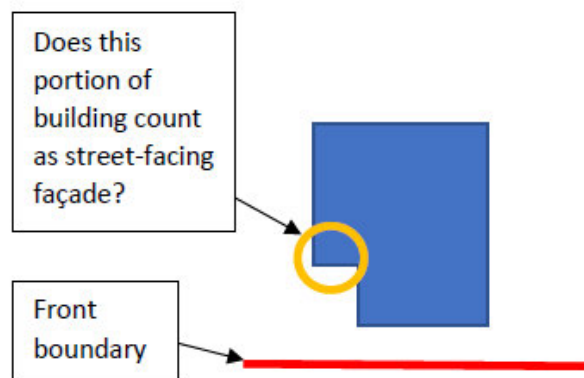
Clarify

GRZ-S8 specifically states that the height in relation boundary standard does not apply to ‘existing or proposed internal boundaries within a site’. Could you please clarify whether this exclusion is also intended to apply to HRZ-S3? If not, we suggest that the High Residential Zone similarly host an exclusion for internal boundary recession planes.

○ **Standard GRZ-S15 – Windows to street**

Clarify

This standard refers to glazing of the ‘street-facing façade’. Does the street-facing façade apply to the full front elevation, even say if part of the elevation was set back further from the front boundary?



We request that this be clarified, potentially through a definition being given for ‘street-facing façade’.



- **Standard GRZ-S16 – Landscaped area**

- Clarify**

If a site is being subdivided, how does this rule apply? Does the subdivision aspect mean that every proposed allotment then becomes a ‘developed site’, which would individually be required to comply with the 20% landscaped area? Or in cases of joint land use and subdivision applications would only the parent allotment (prior to subdivision) be required to meet the 20% landscaped area standard?

Regards,



Laura Gaudin
Design Network Architecture Limited



OFFICE USE ONLY

Submission number

40

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN **Planning for Growth - Intensification Planning Instrument (IPI)**

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

Deliver to: Upper Hutt Civic Centre, 838 – 842 Fergusson Drive, Upper Hutt 5019

Post to: Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

Scan and email to: planning@uhcc.govt.nz

Details of submitter

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NAME OF SUBMITTER **Dean Spicer**

POSTAL ADDRESS OF SUBMITTER

AGENT ACTING FOR SUBMITTER (IF APPLICABLE) **Elliott Thornton**

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE) **Cuttriss Consultants Ltd, C/- PO Box 30-429, Lower Hutt**

CONTACT TELEPHONE **021449053**

CONTACT EMAIL

elliott.thornton@cuttriss.co.nz

I could gain an advantage in trade competition through this submission (please tick one): **yes** / **no**

Only answer this question if you ticked 'yes' above:

I **am** / **am not** (tick one) directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

See attached letter

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

See attached letter

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

See attached letter

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I **do** wish to be heard in support of my submission.
 I **do not** wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I **do** wish to make a joint case.
 I **do not** wish to make a joint case.

Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE



DATE

30/09/22

ref: Thornton/23110

30th September 2022

Upper Hutt City Council
Private Bag 907
Upper Hutt 5140

Via Proposed District Plan submissions

Dear Upper Hutt City Council

SUBMISSION TO PROPOSED UPPER HUTT CITY COUNCIL DISTRICT PLAN

This is a submission on behalf of our client Dean Spicer (the applicant) generally in support of the Proposed plan changes to the Upper Hutt City Council District Plan (Planning for Growth – Intensification Planning Instrument (IPI)) however they oppose not rezoning land at 168/180/180A/186/216/224A/224B/264G Parkes Line Road, Maymorn to Large Lot Residential Zone.

On behalf of the applicant, we are seeking to have their property at 224a Parke Lines Road and the surrounding block of land noted above, rezoned to density at least congruent to Large Lot Residential Zone under the National Planning Standards, which is predominately residential, considers some of the unique characteristics of the area. We have offered reasoning for your consideration below:

National Policy Statement on Urban Development 2020

This large block of land that is sited at 168/180/180A/186/216/224A/224B/264G Parkes Line Road, Maymorn, Upper Hutt. We consider it appropriate to rezone this entire block of land to provide for residential development (at least large lot residential development), as enabled by the section 77G(4) of the Resource Management Act 1991 (the Act) to give effect to policy 2 of the **National Policy Statement on Urban Development 2020** (NPS-UD) requiring the Upper Hutt City Council, as a tier 1 Council, to enable sufficient development capacity to meet expected demand for housing over the short and medium term.

To meet the definition of sufficient, the development capacity must be plan enabled, infrastructure ready, feasible and reasonably expected to be realised, and meet the expected demand plus appropriate competitiveness margin.

Plan-enabled

As per clause 3.2(2)(a) of the NPS-UD, Upper Hutt City Council must provide sufficient development capacity that is plan-enabled. Under clause 3.4(1) of the NPS-UD, plan enabled means land identified for growth in the medium term is zoned for housing in the

PDP. To meet policy 2 of the NPS-UD the land should be rezoned Large Lot Residential as part of the Proposed District Plan Change IPI in order to meet clause 3.4(1)(b) of the NPS-UD.

This block of land is uniquely situation to provide for future growth and development opportunities as it is connected to infrastructure and has a reasonably gentle contour falling to the north west. Rezoning of this block of land will be consistent with the zoning on Maclaren Street and the northern side of Parkes Line Road which surround the block. Large Lot Residential zoning of this land will provide for a transition from lifestyle sections sizes to larger rural land holdings to the south and east of the site.

Infrastructure-ready

As per clause 3.2(2)(b) of the NPS-UD, Upper Hutt City Council must provide sufficient development capacity that is infrastructure-ready. The site already meets the definition of being infrastructure-ready under clause 3.4(3) of the NPS-UD in that there is already adequate existing development infrastructure. This includes:

- **Network infrastructure** including power, telecommunications, wastewater and water services are already running along Parkes Line Road, Large Lot Residential land sizes are however capable of containing on-site effluent disposal and potable water supply if necessary; and
- **Transportation infrastructure** access to the site and connectivity through the property can be easily achieved with a large frontage available along Parkes Line Road.

Feasible and reasonably expected to be realised

As per clause 3.2(2)(c) of the NPS-UD, Upper Hutt City Council must provide sufficient development capacity that is feasible and reasonably expected to be realised. Given the demand for housing, availability of infrastructure and surrounding context being already zoned Rural Lifestyle to the north and west, there is no indication that development of the site for large lot residential would not be feasible or reasonably expected to be realised.

In addition to the matters raised above, the surrounding zoning, topography and infrastructure availability make this a logical extension of the lifestyle zoning, giving way to more intensive residential development at some point in the future, if not as part of the IPI.

Meet expected demand plus appropriate competitive margin

As per clause 3.2(2)(d) of the NPS-UD, Upper Hutt City Council must provide sufficient development capacity that to meet expected demand plus appropriate competitive margin. Clause 3.22 of the NPS-UD requires that in addition to expected demand, a 20% margin be applied to provide for competition.

Qualifying Matters

Having regard to section 770 of the Act, there are no qualifying matters that would preclude the rezoning of the above land to Large Lot Residential Zone.

Cuttriss

Surveyors. Engineers. Planners.

Summary

This block of land including the land the applicant's site at 224A Parkes Line Road is some of the most suitable land for Large Lot Residential development. Surrounding by existing lifestyle zoning, infrastructure readily available at the road or able to be accommodated on site and access available it is a logical block of land to rezone.

Rezoning this land is consistent with the NPS-UD as it will add to the development capacity, satisfying Councils requirements to provide or realise development capacity along with enabling enhanced competitiveness which will assist with housing affordability.

Yours faithfully



Elliott Thornton, BUrbEnvPlan, MNZPI
Principal Planner
CUTTRISS CONSULTANTS LTD
Elliott.Thornton@cuttriss.co.nz



Figure 1: Block of land proposed to rezone to Large Lot Residential



Figure 2 Current zoning Rural Production (Green) and Rural Lifestyle (Peach). Block proposed for Large Lot Residential Zoning highlighted in yellow



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Submission number

41

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN
Planning for Growth - Intensification Planning Instrument (IPI)

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

Deliver to: Upper Hutt Civic Centre, 838 – 842 Fergusson Drive, Upper Hutt 5019

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Scan and email to: planning@uhcc.govt.nz

Details of submitter

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NAME OF SUBMITTER **Greater Wellington Regional Council**

POSTAL ADDRESS OF SUBMITTER **PO Box 11646, Manners Street, Wellington 6142**

AGENT ACTING FOR SUBMITTER (IF APPLICABLE) **Kat Banyard**

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE **021 950 932**

CONTACT EMAIL **kat.banyard@gw.govt.nz**

I could gain an advantage in trade competition through this submission (please tick one): **yes** / **no**

Only answer this question if you ticked 'yes' above:

I **am** / **am not** (tick one) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

See Attachment 1 and Attachment 2.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

See Attachment 1 and Attachment 2.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

See Attachment 1 and Attachment 2.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I **do** wish to be heard in support of my submission.
 I **do not** wish to be heard in support of my submission.


Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I **do** wish to make a joint case.
 I **do not** wish to make a joint case.

Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE



DATE 30/09/2022

Attachment 1: Greater Wellington Regional Council Submission

To:	Upper Hutt City Council
Submission on:	Intensification Planning Instrument

REASON FOR SUBMISSION

1. The Greater Wellington Regional Council (**Greater Wellington**) wishes to make a submission on the Intensification Planning Instrument (**IPI**) for the Upper Hutt Operative District Plan pursuant to Schedule 1 clause 6 of the Resource Management Act 1991 (**the Act**). This submission is from Greater Wellington officers.
2. Greater Wellington supports in part the IPI, and seeks some amendments. Of particular interest is ensuring consistency with the Regional Policy Statement for the Wellington Region (**RPS**) and Proposed RPS Change 1, which was notified on 19 August 2022.
3. The general and specific reasons for Greater Wellington's relief are set out in this submission and responses to specific provisions are included in Attachment 2, to be read alongside this submission. Greater Wellington could not gain an advantage in trade competition through this submission.

SCOPE TO GIVE EFFECT TO THE RPS AND HAVE REGARD TO PROPOSED RPS CHANGE 1

4. We understand that Upper Hutt City Council (**UHCC**) is required to use the Intensification Streamlined Planning Process to give effect to Policies 3 and 4 of the NPS-UD and implement the Medium Density Residential Standards (**MDRS**). The focus and therefore scope of the IPI is constrained to those matters.
5. Attachment 2 contains detailed comments on the IPI, including specific direction from both the operative RPS and Proposed RPS Change 1. The IPI must give effect to the operative RPS and have regard to Proposed RPS Change 1. In some instances, the IPI or Operative District Plan is already consistent with Proposed RPS Change 1. Greater Wellington's submission seeks alignment with the direction and intent of regulatory policies that apply to district plans where necessary.
6. Greater Wellington considers there is sufficient scope to amend or introduce provisions as is necessary to manage the levels of intensification being enabled by the IPI.
7. Section 80E of the Act provides for an IPI to amend or include:
 - Provisions relating to financial contributions
 - Provisions to enable papakāinga housing in the district
 - Related provisions, including objectives, policies, rules, standards, and zones that support, or are consequential on the MDRS or policies 3,4 and 5 of the NPS-UD.
8. Section 80E(2) describes related provisions to include (without limitation):

- District-wide matters
 - Earthworks
 - Fencing
 - Infrastructure
 - Qualifying matters identified in accordance with sections 77I or 77O
 - Stormwater management (including permeability and hydraulic neutrality)
 - Subdivision of land.
9. Some relief sought by Greater Wellington is as “related provisions” that are generally considered consequential to the proposals for intensification, in order to manage the subsequent potential effects. This is consistent with the Environment Select Committee’s advice on the RMA Enabling Housing Supply and Other Matters Amendment Act to enable adjustments to other parts of the District Plan in an Intensification Streamlined Planning Process to manage issues and support the implementation of the MDRS. Greater Wellington considers there is therefore sufficient scope to amend or introduce the provisions as requested. The related provision relevant to each submission point is identified in Attachment 2.
10. In some instances, Greater Wellington seeks relief for new or amended provisions as qualifying matters to restrict the required density of the MDRS. Where this is requested, the qualifying matter has been described and how it meets the requirements of section 77I or 77O.

POLICY FRAMEWORK

Regional Policy Statement for the Wellington Region

11. The RPS is a regional document that identifies significant resource management issues within the region and sets out the objectives, policies and methods to achieve integrated management of natural and physical resources for the Wellington region. The RPS was made operative on 24 April 2013.
12. District plans must give effect to the operative RPS. The RPS contains four types of policies: regulatory policies must be given effect to when making changes to district and regional plans (in accordance with section 75 of the Act). Consideration policies are to be considered when deciding on resource consents, notice of requirements, or a change, variation or replacement to a plan. Some of the consideration policies cease to have effect once the regulatory policies are given effect to through district or regional plans.

Proposed Change 1 to the Regional Policy Statement for the Wellington Region

13. Proposed RPS Change 1 addresses four significant and urgent resource management issues for the region:
- the impacts of climate change
 - loss and degradation of indigenous biodiversity
 - degradation of freshwater

- lack of urban development capacity.
14. Proposed RPS Change 1 provides new direction to district plans across several areas, to ensure that urban intensification occurring across the region is not at the expense of indigenous biodiversity, freshwater, coastal environments, the region's transition to being low-emission and climate resilient, and the ability for Māori to express their cultural and traditional norms.
 15. The NPS-FM requires Te Mana o te Wai to be articulated and long-term visions for freshwater in the region to be embedded in the RPS. Freshwater visions for each whaitua are being developed and will be added in future changes or through submissions. Statements of Te Mana o Te Wai expressions for Rangitāne o Wairarapa and Kahungunu ki Wairarapa are included in Proposed RPS Change 1. Our four other mana whenua / tangata whenua partners are developing expressions of Te Mana o Te Wai, which are intended to be added in future changes or submissions.
 16. UHCC must have regard to Proposed RPS Change 1 when preparing or changing a District Plan under section 74(2)(a) of the Act.

Proposed Natural Resources Plan

17. The Proposed Natural Resources Plan includes objectives, policies, methods and rules to manage the natural resources of fresh water, air, soil, and the coastal marine area. The Natural Resources Plan establishes rules for activities that discharge contaminants into water or to land where the contaminant might enter water, such as wastewater and stormwater discharges. It also restricts certain uses of land within natural wetlands and beds of lakes and rivers, such as structures, vegetation clearance and earthworks.
18. Under section 74(2)(a) of the Act, UHCC must have regard to the Natural Resources Plan for any matter of regional significance or for which the regional council has primary responsibility under Part 4 of the Act. By the time decisions are made on the IPI, the regional plan is likely to be operative, at which point the IPI must not be inconsistent with the Natural Resources Plan for any matter specified in section 30(1) of the Act.

The Wellington Regional Growth Framework

19. The Wellington Regional Growth Framework is a non-statutory document that describes a long-term vision for how the region will grow, change and respond to key urban development challenges and opportunities in a way that gets the best outcomes and maximises the benefits across the region. The current priorities are housing supply, affordability and choice; transport choice and access; Iwi/Māori housing, capacity and taonga; and climate change and resilience.

URBAN INTENSIFICATION TO CONTRIBUTE TO WELL-FUNCTIONING URBAN ENVIRONMENTS

20. Greater Wellington supports well-planned urban intensification which contributes to the qualities and characteristics of well-functioning urban environments. Intensification should occur in appropriate areas that are not subject to qualifying matters to ensure that intensification does not occur at the expense of the natural environment.

21. Growth within the existing urban footprint aligns with both operative and proposed RPS direction. Development located in and around centres and along public transport corridors supports a reduced need to travel by private motor vehicle and enhanced access to public transport, walking and cycling for more trips. This approach will contribute to reduced carbon emissions, mode shift and liveability outcomes. We support UHCC providing for intensification through implementation of the National Policy Statement for Urban Development and Housing Amendment Act.
22. Greater Wellington notes that UHCC plans to continue PC50 as a rural review only at a later stage. We support well-planned greenfield development in some instances where appropriate and will continue to engage on PC50 in the future. Greater Wellington's comments on the draft PC50 provisions observed that amenity values and effects provisions tended to be overly prominent or directive, which could affect the District Plan's ability to achieve housing demand and RPS objectives. We seek to ensure that our feedback has been considered and reflected as necessary in the IPI and subsequent plan changes.

RELIEF SOUGHT

23. Greater Wellington seeks the following decisions from UHCC:

- amendments to the IPI as sought in this submission
- the relief as set out in Attachment 2
- any other similar relief that would deal with Greater Wellington's concerns set out in this submission and
- any consequential amendments necessary to the IPI arising from this submission.

FURTHER INVOLVEMENT

24. Greater Wellington wishes to be heard in support of its submission. We would also welcome the opportunity to clarify and further discuss the matters raised.

Yours sincerely



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Attachment 2: Specific comments on the Intensification Planning Instrument for the Upper Hutt City Council District Plan

Note that these points are in addition to those made in Attachment 1 and both documents should be read together.

Provision/matter	Position	Reason for submission	Decisions requested / relief sought
Whole Plan	Support with amendment	<p>Te Whaitua te Whanganui-a-Tara Implementation Programme and Te Mahere Wai o Te Kāhui Taiao are the outputs of the Whaitua Te Whanganui-a-Tara process, which Upper Hutt City Council was involved in.</p> <p>Upper Hutt City Council was involved in their preparation and development as a party on the whaitua committee and are expected by the wider community to implement the recommendations in the WIPs.</p> <p>Intensification has the potential to increase stormwater and sediment runoff, which would lead to further degradation of waterbodies. The WIPs contain community-endorsed recommendations for dealing with the existing effects of urban areas on waterbodies, which are also applicable to urban intensification.</p> <p>Greater Wellington looks forward to continuing to work with UHCC on regulatory and non-regulatory changes for Whaitua implementation.</p>	<p>Include objectives, policies, permitted standards and rules that implement the recommendations directed at territorial authorities in the Te Whaitua te Whanganui-a-Tara Implementation Programme and Te Mahere Wai o Te Kāhui Taiao.</p>
Whole Plan	Support with amendment	<p>While Greater Wellington supports the new direction on hydraulic neutrality in the IPI, the UHCC District Plan or IPI do not include provisions which promote positive effects and avoid, remedy, or mitigate adverse effects, including cumulative effects, of urban development on the health and well-being of water bodies and freshwater ecosystems (which is required under 3.5 of the NPS-FM).</p> <p>Greater Wellington notes that the UHCC s32 considers the impacts on the health and well-being of waterbodies and Te Mana o Te Wai is out of scope for the IPI. However, s80(E) of the RMA includes 'related provisions' that refer to qualifying matters of which giving effect to other national direction is one. It is Greater Wellington's view that this request is within scope given district plans must give effect to all relevant national direction (such as relevant parts of the NPS-FM) and therefore the relevant policies in the Proposed RPS Change 1 and operative RPS which seeks to give effect to national direction. Section 3.5 of the NPS-FM is particularly relevant given that it applies to both <i>urban development</i> and <i>water</i>.</p> <p>Greater Wellington seeks the inclusion of strategic objectives, that aim to protect and improve the environmental quality of your district. Given the importance of water, every opportunity must be taken to reduce contaminant loads from the existing urban footprint where possible.</p>	<p>Include objectives, policies, and methods (including rules) to give effect to RPS Objective 12, NPS-FM section 3.5(4), have regard to Proposed RPS Change 1 Policy FW.3 and implement Te Mahere Wai and the Te Whanganui a Tara Whaitua Implementation Programme.</p> <p>These provisions need to be explicit about how the District Plan can promote positive effects of urban development on the health and well-being of water bodies and freshwater ecosystems. This is a core function of TAs under the NPS-FM and RMA Section 31 functions (i.e., in relation to managing effects of development of land).</p> <p>Te Mana o te Wai is a fundamental shift in approach which should be embedded in the District Plan and drive an integrated management approach to freshwater in accordance with the principle of ki uta ki tai. This means thinking both about where urban development occurs and how it occurs.</p> <p>Connections should be made between all freshwater-related chapters to ensure an integrated approach as required by the NPS-FM, and freshwater direction should be woven throughout the IPI from policy direction through to rules and assessment matters.</p>
Whole Plan	Support with amendment	<p>Greater Wellington considers there is a role for additional provisions in the IPI to give effect to the NPS-FM and have regard to Proposed RPS Change 1 direction to ensure that urban development occurs in a holistic, integrated manner. Equity and inclusiveness are essential to ensuring intensification is done in a way that is socially and culturally appropriate.</p> <p>The relevant Proposed RPS Change 1 policies are:</p> <ul style="list-style-type: none"> • Policy IM.1: Integrated management - ki uta ki tai – consideration • Policy IM.2: Equity and inclusiveness – consideration. • Policy FW.3(e): Urban development effects on freshwater and the coastal marine area – 	<p>Incorporate the following provisions (or amendments to existing provisions) across the District Plan:</p> <ul style="list-style-type: none"> • Include a strategic direction objective and/or policies to provide direction regarding ki uta ki tai, partnering with mana whenua, upholding Māori data sovereignty, and making decision with the best available information including Mātauranga Māori. • Include a strategic direction objective and / or policy to require regard is had to equity and inclusiveness issues in decision making.

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		<p>district plans</p> <p>Greater Wellington considers that these amendments are related provisions under s80E(2)(a) of the RMA, in that they are district-wide matters.</p>	
Whole Plan	Support with amendments	<p>Greater Wellington recognises the introduction of hydraulic neutrality provisions in the IPI. However, we consider there is a role for additional freshwater provisions in the IPI to give effect to the National Policy Statement for Freshwater Management (NPS-FM), have regard to Proposed RPS Change 1 direction in providing for urban intensification and development and to implement Te Whaitua te Whanganui-a-Tara Implementation Programme and Te Mahere Wai o Te Kāhui Taiao.</p> <p>We note that the UHCC s32 states that the IPI gives effect to the NPS-FM by:</p> <ul style="list-style-type: none"> • <i>including hydraulic neutrality provisions to apply to all subdivision and development where impervious surfaces are proposed; and</i> • <i>including new financial contributions to ensure new development contributes toward necessary infrastructure, including wastewater infrastructure</i> <p>However, impacts on water bodies are broader than this. Given the permanence of urban development, it is essential that these factors are considered prior to determining the areas development is enabled. It does not appear that this has been considered in the IPI – as it is not explicit in the s32.</p> <p>It should also be noted that mahinga kai is a compulsory value in the NPS-FM 2020 and Upper Hutt City Council is required to include provisions in its district plan to manage effects of urban development on the health and wellbeing of freshwater bodies and freshwater ecosystems, which includes mahinga kai.</p> <p>The relevant Proposed RPS Change 1 policy is:</p> <ul style="list-style-type: none"> • Policy FW.3: Urban development effects on freshwater and the coastal marine area – district plans <p>There is also a relevant operative Regional Policy Statement policy in relation to restricting certain roof materials to minimise contamination in stormwater:</p> <ul style="list-style-type: none"> • Policy 42: Minimising contamination in stormwater from development. <p>Amendments may be required across the plan to address the relief requested. Scope is available to do this through the IPI, as a qualifying matter applies, being section 6 of the RMA. Stormwater management, infrastructure and district-wide matters are also included in the scope of an IPI as related provisions under section 80E(2).</p>	<p>Incorporate the following provisions (or amendments to existing provisions) across the District Plan:</p> <ul style="list-style-type: none"> • Include a strategic level objective and policy that recognises mana whenua / tangata whenua and their ability to exercise rangatiratanga / kaitiakitanga and their relationship to their ancestral lands, water, sites, wahi tapu and taonga (Proposed RPS Change 1 Policy FW.3(c)). • A policy to recognise, protect and enhance the Māori freshwater values. Amendments to matters of control or discretion where required to enable considerations of the policy. • In relevant policies and rules, for example indigenous vegetation clearance and earthworks, include as a matter of control or discretion, the adverse effects on mahinga kai, other customary uses and access for these activities (Proposed RPS Change 1 Policy FW.3(b)). • Include a strategic objective and supporting policies to achieve management of the natural resources of the district or city in an integrated manner, recognising ki uta ki kai and the interrelationships between land, freshwater, the coast (Proposed RPS Change 1 Policy FW.3(e)). • Amend or include new controlled and restricted discretionary activity rules and include appropriate policy direction to manage any actual or potential effects of land use, development or subdivision and the effects of surface water activities on water quality (Proposed RPS Change 1 Policy FW.3(e)). • Include a policy that requires the use, development and subdivision of land to consider effects on the harbour, rivers, lakes, wetlands, springs and riparian margins, including any relevant water quality attribute targets in a regional plan, ecosystem values and drinking water sources (Proposed RPS Change 1 Policy FW.3(h), (k), (l), (p) and (q)). • Include a policy and amend relevant rules to include triggers for consent and matters of control or discretion which require the application of water sensitive urban design principles, including sustainable stormwater design to minimise impacts on the natural environment and achieves outcomes additional to stormwater treatment such as providing amenity spaces, ecological habitat etc. (Proposed RPS Change 1 Policy FW.3(i) and (f)). • Insert policies and rules and/or rule requirements that restrict the use of copper and zinc building materials so as to minimise the effects of these materials on water quality. • Retain the building coverage standard of 50% for GRZ-S3 and 70% for HRZ-S4 but include ‘the degree of water sensitive urban design’ as a matter of discretion where the building coverage standard cannot be met. The Medium and High Density Design Guide could also be amended to expand the Stormwater Management section to be more explicit on the Principles of Water sensitive Urban design (Proposed RPS Change 1 Policy FW.3(i)). • Amend policies and rules to control subdivision, vegetation clearance and earthworks and prevent inappropriate activities and buildings in riparian margins (Proposed RPS Change 1 Policy FW.3(l)). • Include a policy and objective to protect and enhance the health and well-being

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			<p>of water bodies and freshwater ecosystems, including wetlands.</p> <ul style="list-style-type: none"> • As a matter of control or discretion for subdivision and any other applicable activity, include: <ul style="list-style-type: none"> ○ the extent to which the subdivision, use or development effects water quality, waterway values including hydrological and ecosystem processes, riparian margins, water users and cultural values ○ the location, scale, construction and environmental effects of stormwater infrastructure and the extent to which the stormwater infrastructure contributes to amenity, recreational, cultural, ecological and climate values in addition to its engineering purpose ○ any financial contribution or development contribution required for any offsite stormwater quality and quantity treatment. <p>Amendments may be required across the IPI to address the relief sought.</p>
<p>Hydraulic neutrality provisions in all zones</p> <p>Zone chapters</p>	<p>Support with amendments</p>	<p>Greater Wellington acknowledges and supports the introduction of objectives, policies and rules for hydraulic neutrality to apply to all development enabled and provided for under the IPI (for example, SUB-GEN-07, SUB-GEN-P13 and SUB-GEN-R2A). These provisions support implementation of the recommendations in Te Whaitua te Whanganui-a-Tara Implementation Programme and Te Mahere Wai o Te Kāhui Taiao.</p> <p>Stormwater runoff is likely to increase as a result of the IPI due to intensification and greater levels of impervious surfaces. Greater Wellington would like to see further amendments to require hydrological controls to manage potential increases in stormwater runoff quantity (flows and volumes). Hydrological controls are broader than stormwater neutrality and include measures to control a range of flows and volumes to manage both flooding and ecosystem health.</p> <p>Proposed RPS Change 1 contains a new definition for hydrological controls which set out the requirements for managing stormwater run-off flows or volumes in relation to a site's undeveloped state, and this is referenced in Policies FW.3 and 42. The proposed hydraulic neutrality provisions should have regard to this approach.</p> <p>Greater Wellington considers this amendment is a related provision under section 80E(2)(f) as it relates to stormwater management.</p>	<p>Amend the IPI to:</p> <ul style="list-style-type: none"> • Include a policy and amend relevant rules to require hydrological controls for use, development and subdivision of land (Policy FW.3(j)) • Insert the definition of hydrological controls from the Proposed RPS Change 1. <p>Amendments may be needed in multiple chapters.</p>
<p>Flood Extent Overlay</p>	<p>Support with amendments</p>	<p>It is noted that areas identified for intensification are generally not within areas of potential flood hazard as defined by UHCC 100-year Flood Extent Overlay. However, Greater Wellington's Regional Exposure Assessment 1% AEP shows a number of areas identified for intensification where there is a degree of risk.</p> <p>Any intensification in flood hazard zones will impact Greater Wellington's ability to discharge its flood risk management functions. Greater Wellington will need to maintain schemes, and potentially invest more in flood defence infrastructure. There will also be a need to introduce more sophisticated flood forecasting and warning systems to the region.</p> <p>Intensification in any hazard zone is not in line with regional, national or international direction on hazards or climate change. Increasing densities within the Te Awa Kairangi / Hutt River flood plain will result in an increase to the vulnerability of people and property. An increase in vulnerability means an increase in risk. Densities proposed within much of the Te Awa Kairangi / Hutt River floodplain may increase this risk to significant.</p>	<p>Ensure that density is appropriately managed within areas identified as experiencing 0.5 – 2 m inundation on the 'Regional Exposure Assessment 1% AEP' map.</p>

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		Section 771 of the Act states that Upper Hutt City Council may modify, but only to the extent necessary, the intensification requirements of Policy 3 or the MDRS if a qualifying matter applies. Qualifying matters are (among others) a matter of national importance that decision-makers are required to recognise and provide for under section 6 of the Act. Section 6 of the Act recognises and provides for the management of significant risks from natural hazards. As described above, density increases within the Te Awa Kairangi / Hutt River floodplain may increase the risk of natural hazards to significant. Floodplain management can therefore be considered as a qualifying matter under s771 of the Act.	
Natural Hazards provisions	Support with amendments	<p>Greater Wellington broadly supports the intensification policies as they relate to natural hazards. We note the existing qualifying matter provisions, including natural hazard provisions will continue to apply to subdivision, use and development within hazard-prone areas in this IPI.</p> <p>However, we see a strong need to prioritise the advancement of Plan Change 47 – Natural Hazards to be notified as soon as possible. Updated work on the Wellington Fault needs to be incorporated into the district plan to ensure the qualifying matters have meaningful effect.</p> <p>Greater Wellington will support UHCC in Plan Change 47 – Natural Hazards to prevent intensification of development in flood prone areas in line with the operative RPS, particularly Objective 19 and Policies 29 and 51.</p>	Ensure the District Plan provides for the management of development in areas at risk from natural hazards.
Water supply – new provisions sought	Support with amendments	<p>Urban development will increase demand for water supply for both potable and non-potable use. As the effects of climate change become more evident, changes in weather patterns may impact the availability of water sources and equally the demand for water. Water abstraction beyond sustainable limits adversely affects the health and wellbeing of freshwater bodies and together with the impacts of climate change, there are greater risks of further freshwater degradation.</p> <p>Proposed RPS Change 1 (Policies FW.2 and FW.3 in particular) seeks to manage pressures on existing water supplies and requires district plans to include provisions that improve the efficiency of end of use of water and require alternate water supplies for non-potable use in new developments. Additionally, Policy FW.5 requires consideration of how climate change may impact water supply, including water availability and water demand.</p> <p>Greater Wellington considers that this amendment is a related provision under s80E(2)(d) of the RMA, in that it relates to infrastructure.</p>	<p>Amend the IPI to:</p> <ul style="list-style-type: none"> • Incorporate policies and rules to require improved water use efficiency for new developments. • Incorporate subdivision standards to require alternative water supplies for non-potable use i.e., roof water capture in new developments. • Require new development to ensure adequate available water supply in a changing climate now and into the future. <p>It is anticipated that amendments would be incorporated into multiple chapters.</p>
Climate resilience – new provisions sought	Support with amendments	<p>Given the future challenges posed by climate change, it is essential that urban development and intensification focuses on ensuring urban areas are resilient to the negative effects of climate change, such as lower rainfall, warmer urban areas, and more severe storm and hazard events.</p> <p>Greater Wellington seeks for the District Plan to have regard to Proposed RPS Change 1 Policies CC.4 and CC.14.</p> <p>Greater Wellington considers that these amendments are related provisions under s80E(2)(a) of the RMA, in that they are district-wide matters.</p>	<p>Include policies which seek to improve climate resilience of urban areas through measures identified in Policy CC.14 of Proposed RPS Change 1.</p> <p>Include policies and rules for new development areas that require the development to include actions and initiatives that improve climate resilience.</p> <p>Include matter of control or discretion in relevant rules that considers the extent to which the development within the design will improve climate resilience.</p>
Transport, Urban form, and Subdivision provisions	Support with amendments	<p>Greater Wellington considers there is a role for additional provisions in the IPI to have regard to Proposed RPS Change 1 direction in providing for urban intensification and development.</p> <p>The relevant Proposed RPS Change 1 policies are:</p> <ul style="list-style-type: none"> • Policy CC.1: Reducing greenhouse gas emissions associated with transport infrastructure – district and regional plans • Policy CC.2: Travel demand management plans – district plans 	<p>Incorporate the following provisions (or amendments to existing provisions) across the District Plan:</p> <ul style="list-style-type: none"> • Objective for the transport system to reduce dependence on fossil fuels and private vehicles recognising contributing to reduction in GHG emissions (Proposed RPS Change 1 Objective CC.3). • Objective for new subdivision, use and development to minimise reliance on private vehicles and maximise use of public transport and active transport

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		<ul style="list-style-type: none"> • Policy CC.3: Enabling a shift to low and zero-carbon emission transport – district plans • Policy CC.9: Reducing greenhouse gas emissions associated with transport infrastructure – consideration • Policy CC.10: Freight movement efficiency and minimising greenhouse gas emissions - consideration • Policy 7: Recognising the benefits from renewable energy and regionally significant infrastructure – district and regional plans • Policy 57: Integrating land use and transportation – consideration • Policy 58: Co-ordinating land use with development and operation of infrastructure – consideration <p>In regard to scope, infrastructure is a related matter under RMA section 80E(2)(d) so can be included in an IPI, and therefore is within scope of submissions. These provisions would assist in addressing effects associated with intensification</p>	<p>modes.</p> <ul style="list-style-type: none"> • Policy that sets out a preference for freight distribution centres and high trip generating activities to locate in areas that are in close proximity to efficient transport networks. • Policy that enables the development of zero and low carbon and public transport infrastructure (i.e., charging stations, park and ride facilities). • Rules to permit the development of appropriate zero carbon, public transport and active transport infrastructure. • Policy that requires the provision of infrastructure in subdivision development that supports modal shift and consideration of how design can reduce greenhouse gas emissions. • Rule and associated standard that requires end of trip cycling facilities for staff (showers and lockers). The standard should be scaled for the number of staff cycle parks provided. • Amend/include standards to require EV or e-bike charging stations, including for residential development. • Amend/include standards that specify requirements for safe cycle lanes, pedestrian crossings, cycle parks. • Matter of control or discretion for subdivision, comprehensive housing development and commercial activity rules (and similar) a requirement to consider the extent to which the development provides for zero or low carbon, public and active transport modes. • Include provisions to prescribe thresholds for when consent applicants must prepare travel demand management plans (integrated transport assessments). The thresholds can be size of the subdivision, number of dwellings, people, floor size of retail development etc. It should apply to residential, education, office, industrial, community, entertainment and other land use activities that could generate higher private vehicle and freight travel. Provisions should also require that travel demand management plans include measures to reduce reliance on private vehicles and encourage modal shift to low carbon, active or public transport options.
Nature-based solutions – new provisions sought	Support with amendments	<p>Proposed RPS Change 1 includes a number of provisions that recognise nature-based solutions are an integral part of the climate change mitigation and adaptation response required in the region and also provide a number of other benefits for indigenous biodiversity and community well-being. Nature-based solutions are defined as <i>‘actions to protect, enhance or restore natural ecosystems, and the incorporation of natural elements into built environments, to reduce greenhouse gas emissions and/or strengthen the resilience of humans, indigenous biodiversity and the natural environment to the effects of climate change....’</i></p> <p>Natural nature-based solutions already exist and perform functions that support solutions to climate change. These areas are to be mapped by Greater Wellington by June 2024. District Plans should avoid adverse effects on ecosystems providing nature-based solutions to have regard to Policy CC.12 in Proposed RPS Change 1.</p> <p>In regard to scope, nature-based solutions to manage natural hazard and climate change risks are considered within the scope of the IPI as:</p> <ul style="list-style-type: none"> • a related provision through infrastructure under section 80(E) 	<p>Amend the IPI as necessary to have regard to Proposed RPS Change 1 Policy CC.7 and Policy CC.12:</p> <ul style="list-style-type: none"> • Include policy that seeks nature-based solutions when providing for new infrastructure and in new developments, such as the use of green infrastructure. • Permit the development of green infrastructure in appropriate locations and subject to necessary controls, i.e., planting works undertaken by regional council. • As a matter of control or discretion for subdivision include the extent to which the design protects, enhances, restores or creates nature-based solutions to manage the effects of climate change, or similar. • Include provisions for recognising the functions of the ecosystems providing nature-based solutions to climate change and avoid adverse effects of subdivision, use and development on their functions, including before they are mapped. Policies should:

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		<ul style="list-style-type: none"> a related provision through stormwater management under section 80(E). 	<ul style="list-style-type: none"> direct the protection of areas that already perform a function as a nature based solution, including the many wider benefits these can have and encourage the restoration of nature-based solutions. <p>Amendments may be necessary across the Energy, Infrastructure and Transport, Natural Hazards and Subdivision provisions.</p>
Transport, Urban form and development, and Subdivision provisions	Support with amendments	<p>Greater Wellington considers there is a role for additional provisions in the Intensification Planning Instrument to have regard to Proposed RPS Change 1 direction in providing for urban intensification and development.</p> <p>The relevant Proposed RPS Change 1 policy is:</p> <ul style="list-style-type: none"> Policy CC.8: Prioritising greenhouse gas emissions reduction over offsetting – district and regional. <p>In regard to scope, infrastructure is a related matter under RMA section 80E(2)(d).</p>	<p>Amend the intensification Planning Instrument as necessary to have regard to Proposed RPS Change 1 Policy CC.8:</p> <ul style="list-style-type: none"> Identify the type and scale of activities where reducing greenhouse gases rather than offsetting must occur and Include objectives, policies, rules to require greenhouse gases to be reduced rather than offset for the type and scale of activities identified.
Renewable Energy Generation	Support	Greater Wellington supports the existing renewable energy generation provisions in the District Plan and the amendments proposed in the Intensification Planning Instrument.	Retain as notified.
Wastewater provisions	Support with amendment	<p>Greater Wellington supports provisions in the subdivision and zone chapters to consider the impacts of activities on wastewater infrastructure capacity, and its availability.</p> <p>However, Greater Wellington considers that the District Plan should specifically provide for approved de-centralised alternative wastewater re-use and treatment (of both grey and black water) systems anywhere where there are constraints on the existing network capacity, as well as where connections are not available. Septic tanks are excluded from this recommendation due to their known issues with leakage of untreated wastewater and nitrates, particularly when poorly maintained.</p> <p>Alternative wastewater treatment options often reduce potable water use significantly. Reducing pressure of new development on the wastewater network may also make intensification in some areas with existing network capacity constraints more feasible.</p> <p>Relevant direction from the operative RPS includes policies 16 and 45. Relevant direction from Proposed RPS Change 1 includes policies FW.2, FW.3 and FW.5, CC.14 and 42(r), FW.5 and 58. Regional plan rules would apply to discharges from all wastewater systems to manage potential impacts on groundwater and surface water quality, aquatic ecosystems and soil health. These requirements could feasibly be met by approved alternative wastewater systems in both brownfield and greenfield development.</p>	<p>Include direction in the District Plan, including infrastructure and subdivision provisions, to provide for de-centralised wastewater re-use and treatment (of grey and black water) and disposal using approved alternative wastewater systems (but not septic tanks, due to their existing issues with contamination and leaching) anywhere where there are constraints on the existing network capacity, as well as where connections are not available. Where connections are available and there is network capacity, a connection to the wastewater network should still be required.</p> <p>This includes any necessary consequential amendments to provide this direction.</p>
Definitions - Qualifying matter area	Support with amendment	Greater Wellington supports the intent behind providing setbacks from waterbodies. One of the qualifying matters is “The areas within 20 metres of the bank of any waterbody with an average width of 3 metres or more”. Greater Wellington notes that applying only to waterbodies 3m or more wide would have limited application, and that further protection of riparian margins is necessary to have regard to Proposed RPS Change 1.	Amend to apply setbacks to all waterbodies, and re-assess the areas identified for intensification as necessary.
UFD-O3, UFD-P2 and amendments to existing Strategic Direction relating to Residential	Support	Encouraging high density housing (including enabling building heights up to 26 metres) where it is proximate and within walking distance to train stations in Upper Hutt City will help us meet the goals set out in the Wellington Regional Public Transport Plan (RPTP): such as the target of a 40% increase in mode shift to public transport by 2030; and improving customer experience through improving the accessibility of public transport for all. All new developments should be designed with public transport and multi-modal travel at the forefront to ensure residents and	Retain as notified.

Provision/matter	Position	Reason for submission	Decisions requested / relief sought
		visitors are able to use modes other than private vehicles. All new developments should be fully accessible for buses and large vehicles and have adequate road space for associated bus infrastructure.	
Residential, Commercial, Mixed-Use, Industrial and Special Zone provisions	Support with amendment	<p>Greater Wellington supports well-planned intensification within the existing urban footprint in appropriate areas that are not subject to a qualifying matter. This approach is consistent with Policy 31 of Proposed RPS Change 1 and will support meeting Policy UD.3.</p> <p>Greater Wellington supports the introduction of objectives UFD-O1, CMU-O1, SUB-RES-O2, SUB-HRZ-O1, GRZ-O2, HRZ-O1 to give effect to Policy 1 of the NPS-UD.</p> <p>Greater Wellington seeks for the provisions of all relevant zones to contribute to the qualities and characteristics of well-functioning urban environments as articulated in Objective 22 of Proposed RPS Change 1. This includes (but is not limited to) urban areas that are climate resilient, contribute to the protection of the natural environment and transition to a low-emission region, are compact and well connected, support housing affordability and choice, and enable Māori to express their cultural and traditional norms.</p>	<p>Amend UFD-O1 (well-functioning urban environment) and other relevant policies in the IPI to include environmental components of wellbeing and have regard to the articulation of the qualities and characteristics of well-functioning urban environments set out in Objective 22 of Proposed RPS Change 1.</p> <p>Ensure all Zone provisions have regard to the qualities and characteristics of well-functioning urban environments as articulated in Objective 22 of Proposed RPS Change 1, by including necessary objectives, policies, permitted standards and rules that provide for these qualities and characteristics.</p>
Ecosystems and indigenous biodiversity chapter	Support with amendments	<p>Greater Wellington considers there is a role for additional provisions in the IPI to have regard to Proposed RPS Change 1 direction in providing for urban intensification and development.</p> <p>The relevant Proposed RPS Change 1 policies are:</p> <ul style="list-style-type: none"> • Policy IE.1: Giving effect to mana whenua / tangata whenua roles and values when managing indigenous biodiversity – district and regional plans • Policy IE.2: Giving effect to mana whenua / tangata whenua roles and values when managing indigenous biodiversity – consideration. <p>The District Plan should enable mana whenua / tangata whenua involvement in relevant decision making regarding indigenous biodiversity (e.g., the effects of urban intensification on indigenous biodiversity values). Intensification should also occur in a way that does not compromise the ability of mana whenua / tangata whenua and the community to access significant indigenous biodiversity sites.</p> <p>In regard to scope, indigenous ecosystems are considered a district-wide matter which are in scope of IPI under section 80E(2)(a). Additionally, the relationship of Māori and their culture and traditions with ancestral lands and taonga is a qualifying matter under s80(E)(2)(e).</p>	<p>Incorporate the following provisions (or amendments to existing provisions) across the District Plan:</p> <ul style="list-style-type: none"> • Include an objective that mana whenua values relating to indigenous biodiversity are recognised and involvement in decision making and management is supported. • Include policy that requires mana whenua involvement in the mapping of indigenous biodiversity, including to identify taonga species. • Include policy to enable mana whenua to undertake customary activities in accordance with tikanga such as customary harvest of mahinga kai species. • Include policy to support provision of access to indigenous biodiversity sites. • Include permitted activity rules for the cultural harvesting of mahinga kai, for example indigenous vegetation removal. • In relevant rules, for example indigenous vegetation clearance, include as a matter of control or discretion, the adverse effects on mahinga kai, other customary uses and access for these activities. • Provisions could require management plans for managing offset biodiversity areas and managing effects on significant areas. Monitoring requirements would form part of these plans and plan direction could encourage the adoption of matauranga Māori in monitoring of indigenous species in relevant circumstances.
Natural Features and Landscapes chapter	Support with amendments	<p>Greater Wellington supports subdivision, use or development where natural features and landscapes can be protected, provided any adverse effects on their values are minimised. Greater Wellington acknowledges that the Operative Plan contains provisions to manage effects on natural features and landscapes. However, it is not currently clear whether the existing provisions will ensure these values are protected from the scale of intensification enabled by the IPI, to give effect to Policy 26 of the Operative Regional Policy Statement.</p> <p>Natural features and landscapes are a qualifying matter under RMA Section 6 as a matter of national importance, so are in scope of the IPI.</p>	<p>Incorporate the following provisions (or amendments to existing provisions):</p> <ul style="list-style-type: none"> • A new policy (or amend existing policy) to protect the values of the natural features and landscapes when providing for subdivision. • Amend existing policy to provide direction around minimising the effects of subdivision, use and development on the values of natural features and landscapes.
Heading and Background for	Support	Linkages to Silverstream Railway Station being required in the St Patrick's Estate Precinct, and Higher density residential development being provided for within walkable catchments of public	Retain as notified.

Provision/matter	Position	Reason for submission	Decisions requested / relief sought
Subdivision in the High Density Residential Zone		transport centres and major transport nodes will help to meet goals set out in the Regional Public Transport Plan; such as our target of a 40% increase in mode shift to public transport by 2030; and improving customer experience through improving the accessibility of public transport for all. All new developments should be designed with public transport and multi-modal travel at the forefront to ensure residents and visitors are able to use modes other than private vehicles. All new developments should be fully accessible for buses, and have adequate road space for associated bus infrastructure.	
SUB-HRZ-O3	Support	High quality intensive residential development being provided for in close proximity to rapid transport stops will help to meet goals set out in the Regional Public Transport Plan. All new developments should be designed with public transport and multi-modal travel at the forefront to ensure residents and visitors are able to use modes other than private vehicles. All new developments should be fully accessible for buses, and have adequate road space for associated bus infrastructure.	Retain as notified.
SUB-HRZ-P2	Support	Wider adoption of public transport through the increase of density along public transport corridors and within walkable catchments of centres will help to meet goals set out in the Regional Public Transport Plan. All new developments should be designed with public transport and multi-modal travel in mind, to ensure residents and visitors are able to use modes other than private vehicles.	Retain as notified.
SUB-HRZ-P4	Support	Maintaining and enhancing pedestrian facilities established within a walkable distance to urban railway stations and the centre zones to increase walking accessibility and safety will help to meet goals set out in the Regional Public Transport Plan. All new developments should be designed with public transport and multi-modal travel in mind to ensure residents and visitors are able to use modes other than private vehicles.	Retain as notified.
SUB-HRZ-P5	Support	Providing for the efficient function of multimodal transport options within the road corridor within a walkable distance to urban railway stations and centre zones will help to meet goals set out in the Regional Public Transport Plan. All new developments should be designed with public transport and multi-modal travel in mind to ensure residents and visitors are able to use modes other than private vehicles.	Retain as notified.
SUB-HRZ-P6	Support	Enabling and encouraging high density residential subdivision and development that is within a minimum of 800m walkable distance from urban railway stations will help to meet goals set out in the Regional Public Transport Plan. All new developments should be designed with public transport and multi-modal travel in mind to ensure residents and visitors are able to use modes other than private vehicles. All new developments should be fully accessible for buses, and have adequate road space for associated bus infrastructure.	Retain as notified.
SUB-HRZ-P9	Support	Medium and high density residential subdivision, use and development within the St Patrick's Estate Precinct providing pedestrian linkages to Silverstream Railway Station will help to meet goals set out in the Regional Public Transport Plan. All new developments should be designed with public transport and multi-modal travel in mind to ensure residents and visitors are able to use modes other than private vehicles. All new developments should be fully accessible for buses, and have adequate road space for associated bus infrastructure.	Retain as notified.
High Density Residential Zone background, HRZ-PREC2-P1 and Precinct description (Precinct 2 – St Patrick's Estate Precinct)	Support	Linkages to Silverstream Railway Station being required in the St Patrick's Estate Precinct, and higher density residential development being provided for within walkable catchments of train stations will help to meet goals set out in the Regional Public Transport Plan. All new developments should be designed with public transport and multi-modal travel in mind to ensure residents and visitors are able to use modes other than private vehicles. All new developments should be fully accessible for buses and have adequate road space for associated bus infrastructure.	Retain as notified.
Development	Support with	We strongly support the amendment of the financial contributions provisions to include urban	Amend policy DC-P3 to ensure the subdivider or developer is paying their fair share

Provision/matter	Position	Reason for submission	Decisions requested / relief sought
Contributions chapter	amendments	<p>development infrastructure. We also support those financial contributions received for water, wastewater, stormwater or transport infrastructure being used to address the specific effects generated by a land use or subdivision for a specific purpose like upgrades to the water, wastewater or stormwater networks.</p> <p>Greater Wellington considers that a further amendment to policy DC-P3 would have regard to Proposed RPS Change 1 direction.</p> <p>The relevant Proposed RPS Change 1 Policy is FW.4: Financial contributions for urban development – district plans.</p> <p>Financial contributions provisions are in scope under RMA section 80E(1)(b)(i).</p>	of new utility services and facilities as outlined in the Stormwater Management Plan.
Earthworks chapter	Support with amendments	<p>Proposed RPS Change 1 includes direction to manage the adverse effects of earthworks through Policy 15: Managing the effects of earthworks and vegetation disturbance – district and regional plans.</p> <p>Greater Wellington acknowledges the provisions in the operative district plan and considers stronger direction is required to mitigate the adverse effects of earthworks on water quality. Greater Wellington seeks amendments which more clearly seek to minimise the potential for sediment to enter waterbodies. Additionally, we wish to ensure this potential effect is assessed in any resource consent application involving disturbance works, including vegetation clearance.</p> <p>Greater Wellington consider provisions regarding earthworks are within scope of the IPI as a related provision under Section 80E(2)(b).</p>	<p>Amend existing provisions, or insert new provisions, to include:</p> <ul style="list-style-type: none"> • Matters of control or discretion regarding the potential for adverse effects on water quality of any waterbody, wahi tapu, wahi taonga and habitat of any significant indigenous species and • Requirements for the provision of an erosion and sediment control plan with a consent application for earthworks. <p>Amend the standards for Earthworks permitted activities to include requirements for setbacks from waterbodies and erosion and sediment control measures to be effectively utilised to prevent sediment entering waterways and stormwater networks.</p>
Papakāinga chapter	Support	<p>Greater Wellington strongly supports the introduction of a new chapter into the district plan to address papakāinga and the amendments that provide for papakāinga development, including adding a definition of papakāinga. We support enabling papakāinga across the district rather than being confined to land held under Te Ture Whenua Māori Act 1993.</p> <p>The proposed provisions recognise that papakāinga is taonga and provide for tangata whenua to exercise tino rangairatanga with fewer restrictions. The IPI aligns with Proposed RPS Change 1 Policies UD.1 and UD.2, which also seeks to provide for the relationship of mana whenua with their ancestral lands by:</p> <ul style="list-style-type: none"> • Enabling mana whenua to exercise tino rangatiratanga • Recognising papakāinga are taonga and making appropriate provision for them • Recognising the historical, contemporary, cultural and social importance of papakāinga and • Providing for the development of land owned by mana whenua. 	Retain as notified, subject to submissions made by mana whenua.
GRZ – Precinct 1 – Indigenous Biodiversity Precinct	Support with amendments	<p>The mandatory enabling building and subdivision provisions under the IPI will place increased development pressure on indigenous ecosystems and habitats with significant indigenous biodiversity values. We support the intention to try and provide some protection through the introduction of the Indigenous Biodiversity Precinct, however we do not believe ‘encouraging’ the protection of indigenous biodiversity values will provide the necessary protection, nor align with direction of the RPS which has been operative since 2013.</p> <p>The operative RPS policies relevant to this area are:</p> <ul style="list-style-type: none"> • Policy 24: Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans • Policy 47: Managing effects on indigenous ecosystems and habitats with significant 	<p>Incorporate the following provisions (or amendments to existing provisions) across the District Plan:</p> <ul style="list-style-type: none"> • Include policies, rules and methods that protect indigenous ecosystems and habitats with significant indigenous biodiversity values from inappropriate subdivision, use and development. • Include policy to direct the circumstances when and how biodiversity offsetting can be used, and if used, the outcome must be at least 10% biodiversity gain or benefits. Refer to an appendix for full details. • Include an appendix which sets out the limitations where biodiversity offsetting is not appropriate as described in Policy 24 and Appendix 1A of the Proposed

Provision/matter	Position	Reason for submission	Decisions requested / relief sought
		<p>indigenous biodiversity values – consideration</p> <p>The Proposed RPS Change 1 also includes an updated Policy 24 which requires policies, rules and methods to protect to be in place by 30 June 2025.</p> <p>We acknowledge Upper Hutt City Council’s intention to notify a future plan change to implement protection for these areas, but we consider areas of significant indigenous biodiversity represent an important qualifying matter for urban intensification and should be included as part of the IPI.</p> <p>Greater Wellington considers provisions regarding indigenous ecosystems are within scope of the IPI under Section 80E(2)(a) as district-wide matters. Protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna is a qualifying matter under section 80E(2)(e).</p>	<p>RSP Change 1.</p>
GRZ-P1B and HRZ-P1	Support with amendments	<p>Greater Wellington supports the addition of this policy to apply the MDRS except in circumstances where a qualifying matter is relevant.</p> <p>It is important to manage the potential effects of intensification on heritage items and heritage settings, as it gives effect to Operative RPS Policy 22, which is about protecting historic heritage values in regional and district plans.</p> <p>However, we are concerned about the absence of Sites and Areas of Significance to Māori identified in the District Plan meaning they remain unidentified and unprotected under the existing qualifying matter historic provisions. They are at risk from the adverse effects of development.</p> <p>We acknowledge the intention to identify these sites in an upcoming plan change but consider the importance of protecting these sites means it should be included in the IPI.</p> <p>This is considered in scope as historic heritage is a qualifying matter as a matter of national importance.</p>	<ul style="list-style-type: none"> • Retain the inclusion of GRZ-P1B and HRZ-P1 including historic heritage as a qualifying matter. • Include a schedule of Sites and Areas of Significance to Māori in the IPI.
General Residential Zone and High-density Residential Zone provisions	Support with amendments	<p>Urban intensification will require infill development. This means it will be crucial to ensure the disposal of building waste is properly managed, to give effect to Policy 34 of the Operative Regional Policy Statement.</p> <p>Greater Wellington considers that this amendment is a related provision under s80E(2)(a) of the RMA, as soil and contaminants are a district-wide matter.</p>	<p>Include matter of control or discretion to require proper disposal of building waste when redeveloping sites/infill development (e.g., demolition).</p>

Submission 42

Jacob just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Jaap Knegtmans

Postal address of submitter:

67 Percy Kinsman Crescent, Riverstone Terraces

Email address:

j.knegtmans@gmail.com

Telephone number:

0298940536

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

I oppose the plan change in its entirety based on the total lack of public consultation by both Central Government and Local Government on this matter. Prior to this submission process, there has been zero engagement up front, and it is basically fait accompli by Central Government. It's time Council pushes back on this overbearing centralised control.

My submission is that:

At this point I oppose the plan change and its provisions in its entirety based on the total lack of public consultation to date. This submission process does not equate to public engagement. People's voices have not been heard from the get-go and the proposed plans have been developed in total isolation. While some will say that this intensive housing change is necessary to advance Upper Hutt into the future and to become more like Europe, on my campaign trail I have met an increasing number of very concerned Upper Hutt residents. The proposed Plan Change will irreversibly change the face of our city and its social construct. Any changes need to be well thought out with at least a 50 year town plan in mind. When I spoke to one of the Upper Hutt Council town planners last week, I

learnt that there is no provision for any well thought out plans - it will be left up to the developers to plan each housing intensification proposal through submitting their building plans via the building consent process on a case by case process. Meanwhile, the reduced Resource Management Act and consent requirements will mean that the Council is unable to apply certain conditions to the developments, such as minimum house sizes to ensure that we don't end up with unpractical badly designed little boxes for people to live in. I am also fearful that planning will not allow for off-street parking or adequate greenspace. Let's learn from overseas countries who have already made all the bad intensive housing town planning mistakes which resulted ghetto's, only to have been torn down again and reconstructed due to the associated social issues which result when people live in badly planned intensive housing developments where people live packed together like sardines. In Europe the well planned intensive housing areas where single story housing has been transformed into multistory housing, are those areas where Council has bought up the properties in entire suburbs over time and have worked hand-in-glove with the developers to redevelop entire areas. This way the infrastructure can be adequately upgraded, road layouts changed, and adequate greenspace and communal gardens/recreational spaces and car parking/bicycle storage/communal laundries/EV car charging stations included. The areas identified need to be reviewed - the zone encompasses a large area of Upper Hutt. Also, given our city is located along the earthquake faultline, how wise is it to have no height limits within the central business district? Open dialogue, creative ideas and better city planning with the wider community is what's needed. Let's go back to the drawing board while we can and develop something together which all Upper Hutt residents can be proud of.

I seek the following decision from the local authority:

To meet with Upper Hutt residents and the relevant Central Government officials in person (particularly those within the high density boundaries identified) and dialogue with them to discuss the associated issues, risks and opportunities.

Please indicate whether you wish to be heard in support of your submission:

I do wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.

30 September 2022

To: Upper Hutt City Council (**Council**)

Subject: Submission on Intensification Planning Instrument – Intensification for the Upper Hutt City District Plan (**IPI**)

Scope and nature of submission

1. KiwiRail welcomes the opportunity to submit on the IPI to the Upper Hutt City District Plan (**District Plan**) to enable intensification of housing in urban areas as required under the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**Amendment Act**).
2. The specific provisions to which this submission relates and the relief that KiwiRail seeks are set out in **Annexure A**. In summary, KiwiRail seeks that rail be identified as a qualifying matter pursuant to s771(e) and s770(e) of the Resource Management Act 1991 (**RMA**) and seeks that (among other changes):
 - (a) the permitted activity standards in the General Residential Zone, High Density Residential Zone, Neighbourhood Centre Zone, Local Centre Zone, Mixed Use Zone, Town Centre Zone, and City Centre Zone (and any other zones affected by the IPI which adjoin the rail corridor) be amended to increase the minimum setback for sites that adjoin the rail corridor from 1m to 5m; and
 - (b) a new matter of discretion be inserted in the zones listed in (a) above (and any other zones affected by the IPI which adjoin the rail corridor) directing consideration of impacts on the safety and efficiency of the rail corridor in situations where the 5m setback standard is not complied with;
 - (c) the following rules and standards are included in the Noise Chapter (or in all relevant zones adjoining the rail corridor):
 - (i) a permitted activity standard requiring acoustic insulation and ventilation apply to all new (and altered) activities sensitive to noise within 100m of the rail corridor;
 - (ii) a permitted activity vibration standard be inserted for all new (and altered) activities sensitive to noise within 60m of the rail corridor to ensure that vibration effects are appropriately addressed; and
 - (iii) a restricted discretionary activity status where the above noise and vibration standards are not complied with and corresponding matters of discretion.
3. KiwiRail could not gain an advantage in trade competition through this submission.



4. KiwiRail wishes to be heard in support of this submission. If other parties make similar submissions, KiwiRail would consider presenting a joint case with those parties at the hearing.

KiwiRail's operations

5. KiwiRail is the State-Owned Enterprise responsible for the construction, maintenance and operation of New Zealand's rail network. KiwiRail is also a Requiring Authority that holds railway purpose designations in District Plans throughout New Zealand.
6. KiwiRail's national railway network (which comprises of 3,700km of track, over 200 locomotives, 18,100 hectares of land and 1,350 modern and heritage buildings)¹ is a nationally and regionally significant infrastructure asset. The rail network is critical to the safe and efficient movement of freight and passengers throughout New Zealand, and forms an essential part of the national transportation network and the wider supply chain. New Zealanders have invested significantly in the rail network and it is a critical public asset.
7. The benefits of rail to the New Zealand economy were estimated in 2019 to be in the order of \$1.7 – 2.1 billion.² The economic significance of rail and the critical role it plays in reducing New Zealand's carbon emissions has been recognised by the Government through its continued investment in rail infrastructure. Transport modal shifts to more climate-friendly modes of transport, like rail, are critical to reduce carbon emissions. As a result, rail is experiencing a renaissance as evidenced by the significant investment being made by the Government to reinvigorate the railway network, demonstrating a strong and continued confidence in rail's current and future potential.
8. In the most recent budget, the Government allocated \$349 million to replace and modernise New Zealand rail assets,³ which has gone towards a number of major projects nationwide, including the rejuvenation of the Northland railway lines, the reopening of the Napier to Wairoa line, establishing a multi-million dollar regional freight hub in Palmerston North, and significant upgrades to the Auckland, Wellington and Hamilton metro networks.
9. The designated corridors of the Wairarapa, Melling and Gracefield line pass through the Upper Hutt District which carry both metro passenger services and take freight from the Port of Wellington. These lines are a key part of the KiwiRail network nationally. KiwiRail seeks to ensure that its ability to continue operate, maintain and upgrade these lines is protected both now and into the future.

Urban Development around the Rail Corridor

10. The fundamental driver of the Amendment Act and the IPI is to enable intensification of housing in urban areas. KiwiRail supports urban development, including around transport nodes, and recognises the benefits of co-locating housing near transport corridors.
11. However, it is critical that the IPI provides for adequate management of the interface between urban development and lawfully established, critical infrastructure, such as the

¹ Half Year Annual Report 2022 and Unaudited Financial Statements for the Six Months Ended 31 December 2021 (KiwiRail, 2022) at page 5.

² The Value of Rail in New Zealand – Report for the Ministry of Transport (EY, Wellington, 2021) at page 8.

³ Wellbeing Budget 2022 – A Secure Future (New Zealand Government, Wellington, 2022) at page 82.



railway network. This is necessary to ensure our communities are built in healthy living environments, and the railway network can operate and develop in the future without constraint. An integrated and proactive approach to planning is critical to support the overall vision of our urban environments, and to ensure that our transport network can support the increasing growth and housing intensification.

12. The nature of railway operations means KiwiRail cannot fully internalise all its effects within the railway corridor boundaries. Environmental legislation and caselaw recognises the lawful emission of such effects. Increasing development around railway corridors consequentially means the introduction of more sensitive receivers to adverse effects of existing and lawful railway activities. With a proposed increase in activities in proximity to the railway corridor as a result of the increased density enabled by the IPI, KiwiRail is concerned that without appropriate planning measures in place at a territorial level, the risk of adverse health and amenity effects impacting people locating in proximity to the railway corridor, and reverse sensitivity effects constraining our operations is significantly elevated.
13. The two primary ways which KiwiRail seeks to manage this interface at a national level is through the inclusion of the following controls in district plans:
 - (a) **Noise and vibration controls** – requiring acoustic insulation and ventilation to be installed in new (or altered) sensitive uses within 100m of the railway corridor. Within 60m of the railway corridor, controls are sought that buildings containing new (or altered) sensitive uses are constructed to manage the impacts of vibration. These controls are important to ensure new development is undertaken in a way that achieves a healthy living environment for people locating within proximity to the railway corridor, minimising the potential for complaints about the effects of the railway network and in turn potential constraints on KiwiRail's operations; and
 - (b) **Boundary setbacks** – requiring a "no-build" setback within 5m of the railway corridor for new buildings or structures on sites adjoining the railway corridor. This is to ensure that people can use and maintain their land and buildings safely without needing to extend out into the railway corridor, minimising the risks of physical interference on railway operations and health and safety hazards on these residents.

Upper Hutt City District Plan and the IPI

Setbacks

14. The MDRS mandate a 1m setback from side and rear yards, and a 1.5m setback from front yards. However, the Amendment Act enables the Council to amend the MDRS and intensification requirements where a "qualifying matter" applies. The qualifying matters expressly include:⁴
 - (a) the need to give effect to a designation (but only in relation to the land that is subject to that designation); and

⁴

RMA, Sections 77I(e) and (g); 77O(e) and (g)



- (b) matters "required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure". The rail network is nationally significant infrastructure for the purposes of the Amendment Act.
- 15. Through the IPI, the Council has proposed to retain existing qualifying matters in the District Plan and has not proposed any new qualifying matters at this stage. The Council has not recognised the rail corridor as a qualifying matter in the notified version of the IPI.
- 16. KiwiRail seeks that the rail network be identified as a qualifying matter and increased setbacks included in all relevant zones affected by the IPI adjoining the rail corridor. The setbacks included in IPI are insufficient to manage potential safety effects and KiwiRail seeks a 5m setback for buildings on sites adjoining the rail corridor. The need for a greater setback is particularly important given the increased building height, reduced height to boundary controls and greater densities of people living adjacent to the rail corridor enabled under the MDRS. The intensification of land adjacent to the rail corridor increases the risk of potential interference with the rail corridor by building maintenance and other activities being undertaken on sites adjoining the rail corridor. This risk needs to be managed.
- 17. KiwiRail therefore seeks a 5m setback be introduced as a permitted activity standard for all buildings and structures in the zones adjoining the rail corridor.

Noise and vibration controls

- 18. In the Operative Upper Hutt District Plan there are no acoustic insulation or vibration standards for noise sensitive activities adjacent to the rail corridor. However, through the IPI, the Council has introduced noise and ventilation standards in a range of zones. KiwiRail seeks:
 - (a) acoustic standards be inserted for all new and altered activities sensitive to noise within 100m of the rail corridor; and
 - (b) a vibration standard be inserted for all new and altered activities sensitive to noise within 60m of the rail corridor.
- 19. Acoustic and vibration standards are important controls to ensure the ongoing health and wellbeing of the occupants of the higher density living areas and are instrumental in ensuring that reverse sensitivity effects on rail are minimised particularly where intensive residential development is proposed adjacent to the rail corridor.
- 20. The acoustic and vibration standards do not affect the density of development near the rail corridor, but rather seek to ensure that where urban development co-locates near the rail corridor, the health and amenity of residents is not adversely affected, and the rail corridor is protected from reverse sensitivity effects. KiwiRail considers it is appropriate that these controls apply on a district-wide basis (or in relevant zones adjoining the rail corridor) as related provisions that are necessary to ensure intensification in and around the rail corridor is appropriately managed (particularly in the context of the additional intensification proposed through the IPI).



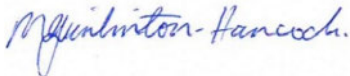
General reasons for the submission

21. The identification of the rail corridor as a qualifying matter and the amendments to the provisions of the IPI sought by KiwiRail will:
- (a) promote sustainable management of resources, achieve the purpose of the RMA, and are not contrary to Part 2 and other provisions of the RMA;
 - (b) meet the reasonably foreseeable needs of future generations;
 - (c) enable the social, economic and cultural wellbeing of the community in the Upper Hutt district;
 - (d) provide and promote the most appropriate health, safety and amenity outcomes and preserve operational and developmental capacity and efficiency for nationally significant infrastructure;
 - (e) be, in terms of section 32 of the RMA, the most appropriate way to give effect to the purpose of the RMA, the Amendment Act and the objectives of the IPI.

Relief Sought

22. KiwiRail seeks the relief set out in **Annexure A** to this submission and such further or consequential relief as may be necessary to give effect to the relief sought.

Yours faithfully

A handwritten signature in blue ink that reads "Michelle Grinlinton-Hancock".

Michelle Grinlinton-Hancock
RMA Team Leader



ANNEXURE A

PROVISION	SUPPORT/ OPPOSE	REASONS FOR KIWI RAIL'S SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECT) Proposed changes as notified shown as <u>underline</u> , and deleted text shown as strikethrough Further changes sought by KiwiRail in this submission shown as <u>underline</u> , and deleted text shown as strikethrough
DEFINITIONS			
3.1 Definitions Qualifying matter area	Support with amendment	KiwiRail supports the inclusion of a new definition of a qualifying matter area. As KiwiRail seeks the inclusion of the railway corridor as a qualifying matter in the IPI, it is appropriate that express reference to the railway corridor is included in the definition of a qualifying matter area to ensure consistency throughout the District Plan.	Retain with amendments as follows: <u>Qualifying matter area means a qualifying matter listed below:</u> [...] <u>(s) areas adjacent to the railway corridor.</u>
3.1 Definitions Reverse sensitivity	Support	KiwiRail supports the introduction of a new definition of reverse sensitivity. There are a range of planning provisions that refer to the concept of reverse sensitivity and it is appropriate for clarity of plan users that there is a definition.	Retain as notified.
3.1 Definitions Activities sensitive to noise	New definition	KiwiRail seeks the inclusion of a new definition for the term "Activities sensitive to noise" in Chapter 3.1. The inclusion of this definition is necessary to provide clarity to the noise and vibration provisions sought by KiwiRail.	Include new definition as follows: <u>Activities sensitive to noise means any residential unit, minor residential unit, family flat, rest home, retirement village, marae, community care housing, early childhood centre, educational facility, kōhanga reo, hospital, and healthcare facilities with an overnight stay facility.</u>
STRATEGIC DIRECTION			
UFD-04	Support	KiwiRail supports Objective (4) which appropriately provides for the recognition of qualifying matters at the strategic level of the District Plan. In particular, KiwiRail supports the reference to qualifying matters which are necessary to ensure the safe and efficient operation of nationally significant infrastructure.	Retain as notified.

PROVISION	SUPPORT/ OPPOSE	REASONS FOR KIWI RAIL'S SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECT)
UFD-P2	Support	KiwiRail supports the inclusion of new Policy (2) which provides for heights and densities of built development, including around rail stations. Specifically, KiwiRail supports the reference in Policy (2) of the need to avoid inappropriate densities of buildings and development within areas where a qualifying matter applies.	Proposed changes as notified shown as <u>underline</u> , and deleted text shown as strikethrough Further changes sought by KiwiRail in this submission shown as <u>underline</u> , and deleted text shown as strikethrough Retain as notified.
UFD Strategic Direction Relating to Residential Activities	Support with amendment	KiwiRail supports the reference in the strategic direction for residential activities that qualifying matters may limit the amount of permitted development. However, KiwiRail seeks an amendment to remove reference only "existing" qualifying matters in order to enable application of all relevant qualifying matters. KiwiRail also considers reference should be included to the High Density Residential Zone as there may equally be qualifying matters that apply within that zone and limit the development potential.	Amend UFD – Residential, as follows: [...] Within the General Residential Zone and High Density Residential Zone <u>existing qualifying matters may limit the amount of permitted medium density development possible on an allotment.</u> the Residential Conversation and Residential Hills reflect the particular environmental and topographical characteristics of those areas. [...]
UFD–CM-O1	Support	KiwiRail supports Objective CM-O1. Specifically, KiwiRail supports the reference to the provision for "social, economic and cultural wellbeing, and for their health and safety, now and into the future" in alignment with Objective 1 of the NPS-UD.	Retain as notified.
SUBDIVISION			
SUB-HRZ-O3	Support with amendment	KiwiRail generally supports the intent of Objective (3) to locate urban development around transport nodes but it is important that such development is undertaken in a way that ensures the safe and efficient operation of the transport network and manages	Amend as follows: <u>High quality intensive residential development is provided in close proximity to rapid transport stops, community facilities and commercial activities in multi-storey flats and apartments;</u> in a manner that ensures the ongoing safe and

PROVISION	SUPPORT/ OPPOSE	REASONS FOR KIWI RAIL'S SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECT)
		potential reverse sensitivity effects on existing lawfully established infrastructure.	Proposed changes as notified shown as <u>underline</u> , and deleted text shown as strikethrough Further changes sought by KiwiRail in this submission shown as <u>underline</u> , and deleted text shown as strikethrough
			<u>efficient operation of transport networks and minimises potential reverse sensitivity effects.</u>
SUB-HRZ-P4	Support with amendment	KiwiRail recognizes the benefits of co-locating urban development near transport nodes. However, KiwiRail considers an amendment is required to the policy to ensure that such development minimizes potential reverse sensitivity effects on the existing transport network.	Amend as follows: <u>Recognise the benefits of wider adoption of public transport through the increase of density along public transport corridors and within walkable catchments of centres- while ensuring development is undertaken in a manner that ensures the ongoing safe and efficient operation of transport networks and minimises potential reverse sensitivity effects.</u>
SUB-HRZ – S2(6)	Support	KiwiRail supports the inclusion of an access standard relating to buildings and structures at the intersection of a rail level crossing. It is appropriate to prevent buildings or other obstructions which block sight lines from being erected in order to ensure the ongoing safety of the rail corridor.	Retain as notified.
RESIDENTIAL AND COMMERCIAL ZONES			
HRZ-R1	Support in part	KiwiRail supports Rule 1 to the extent that it applies to the standards in the GRZ zone. In particular, KiwiRail supports the application of the increased setback for buildings adjacent to the rail corridor sought to be included in the GRZ (as outlined in this submission below) also being applied in the High Density Residential zone.	Retain as notified.
MUZ-P5	Support	KiwiRail supports the inclusion of Policy 5. It is important to ensure that built development occurs in a way that contributes to a safe urban environment which also includes managing the	Retain as notified.

PROVISION	SUPPORT/ OPPOSE	REASONS FOR KIWIRAIL'S SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECT)							
		interface between urban development and infrastructure, such as the rail corridor.	<p>Proposed changes as notified shown as <u>underline</u>, and deleted text shown as strikethrough</p> <p>Further changes sought by KiwiRail in this submission shown as <u>underline</u>, and deleted text shown as strikethrough</p>							
SETBACKS IN RELEVANT ZONES										
GRZ-S3 NCZ-SSC-S1 LCZ-S3 MUZ-S3 TCZ-S3 CCZ-S2 and any other zones affected by the IPI that adjoins the railway corridor	Support with amendment	<p>KiwiRail seeks a new permitted activity standard requiring buildings and structures to be setback 5m from a boundary with a railway corridor. A larger setback is required to ensure people can use and maintain their land and buildings safely, without interference with the railway corridor.</p> <p>KiwiRail also seeks a new matter of discretion to be added for activities that do not comply with the new permitted activity standard requiring buildings and structures to be setback at least 5m from the railway corridor. This is appropriate to ensure specific consideration is given to the need to ensure the safe use of buildings without interference with the rail corridor.</p>	<p>Amend setbacks in LCZ-S2, MUZ-S3 TCZ-S3 and CCZ-S2 as follows:</p> <p><u>1. Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:</u></p> <table border="1" data-bbox="1330 831 1608 943"> <thead> <tr> <th><u>Yard</u></th> <th><u>Minimum depth</u></th> </tr> </thead> <tbody> <tr> <td><u>Side</u></td> <td><u>1 metre</u></td> </tr> <tr> <td><u>Rear</u></td> <td><u>1 metre</u></td> </tr> </tbody> </table> <p><u>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.</u></p> <p><u>3. This standard does not apply to:</u></p> <ul style="list-style-type: none"> <u>a. Accessory buildings less than 2m in height.</u> <u>b. Fences and standalone walls.</u> <u>c. Buildings and structures on sites adjoining the rail corridor, which must be set back a</u> 		<u>Yard</u>	<u>Minimum depth</u>	<u>Side</u>	<u>1 metre</u>	<u>Rear</u>	<u>1 metre</u>
<u>Yard</u>	<u>Minimum depth</u>									
<u>Side</u>	<u>1 metre</u>									
<u>Rear</u>	<u>1 metre</u>									

Matters for consideration:

[...]

(x) The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.

PROVISION	SUPPORT/ OPPOSE	REASONS FOR KIWIRAIL'S SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECT) Proposed changes as notified shown as <u>underline</u> , and deleted text shown as strikethrough Further changes sought by KiwiRail in this submission shown as <u>underline</u> , and deleted text shown as strikethrough		
			<p><u>minimum of 5 metres from the railway corridor boundary.</u></p> <p>Amend NCZ-SSC-S1 as follows:</p> <p><u>1. The setback distance for buildings from boundaries shall be not less than:</u></p> <p>[...]</p> <table border="1" data-bbox="1234 754 1637 874"> <tr> <td><u>e. boundaries of sites adjoining the rail corridor</u></td> <td><u>5m</u></td> </tr> </table> <p>Amend GRZ-S3 as follows:</p> <p><u>(1) Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:</u></p> <p>[...]</p> <p><u>(3) This standard does not apply to buildings on sites adjoining the rail corridor which must be setback a minimum of 5m from the rail corridor boundary.</u></p>	<u>e. boundaries of sites adjoining the rail corridor</u>	<u>5m</u>
<u>e. boundaries of sites adjoining the rail corridor</u>	<u>5m</u>				
NCZ LCZ	New policy	KiwiRail seeks the inclusion of a new objective and policy into each of the relevant zones adjoining the railway corridor that are affected by the IPI to ensure the interface between urban	Add new objective as follows:		

PROVISION	SUPPORT/ OPPOSE	REASONS FOR KIWIRAIL'S SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECT)
MUZ TCZ CCZ and any other zones affected by the IPI that adjoins the railway corridor		development and the rail corridor is appropriately managed. This is appropriate to ensure the setback rules give effects to the objectives and policies of the District Plan. In the alternative, KiwiRail seeks that the existing objectives and policies in each zone be amended to provide appropriate policy direction to manage the safety of the rail corridor and the communities who live nearby.	Proposed changes as notified shown as <u>underline</u> , and deleted text shown as strikethrough Further changes sought by KiwiRail in this submission shown as <u>underline</u> , and deleted text shown as strikethrough <u>OX. Built development is of an appropriate scale and location to minimise risks to public health and safety.</u> Add new policy as follows: <u>PX. Require activities adjacent to regionally significant network utilities to be setback a safe distance in order to ensure the ongoing safe and efficient operation of those utilities and the communities who live adjacent to them.</u>
NOISE			
NOISE-O2 and NOISE- P3	New objective and policy	KiwiRail seeks a new objective and policy be included in the district-wide Noise Chapter to provide appropriate policy direction on the need to manage new and altered activities sensitive to noise near the railway corridor in addition to the existing policy direction which already seeks to ensure a high quality environment is created by protecting amenity values. In the alternative and to the extent the noise and vibration rules are included in each relevant zone, amend the existing objectives and policies (including NCZ-P2, LCZ-P2, MUZ-P2 and TCZ-P2) to recognize the need to minimise reverse sensitivity effects on infrastructure.	Add new objective as follows: <u>NOISE-O2 Avoid where practicable, or otherwise remedy or mitigate, adverse effects of subdivision, use and development on regionally significant network utilities.</u> Add new policy as follows: <u>NOISE-P3 Require activities to be appropriately located and/or designed to avoid where practicable or otherwise remedy or mitigate reverse sensitivity effects on regionally significant network utilities.</u>

PROVISION	SUPPORT/ OPPOSE	REASONS FOR KIWRAIL'S SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECT)																
NOISE-RX	New Rule	KiwiRail seeks a new permitted activity rule be included in the district-wide Noise chapter requiring any activity sensitive to noise to comply with noise and vibration standards. KiwiRail also seeks a new restricted discretionary activity (and matters for consideration) for any activities that do not comply with the permitted activity rule. Alternatively, KiwiRail seeks this rule be included in each of the relevant zones adjoining the railway corridor.	<p>Proposed changes as notified shown as <u>underline</u>, and deleted text shown as strikethrough</p> <p>Further changes sought by KiwiRail in this submission shown as <u>underline</u>, and deleted text shown as strikethrough</p> <p>Add new rule as follows:</p> <table border="1" data-bbox="1234 523 2033 794"> <thead> <tr> <th colspan="3">Permitted activities</th> <th>Zones</th> </tr> </thead> <tbody> <tr> <td><u>NOISE-RX</u></td> <td><u>Any new buildings or alterations to existing buildings containing an activity sensitive to noise which complies with the noise and vibration standards in NOISE-S7 and NOISE-S8</u></td> <td><u>PER</u></td> <td><u>All</u></td> </tr> </tbody> </table> <p>Add new rule as follows</p> <table border="1" data-bbox="1234 890 2033 1029"> <thead> <tr> <th colspan="3">Restricted discretionary activities</th> <th>Zones</th> </tr> </thead> <tbody> <tr> <td><u>NOISE-RX</u></td> <td><u>Any activity that does not comply with NOISE-S7 and NOISE-S8</u></td> <td><u>RDIS</u></td> <td><u>All</u></td> </tr> </tbody> </table>	Permitted activities			Zones	<u>NOISE-RX</u>	<u>Any new buildings or alterations to existing buildings containing an activity sensitive to noise which complies with the noise and vibration standards in NOISE-S7 and NOISE-S8</u>	<u>PER</u>	<u>All</u>	Restricted discretionary activities			Zones	<u>NOISE-RX</u>	<u>Any activity that does not comply with NOISE-S7 and NOISE-S8</u>	<u>RDIS</u>	<u>All</u>
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<u>NOISE-RX</u>	<u>Any new buildings or alterations to existing buildings containing an activity sensitive to noise which complies with the noise and vibration standards in NOISE-S7 and NOISE-S8</u>	<u>PER</u>	<u>All</u>																
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<u>NOISE-RX</u>	<u>Any activity that does not comply with NOISE-S7 and NOISE-S8</u>	<u>RDIS</u>	<u>All</u>																
NOISE-S7 and NOISE-MC3	New Standard	KiwiRail seeks a new noise insulation and ventilation standard to apply to new and altered activities sensitive to noise in all zones adjacent to the railway corridor to manage potential reverse sensitivity effects and adverse health and amenity effects on communities adjacent to the railway corridor. Alternatively, KiwiRail seeks this standard be included in each of the relevant zones adjoining the railway corridor.	<p>Add new standard as follows:</p> <p><u>NOISE-S7 Rail Noise</u></p> <p><u>Any new building or alteration to an existing building that contains an activity sensitive to noise shall be:</u></p> <p><u>(1) designed, constructed and maintained to achieve indoor design noise levels resulting from the railway corridor not exceeding the maximum values in the following table; or</u></p> <table border="1" data-bbox="1234 1332 1962 1396"> <thead> <tr> <th><u>Building type</u></th> <th><u>Occupancy / activity</u></th> <th><u>Maximum railway noise level $L_{Aeq}(1h)$</u></th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	<u>Building type</u>	<u>Occupancy / activity</u>	<u>Maximum railway noise level $L_{Aeq}(1h)$</u>													
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PROVISION	SUPPORT/ OPPOSE	REASONS FOR KIWIRAIL'S SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECT) Proposed changes as notified shown as <u>underline</u> , and deleted text shown as strikethrough Further changes sought by KiwiRail in this submission shown as <u>underline</u> , and deleted text shown as strikethrough
			<p><u>(3) The levels in the above table must be met based on an assumed level of 70 dB LAeq(1h) at a distance of 12m from the track and reduce at a rate of 3 dB per doubling of distance of up to 40m and 6 dB per doubling of distance beyond 40m.</u></p> <p><u>(4) Where windows are required to be closed to achieve the sound levels in the table above the room or space shall be designed, constructed and maintained to:</u></p> <ul style="list-style-type: none"> a. <u>Provide mechanical ventilation that satisfies clause G4 of the New Zealand Building Code and is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and</u> b. <u>Provide relief for equivalent volumes of spill air; and</u> c. <u>Provide cooling and heating that is controllable by the occupant and that can maintain the inside temperature of the room or space between 18°C and 25°C.</u> d. <u>Ensure that where a ventilation or cooling system is used that it does not generate more than 35dB_{LAeq} when measured 1m away from any grille or diffuser).</u> <p>Add new matters for consideration as follows:</p> <p><u>Matters for consideration</u> <u>NOISE-MC3 Rail noise</u></p> <p><u>1. Whether the activity sensitive to noise could be located further from the railway network.</u></p>

PROVISION	SUPPORT/ OPPOSE	REASONS FOR KIWIRAIL'S SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECT) Proposed changes as notified shown as <u>underline</u> , and deleted text shown as strikethrough Further changes sought by KiwiRail in this submission shown as <u>underline</u> , and deleted text shown as strikethrough
			<p><u>2. The extent to which the noise and vibration criteria are achieved and the effects of any non-compliance.</u></p> <p><u>3. The character of, and degree of, amenity provided by the existing environment and proposed activity.</u></p> <p><u>4. The reverse sensitivity effects on the rail network, and the extent to which mitigation measures can enable their ongoing operation, maintenance and upgrade.</u></p> <p><u>5. Special topographical, building features or ground conditions which will mitigate vibration impacts.</u></p> <p><u>6. The outcome of any consultation with KiwiRail.</u></p>
NOISE-S8 and NOISE-MC4	New standard and matters for consideration	KiwiRail seeks a new vibration standard to apply to new and altered activities sensitive to noise in all zones adjacent to the rail corridor to manage potential reverse sensitivity effects and adverse health and amenity effects on communities adjacent to the rail corridor. Alternatively, KiwiRail seeks this standard be included in each of the relevant zones adjoining the rail corridor.	<p>Add new standard as follows:</p> <p><u>NOISE-S8 Indoor railway vibration</u></p> <p><u>1. Any new buildings or alterations to existing buildings containing a noise sensitive activity, within 60 metres of the boundary of any railway network, must be protected from vibration arising from the nearby rail corridor.</u></p> <p><u>2. Compliance with standard (1) above shall be achieved by a report submitted to the council demonstrating compliance with the following matters:</u></p> <p><u>(a) the new building or alteration or an existing building is designed, constructed and maintained to achieve rail vibration levels not exceeding 0.3 mm/s vw,95 or</u></p> <p><u>(b) the new building or alteration to an existing building is a single-storey framed residential building with:</u></p>

PROVISION	SUPPORT/ OPPOSE	REASONS FOR KIWI RAIL'S SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECT) Proposed changes as notified shown as <u>underline</u> , and deleted text shown as strikethrough Further changes sought by KiwiRail in this submission shown as <u>underline</u> , and deleted text shown as strikethrough
			<p><u>i. a constant level floor slab on a full-surface vibration isolation bearing with natural frequency not exceeding 10 Hz, installed in accordance with the supplier's instructions and recommendations; and</u></p> <p><u>ii. vibration isolation separating the sides of the floor slab from the ground; and</u></p> <p><u>iii. no rigid connections between the building and the ground.</u></p> <p>Add new matters for consideration as follows:</p> <p><u>Matters for consideration</u> <u>NOISE-MC4 Rail vibration</u></p> <p><u>(a) the effects generated by the standard(s) not being met.</u></p> <p><u>(b) location of the building.</u></p> <p><u>(c) the effects of any non-compliance with the activity specific standards.</u></p> <p><u>(d) special topographical, building features or ground conditions which will mitigate vibration impacts.</u></p> <p><u>(e) the outcome of any consultation with KiwiRail.</u></p>
TRANSPORT			
TP-S1(5) SUB-HRZ – S2(6) SUB-CMU-S1(5)	Support	Kiwirail supports the inclusion of a standard in the Transport Chapter and the subdivision provisions relating to buildings and structures at the intersection of a rail crossing. It is appropriate to prevent buildings or other obstructions which block sight lines	Retain as notified.

PROVISION	SUPPORT/ OPPOSE	REASONS FOR KIWIRAIL'S SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECT) Proposed changes as notified shown as <u>underline</u> , and deleted text shown as strikethrough Further changes sought by KiwiRail in this submission shown as <u>underline</u> , and deleted text shown as strikethrough
		from being erected in order to ensure the ongoing safety of the rail corridor.	

Submission 44

tmp_banjo just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Jonathan Board

Postal address of submitter:

66 Chatsworth Road, Silverstream

Agent acting for submitter (if applicable):

No Answer

Email address:

jonathan.board@gmail.com

Telephone number:

021676580

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Southern Growth Area

My submission is that:

The Southern Growth area should be removed from consideration. The development of this site will fundamentally change the character of the area, destroy habitat and scenic landscape and cause increased flooding for existing residents.

I seek the following decision from the local authority:

Remove the Southern Growth Area from consideration

Please indicate whether you wish to be heard in support of your submission:

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.

Submission 45

Bea just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Beatrice Serrao

Postal address of submitter:

13 York Avenue, Heretaunga, Upper Hutt 5018, New Zealand

Address for service (if different from above)

13 York Avenue, Heretaunga, Upper Hutt 5018, New Zealand

Email address:

beatriceserraomccaul@outlook.com

Telephone number:

02102908253

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

No at a such large high density area!!!! No Upper Hutt will turn into a Bronx.

My submission is that:

The high density area is excessively large. 6 stories high buildings are going to be such an eye sore. Build your skyscrapers near the city centre!

I seek the following decision from the local authority:

Unsure what you mean by this. I feel that those forms are purposely so hard to interpret and understand.

Please indicate whether you wish to be heard in support of your submission:

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.

Submission 46

Blue Mountains Campus Development Limited Partnership just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Blue Mountains Campus Development Limited Partnership

Postal address of submitter:

PO Box 24137 Manners Street Wellington 6142

Agent acting for submitter (if applicable):

Geoff Young

Address for service (if different from above)

Level 2, 5 Cable Street, Wellington Central

Email address:

geoff@willisbond.co.nz

Telephone number:

0272331789

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Refer to attached submission

My submission is that:

Amend and oppose specific provisions - refer to attached submission for further detail.

I seek the following decision from the local authority:

Amend provisions - refer to attached submission

Please indicate whether you wish to be heard in support of your submission:

I do wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.

Form 5

Submission on Proposed Plan Change to the Upper Hutt City Council District Plan:
Planning for Growth – Intensification Planning Instrument

To: Upper Hutt City Council
Private Bag 907
Upper Hutt 5140

Attn: Intensification Planning Instrument Submissions

By email: planning@uhcc.govt.nz

Name of submitter: Blue Mountains Campus Development Limited Partnership
PO Box 24137
Wellington 6142

This is a submission on the **Intensification Planning Instrument** for the Upper Hutt City District Plan.

Blue Mountains Campus Development Limited Partnership (BMC) could not gain an advantage in trade competition as a result of this submission.

The specific provisions of the proposal that the submission relates to, the submission points, reasons and decisions sought are set out in the attached table. BMC seeks that the decisions sought in the attached table are adopted, or any other such relief and/or consequential amendments are made that achieve an equivalent outcome.

BMC wishes to be heard in support of its submission. BMC does not wish to present a joint case.

Signed:  _____

On behalf of Blue Mountains Campus Development Limited Partnership

Date: 30 September 2022

Address for Service:

Blue Mountains Campus Development Limited Partnership
C/- Building Block Planning Limited
8A Travancore Street
Island Bay
Wellington 6140

Contacts Details:

Attention: Mitch Lewandowski
Telephone: 021 515 481
Email: mitch@bbplanning.co.nz

Background and summary

BMC is the owner of the 'Blue Mountains Campus'. The site is a portion of the wider Wallaceville Structure Plan Development Area at Wallaceville. Following AgResearch vacating the site, Plan Change 40 to the Upper Hutt District Plan rezoned the wider 63 hectare site from the Special Activity Zone that applied to the site, to a mixture of residential and commercial zoning that currently applies.

A structure plan was prepared for the future development of the site which seeks to provide for a variety of densities, along with areas of commercial development focussing primarily on the 'Gateway Precinct' of the site. The Plan Change sought to give effect to the strategic direction for the site identified by the Upper Hutt Urban Growth Strategy (2007) which identified the development of new business opportunities at the site, along with the development of a 'smart village'.

BMC holds and is implementing a resource consent for the refurbishment of the existing Buddle building along the Ward Street frontage of the site, and the construction of a new commercial building to the rear of the Buddle building. This will see office and commercial activity return to the site. The new commercial building will be used by KiwiRail as its national control room. The refurbished Buddle building will be occupied by KiwiRail, the Ministry of Business, Innovation and Employment, along with further office tenants and a café operator. BMC is actively planning future development for the balance of the site and is seeking to ensure that the District Plan provides for sufficient building heights and density of urban form, as required by the National Policy Statement for Urban Development (NPS-UD). BMC also seeks that the District Plan provides for an appropriate range of activities to occur on the site so that development opportunities are not unnecessarily restrained.

Zoning overview

The provisions in the Wallaceville Structure Plan Development Area apply in addition to the underlying zone rules of the General Residential Zone and the Commercial Zone and relevant District-wide Matters. Where there is any conflict between provisions, the Wallaceville Structure Plan Development Area provisions prevail.

The site is presently zoned a mixture of Business Commercial and Residential under the operative Upper Hutt District Plan as shown below in Figure 1. Figure 1 also shows the precinct notations for the 'Gateway Precinct' and the 'Urban Precinct' from the Wallaceville Structure Plan. BMC is the owner of Lots 1, 2, 3 and 252 as shown on Figure 1.

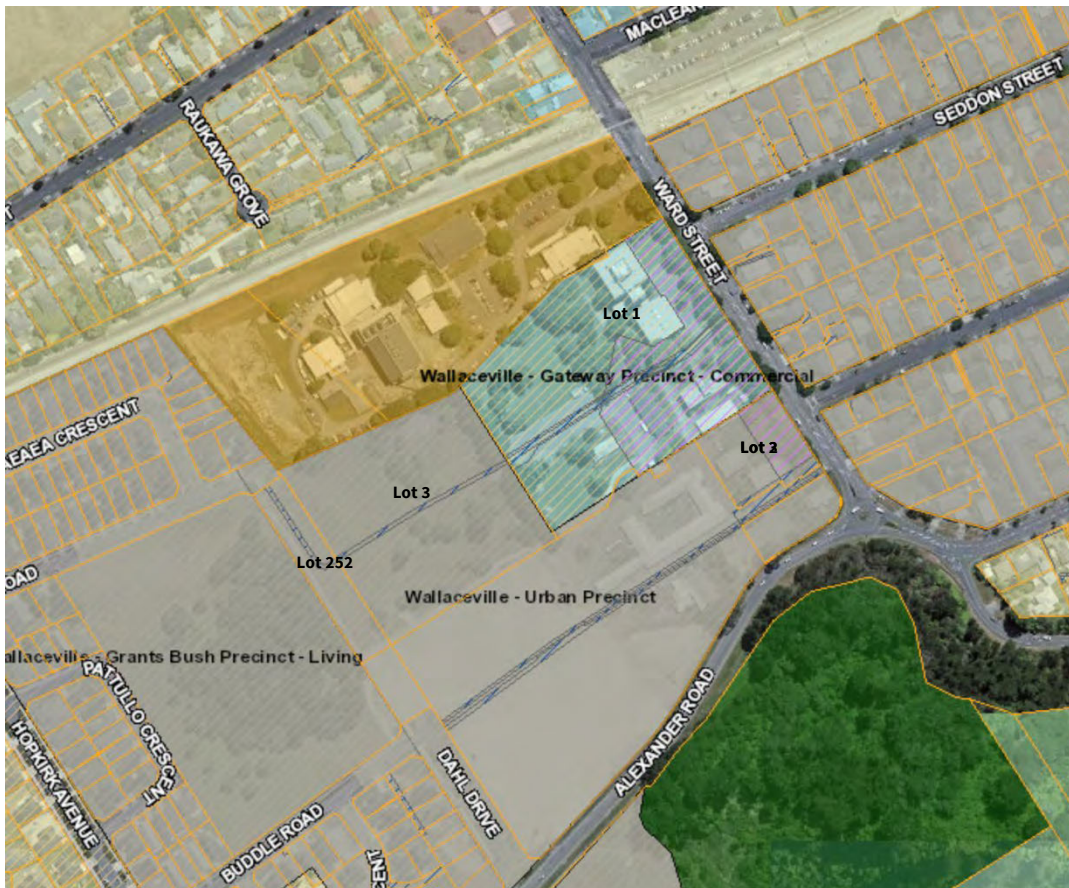


FIGURE 1: The Wallaceville Structure Plan – existing zoning and Precinct notations.

The changes proposed by the IPI will:

- Rezone the 'Gateway Precinct' portion of the site from Business Commercial to Local Centre Zone (LCZ);
- Rezone the 'Urban Precinct' portion of the site from Residential to High Density Residential Zone (HDRZ); and
- Make a number of associated consequential changes to the Wallaceville Structure Plan Development Area chapter of the District Plan.

Gateway Precinct

There is one existing objective specific to the Gateway Precinct which states:

- DEV1-02 Provide for the Gateway Precinct of the Wallaceville Structure Plan Development Area as a neighbourhood centre which:*
- (1) Provides local convenience retail and services*
 - (2) Provides employment opportunities*
 - (3) Provides residential development where this is compatible with retail, commercial and office land uses*
 - (4) Makes efficient use of natural and physical resources.*

The introductory text to the objective states:

The following objective relates to the Gateway Precinct of the Wallaceville Structure Plan Development Area and applies in addition to the objectives of the underlying Commercial Zone. It provides additional guidance specific to the Gateway Precinct of the Structure Plan.

Policy DEV1-P8 provides for development within the Gateway Precinct that is consistent with the Wallaceville Structure Plan. In explanation of the policy, it is noted that the “Wallaceville Structure Plan identifies the Gateway Precinct as the location of a local centre incorporating retail, commercial and above ground level residential uses.”

As noted above, the rules and standards specified for the Gateway Precinct apply in addition to the provisions of the underlying zone. Where there is any conflict, the Gateway Precinct rules are to prevail. Rule DEV1-R2 provides for the following as a permitted activity within the Gateway Precinct:

Retail activity, restaurants, offices, early childhood centres, and residential accommodation above ground level.

The activities provided for are similar to those activities provided for across the LCZ, and the Gateway Precinct serves a similar purpose to the function of the LCZ. Given that the LCZ is the underlying zone, it is submitted that the activities provided for by the LCZ are appropriate to the Gateway Precinct and Rule DEV1-R2 is not required. Alternatively, an amendment to Rule DEV1-R2 to remove reference to “above ground level” is sought.

The provision for residential accommodation above ground level is inconsistent with Objective DEV1-O2 and the “intentions” for the Gateway Precinct specified for the area by the structure plan itself. The intention for the Gateway Precinct “includes provision for a range of residential housing types at a relatively high density, including duplexes, terraces and low rise apartments”. If the structure plan intends that duplexes and terrace housing units are provided in the area, then reference to residential above ground level should be removed.

It is also noted that the proposed LCZ provides for residential at ground level, and removing this existing restriction would ensure consistency with the zoning that is proposed for the site. It would also give effect to the requirements of the NPS-UD in maximising development capacity and provide for an appropriate range of residential typologies, while not unnecessarily restricting development potential.

In addition to this core aspect, the submission also identifies a range of minor corrections that are required in respect of the Gateway Precinct to address consistency and operability issues.

Urban Precinct

There is no specific objective for the Urban Precinct. Rather Objective DEV1-O1 is a more generic objective for all precincts other than the Gateway Precinct: *To promote the sustainable management and efficient utilisation of land within the Wallaceville Structure Plan Development Area, while avoiding, remedying or mitigating adverse effects.*

Policy DEV1-P1 relates to the provision of non-residential activities and notes in the explanatory text:

“While provided for as a Discretionary Activity, it is recognised that commercial development may take place in the Urban Precinct of the Wallaceville Structure Plan, which may include the commercial redevelopment of the farm management building and dairy building, provided that significant adverse environmental effects on the Commercial Zone (the Gateway Precinct), residential activities and other areas of Upper Hutt City can be avoided or mitigated. This does not preclude other potential development options for the Urban Precinct being developed that are compatible with residential activities.”

There are no permitted activities specified for the Urban Precinct, and instead the provisions of the underlying zone (proposed as HDRZ) apply. This proposed HDRZ zoning provides for residential development, but its provisions are not designed to facilitate non-residential development. Any non-residential activity is a discretionary activity.

BMC is seeking to provide for a wide range of activities on its Blue Mountains Campus site in order to maximise its development potential. This is consistent with its current development objective under the Structure Plan, to

promote the efficient utilisation of the site. These activities may be additional commercial or office activities, residential development, other compatible activities, or a mixture of activities. This submission therefore seeks that the zoning of the site (Lots 2, 3 and 252 of the Urban Precinct) be changed to a Local Centre Zoning as an extension of the LCZ applicable to the Gateway Precinct.

Policy 3(c)(i) of the NPS-UD provides for district plans to enable building heights of at least 6 storeys within at least a walkable catchment of existing and planned rapid transit stops, the edge of city centre zones, or the edge of metropolitan centre zones. It appears that UHCC has proposed to apply the HDRZ to the site in order to give effect to Policy 3(c)(i), and in particular, to enable building heights of at least 6 storeys within a walkable catchment of Wallaceville Station.¹

The provision of more varied development capacity through the LCZ gives better effect to the NPS-UD. Density of built form and building heights would remain consistent with the HDRZ, ensuring that the NPS-UD requirements are addressed. The LCZ zoning would enable residential development and would also provide a wider range of permitted activities that are appropriate to the Urban Precinct.

It is inappropriate and would undermine that the intent of the NPS-UD (including Policy 3) to apply a narrow focus on residential subdivision and development. The implementation of Policy 3 in the IPI should be integrated with the other outcomes sought to be achieved by the NPS-UD, and in particular, the need to provide for development to meet expected demand for business land. The ability to meet this demand is what was sought to be enabled under the Structure Plan, and what was foreshadowed in Policy DEV1-P1 above.

This application of Policy 3 is supported by other provisions in the NPS-UD, and in particular, Objective 3 and Policy 2:

Objective 3: Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:

- a) the area is in or near a centre zone or other area with many employment opportunities
- b) the area is well-serviced by existing or planned public transport
- c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.

Policy 2: Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.

We note that LCZ is applied to areas that are used predominantly for a range of commercial and community activities that service the needs of the residential catchment.² In particular, the rationale for the zone in the section 32 Evaluation Report applies to the site:

The Local Centre Zone provides for medium-scale commercial centres that are conveniently located to service the needs of the surrounding commercial catchment. Local centres accommodate a range of retail, commercial, and community activities, while also offering services, employment, and residential opportunities. The actual size of a local centre depends largely on its location and the size of the surrounding catchment. Most local centres have potential for growth and intensification, which allows them to provide for the expected growth of surrounding residential areas, while not undermining the primary function and vitality of the City Centre Zone.

1 Section 32 Evaluation Report: Volume 1: "Overview" at 1.2.2. Available [here](#).

2 Section 32 Evaluation Report: Volume 1: "Commercial and Mixed Use Zones" at Appendix A. Available [here](#).

Alternatively, the submission seeks that the current permitted activities for the Gateway Precinct are also provided for in the Urban Precinct (Lots 2, 3 and 252) whether as a permitted activity rule in the Wallaceville Structure Plan Development Area chapter, or as a precinct provision in the Local Centre Zone.

The submission also identifies a range of minor corrections that are required in respect of the Urban Precinct to address consistency and operability issues.

Summary

The IPI seeks to implement the direction of the National Policy Statement on Urban Development (NPS-UD) and the Medium Density Residential Standards (MDRS). The direction under Policy 3 of the NPS-UD relates to enabling “building heights and density of urban form” and is not specific to the type of land use that should be enabled.

BMC considers that the changes to the IPI proposed by this submission would better achieve the requirements of the NPS-UD by providing for appropriate building heights and density of urban form, but also enabling development capacity for a wider range of activities than are currently provided for. The changes sought in this submission will also better meet the purpose and principles of the RMA, and are more appropriate in terms of section 32.

Provision	Support/Oppose/Amend	Submission	Relief Sought
Policy DEV1-P8 Gateway Precinct	Amend	<p>As noted above, restricting residential development to above ground level is inconsistent with Objective DEV1-O1 and the Wallaceville Structure Plan itself.</p> <p>An amendment to the <u>explanatory text</u> of Policy DEV1-P7 is sought to remove reference to “above ground level” residential uses. This would ensure that the policy which provides for development that is “consistent with the Wallaceville Structure Plan” is properly reflective of the intentions that are specified in the Structure Plan.</p>	<p>Amend the explanatory text of Policy DEV1-P8 as follows:</p> <p><i>The Wallaceville Structure Plan identifies the Gateway Precinct as the location of a local centre incorporating retail, commercial and above ground level residential uses. It also establishes intention and outcome expectations based on an analysis of site values, constraints and opportunities. Requiring development to be consistent with the Structure Plan will ensure that future development of the local centre represents sustainable management of the land resource.</i></p>
Rule DEV1-R2 Permitted activities – Gateway Precinct	Amend	<p>Rule DEV1-R2 provides for the following permitted activities as a permitted activity in the Gateway Precinct:</p> <p><i>Retail activity, restaurants, offices, early childhood centres, and residential accommodation above ground level on land identified in the Gateway Precinct of Wallaceville Structure Plan</i></p> <p>It is submitted that the rule constrains permitted activities on the site in a manner that is inconsistent with the underlying LCZ. The requirements of the NPS-UD are to provide for increased density and built form standards. Applying the LCZ directly, without Rule DEV1-R2 constraining some potential activities provided by the LCZ is consistent with the requirements of the NPS-UD.</p> <p>As an alternative and consistent with the change sought for Policy Dev1-P8, amend this permitted activity rule to remove the words “above ground level.”</p>	<ul style="list-style-type: none"> ▪ Delete Rule DEV1-R2 and instead rely on the permitted activities provided by the underlying LCZ; or ▪ Amend Rule DEV1-R2 as follows: <p><i>Retail activity, restaurants, offices, early childhood centres, and residential accommodation above ground level on land identified in the Gateway Precinct of Wallaceville Structure Plan</i></p> <p>If Rule DEV1-R2 is deleted, Rule DEV1-R6 will also need to be deleted.</p>
Standard DEV1-S10 Loading provisions – Gateway Precinct	Amend	<p>This is an existing standard that notes that loading spaces required by COMZ-S6 do not apply to the floor area of residential activities in the Gateway Precinct.</p> <p>The IPI does not address or update this standard which will create a ‘broken’ linkage to a standard that will no longer exist.</p>	<p>Amend Standard DEV1-S10 to correct reference to COMZ-S6 and retain the existing intent of the standard.</p>

Provision	Support/Oppose/Amend	Submission	Relief Sought
Standard DEV1-S12 Screening – Gateway Precinct	Amend	Standard DEV1-S12 provides an exemption for the Gateway Precinct from the screening standard of COMZ-S8. The IPI does not address or update this standard which will create a ‘broken’ linkage to a standard that will no longer exist.	Amend Standard DEV1-S12 to correct reference to COMZ-S8 and retain the existing intent of the standard in providing an exemption.
Standard DEV1-S13 Landscaping – Gateway Precinct	Amend	Standard DEV1-S13 provides an exemption for the Gateway Precinct from the screening standard of COMZ-S9. The IPI does not address or update this standard which will create a ‘broken’ linkage to a standard that will no longer exist.	Amend Standard DEV1-S13 to correct reference to COMZ-S9 and retain the existing intent of the standard in providing an exemption.
Rule DEV1-R5 Non-notification statement	Amend	The statement provides that limited notification is precluded where an application is consistent with the Wallaceville Structure Plan. The statement is therefore contingent on a subjective assessment of consistency which is inappropriate in attempting to provide for notification certainty.	Amend the restriction on notification as follows: <i>In respect of this rule, and subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, an application which meets the relevant standards and terms will be decided without the need for public notification under section 95A and any application that is consistent with the Wallaceville Structure Plan without the need for limited notification under Section 95B and for new buildings within the heritage covenant area limited notification will only be served on Heritage New Zealand (unless affected party approval is provided) under section 95B of the Act.</i>
Rule DEV1-R6 Discretionary activities – Gateway Precinct	Amend	The rule is a catch-all discretionary activity rule regarding activities on the Gateway Precinct. It is proposed to make a change to this rule to ensure consistency with the changes sought to Policy DEV1-P8 and Rule DEV1-R2 above The rule also contains references to rules COMZ-R20 and COMZ-R21. The IPI does not address or update this which will create a ‘broken’ linkage to two rules that will no longer exist.	<ul style="list-style-type: none"> Amend Rule DEV1-R6 as follows: <i>Garden centres and all activities other than retail activity, restaurants, offices, early childhood centres, and residential accommodation above ground level and not otherwise provided for as non-complying in COMZ-R20 and COMZ-R21 in the Gateway Precinct of the Wallaceville Structure Plan Development Area</i>

Provision	Support/Oppose/Amend	Submission	Relief Sought
			<ul style="list-style-type: none"> Correct references to COMZ-R20 and COMZ-R21.
Zoning – as applicable to Lots 2, 3 and 252 of the Urban Precinct	Amend	The proposed HDRZ zoning unnecessarily limits the scope of activities on the site, and is inconsistent with the direction of the NPS-UD. The site, as described by the Wallaceville Structure Plan envisages non-residential activities in the Urban Precinct. Provision for non-residential activities as a discretionary activity creates uncertainty in considering potential development options for the site.	Change the zoning of Lots 2, 3 and 252 of the Urban Precinct from High Density Residential Zone to Local Centre Zone.
Zoning – alternative relief	Amend		<p>As an alternative to changing the zoning of the site as outlined above:</p> <ul style="list-style-type: none"> Provide for the permitted activities of the Gateway Precinct within Lots 2,3 and 252 of the Urban Precinct as part of the Wallaceville Structure Plan Development Area chapter; or Provide for the permitted activities of the Gateway Precinct within Lots 2,3 and 252 of the Urban Precinct as a new Precinct within the LCZ chapter.
DEV1-S1 Access standards – Urban Precinct	Amend	<p>The standard relates to access requirements and applies in addition to the requirements of GRZ-S1.</p> <p>The reference to a standard in the GRZ is assumed to be incorrect and should reference the HDRZ.</p>	Amend Standard DEV1-S1 to correct reference to GRZ-S1.
DEV1-S2 Setbacks from boundaries – Urban Precinct	Amend	<p>Standard DEV1-S2 outlines additional setback standards with reference to standard GRZ-S4. This standard will no longer be applicable.</p> <p>The IPI does not address or update this standard which will create a ‘broken’ linkage to a standard that will no longer exist.</p>	Amend Standard DEV1-S1 to correct reference to GRZ-S4, make any other necessary consequential changes.
DEV1-S3 Outdoor living space – Urban Precinct	Amend	Standard DEV1-S3 provides an exemption for the Urban Precinct from the outdoor living standard of GRZ-S5, particular to Comprehensive Residential	Amend Standard DEV1-S3 to correct reference to GRZ-S5 or delete the standard.

Provision	Support/Oppose/Amend	Submission	Relief Sought
		<p>Developments. Provisions relating to Comprehensive Residential Developments are being removed as part of the IPI.</p> <p>The IPI does not address or update this standard which will create a 'broken' linkage to a standard that will no longer exist.</p>	
DEV1-S4 Building height – Urban Precinct	Amend	<p>Standard DEV1-S4 provides an exemption for the Urban Precinct from the building height standard of GRZ-S7, particular to Comprehensive Residential Developments. Provisions relating to Comprehensive Residential Developments are being removed as part of the IPI.</p> <p>The IPI does not address or update this standard which will create a 'broken' linkage to a standard that will no longer exist.</p>	Amend Standard DEV1-S4 to correct reference to GRZ-S7 or delete the standard.
DEV1-S5 Sunlight access – Urban Precinct	Amend	<p>Standard DEV1-5 provides an exemption for the Urban Precinct from the sunlight access standard of GRZ-S8.</p> <p>The IPI does not address or update this standard which will create a 'broken' linkage to a standard that will no longer exist.</p>	Amend Standard DEV1-S5 to correct reference to GRZ-S8 and retain the existing intent of the standard if necessary.
DEV1-MC1 Matters for Consideration – Urban Precinct	Amend	<p>DEV1-MC1 sets out a range of matters of consideration for the assessment of resource consent applications.</p> <p>DEV1-MC1 refers to a range of matters in the GRZ. The IPI does not amend these references and will therefore create a range of 'broken' linkages.</p>	Amend DEV1-MC1 to correct references to provisions within the GRZ.
LCZ Introduction	Amend	<p>The LCZ zoning is the underlying zone to the Gateway Precinct and is proposed by this submission to be the underlying zone to parts of the Urban Precinct.</p> <p>The introduction to this zone should acknowledge the relationship with the Wallaceville Structure Plan Development Area.</p>	Amend the introductory statement to make reference to the Wallaceville Structure Plan Development Area and the relationship between it and the zone chapter.
Rule LCZ-R5.1.a Commercial service activity	Amend	The standard limits Commercial Services Activity to a gross floor area per tenancy of 250m ² . It is sought that an exemption be provided to this standard within the Wallaceville Structure Plan Development Area.	Amend Rule LCZ-R5.1.a to provide an exemption for the Wallaceville Structure Plan Development Area.

Provision	Support/Oppose/Amend	Submission	Relief Sought
Rule LCZ-R10.1.a Office activity	Amend	The standard limits Office Activity to a gross floor area per tenancy of 150m ² . It is sought that an exemption be provided to this standard within the Wallaceville Structure Plan Development Area.	Amend Rule LCZ-R10.1.a to provide an exemption for the Wallaceville Structure Plan Development Area.
Standard LCZ-S6 Noise and ventilation	Oppose	The existing Gateway Precinct provisions do not include noise insulation standards, only a ventilation standard. A continuation of that approach is sought.	Exempt the Gateway Precinct from the requirements of Standard LCZ-S6.
Standard LCZ-S8 Screening and Landscaping	Amend	Consistent with the exemption provided for the Gateway Precinct through DEV1-S12 and the relief sought above in respect of that standard, a continuation of that approach is sought for Lots 2, 3 and 252 of the Urban Precinct.	Provide an exemption to the standard in relation to Lots 2, 3 and 252 of the Urban Precinct.



OFFICE USE ONLY

Submission number

47

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN
Planning for Growth - Intensification Planning Instrument (IPI)

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

Deliver to: Upper Hutt Civic Centre, 838 – 842 Fergusson Drive, Upper Hutt 5019

Post to: Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

Scan and email to: planning@uhcc.govt.nz

Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at planning@uhcc.govt.nz.

NAME OF SUBMITTER JULIE CAMERON

POSTAL ADDRESS OF SUBMITTER 346B FERGUSSON DRIVE
HERETAUNGA, UPPER HUTT

AGENT ACTING FOR SUBMITTER (IF APPLICABLE) _____

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE) _____

CONTACT TELEPHONE 021 448412 CONTACT EMAIL julie@bluepencil.co.nz

I could gain an advantage in trade competition through this submission (please tick one ☑): **yes** / **no**

Only answer this question if you ticked 'yes' above:

I am / am not (tick one ☑) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

The zoned areas of 'high Density housing' proposed in Silverstream & Hevetanga areas, or for any areas/suburbs in Upper Hutt that already have suitable family housing. These SHOULDNT have up to 20m + high dwellings/apartments approved.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

High multi storey apartments or dwellings are not suitable to be built in already established family suburbs such as Hevetanga. All High Density housing & Accommodation blocks should be situated within the Upper Hutt city centre, above shops, surrounding areas behind the main street. Making the main st of Upper Hutt more viable, with more foot traffic. High Density housing is designed for within the city centre NOT the suburbs.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

I seek that any new building of high density only be allowed within the city centre (Main St Area) of Upper Hutt, NOT within family suburbs. No existing families should be "cramped" within their own home, with sunlight affected, leading to unhealthy homes, leading to many leaving Upper Hutt. Don't let the proposed Plan change affect the clean, green Upper Hutt that families chose to move to for space, sun & the suburbs.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I do wish to be heard in support of my submission.
- I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I do wish to make a joint case.
- I do not wish to make a joint case.

Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE



DATE

27/9/22



OFFICE USE ONLY

Submission number

48

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN
Planning for Growth - Intensification Planning Instrument (IPI)

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NAME OF SUBMITTER

Silver Stream Railway Incorporated

POSTAL ADDRESS OF SUBMITTER

Reynolds Bach Drive

Stokes Valley; Lower Hutt 5019

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

Jason Durr

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

022 1560874

CONTACT EMAIL

gm@silverstreamrailway.org.nz

I could gain an advantage in trade competition through this submission (please tick one ☐): **yes** ☐ / **no**

Only answer this question if you ticked 'yes' above:

I am / am not (tick one ☐) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Refer attached submission

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

Refer attached submission

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

Refer attached submission

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I **do** wish to be heard in support of my submission.
 I **do not** wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I **do** wish to make a joint case.
 I **do not** wish to make a joint case.

Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

pp. M L W

DATE

30/09/2022

29 September 2022



SILVER STREAM RAILWAY

HERITAGE RAILWAY

To: Upper Hutt City Council: Submission on Planning for Growth – Intensification Planning Instrument (IPI)

Name of submitter: Silver Stream Railway Incorporated

Address: Reynolds Bach Drive, Stokes Valley, Stokes Valley, Lower Hutt 5019.

Attention: Jason Durry

Phone: 0221560874

Email: gm@silverstreamrailway.org.nz

Silver Stream Railway Submission on: Planning for Growth – Intensification Planning Instrument (IPI).

Background.

Silver Stream Railway Incorporated (SSR) is a registered charity operated by volunteers, preserving rolling stock and infrastructure from New Zealand's vast railway history, with operation of a heritage railway for the community being one of the society's public interfaces and the primary means of raising funds for this preservation effort.

The society was founded in 1956, registered as an incorporated society in 1967 and has occupied the land in Silverstream since 1974, when preservation railway activities including operations were commenced on the site. This land is a section of the formation of the original route of the Wellington to Wairarapa railway built in 1874/5 which was closed in 1954 and subsequently reinstated as a railway and developed by society volunteers over the last 48 years.

The railway greatly contributes to the City of Upper Hutt and the Wellington Region being the only heritage type railway operating in a historic setting, attracting visitors from all over the world by providing an experience not possible anywhere else in the region. The combination of many components of historic heritage including rolling stock, original track formation with culverts and concrete work from pre 1900, buildings and structures including a rebuilt signal gantry that was a feature of the original line all combine to make the railway a longstanding drawcard for Upper Hutt.

The area surrounding the railway site bordered by Chalfont Road (Amberly Gardens), Kiln Street, and Field Street is where the society has the greatest interest in relation to the IPI in protecting its ability to continue to operate, maintain and enhance the railway facility, along with the protection of these existing activities from inappropriately located development, as well as seeking to ensure the safety and amenity of those parties occupying land adjacent to the railways property in relation to this IPI. The railway remains opposed to any form of development or roading on the adjacent Silverstream Spur land although that is not part of this planning instrument.

In the past the railway has been surrounded by industrial activities and open space land which were compatible with the railway operation. Any changes in land use must include provision to integrate any development with adjoining land use activities including measures to avoid, remedy or mitigate reverse sensitivity effects.

Submission

1. Upper Hutt City Council (UHCC) recently notified its IPI as a change to its operative district plan. The IPI provides for 6 storey housing adjacent to the Silver Stream Railway (SSR), as a permitted activity in line with the provisions introduced by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. SSR's primary concern around adjacent housing density and rezoning of land use from industrial to high density residential is reverse sensitivity effects arising from the Railway's operations and the potential for complaints from adjacent high density housing.
2. For the purposes of this submission we have only focussed on the housing density adjacent to the Railway premises adjacent to Chalfont Road (Amberly Gardens), Kiln Street and Field Street boundaries as shown in figure 1. The UHCC IPI proposes to allow housing of up to 6 x 6 storey residential units per site surrounding the Chalfont Road (Amberly Gardens), Kiln Street and Field Street boundaries, as a permitted activity. UHCC does have full discretion to reduce this housing density to accommodate for a Qualifying or Other Matter.

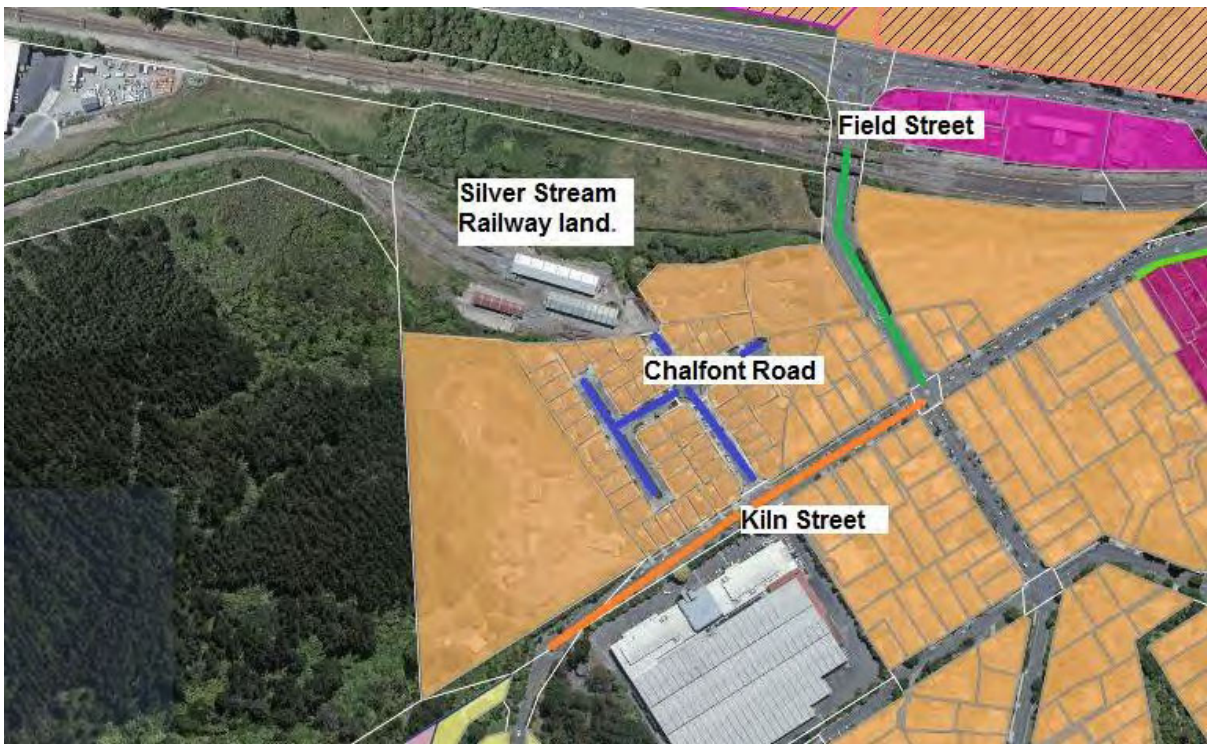


Figure 1: UHCC IPI zoning adjacent to the Chalfont Road (Amberly Gardens), Kiln Street and Field Street boundaries of Silver Stream Railway (orange = High Density Residential)

3. Qualifying Matters relevant to SSR include a matter of national importance under section 6 Resource Management Act (RMA) – being historic heritage and/or any other matter that makes higher density housing inappropriate in that area.
4. Historic heritage' is defined in the RMA as:
(a) means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:
 - (i) archaeological:
 - (ii) architectural:
 - (iii) cultural:
 - (iv) historic:
 - (v) scientific:
 - (vi) technological; and

(b) includes—

- (i) historic sites, structures, places, and areas; and
- (ii) archaeological sites; and
- (iii) sites of significance to Māori, including wāhi tapu; and
- (iv) surroundings associated with the natural and physical resources

SSR consider that that the Railway is “historic heritage” as it clearly falls within the definition of contribute(ing) to an understanding and appreciation of New Zealand’s history and cultures, deriving from ... historic.. and technological” qualities, was associated with human activity prior to 1900 (railway construction and operation) and as such, is a Qualifying Matter as SSR’s operation (and its ability to do so) is an important part of interpreting its heritage significance.

5. The future sustainability of the railway would be affected by these UHCC intensification proposals. The level of affect would likely result in operation of the railway becoming unviable. There are countless examples of reverse sensitivity affects causing the closure or heavy restrictions of other similar activities due to inappropriate development occurring next to land similar to SSR’s.
6. Without being an operating railway, or by having operations restricted, the key features of SSR as a heritage railway would be lost for both our members (who operate, maintain and preserve the railway on a voluntary basis) and the visitors to the railway who benefit from the operation of the railway (the residents, tourists, companies and UHCC who support heritage in the region by visiting the railway and experiencing a recreation of NZ technological and historic heritage while enabling the sustainability of the railway through fees and charges paid).
7. While passive railway heritage sites already identified by UHCC within the district plan may only be partially diminished through inappropriate development adjacent the boundary or perimeter of the site, the active status of an operating heritage railway such as SSR means that inappropriate development adjacent the site will almost certainly have negative effects on the heritage qualities.
8. SSR is considered a network utility operator under section 166 of the Resource Management Act as it operates a railway line. This is an “other matter” under the RMA which makes intensive housing development on adjacent property inappropriate to protect the ability of SSR to operate a network utility without reverse sensitivity issues. These operations have taken place, unrestricted, on the site since 1974.
9. As a network utility operator, SSR should be able to rely on the same established provisions provided to other network utility operators to protect against reverse sensitivity effects as outlined in the UHCC District plan (Chapter 16).
10. These include protections against complaints from neighbours of noise and air pollution that could be perceived as adverse by nearby sensitive activities such as residential activities, and that inappropriate development does not occur next to network utilities vulnerable to reverse sensitivities.
11. Previous noise assessments of the railway have identified that operational noise beyond the railway boundary is above district plan limits for residential areas. New studies are being commissioned to complete these noise assessments along the railway boundary areas of the UHCC intensification plans. These studies are expected to show that operational noise of the railway would adversely affect residential activities in the proposed areas.
12. Multiple previous submissions from SSR to UHCC over the past 10-15 years on other District Plan reviews and proposed changes have highlighted the need for a buffer zone around the railway to protect the operation of the railway. The potential of future residential development on the Spur that the railway runs alongside is still a threat to future operations of SSR.

Summary

- Silver Stream Railway and its historic heritage is a 'qualifying matter' and its status as a 'network utility operator' is a "other matter";
- Increased housing density has the potential to compromise the Railway's ability to operate as it has on the site since 1974, and, as a result, its historic heritage, through: Reverse sensitivity effects and the potential for complaints, including in relation to adverse health effects from noise;
- protecting the Railway's historic heritage and its network utility operator status means protecting the ability to continue to operate the Railway;
- the Railway's historic heritage and its network utility operator status should be protected from reverse sensitivity effects and complaints relating to adverse health effects from noise, which will arise from inappropriately located high density housing;
- given the above, the land adjacent to the Chalfont Road (Amberly Gardens), Kiln Street and Field Street boundaries of the Railway should be made less enabling of development than provided for under Policy 3 of the National Policy Statement on Urban Development ('NPS-UD')

Relief Sought

- Change the zoning surrounding the Railway's Chalfont Road (Amberly Gardens), Kiln Street and Field Street boundaries from 'High Density Residential' to the zoning under the operative district plan or another zoning that is less enabling of housing such as 'General Residential';
- Implement a setback based on district plan noise standards to be confirmed via a noise assessment from the Chalfont Road (Amberly Gardens), Kiln Street and Field Street boundaries of the Railway in which residential development becomes a restricted discretionary activity whereby discretion is restricted to managing the effects of reverse sensitivity; and/or
- Add requirements for adjacent residential properties to be double-glazed and ventilated to protect the Railway from reverse sensitivity effects and complaints related to noise.
- Require a "no complaints" covenant, where the provision of noise and vibration provisions are not met adjacent to the railway, like is already on the property titles on existing housing located next to the railway's boundary.

Submission 49

Logan M just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Logan McLean

Postal address of submitter:

26B Field Street

Address for service (if different from above)

No Answer

Email address:

loganmclean@gmail.com

Telephone number:

021350990

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

High Density Residential Zone

My submission is that:

It seems ridiculous to be considering intensification of housing around the Farrah's site in Kiln St when there are so many problems there already causing conflict with current residential areas. That industrial area needs to be re-zoned to residential.

I seek the following decision from the local authority:

Re-zone the Farrah's site to residential. Alternatively, do not support the surrounding impacted area to be re-zoned to high density until such time as all issues associated with this industrial zone have been resolved and UHCC is capable of enforcing the relevant provisions in the District Plan to protect the amenity value of the surrounding residential areas. Ensure that provisions in the District plan are not relaxed around this area in regards to noise etc that impact on the amenity values of the neighbourhood.

Please indicate whether you wish to be heard in support of your submission:

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.

Submission 50



Submission from Waka Kotahi on the Proposed Intensification Planning Instrument Upper Hutt City Council in response to the National Policy Statement on Urban Development 2020 and the Resource Management (Enabling Housing Supply and Other Matters) amendment Act 2021

30 September 2022

Upper Hutt City Council
Private Bag 907
Upper Hutt 5140

Email: planning@uhcc.govt.nz

Name of submitter: The New Zealand Transport Agency (Waka Kotahi)

This is feedback/submission on the Upper Hutt City Council's (**Council**) Intensification Planning Instrument (**IPI**) to implement the National Policy Statement on Urban Development 2020 (**NPS-UD**) and the Medium Density Residential Standards (**MDRS**) under the Resource Management (Enabling Housing Supply and Other Matters) amendment Act 2021 (**HSAA**).

Waka Kotahi wishes to be heard in support of this submission.

If others make a similar submission, Waka Kotahi may consider submitting a joint case.

Waka Kotahi does not gain a trade advantage through this submission.

Waka Kotahi role and responsibilities

Waka Kotahi is a Crown Entity established by Section 93 of the Land Transport Management Act 2003 (**LTMA**). The objective of Waka Kotahi is to undertake its functions in a way that contributes to an effective, efficient, and safe land transport system in the public interest. Waka Kotahi roles and responsibilities include:

- Managing the state highway system, including planning, funding, designing, supervising, constructing, maintaining and operating the system.
- Managing funding of the land transport system, including auditing the performance of organisations receiving land transport funding.
- Managing regulatory requirements for transport on land and incidents involving transport on land.
- Issuing guidelines for and monitoring the development of regional land transport plans.

Waka Kotahi interest in this proposal stems from its role as:

- A transport investor to maximise effective, efficient and strategic returns for New Zealand.
- A planner of the land transport network to integrate one effective and resilient network for customers.
- Provider of access to and use of the land transport system to shape smart efficient, safe and responsible transport choices.
- The manager of the state highway system and its responsibility to deliver efficient, safe and responsible highway solutions for customers.

Government Policy Statement on Land Transport

Waka Kotahi also has a role in giving effect to the Government Policy Statement on Land Transport (**GPS**). The GPS is required under the LTMA and outlines the Government's strategy to guide land transport

investment over the next 10 years. The four strategic priorities of the GPS 2021 are safety, better travel options, climate change and improving freight connections. A key theme of the GPS is integrating land use, transport planning and delivery. Land use planning has a significant impact on transport policy, infrastructure and services provision, and vice versa. Once development has happened, it has a long-term impact on transport. Changes in land use can affect the demand for travel, creating both pressures and opportunities for investment in transport infrastructure and services, or for demand management. For these reasons, Waka Kotahi seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas.

Waka Kotahi view on the Proposal

Waka Kotahi supports the intent and content of the National Policy Statement on Urban Development (NPS-UD). This Policy Statement recognises the national significance of having well-functioning urban environments that enable people and communities to provide for their social, economic and cultural well-being and for their health and safety. The NPS-UD has a strong focus on ensuring that increased densities are provided in the most accessible parts of urban areas, where communities are able to access jobs, services and recreation by active and public transport modes.

Waka Kotahi also supports the requirements of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. It seeks the full implementation of these requirements, including the introduction of the Medium Density Residential Standards (MDRS) and related provisions in eligible zones. These standards should only be modified to accommodate qualifying matters and should be modified only to the extent required to accommodate these matters.

Waka Kotahi acknowledges Upper Hutt City Council's role as a Tier 1 authority, and the associated obligations required of Council as such. The general approach taken by Council to give effect to these requirements is supported, as set out in the previous Waka Kotahi feedback provided to Council on the draft Plan Change 50 provisions. Waka Kotahi is also generally supportive of both the refinement of this approach and the approach taken to addressing both the NPS-UD and the MDRS in the IPI.

Waka Kotahi view on specific topics are set out in the following paragraphs. These views are supported by the text in Table 1, which outlines Waka Kotahi's submission points where further information, clarification or a change in approach are sought. Waka Kotahi also seeks all consequential changes necessary to give effect to the relief sought.

The application of 'walkable catchment' & application of commensurate densities

Policy 3 of the NPS sets out various requirements in respect of providing for increased densities and heights in the Central City, and walkable catchments from existing and planned rapid transit stops, the edge of City Centre Zones and the edge of Metropolitan/Town Centre Zones. It also directs councils to amend other residential zones to enable building heights and densities of urban form commensurate with the level of commercial activity and community services in those zones.

Upper Hutt City Council has taken a 10-minute walkable catchment approach from the edge of the City Centre, Town Centre Zone and existing or planned rapid transit stops but it is not clear how these catchments have been identified. Waka Kotahi supports the provisions which enable six storey developments as a permitted activity within this catchment but is of the view that to realise the development capacity required by the National Policy Statement on Urban Development 2020 (NPS-UD) that the walkable catchment should be a minimum of 800m from the edge of the City Centre Zone, Town Centre Zone and rapid transit stops, unless constrained by natural geographic barriers such as State Highway 2 / the Hutt River.

It is also noted that Upper Hutt City Council has proposed no walkable catchments supporting any of the other identified centres. Waka Kotahi considers that Council should have a long-term, enabling view of development. To this end, a walkable catchment of between 200-400m should be developed around Local Centres to enable high density development within this catchment.

Reverse Sensitivity (Noise and Vibration)

As Waka Kotahi has previously identified to Council in feedback to draft Plan Change 50, noise from transport corridors, including state highways, can have an adverse effect on the health and amenity of surrounding sensitive activities. The management of such effects is a joint task for the infrastructure authority and the developer of the land use, and Waka Kotahi supports the inclusion of district plan

provisions to manage this issue by requiring land uses activities to protect themselves from the adverse effects of noise.

Waka Kotahi considers that noise and vibration provisions should be introduced as a qualifying matter and have immediate legal effect, where the density provisions that have immediate legal effect are in play. Waka Kotahi is concerned about the risk of intensification occurring in proximity to road noise traffic on state highways which are not designed to appropriately mitigate the noise and vibration effects in the existing environment, and people in those dwellings should be protected from potential health effects.

Financial contributions

The HSAA sets out that financial contribution provisions may be included or changed as part of the IPI process (s. 77t). Funding for the necessary transport network improvements and transport capacity upgrades arising from the additional growth that the IPI facilitates will require the Council to rely on a range of funding sources. Waka Kotahi supports the use of financial contributions as a financial tool to contribute towards public realm improvement projects, and seeks that consideration be given to initiatives and/or infrastructure that supports mode shift.

St Patricks Estate

Waka Kotahi seeks that rezoning of this scale should be qualifying matter that requires a comprehensive Structure Plan process that considers all aspects of the proposal, including transportation requirements, three waters, open space and commercial needs.

Safety and accessibility to active and public transport

Waka Kotahi generally supports the IPI in implementing the increased urban densities required under the Medium Density Residential Standards (MDRS). However, to support these changes, Waka Kotahi requests that the IPI more fully recognise the role that safety and accessibility to active and public transport contribute towards the delivery of a well-functioning environment as per Policy 1 of the National Policy Statement Urban Development 2020 (NPS UD). To this end, Waka Kotahi is also seeking that the transport and parking provisions are updated to require safe access standards for all direct accesses to the state highway network.

Waka Kotahi thanks Upper Hutt City Council for the opportunity to make a submission on the IPI. To discuss this submission, please contact Caitlin Kelly

Signature of the person authorised to sign on behalf of the submitter



Address for service:

Attention: Caitlin Kelly

Environmentalplanning@nzta.govt.nz

Table 1 – Submission points

Point #	Topic	Plan Provision	Support/Support in Part Oppose	Reason for Comment	Change(s) sought
1	Accessibility as part of a well-functioning urban environment	Entire Plan Change	Support in part	Waka Kotahi generally supports the IPI in implementing the increased urban densities required under the Medium Density Residential Standards (MDRS). However, Waka Kotahi requests that the IPI more fully recognise the role of safety and accessibility to active and public transport contribute to a well-functioning environment as per Policy 1 of the National Policy Statement Urban Development 2020 (NPS UD). This is also consistent with Wellington Regional Policy Statement Proposed Plan Change 1 (Objective 22, Policy 33 and 57) that encourages mode shift and a reduction in transport related greenhouse gases.	Support with amendments and other consequential relief to ensure safety and accessibility to active modes and public transport are appropriately addressed in the IPI.
2	UFD -Urban Form and Development Residential	UFD-O3	Support in part	Waka Kotahi generally supports objective UF-O3 as it introduces higher density development in areas already serviced by public transport and in proximity to Centre Zones. However, Waka Kotahi requests that this objective is widened to include consideration of accessibility to active modes and bus routes. This amendment aligns with the need to recognise accessibility in a well-functioning urban environment as per Policy 1 National Policy Statement Urban Development 2020 (NPS UD).	Support with the following amendment: <i>2. The proximity and walkability accessibility of to active transport, bus routes and the following train stations and zones...</i>
3	UFD -Urban Form and Development Residential	UFD-P1	Support	Waka Kotahi supports the use of the design guides to support the development of the higher density of urban form. This promotes high quality increased urban density in accordance with the National Policy Statement on Urban Development 2020 (NPS-UD) and the Medium Density Residential Standards (MDRS).	Retain as notified

4	UFD -Urban Form and Development Residential	UFD-P2	Support in part	Waka Kotahi generally supports UFD-P2 as it enables higher density development in areas already serviced by public transport and in proximity to Centre Zones. However, Waka Kotahi requests that this policy is widened to include consideration of accessibility and alternate modes of transport. This amendment aligns with the need to recognise accessibility in a well-functioning urban environment as per Policy 1 National Policy Statement Urban Development 2020 (NPS UD).	Support with the following amendment: <i>Provide for and encourage medium and high density residential development that is:</i> <i>a) consistent with the Council's Medium and High Density Design Guide in Appendix 1.</i> <i>b) <u>Accessible by active and public transport</u></i>
5	UFD -Urban Form and Development Residential	Strategic Direction	Support in part	Waka Kotahi support the focus of the strategic direction on providing for higher density in proximity to public transport and centres, but request the direction is amended to recognise that accessibility is an important part of a well-functioning urban environment as stated in the National Policy Statement on Urban Development 2020 (NPS-UD). Encouraging increased access to active and public modes encourages mode shift and has the potential to result in a reduction in greenhouse gases which is consistent with Wellington Regional Policy Statement Proposed Plan Change 1 (Objective 22, Policy 33 and 57).	Support with the following amendment: ... <i>Higher density residential development is best located provided for within walkable catchments of in close proximity to retail, service and public transport centres specifically near the City Centre Zone (central business district), neighbourhood centres and major transport nodes. Higher density residential development, <u>accessible by active and public transport</u> is provided for in these areas via the High Density Residential Zone</i> ...
6	UFD – Urban Form and Development Commercial and Mixed Use	CMU-O3	Support in part	Waka Kotahi supports the strategic direction set for the centres in Upper Hutt, but requests that the accessibility transport is included as a vital element to a well- functioning urban environment as stated in the National Policy Statement on Urban Development 2020 (NPS-UD). Encouraging increased access to active and public modes encourages mode shift and has the potential to result in a reduction in	Support with the following amendment: <i>Upper Hutt has a hierarchy of centres that</i> ... <i>(v) <u>are well serviced by existing or planned public and active transport</u></i>

				greenhouse gases which is consistent with Wellington Regional Policy Statement Proposed Plan Change 1 (Objective 22, Policy 33 and 57).	
7	TP – Transport and Parking	Site Access TP-R3	Support in part	Waka Kotahi supports the inclusion of site access standards to support permitted activity status for all direct accesses to the state highway, not just those sites within the commercial zones. Requiring safe standards for all state highway accesses contributes to the delivery of a well-functioning urban environment as per Policy 1 National Policy Statement Urban Development 2020 (NPS UD).	Broaden the rule to apply to all zones and all direct accesses to and from the state highway network
8	TP – Transport and Parking	Access to Commercial Zones TP-S1	Support in part	Waka Kotahi supports the inclusion of specific standards to promote the safety of access to the state highway network. The standards should also address safe access spacing to promote safety and contribute to the delivery of a well-functioning urban environment as per Policy 1 National Policy Statement Urban Development 2020 (NPS UD).	Amend the transport access standards for state highways to include minimum access spacing with any consequential amendments required throughout the rest of the plan to correctly reference the required access spacing standards for direct accesses to the state highway The appropriate safe access spacing standards for the state highway network are found in the Waka Kotahi Planning Policy Manual Appendix 5B, Table App5B/3.
9	SUB-HRZ Subdivision in the High Density Residential Zone	SUB-HRZ-O2	Support in part	Waka Kotahi supports the inclusion of SUB-HRZ-O2 to ensure the necessary infrastructure is available to achieve well-functioning urban environments however, this consideration should consider accessibility for all modes and users, not just walkers to provide an accessible design in accordance with the National Policy Statement of Urban Development (NPS UD).	Support with the following amendment: <i>High quality urban infrastructure is constructed to facilitate the demands of urban intensification and highly walkable <u>accessible</u> urban environments <u>for all modes and users.</u></i>

10	SUB-HRZ - Subdivision in the High Density Residential Zone	SUB-HRZ- P2	Support in part	Waka Kotahi supports the inclusion of SUB-HRZ-P2, but it should be amended to include facilities for all modes and users to provide accessible design in accordance with the National Policy Statement of Urban Development (NPS UD).	Support with the following amendment: <i>Maintain and enhance pedestrian <u>active transport</u> facilities established urban areas within a walkable distance to urban railway stations and the centre zones to increase walking <u>transport-accessibility and safety</u>.</i>
11	Development Contribution Policies	DC-P1, DC-P2, DC-P3, DC-P6, DC-P7, DC-R2A, DC-R2B	Support in part	Waka Kotahi supports the use of financial contributions for transport infrastructure and requests amendments to allow financial contributions to be collected for access to, or provision for all transport modes including walking, cycling and public transport. This is consistent with the National Policy Statement Urban Development (NPS UD) and the and Wellington Regional Policy Statement Proposed Plan Change 1.	Support with the following amendments: Waka Kotahi requests the following amendments are made as well as any other consequential amendments/relief to achieve similar result: <i>DC-P1 To require subdividers or developers to contribute to the provision of utilities, community facilities, services, road <u>transportation and amenities</u>.</i> <i>DC-R2B (a) The full and actual costs of providing all new roads, private ways, service lanes, accessways, <u>facilities to access public transport, cycleways</u> footpaths and walkways...</i>
12	PK- Papakāinga Chapter	PK-P4	Support in part	Waka Kotahi supports enabling Papakāinga development to provide for the aspirations of tangata whenua in a manner consistent with tikanga. However, as there is no maximum scale of Papakāinga development Waka Kotahi requests an amendment to this policy to include appropriate provision of access	Support with the following amendment: <i>The maximum intensity and scale of papakāinga development will be determined by the limitations of the site, including:</i>

				as a limitation of the site. This policy ensures that appropriate provision of access will be considered as part of any potential development plan and/or assessment of effects.	(i) <i>adequate provision of <u>access</u>, on-site and off-site infrastructure to serve the Papakāinga ...</i>
13	GRZ – General Residential Zone	GRZ-P9	Support	Waka Kotahi supports the promotion of accessibility of infrastructure to deliver well-functioning urban environments which are well connected to transport and infrastructure in accordance with the National Policy Statement on Urban Development 2020 (NPS-UD).	Retain as notified.
14	HRZ - High density Residential Zone	HRZ-O4, HRZ-P6, HRZ-P7	Support	Waka Kotahi supports the implementation of the heights and densities in accordance with the National Policy Statement on Urban Development 2020 (NPS-UD).	Retain as notified.
15	HRZ - High density Residential Zone Precinct 2 – St Patricks Estate Precinct	St Patrick’s Estate Precinct	Support in part	Waka Kotahi supports the zoning of St Patricks Estate as a High Density Residential Zone as this promotes the outcomes sought by both the National Policy Statement on Urban Development 2020 (NPS-UD) and the Wellington Regional Growth Framework, but seeks that the development of the site is supported by a comprehensive Structure Plan process to ensure that the re-zoned area can achieve the outcome sought by National Policy Statement on Urban Development 2020 (NPS-UD) – a well-functioning urban environments which are well connected to transport and infrastructure. It is suggested that this could be achieved by requiring a structure plan as a qualifying matter for the development of this precinct.	Require the re-development of this site to be supported by a qualifying matter of a comprehensive structure plan process to support the development of the precinct that considers all aspects of the proposal, including transportation requirements, three waters, open space and commercial needs
16	New NCZ – Neighbourhood Centre Zone,	NCZ-O3 LCZ-O3 MUZ-O3	Support in part	Waka Kotahi supports the Centre Zones in principle, but request that accessibility to active and public transport is also included within the objectives for	Support with the following amendments:

	<p>New LCZ – Local Centre Zone</p> <p>New MUZ - Mixed Use Zone</p> <p>New TCZ – Town Centre Zone</p>	TCZ-O3		<p>these commercial zones. Facilitating increased access to active and public modes supports a well-functioning urban environment, encourages mode shift and is likely to result in a reduction in greenhouse gases. This implements the National Policy Statement 2020 (NPS-UD) and is consistent with the Wellington Regional Policy Statement Proposed Plan Change 1 (Objective 22 and Policy 33 and 57).</p>	<p><i>Use and development within ... Zone are of an appropriate scale and proportion for the purpose and anticipated character of the zone and the surrounding residential environment, <u>includes provision for or connection to active and public transport,</u> and have minimal adverse effects on the amenity values of adjacent sites in Residential Zones and Open Space and Recreation Zones.</i></p>
17	<p>New NCZ – Neighbourhood Centre Zone</p> <p>New LCZ – Local Centre Zone</p> <p>New MUZ - Mixed Use Z</p> <p>New TCZ – Town Centre Zone</p>	<p>NCZ-P1</p> <p>LCZ-P1</p> <p>MUZ-P1</p> <p>TCZ-P1</p>	Support in part	<p>Waka Kotahi supports the Centre Zones in principle, but request that accessibility to active and public transport is also an outcome for these commercial zones.</p> <p>Facilitating increased access to active and public modes supports a well-functioning urban environment, encourages mode shift and is likely to result in a reduction in greenhouse gases. This implements the National Policy Statement 2020 (NPS-UD) and is consistent with the Wellington Regional Policy Statement Proposed Plan Change 1 (Objective 22 and Policy 33 and 57).</p>	<p>Support with the following amendments:</p> <p><i>Enable appropriate activities that:</i></p> <p>...</p> <p>4. <u>with access to active and public transport.</u></p>
18	<p>CCZ- City Centre Zone</p>	CZ-O2	Support in part	<p>Waka Kotahi supports the City Centre Zone in principle, and in particular the maximisation of development, but request that transport, choice and accessibility to active and public transport is also an outcome for this Zone.</p> <p>Facilitating increased access to active and public modes supports a well-functioning urban environment, encourages mode shift and is likely to</p>	<p>Support with the following amendments:</p> <p><i>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</i></p>

				result in a reduction in greenhouse gases. This implements the National Policy Statement 2020 (NPS-UD) and is consistent with the Wellington Regional Policy Statement Proposed Plan Change 1 (Objective 22 and Policy 33 and 57).	<i>street frontages create a lively environment with a strong pedestrian focus. <u>access to active and public transport</u></i>
19	CCZ- City Centre Zone	CZ-P1	Support in part	Waka Kotahi supports the City Centre Zone in principle, but request that accessibility to active and public transport is also an outcome for this Zone. Facilitating increased access to active and public modes supports a well-functioning urban environment, encourages mode shift and is likely to result in a reduction in greenhouse gases. This implements the National Policy Statement 2020 (NPS-UD) and is consistent with the Wellington Regional Policy Statement Proposed Plan Change 1 (Objective 22 and Policy 33 and 57).	Support with the following amendments: <i>1. Enable a wide range of activities that compatible with the anticipated purpose, character and amenity values of the CCZ – City Centre Zone, with access to active and public transport</i>
20	CCZ- City Centre Zone	CZ-P4	Support in part	Waka Kotahi supports the high density and high quality development in the City Centre Zone. This enables increased urban density in accordance with the National Policy Statement on Urban Development 2020 (NPS-UD) but request that policy is amended to further facilitate accessibility to active and public transport. Facilitating increased access to active and public modes supports a well-functioning urban environment, encourages mode shift and is likely to result in a reduction in greenhouse gases. This implements the National Policy Statement 2020 (NPS-UD) and is consistent with the Wellington Regional Policy Statement Proposed Plan Change 1 (Objective 22 and Policy 33 and 57).	Support with the following amendment: ... <i>7. <u>with access to active and public transport</u></i>

21	New Medium and High Density Design Guide New CCZ Design Guide	Medium and High Density Design Guide City Centre Design Guide	Support	Waka Kotahi supports the Design Guides as the use of the guides supports high quality and increased urban density in accordance with the National Policy Statement on Urban Development 2020 (NPS-UD) and the Medium Density Residential Standards (MDRS).	Retain as notified.
22	Extent of proposed zoning / walkable catchments	Map /online GIS map	Oppose	<p>Waka Kotahi does not agree that walkable catchment as notified, realises the development capacity required by the National Policy Statement on Urban Development 2020 (NPS-UD) for train stations, the Town Centre Zone and the City Centre Zone.</p> <p>To give effect to the intent of the National Policy Statement on Urban Development 2020, the zoning needs to extend further north beyond the current boundary of Fergusson Drive (between Stream Grove and Ward Street). Waka Kotahi supports a minimum catchment of 800m from train stations and the Town Centre, and in principle, a 1.5km catchment from the city centre – however acknowledges the physical constraints which limit the size of the catchment that is available from the Upper Hutt City Centre. However, an 800m catchment size will enable the realisation of benefits associated with high densities, including access to services, employment and recreation. A larger base population will also support existing and future public and active transport mode initiatives.</p>	Amend the extent of High Density Residential Zoning to give effect to a walkable catchment of 800m from train stations, the Town Centre Zone and the City Centre Zone
23	Extent of proposed zoning / walkable catchments	Map /online GIS map	Oppose	Waka Kotahi is of the view that the Local Centres should include a walkable catchment of high density development to realise the development capacity required by the National Policy Statement on Urban Development 2020 (NPS-UD).	Amend the High Density Residential Zoning to extend 200-400m around Local Centre Zones.

				Waka Kotahi supports a walkable catchment of 200-400m for Local Centres with medium/high levels of activities and services is appropriate, and seeks to see this reflected in the high density catchment around Local Centres to give appropriate effect to the requirements of the National Policy Statement on Urban Development 2020 (NPS-UD).	
24	Reverse sensitivity (noise and vibration)	Noise	Oppose/ Add new	<p>Reverse sensitivity effects associated with traffic noise from the state highway create health and amenity effects that require management. The Upper Hutt District Plan does not contain provisions to manage noise and vibration effects to new noise sensitive activities established alongside state highways. Where there is intensification of noise sensitive activities proposed which has immediate legal effect, Council should introduce a qualifying matter to manage this effect.</p> <p>This qualifying matter will protect the health and amenity of the future residents who will live along State Highway 2 as development intensifies as per the outcomes sought through the Medium Density Residential Standards (MDRS).</p>	Include an overlay as qualifying matter which requires sensitive activities within 100m of State Highway 2 to provide mitigation for noise effects in accordance with Waka Kotahi standards.



OFFICE USE ONLY

Submission number

51

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN **Planning for Growth - Intensification Planning Instrument (IPI)**

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

Deliver to: Upper Hutt Civic Centre, 838 – 842 Fergusson Drive, Upper Hutt 5019

Post to: Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

Scan and email to: planning@uhcc.govt.nz

Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at planning@uhcc.govt.nz.

NAME OF SUBMITTER **Ministry of Education Te Tāhuhu o Te Mātauranga**

POSTAL ADDRESS OF SUBMITTER

AGENT ACTING FOR SUBMITTER (IF APPLICABLE) **Beca Ltd.**

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE) **85 Molesworth Street, Thorndon, Wellington 6011**

CONTACT TELEPHONE **+64 4-460 1775**

CONTACT EMAIL **zach.chisam@beca.com**

I could gain an advantage in trade competition through this submission (please tick one): **yes** / **no**

Only answer this question if you ticked 'yes' above:

I **am** / **am not** (tick one) directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Please refer to the attached submission.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

Please refer to the attached submission.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

Please see the attached submission.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I **do** wish to be heard in support of my submission.
 I **do not** wish to be heard in support of my submission.

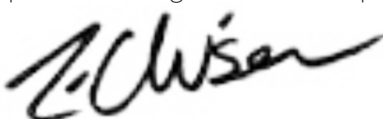
Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I **do** wish to make a joint case.
 I **do not** wish to make a joint case.

Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE



DATE 30th September 2022



Submission on Intensification Planning Instrument

To: Upper Hutt City Council

Name of submitter: **Ministry of Education** Te Tāhuhu o Te Mātauranga ('**the Ministry**')

Address for service: C/-Beca Ltd
85 Molesworth Street,
Thorndon,
Wellington 6011

Attention: Zachary Chisam

Phone: +64 4-460 1775

Email: zach.chisam@beca.com

This is a submission on Upper Hutt City Council - Intensification Planning Instrument (IPI)

Background

Thank you for the opportunity to submit on the Draft IPI. The Ministry is the Government's lead advisor on the New Zealand education system, shaping direction for education agencies and providers and contributing to the Government's goals for education. The Ministry assesses population changes, school roll fluctuations and other trends and challenges impacting on education provision at all levels of the education network to identify changing needs within the network so the Ministry can respond effectively.

The Ministry is responsible for all education properties owned by the Crown. This involves managing the existing property portfolio, upgrading and improving the portfolio, purchasing and constructing new property to meet increased demand, identifying and disposing of surplus State school sector property and managing teacher and caretaker housing. The Ministry is therefore a considerable stakeholder in terms of activities that may impact on existing and future educational facilities and assets in the Wellington region.

The Ministry of Education's submission is:

Future school network impacts

The IPI for the Upper Hutt City Operative District Plan is seeking to introduce housing intensification in line with Resource Management (Enabling Housing Supply and Other Matters) Amendment Act and the National Policy Statement on Urban Development (NPS-UD) to enable high and medium density development in existing residential and commercial areas. This is achieved by:



- Incorporating the Government’s Medium Density Residential Standards (MDRS), allowing for a mixture of housing densities and the construction of up to three three-storey residential units on most sites in the General Residential Zone.
- Introducing a new High Density Residential Zone, which will allow buildings up to six storeys within a walkable catchment within and around existing or planned rapid transit stops.
- Enabling Papakāinga housing within Upper Hutt by introducing new enabling provisions into the Plan so they can be established district wide.
- Rezoning existing Commercial Zone by introducing new Mixed-Use and Business Zones and new centres from City Centre to Neighbourhood Centre.

The proposed increase in residential density will put pressure on the local school networks. Through this submission, the Ministry is seeking that provisions for educational facilities be included, to enable the Ministry to service the growth facilitated by IPI in Upper Hutt.

The Ministry’s position on the IPI

The Ministry is neutral on the IPI if the provisions outlined below and in Appendix 1 are accepted.

The Ministry acknowledges that the plan change will contribute to providing additional housing stock within the district. This will require additional capacity in the local school network to cater for this growth as the area develops and potentially drive the need for additional schools throughout the City in the future.

The Ministry understands the Council must meet the requirements under the NPS-UD to provide development capacity for housing and business. The Ministry wishes to highlight that Policy 10 of the NPS-UD states that local authorities should engage with providers of development infrastructure and additional infrastructure (schools are considered additional infrastructure) to achieve integrated land use and infrastructure planning. In addition to this, subpart 3.5 of the NPS-UD states that local authorities must be satisfied that the additional infrastructure required to service the development capacity is likely to be available.

Growth as a result of the plan change will require careful planning and communication between Upper Hutt City Council and the Ministry to meet community demand for educational facilities. The Ministry therefore has an interest in ensuring the District Plan specifically acknowledges and provides for schools. This is critical given schools are an essential piece of social and community infrastructure. An absence of supportive provisions can place obstacles in the way of the establishment of education facilities in future years.

The Ministry broadly supports provisions in the IPI that seek to put in place a framework that will deliver integrated communities that support the concepts of liveable, walkable and connected neighbourhoods. This includes a transport network that is easy and safe to use for pedestrians and cyclists and is well connected to public transport, shops, schools, employment, open spaces and other amenities.



Decision sought

The Ministry is neutral on the IPI in its current form if the following relief and consequential amendments requested can be accepted.

The Ministry's requested relief on IPI is outlined in Appendix 1 to this submission. Council's amendments as part of IPI are shown in **black**. The Ministry's requested amendments are shown in **red**. Additions are shown as underlined and deletions as ~~strikeouts~~.

Given the level of increase in housing provision in Upper Hutt as a result of the IPI changes, the Ministry requests regular engagement with Upper Hutt City Council to keep up to date with the housing typologies being proposed, staging and timing of development so that the potential impact of the plan change on the local school network can be planned for. The key Ministry contact email is Resource.Management@education.govt.nz.

The Ministry wishes to be heard in support of its submission.



Zachary Chisam
Planner- Beca Ltd
(Consultant to the Ministry of Education)
Date: 30 September 2022

Appendix 1 - The Ministry of Education's Submission on the Upper Hutt City Council Proposed IPI

Additions are shown as underlined and deletions as ~~strikeouts~~. Council's amendments as part of IPI are shown in black. The Ministry's requested amendments are shown in red.

ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision/ New Definition	Reason for Submission	Relief Sought (in red)
PART 1 – INTRODUCTION AND GENERAL PROVISIONS					
3 INTERPRETATION					
3.1 Definitions					
1.	New Definition	Additional Infrastructure	New Definition	<p>Council has an obligation under the NPS-UD to ensure that 'additional infrastructure' (which includes educational facilities) is provided for. Local authorities must be satisfied that the additional infrastructure to service the development capacity is likely to be available (see Policy 10 and 3.5 of Subpart 1 of Part 3: Implementation, in particular).</p> <p>Under the NPS-UD, educational facilities is included within the definition of '<i>additional infrastructure</i>'. The Ministry have recommended amendments to the IPI to enable educational facilities through the inclusion of additional infrastructure.</p> <p>The Ministry supports that 'additional infrastructure' (as defined in the NPS-UD) should subsequently be included in the IPI as defined under the National Policy Statement on Urban Development.</p>	<p><u>Means:</u></p> <ul style="list-style-type: none"> a. <u>public open space;</u> b. <u>community infrastructure as defined in section 197 of the Local Government Act 2002;</u> c. <u>land transport (as defined in the Land Transport Management Act 2003) that is not controlled by local authorities;</u> d. <u>social infrastructure, such as schools and healthcare facilities;</u> e. <u>a network operated for the purpose of telecommunications (as defined in section 5 of the Telecommunications Act 2001);</u> f. <u>a network operated for the purpose of transmitting or distributing electricity or gas.</u>
PART 3 – AREA SPECIFIC MATTERS					
RESIDENTIAL ZONES					
GRZ – General Residential Zone					
2.	Policy GRZ – P1	To provide for a range of building densities within the residential areas <u>that are compatible in form and scale with the neighbourhood's planned built form and character</u> which takes into account the	Support in Part	Council has an obligation under the NPS-UD to ensure sufficient 'additional infrastructure' (which includes educational facilities) is provided in development, and local authorities	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

ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision/ New Definition	Reason for Submission	Relief Sought (in red)
		existing character of the area, topography and the capacity of the infrastructure.		<p>must be satisfied that additional infrastructure to service the development capacity is likely to be available (see Policy 10 and 3.5 of Subpart 1 of Part 3: Implementation, in particular).</p> <p>Educational facilities should therefore be enabled in the GRZ as to service the growth enabled by the IPI. Educational facilities are non-residential activities that typically locate in residential zones to support the surrounding residential catchments. Therefore, the Ministry requests that Policy GRZ – P1 is amended to specifically consider the capacity of additional infrastructure (which includes schools).</p>	takes into account the capacity of the infrastructure (including additional infrastructure).
3.	Policy GRZ – P9	To promote residential development with a high level of amenity and ensure that it has adequate access to infrastructural requirements, <u>while recognising that amenity values develop and change over time.</u>	Support in Part	<p>Council has an obligation under the NPS-UD to ensure sufficient ‘additional infrastructure’ (which includes educational facilities) is provided in development, and local authorities must be satisfied that additional infrastructure to service the development capacity is likely to be available (see Policy 10 and 3.5 of Subpart 1 of Part 3: Implementation, in particular).</p> <p>Educational facilities are a crucial form of social infrastructure that typically locate in residential zones to support the surrounding residential catchments. Therefore, the Ministry requests that Policy GRZ – P9 is amended to specifically enable additional infrastructure to support the needs and demands of those residential communities.</p>	To promote residential development with a high level of amenity and ensure that it has adequate access to infrastructural (including additional infrastructure) requirements, while recognising that amenity values develop and change over time.
4.	Rule GRZ – 19	Places of assembly (including places of worship, educational facilities) are by default Discretionary activities.	Oppose	<p>The Upper Hutt Operative District Plan currently enables an educational facility to be established as a Discretionary activity by default. Educational facilities are a crucial form of social infrastructure that is needed to support local communities and their social and economic wellbeing.</p> <p>Council has an obligation under the NPS-UD to ensure sufficient additional infrastructure (which includes social infrastructure like schools) is provided in development and local authorities must be satisfied that additional infrastructure to service the development capacity is likely to be available (see Policy 10</p>	Places of assembly (including places of worship, educational facilities)

ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision/ New Definition	Reason for Submission	Relief Sought (in red)
				and 3.5 of Subpart 1 of Part 3: Implementation, in particular).	
5.	New Provision		New Provision	<p>Educational facilities are a crucial form of social infrastructure that is needed to support local communities and their social and economic wellbeing. The Ministry request that educational facilities are provided for within the District Plan as a Restricted Discretionary activity.</p> <p>Enabling educational facilities as a Restricted Discretionary activity will allow the Ministry to better service the growth of the Upper Hutt District and support the local communities' needs, particularly in residential areas.</p> <p>Matters of discretion should be limited to matters of relevance.</p> <p>The Ministry encourages engagement with Council on this approach.</p>	<p><u>GRZ-R18 - Educational Facility</u></p> <p><u>Council will restrict its discretion to, and impose conditions on</u></p> <ol style="list-style-type: none"> <u>1. Location of the proposed education facility.</u> <u>2. Appearance and design of the buildings.</u> <u>3. Transport safety and efficiency</u> <u>4. Design and layout of car parking, loading, manoeuvring and access areas.</u> <u>5. Provision of utilities and/or services.</u> <u>6. Landscaping</u> <u>7. Hours of operation.</u> <p><u>Restriction on notification</u></p> <p><u>Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application for an education facility will be precluded from public notification under section 95A, but limited notification of an application will be determined in accordance with section 95B.</u></p>
HDRZ – High Density Residential Zone					
6.	<u>Objective HRZ – O4</u>	<p><u>High Density Residential Zone</u></p> <p><u>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.</u></p>	Support in Part	<p>Council has an obligation under the NPS-UD to ensure sufficient 'additional infrastructure' (which includes educational facilities) is provided in development, and local authorities must be satisfied that additional infrastructure to service the development capacity is likely to be available (see Policy 10 and 3.5 of Subpart 1 of Part 3: Implementation, in particular).</p> <p>Educational facilities should therefore be enabled in the HRZ to service the growth enabled by IPI. Educational facilities typically locate in residential zones to support the surrounding residential catchments. Therefore, the Ministry requests that the HRZ – O4 be amended so that it acknowledges that development in residential areas should be supported by infrastructure (including additional</p>	<p><u>High Density Residential Zone</u></p> <p><u>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 whilst ensuring that it has adequate access to infrastructural (including additional infrastructure) requirements.</u></p>

ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision/ New Definition	Reason for Submission	Relief Sought (in red)
				infrastructure) to meet the needs of residential communities in the future.	
7.	HRZ New Policy		New Provision	<p>Council has an obligation under the NPS-UD to ensure sufficient 'additional infrastructure' (which includes educational facilities) is provided in development, and local authorities must be satisfied that additional infrastructure to service the development capacity is likely to be available (see Policy 10 and 3.5 of Subpart 1 of Part 3: Implementation, in particular).</p> <p>Educational facilities should therefore be enabled in the HRZ to service the growth enabled by IPI. Educational facilities typically locate in residential zones to support the surrounding residential catchments. Therefore, the Ministry requests that an additional policy is added to the HRZ chapter that acknowledges that development in residential areas should be supported by educational facilities to help meet the needs and demand of residential communities in the future.</p>	HRZ – P9: Development is supported by educational facilities.
COMMERCIAL AND MIXED USE ZONES					
NCZ – Neighbourhood Centres Zone					
8.	<u>Rule NCZ – R10</u>	<p><u>Education Facility</u></p> <p>1. <u>Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance is achieved with NCZ-S8 (Landscaping and Screening).</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>The extent to which the activity may adversely impact on the amenity of the Neighbourhood Centre Zone or adjacent properties.</u> <u>The effects of the activity on the existing and anticipated function and role of the Neighbourhood Centre Zone.</u> <u>The potential of the activity to compromise activities that are enabled in the Neighbourhood Centre Zone.</u> 	Support	The Ministry considers NCZ – R10 acceptable and support the matters of discretion to manage any effects of educational facility in the NCZ.	Retain as proposed.

ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision/ New Definition	Reason for Submission	Relief Sought (in red)
		<p>4. <u>The potential of the location of the activity in the Neighbourhood Centre Zone to undermine the role and function of the City Centre Zone. The extent to which the adverse effects of the activity can be avoided, or appropriately remedied or mitigated.</u></p> <p>2. <u>Activity status: Discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance is not achieved with NCZ-R10-1.a</u></p>			
LCZ - Local Centre Zone					
9.	Rule LCZ – R9	<p><u>Education Facility</u></p> <p>1. <u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>The gross floor area per facility does not exceed 250m² and</u></p> <p>b. <u>Compliance is achieved with LCZ-S8 (Landscaping and Screening).</u></p> <p>2. <u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance is not achieved with LCZ-R9-1.a.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Local Centre Zone or adjacent properties.</u></p> <p>2. <u>The effects of the intensity, size and scale of the activity on the existing and anticipated function and role of the Local Centre Zone.</u></p> <p>3. <u>The potential of the intensity, size and scale of the activity to compromise activities that are enabled in the Local Centre Zone.</u></p> <p>4. <u>The potential of the location of the activity in the Local Centre Zone to undermine the role and function of the City Centre Zone.</u></p>	Support	The Ministry supports the provision of educational facilities in the LCZ and the standards to manage the effects of educational facilities in the LCZ.	Retain as proposed.

ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision/ New Definition	Reason for Submission	Relief Sought (in red)
		<p>5. <u>The extent to which the adverse effects of the intensity, size and scale of the activity can be avoided, or appropriately remedied or mitigated.</u></p> <p>b. <u>Compliance is not achieved with LCZ-R9-1.b</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The matters of discretion of the infringed standard.</u></p> <p><u>Notification:</u></p> <p><u>An application under LCZ-R9-2.b is precluded from being publicly notified in accordance with section 95A of the RMA</u></p>			
MUZ – Mixed Use Zone					
10.	<u>Rule MUZ – R9</u>	<p><u>Education Facility</u></p> <p>1. <u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>The gross floor area per facility does not exceed 500m² and</u></p> <p>b. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u></p> <p>2. <u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance is not achieved with MUZ-R9-1.a.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties.</u></p> <p>2. <u>The effects of the intensity, size and scale of the activity on the existing and anticipated function and role of the Mixed Use Zone.</u></p> <p>3. <u>The potential of the intensity, size and scale of the activity to compromise activities that are enabled in the Mixed Use Zone.</u></p> <p>4. <u>The potential of the location of the activity in the Mixed Use Zone to undermine the role and function of the City Centre Zone.</u></p>	Support	The Ministry supports the provision of educational facilities in the MUZ and the standards to manage the effects of educational facilities in the MUZ.	Retain as proposed.

ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision/ New Definition	Reason for Submission	Relief Sought (in red)
		<p>5. <u>The extent to which the adverse effects of the intensity, size and scale of the activity can be avoided, or appropriately remedied or mitigated.</u></p> <p>b. <u>Compliance is not achieved with MUZ-R9-1.b</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The matters of discretion of the infringed standard.</u></p> <p><u>Notification:</u></p> <p><u>An application under MUZ-R9-2.b is precluded from being publicly notified in accordance with section 95A of the RMA.</u></p>			
TCZ – Town Centre Zone					
11.	<u>Rule TCZ – R9</u>	<p><u>Education Facility</u></p> <p>1. <u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>The gross floor area per facility does not exceed 500m² and</u></p> <p>b. <u>Compliance is achieved with TCZ-S8 (Landscaping and Screening).</u></p> <p>2. <u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p>c. <u>Compliance is not achieved with TCZ-R9-1.a.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Town Centre Zone or adjacent properties.</u></p> <p>2. <u>The effects of the intensity, size and scale of the activity on the existing and anticipated function and role of the Town Centre Zone.</u></p> <p>3. <u>The potential of the intensity, size and scale of the activity to compromise activities that are enabled in the Town Centre Zone.</u></p> <p>4. <u>The potential of the location of the activity in the Town Centre Zone to undermine the role and function of the City Centre Zone.</u></p>	Support	The Ministry supports the provision of educational facilities in the TCZ and the standards to manage the effects of educational facilities in the TCZ.	Retain as proposed.

ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision/ New Definition	Reason for Submission	Relief Sought (in red)
		<p>5. <u>The extent to which the adverse effects of the intensity, size and scale of the activity can be avoided, or appropriately remedied or mitigated.</u></p> <p>a. <u>Compliance is not achieved with TCZ-R9-1.b</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The matters of discretion of the infringed standard.</u></p> <p><u>Notification:</u></p> <p><u>An application under TCZ-R9-2.b is precluded from being publicly notified in accordance with section 95A of the RMA.</u></p>			
CCZ – City Centre Zone					
12.	<u>Rule CCZ – R15</u>	<u>Education Facility</u> 1. <u>Activity status: Permitted</u>	Support	The Ministry supports the provision of educational facilities in the CCZ.	Retain as proposed.

Submission 52

SUBMISSION ON THE UPPER HUTT CITY COUNCIL INTENSIFICATION PLANNING INSTRUMENT

To: Upper Hutt City Council
Private Bag 907
Upper Hutt
5140

planning@uhcc.govt.nz

Name of Submitter: Oyster Management Limited

Address: c/- MinterEllisonRuddWatts
PO Box 105249
AUCKLAND 1143
Attention: Bianca Tree

bianca.tree@minterellison.co.nz
henry.sullivan@minterellison.co.nz

Introduction

1. Oyster Management Limited (**Oyster**) appreciates the opportunity to make a submission on the Upper Hutt City Council Intensification Planning Instrument (**IPI**). The IPI was notified by Upper Hutt City Council on 17 August 2022.
2. Oyster supports the IPI in part. Oyster's comments on the IPI and relief sought are set out in full in the table at **Appendix A** to this submission. Oyster supports the IPI to the extent that it enables well-functioning urban environments in the Mixed Use Zone.
3. Oyster could not gain an advantage in trade competition through this submission.

Background to Oyster and its Upper Hutt property

4. Oyster is a commercial property and fund manager that manages a portfolio of office, retail, large format retail, and industrial properties throughout New Zealand. Oyster manages approximately \$2 billion in assets.

5. Oyster's office assets comprise of commercial business parks and CBD offices. Its retail assets include regional shopping centres, outlet centres, suburban convenience centres, large format retail, and supermarkets, and its industrial assets comprise of logistic, manufacturing, and warehouse facilities in established industrial areas.
6. In Upper Hutt, Oyster's portfolio includes an office building at 11-15 Jepsen Grove. Oyster's property is shown in the planning map attached as **Appendix B** to this submission.

Reasons for relief sought

7. The specific provisions subject to this submission and reasons for the relief sought are set out in the table at **Appendix A** to this submission.
8. In addition to the specific reasons in Appendix A, Oyster supports the proposed changes to the provisions in the IPI where those changes:
 - (a) will give effect to the objectives and policies of the National Policy Statement on Urban Development 2020 (**NPS-UD**);
 - (b) will contribute to well-functioning urban environments;
 - (c) are consistent with the sustainable management of physical resources and the purpose and principles of the Resource Management Act 1991 (**RMA**);
 - (d) will meet the requirements to satisfy the criteria of section 32 of the RMA;
 - (e) will meet the reasonably foreseeable needs of future generations; and
 - (f) are consistent with sound resource management practice.

Relief sought

9. The relief sought by Oyster is set out in the table at **Appendix A** to this submission.
10. In addition to the specific relief sought in Appendix A, Oyster seeks such additional or consequential relief to give effect to the matters raised in this submission.

11. Oyster wishes to be heard in support of its submission.
12. If others make a similar submission, Oyster will consider presenting a joint case with them at a hearing.

DATED this 30th day of September 2022

Oyster Management Limited by its
solicitors and duly authorised agents
MinterEllisonRuddWatts



Bianca Tree

Address for service of submitter

Oyster Management Limited c/- MinterEllisonRuddWatts
P O Box 105249
AUCKLAND 1143
Attention: Bianca Tree / Amy Dresser

Telephone No: (09) 353 9700

Fax No. (09) 353 9701

Email: bianca.tree@minterellison.co.nz

henry.sullivan@minterellison.co.nz

Appendix A – Submission on behalf of Oyster Management Limited on the Upper Hutt City Council Intensification Planning Instrument

	Chapter / Sub-part	Specific provision / matter	Position	Submission and reasons	Decisions requested / relief sought
1.	Planning maps	Mixed Use zoning of 11-15 Jepsen Grove	Support	Oyster supports the rezoning of 11-15 Jepsen Grove from General Industrial Zone to Mixed Use Zone. The Mixed Use zoning of the site is appropriate because the site is well placed for a range of activities that are provided for in the Mixed Use Zone.	Retain the Mixed Use zoning of 11-15 Jepsen Grove.
2.	MUZ – Mixed Use Zone	All	Support	Oyster supports the introduction of the Mixed Use Zone. It is appropriate to provide for a range of activities in certain areas within the Upper Hutt District.	Retain the MUZ – Mixed Use Zone provisions as notified.
3.		Objective MUZ-O2 Character and Amenity Values of the Mixed Use Zone	Support	Oyster supports Objective MUZ-O2 to the extent it provides for a mix of activities generally of a medium to high scale and density. Providing for medium to high density activities gives effect to the direction in the NPS-UD to provide sufficient development capacity to meet the expected demand for business land.	Retain Objective MUZ-O2 as notified.
4.		Policy MUZ-P1 Appropriate Activities	Support	Oyster supports Policy MUZ-P1 to the extent that it provides for activities that are consistent with the anticipated role, function, and character of the Mixed Use Zone.	Retain Policy MUZ-P1 as notified.
5.		Rule MUZ-R1 Buildings and structures, including additions and alterations	Support	Oyster supports the permitted activity status for buildings and structures, including additions and alterations (where certain standards are complied with) in the Mixed Use Zone. Oyster also supports the restricted discretionary activity status where standards are not complied with.	Retain Rule MUZ-R1 as notified.
6.		Rule MUZ-R12 Office activity	Support in part Oppose in part	Oyster supports the permitted activity status for office activities in the Mixed Use Zone. Oyster opposes the standard that provides that gross floor area per tenancy must not exceed 250m ² . Oyster considers that it is appropriate to provide for office activities with no limit on gross floor area in the Mixed Use Zone. Enabling office activities without a cap will give effect to the direction in the NPS-UD to provide sufficient development capacity to meet the expected demand for business land.	Amend Rule MUZ-R12 as follows: Activity status: Permitted Where: a. The gross floor area per tenancy does not exceed 250m²; and b. Compliance is achieved with MUZ-S6 (Landscaping and Screening).
7.		Rule MUZ-R18 Light Industrial Activities	Support	Oyster supports the restricted discretionary activity status for light industrial activities in the Mixed Use Zone, where certain standards are complied with. Oyster supports the discretionary activity status for light industrial activities in the Mixed Use Zone, where the standards are not complied with.	Retain Rule MUZ-R18 as notified
8.		Standard MUZ-S1 Height	Support	Oyster supports Standard MUZ-S1 to the extent it provides that the maximum building height for the Mixed Use Zone is 26m.	Retain Standard MUZ-S1 as notified.

Appendix B – Planning map showing Oyster’s property

11-15 Jepsen Grove





Proposed Intensification Planning Instrument for the Upper Hutt District Plan

To: Planning Policy Team

Address: Upper Hutt City Council
Private Bag 907
Upper Hutt 5140
PO Box 90

Email: planning@uhcc.govt.nz

Submitter: New Zealand Defence Force

Contact Person: Lucy Edwards, Senior Statutory Planner, Defence Estate and Infrastructure

Address for Service: New Zealand Defence Force
C/- Tonkin + Taylor
PO Box 5271
Victoria Street West,
Auckland 1142
Attention: Karen Baverstock

Phone: +64 21 934 270

Email: lucy.edwards@nzdf.mil.nz / kbaverstock@tonkintaylor.co.nz

Introduction

The New Zealand Defence Force (NZDF) has military interests throughout New Zealand. In Upper Hutt, NZDF currently operates the Trentham Military Camp. The camp houses approximately 1,000 staff and officers and is the base for a number of military units, including the Headquarters Joint Forces New Zealand, Command and Staff College, Trade Training School and Trentham Regional Support Battalion. Trentham Military Camp occupies approximately 222 hectares of land to the south of the Upper Hutt Central Business District (CBD). It occupies a highly strategic location, and activities undertaken there are integral to NZDF maintaining its operational capacity, and in turn providing for the country's security, wellbeing and safety.

NZDF provided feedback on Plan Change 50: Rural and Residential Chapters in September 2021. NZDF notes that the Medium Density Residential Standards (MDRS) were released by the government after consultation on the draft provisions of Plan Change 50, and which included many compulsory changes that differ from those proposed under Plan Change 50. NZDF's feedback on Upper Hutt City Council's Intensification Planning Instrument (IPI) for the Upper Hutt District Plan is similar to that provided as part of Plan Change 50 and focuses on reverse sensitivity effects in relation to Trentham Military Camp.

In summary, NZDF recognises the need to provide for intensification, but wants to ensure that when significant intensification occurs within close proximity to Defence Facilities as proposed through the IPI, then reverse sensitivity effects are managed so that the ongoing operation of Defence Facilities are protected.

Qualifying matters

As noted in the proposed definition of qualifying matters (section 3.1 of the proposed plan), S771 (e) of the Resource Management Act 1991 (RMA) states that qualifying matters can include a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure.

Under the Urban Development Act, defence land and airspace are specifically included in the definition of nationally significant infrastructure (Section 9 Urban Development Act 2020). There is also clear policy direction within the current Operative District Plan which aims to provide for the operation and development of the Trentham Military Camp.

Any intensification within the vicinity of a Defence Facility has the potential to compromise its safe and efficient operation due to reverse sensitivity effects. NZDF requests that a new definition of "Nationally Significant Infrastructure" is added to Section 3.1 of the Proposed Plan, which specifically includes Defence Facilities. While in Upper Hutt City this is limited to the Trentham Military Camp, NZDF is seeking a consistent definition within district plans throughout the country.

NZDF generally supports the proposed definition of "Qualifying matter" in section 3.1, but requests that the definition of "Qualifying matter area" be amended to include a reverse sensitivity buffer area for Defence Facilities. This will include an area around Defence Facilities within which reverse sensitivity effects can be managed (through a qualifying matter) to ensure the safe and efficient operation of Nationally Significant Infrastructure. Further technical work will be undertaken by NZDF to define the NZDF reverse sensitivity buffer area prior to the hearing.

Recognition of Reverse Sensitivity in the Policy and Rule Framework

The management of reverse sensitivity effects on Defence Facilities is an important issue for NZDF across New Zealand, including in relation to Trentham Military Camp. Trentham Military Camp needs to be protected from reverse sensitivity effects including through the relevant District Plan provisions.

The IPI proposes to intensify residential land immediately adjacent to Trentham Military Camp. The NZDF broadly supports the proposed residential zoning on NZDF land and on the land surrounding Trentham Camp, subject to the management of reverse sensitivity effects. This includes the requirement for new development authorised by this Plan Change, that is within the NZDF reverse sensitivity buffer area, to include no-complaints covenants in favour of NZDF. NZDF has sought, and been granted, no complaints covenants in its favour for development near to its camps and bases across New Zealand. This includes residential development in close proximity to Trentham Military Camp.

In providing for high-density housing and other sensitive activities in the vicinity of the Camp, the potential for reverse sensitivity effects on the Camp's operations is significantly increased. NZDF requests that the policy framework for both the High Density and General Residential zones acknowledges, and is supportive of, existing Defence facilities and

operations, recognising that Trentham Military Camp has operated in this location for many years. The policy framework needs to set a clear direction in relation to avoiding reverse sensitivity effects on the Camp in order to ensure the safe and efficient operation of nationally significant infrastructure.

To support the policy framework above, the NZDF requests that additional permitted activity standards requiring the registration of no-complaints covenants in favour of the NZDF are incorporated into intensification rules, for new development authorised by this Plan Change, in the proposed NZDF reverse sensitivity buffer area. The NZDF also requests that reverse sensitivity be considered as a matter of control or discretion for proposed intensification not meeting permitted activity standards within the buffer area.

Summary Table

Point	Request	Reasons	Position / Relief sought
<i>Definitions</i>			
1	Insert new definition of Nationally Significant Infrastructure	Under the Urban Development Act, defence land and airspace is specifically included in the definition of nationally significant infrastructure.	Add a definition of "Nationally Significant Infrastructure" and specifically include "Defence Facilities"
2	Amend the definition of Qualifying matter area	<p>Defence facilities are nationally significant infrastructure and further provision is needed to ensure the safe and efficient operation of these facilities.</p> <p>In order to manage the effects of reverse sensitivity from the proposed intensification, NZDF proposes that a buffer area around Defence Facilities is added as a qualifying matter. Further work will be undertaken by NZDF to define the NZDF reverse sensitivity buffer area prior to the hearing.</p>	<p>NZDF supports the definition of Qualifying matter area, in part.</p> <p>However NZDF seeks that the definition is amended to include "NZDF reverse sensitivity buffer area"</p>
3	Definition of reverse sensitivity	The management of reverse sensitivity effects on camps and bases is an important issue for NZDF across New Zealand, including in relation to Trentham Military Camp. Defining reverse sensitivity and applying it in a policy framework is important to maintain the effective and efficient operation of NZDF bases across New Zealand.	NZDF supports the proposed definition of reverse sensitivity. Retain the definition of Reverse Sensitivity as proposed.
<i>Proposed Residential Objectives and Policies</i>			
4	Recognition of reverse sensitivity in the policy framework	<p>The management of reverse sensitivity effects on camps and bases is an important issue for NZDF across New Zealand, including in relation to Trentham Military Camp. Trentham Military Camp needs to be protected from reverse sensitivity effects including through the relevant District Plan provisions.</p> <p>The IPI proposes to intensify residential land immediately adjacent to Trentham Military Camp. Providing for high-density housing and other sensitive activities in the vicinity of the Camp means that the potential for reverse sensitivity effects on the Camp's operations are increased.</p> <p>NZDF requests that the policy framework for both the High Density and General Residential zones acknowledges, and is supportive of, existing Defence facilities and operations, recognising that</p>	Include objectives and policies that specifically manage reverse sensitivity effects on Trentham Military Camp in both the General Residential zone and the High Density Residential Zone. Means to achieve this include through the registration of no-complaint covenants in NZDF's favour within the NZDF reverse sensitivity buffer area.

Point	Request	Reasons	Position / Relief sought
		Trentham Military Camp has operated in this location for many years and will continue to do so into the future. The policy framework needs to set a clear direction in relation to avoiding reverse sensitivity effects on the Camp in order to ensure the safe and efficient operation of nationally significant infrastructure. NZDF has sought, and been granted, no complaints covenants in its favour for development near to its camps and bases across New Zealand. This includes residential development in close proximity to Trentham Military Camp.	
5	Recognition of reverse sensitivity when considering Subdivision in the General Residential Zone	<p>Clause (6) of SUB-RES-MC1 states that “<i>Account must be taken of any potential reverse sensitivity effects on regionally significant network utilities (excluding the National Grid)</i>”.</p> <p>This does not include the Trentham Military Camp. Considering the densities proposed in close proximity to the Trentham Military Camp, reverse sensitivity may become a significant issue.</p>	NZDF supports SUB-RES-MC1 in part, but seeks that clause (6) is amended to include Trentham Military Camp.
Proposed Rules			
6	Incorporation of standards and rules to support the management of reverse sensitivity	<p>To support the requested policy framework, the NZDF request that additional permitted activity standards are incorporated into intensification rules that require the registration of no-complaints covenants in favour of the NZDF for properties subject to intensification in the vicinity of NZDF facilities.</p> <p>The NZDF also requests that reverse sensitivity can be considered as a matter of control or discretion for proposed intensification not meeting permitted activity standards within the vicinity of Defence facilities.</p>	<p>NZDF supports in part the intensification rules in the General Residential zone and the High Density Residential Zone, subject to the following:</p> <ul style="list-style-type: none"> • Requiring no-complaints covenants in favour of NZDF on new development authorised by this Plan Change within the proposed NZDF reverse sensitivity buffer area, for example through the addition of permitted activity standards where appropriate. • Ensuring that reverse sensitivity can be considered a matter of control or discretion when considering a consent application for intensification of property within the proposed NZDF reverse sensitivity buffer area.
Proposed rezoning on NZDF land and land within the vicinity of Defence Facilities			
7	Residential zoning – support in part	The NZDF broadly supports the proposed residential zoning on NZDF land and on the land surrounding Trentham Camp, subject to the management of reverse sensitivity effects, including a requirement for new development authorised by this Plan Change to include no-complaints covenants in favour of NZDF.	NZDF supports in part the proposed residential zoning on NZDF land and on the land surrounding Trentham Camp, subject to the management of Reverse sensitivity effects as set out in rows 1-7 of this table.

NZDF **could not** gain an advantage in trade competition through this submission.

NZDF **wishes to be heard** in support of this submission.

If others make a similar submission, **we will consider** presenting a joint case with them at the hearing.

A handwritten signature in black ink, appearing to be 'L. Edwards', written in a cursive style.

Person authorised to sign
on behalf of New Zealand Defence Force

Date 30/09/2022



OFFICE USE ONLY

Submission number #

54

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN Planning for Growth - Intensification Planning Instrument (IPI)

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

Deliver to: Upper Hutt Civic Centre, 838 – 842 Fergusson Drive, Upper Hutt 5019

Post to: Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

Scan and email to: planning@uhcc.govt.nz

Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at planning@uhcc.govt.nz.

NAME OF SUBMITTER

POSTAL ADDRESS OF SUBMITTER C/- Planning Team at Upper Hutt City Council

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

CONTACT EMAIL

I could gain an advantage in trade competition through this submission (please tick one): yes / no

Only answer this question if you ticked 'yes' above:

I am / am not (tick one) directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

All aspects of the proposed plan change

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

The plan change is important, particularly so what we can build up, housing more people, while retaining green space. The council should also encouraged mixed use development in the CBD.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I do wish to be heard in support of my submission.
- I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I do wish to make a joint case.
- I do not wish to make a joint case.

Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:



SIGNATURE

DATE 30/09/2022

Submission 55

DuncanStuart just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Duncan Stuart

Postal address of submitter:

1 Chalfont Road

Address for service (if different from above)

1 Chalfont Road

Email address:

duncanstuartnz@gmail.com

Telephone number:

0274266115

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Southern Growth Area

My submission is that:

The intent to develop the Southern Growth Area is in direct contrast with the incoming Regional Policy Statement Change 1 from GWRC. Putting 2,000+ houses far away from infrastructure will create car-dependent suburb, significantly impacting on our ability to meet climate targets. Recent slips as a result of heavy rain in our changing climate suggest it is not a particular great idea to start

building on hills - and that we should build on the valley floor. This will ensure future ratepayers do not have to bear these obvious costs. <https://www.scoop.co.nz/stories/AK2208/S00337/greater-wellington-proposes-bold-new-regional-policy-statement-for-the-wellington-region.htm>
<https://www.stuff.co.nz/dominion-post/news/wellington/129603731/no-more-cardependent-suburbs-if-new-regional-plan-gets-green-light>

I seek the following decision from the local authority:

Remove the Southern Growth Area from future growth planning

Please indicate whether you wish to be heard in support of your submission:

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.



OFFICE USE ONLY

Submission number

56

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN
Planning for Growth - Intensification Planning Instrument (IPI)

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

Deliver to: Upper Hutt Civic Centre, 838 – 842 Fergusson Drive, Upper Hutt 5019

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Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at planning@uhcc.govt.nz.

NAME OF SUBMITTER **FIRE AND EMERGENCY NEW ZEALAND**

POSTAL ADDRESS OF SUBMITTER

AGENT ACTING FOR SUBMITTER (IF APPLICABLE) **BECA LTD**

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE) **PO BOX 3942, WELLINGTON 6140**

CONTACT TELEPHONE **04 460 1792**

CONTACT EMAIL **fleur.rohleder@beca.com**

I could gain an advantage in trade competition through this submission (please tick one): **yes** / **no**

Only answer this question if you ticked 'yes' above:

I **am** / **am not** (tick one) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

REFER TO ATTACHED SUBMISSION.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

REFER TO ATTACHED SUBMISSION.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

REFER TO ATTACHED SUBMISSION.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I **do** wish to be heard in support of my submission.
 I **do not** wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I **do** wish to make a joint case.
 I **do not** wish to make a joint case.

Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE



DATE 30/09/2022

Submission on notified Planning for Growth – Intensification Planning Instrument to Upper Hutt District Plan

Intensification Streamlined Planning Process (ISPP)

To: Upper Hutt City Council

Submission from: Fire and Emergency New Zealand

This submission is made on behalf of Fire and Emergency New Zealand (Fire and Emergency) to Upper Hutt City Council (UHCC) on Planning for Growth – Intensification Planning Instrument (IPI).

1.1 Context

The primary objective of Fire and Emergency is to reduce the incidence of unwanted fire and the associated risk to life and property. Fire and Emergency seek to:

- protect and preserve life
- prevent or limit injury
- prevent or limit damage to property and land, and
- prevent or limit damage to the environment¹.

Fire and Emergency's main functions² are—

- (a) to promote fire safety, including providing guidance on the safe use of fire as a land management tool; and
- (b) to provide fire prevention, response, and suppression services; and
- (c) to stabilise or render safe incidents that involve hazardous substances; and
- (d) to provide for the safety of persons and property endangered by incidents involving hazardous substances; and
- (e) to rescue persons who are trapped as a result of transport accidents or other incidents; and
- (f) to provide urban search and rescue services.

Fire and Emergency also has secondary functions to assist in matters to the extent that Fire and Emergency has the capability and capacity to do so and the capability to perform their main functions efficiently and effectively. These secondary functions³ are:

- (a) responding to medical emergencies; and
- (b) responding to maritime incidents; and

¹ Fire and Emergency New Zealand Act 2017 section 10(a)(b)

² Fire and Emergency New Zealand Act 2017 section 11(2)

³ Fire and Emergency New Zealand Act 2017 section 12(3)

- (c) performing rescues, including high angle line rescues, rescues from collapsed buildings, rescues from confined spaces, rescues from unrespirable and explosive atmospheres, swift water rescues, and animal rescues; and
- (d) providing assistance at transport accidents (for example, crash scene cordoning and traffic control); and
- (e) responding to severe weather-related events, natural hazard events, and disasters; and
- (f) responding to incidents in which a substance other than a hazardous substance presents a risk to people, property, or the environment; and
- (g) promoting safe handling, labelling, signage, storage, and transportation of hazardous substances; and
- (h) responding to any other situation, if Fire and Emergency has the capability to assist; and
- (i) any other function conferred on Fire and Emergency as an additional function by the Minister in accordance with section 112 of the Crown Entities Act 2004.

With the wider mandate and changing nature of Fire and Emergency response, the volume of incidents that Fire and Emergency responds to has grown, as has the range of incident types.⁴

On average, Fire and Emergency attend 694⁵ incidents across Upper Hutt. This includes an average of:

- 136 fires
- 109 medical emergencies
- 63 vehicle accidents
- 67 rescues and public assists⁶

Fire and Emergency also faces broad challenges, such as the increasing frequency and severity of extreme weather events, increasing intensification of urban areas, and competing access to resources such as water and transport infrastructure. These challenges make the environment Fire and Emergency operates in more complex and puts greater demands on Fire and Emergency as an organisation.

Territorial authorities have a role in ensuring that Fire and Emergency, as an emergency service provider, can continue to operate effectively and efficiently in a changing urban environment. This includes consideration and management of the actual and potential implications on emergency services when giving effect to the National Policy Statement on Urban Development 2020 (NPS-UD), and other regulatory reforms, such as the Resource Management (Enabling Housing Supply and Other Matters) Act 2021 (Enabling Act).

Fire and Emergency note that Policy 1 of the NPS-UD seeks planning decisions contribute to well-functioning urban environments, which includes urban environments that, as a minimum, have good accessibility and are resilient to the likely current and future effects of climate change. Further, the management of significant risks for natural hazards is a matter of national importance under section 6 of the Resource Management Act 1991 (RMA) and is included in the definition of a Qualifying Matter in the Enabling Act.

⁴ There is an increasing need to respond to a wide range of non-fire emergencies, where Fire and Emergency often coordinate with and assist other emergency services. These include responding to motor vehicle accidents, medical call-outs, technical rescues, hazardous substance incidents such as gas or chemical leaks, and accidents and other incidents at sea. In 2016/17, Fire and Emergency attended more medical emergencies than structure and vegetation fires combined. (Source: NZ Fire Service Annual Report 2016/17)

⁵ Average 2017-2021

⁶ Average 2017-2021. Fire and Emergency note the impact of COVID-19 on the number of incidents over the 2020/2021 period. In some urban environments, Fire and Emergency observed a reduction in fires and traffic accidents over this period. It is suspected this may have been due to people being home more during the pandemic and perhaps making them more vigilant around fires and reduction of unwanted fire, and fewer people in the public domain thereby reducing the likelihood of unwanted fires at beaches and parks.

This submission seeks to enable Fire and Emergency to carry out its requirements under the Fire and Emergency New Zealand Act 2017 more effectively in the protection of people, property and the environment in the event of an emergency.

This submission addresses matters relating to activities required to be undertaken to enable an effective emergency response and to provide for the health and safety of people and communities in Upper Hutt. Issues of particular interest and relevance to Fire and Emergency broadly include:

- ensuring emergency services appliances and Fire and Emergency personnel can adequately access both built and natural environments across Upper Hutt in the event of an emergency, and
- ensuring new development, including infill development, is adequately serviced by firefighting water supply,
- maintaining and developing Fire and Emergency's property estate (e.g. fire stations) in strategic locations and at appropriate times to enable Fire and Emergency to continue to meet the demands and expectations of communities as they grow and change.

1.2 Emergency services access

Fire and Emergency requires adequate access to new developments, associated structures and the natural environment to ensure that they can respond in emergencies. This includes access in the event of fire, natural hazard, hazardous substances, medical or a rescue or assist.

Within the urban environment, the NPS-UD encourages higher residential densities, more varied housing typologies such as larger multi-unit development as well as a more compact urban form generally. Intensification and infill housing in Upper Hutt are already challenging traditional access to properties for fire and other emergencies. This includes both vehicle access to the source as well as physical access by Fire and Emergency personnel to perform rescues and duties, where obstructions and site layout inhibit the use of lifesaving appliances such as ladders, hoses and stretchers.

The changes consequential to the NPS-UD will create new challenges for emergency services. Fire and Emergency consider it is vital for the health, safety and wellbeing of communities that the needs of emergency services are taken into account as new urban development is being planned. It is also important that future development areas are designed to be well-functioning and resilient to ensure that communities / residents are able to evacuate in the event of an emergency. If emergency response cannot access people in the event of an emergency, this will not enable and provide for well-functioning and resilient communities and will not achieve Policy 1 of the NPS-UD.

Some of the implications of these aspects are set out in the following sections.

1.2.1 Pedestrian only developments

Fire and Emergency note that as a result of the NPS-UD, the requirement for onsite parking in all residential developments has been removed, increasing the number of developments that provide only pedestrian access.

Fire and Emergency acknowledge that the New Zealand Building Code (NZBC) C5 specifies access and safety requirements for firefighting operations, where certain buildings must be designed and constructed so that there is a low probability of firefighters or other emergency services personnel being delayed in or impeded from assisting in rescue operations and performing firefighting operations. Buildings must also be designed and constructed so that there is a low probability of illness or injury to firefighters or other emergency services personnel during rescue and firefighting operations.

Of particular note, a performance requirement of C5 is that buildings must be provided with access for fire service vehicles to a hard-standing from which there is an unobstructed path to the building within 20m of the firefighter access into the building and the inlets to automatic fire sprinkler systems or fire hydrant

systems, where these are installed (among other requirements). These performance requirements do however not apply to detached dwellings, within household units in multi-unit dwellings, or to outbuildings, and ancillary buildings.

While it is unclear how UHCC intend to manage such developments that intend to be pedestrian only, Fire and Emergency are concerned that where pedestrian only access developments are sought, these will not be adequate for responders to efficiently access properties in event of a fire or emergency or to use tools and equipment effectively if required. This has the potential to significantly increase the risk to life and property.

Until such time as there is a review of the NZBC to 'catch up' with the changing urban environment, Fire and Emergency consider that the Resource Management Act 1991 (RMA) needs to address this matter up front in order to manage the use, development and protection of natural and physical resources which enables people and communities to provide for their social, economic, and cultural well-being, and for their health and safety in accordance with Section 5 of the RMA.

To support effective and efficient access and manoeuvring of crew and equipment for firefighting, medical, rescue and other emergency response to pedestrian only access developments across Upper Hutt (should such developments be provided for), Fire and Emergency seek:

- pedestrian accessways are designed to be clear and unobstructed,
- pedestrian accessways have a minimum width of:
 - 3m on a straight accessway.
 - 6.2m on a curved or cornered accessway,
 - 4.5m space to position the ladder and perform operational tasks.
- wayfinding for different properties on a development are clear in day and night,
- developments give effect to the guidance provided in Fire and Emergency's 'Designer's Guide' to Firefighting Operations Emergency Vehicle Access' (December 2021) (Firefighting Operations Emergency Vehicle Access Guide)⁷.

Where resource consent is required for sites with no on-site vehicle access, matters of discretion should include consideration of the extent to which emergency service vehicle access is provided for. The design guide should also consider and reflect good practice examples that, where no vehicle access is provided to a lot/site, that an unobstructed path must be provided either, between buildings on the same site or between buildings and the property boundary to provide for sufficient firefighter access to the site/buildings. This can then be assessed on a case-by-case basis and the district plan design guide could assist in the regard.

1.2.2 Emergency vehicle access

Adequate fire appliance access to both the source of a fire (or other emergency) and a firefighting water supply is essential to the efficient operation of Fire and Emergency. The requirements for firefighting access are set out in the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 (SNZ PAS 4509:2008)⁸, are further detailed in Fire and Emergency's 'Designer's guide' to firefighting operations Emergency vehicle access' (December 2021)⁹ and prescribed in Acceptable Solutions Part 6 of C/AS1 and C/AS2.

These requirements are necessary for Fire and Emergency to be able to operate pumping appliances from a hard standing. Often, this can be done from the public road, and this is how Fire and Emergency prefers to operate where possible. Pumping appliances are vehicles used to pump water for firefighting (refer Appendix

⁷ The Fire and Emergency Designers Guide to Firefighting Operations for emergency vehicle access provides help to ensure building designs comply with the NZBC C5 and can be found here: <https://www.fireandemergency.nz/assets/Documents/Business-and-Landlords/Building-and-designing-for-fire-safety/F5-02-GD-FFO-emergency-vehicle-access.pdf>

⁸ The New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 can be found here: <https://fireandemergency.nz/assets/Documents/Files/N5a-SNZPAS-4509-2008-NZFS-Firefighting-water-supplies-Code-of-practice.pdf>

⁹ The Fire and Emergency Designers Guide to Firefighting Operations for emergency vehicle access provides help to ensure building designs comply with the NZBC C5 and can be found here: <https://www.fireandemergency.nz/assets/Documents/Business-and-Landlords/Building-and-designing-for-fire-safety/F5-02-GD-FFO-emergency-vehicle-access.pdf>

A of the Fire and Emergency's 'Designers' guide). They carry a relatively small amount of water (1,350–2,000 litres) and have a limited length of hose. Accordingly, Fire and Emergency must have access to a water supply and must also be able to base operations near the building, so firefighters can reach the fire with water.

There are however a number of limitations and subsequent concerns Fire and Emergency have in relation to the requirements of the NZBC:

- Performance requirements in clauses C5.3 to C5.8 do not apply to detached dwellings, within household units in multi-unit dwellings, or to outbuildings and ancillary buildings and therefore there is a significant shortfall in access requirements for firefighter access to these particular buildings in the urban environment.
- For buildings to which C5 vehicle access requirements apply, Fire and Emergency observe developments that have obtained building consent (either via an "Acceptable Solution" or alternative solution developed if better suited to the particular building design and use) however the firefighting access provided for does not enable Fire and Emergency to effectively access a site in a fire or other emergency.

Fire and Emergency has strong concerns that even in situations where the NZBC applies, many recent developments are not in compliance with the performance criteria of C5 and therefore do not comply with the NZBC (in particular 20m access to the building for firefighting or 75m hose length to the furthest point).

For this reason, UHCC need to carefully consider how emergency vehicle access will be provided for new residential developments.

Given the statutory gap in the NZBC, significant consideration needs to be given to new district plan rules and a related policy framework to require adequate access to buildings including detached residential dwellings by emergency vehicles and personnel (i.e. SH risk group buildings not covered by the NZBC). It is requested that these requirements align with those of the NZBC so as to not be inconsistent.

For all other developments to which C5 applies, Fire and Emergency request that, where not already provided for, the district plan introduce rules that 'duplicate' the appropriate requirements of the Part 6: firefighting of C/AS1 and C/AS2. Fire and Emergency consider that this approach would prevent resource consents being issued that could not be implemented because the layout does not demonstrate compliance with the performance requirements and need to be redesigned to provide sufficient firefighter access. This could mitigate some risks, especially when activities that currently require resource consent move to permitted.

Adequate provision for emergency access will enable Fire and Emergency to:

- Get into the building and to move freely around their vehicles.
- Gain access to rear dwellings on long sites where hose run lengths become an issue.
- Ensure the safety of firefighters and enable firefighters to deal quickly to smaller undeveloped fires before they develop and endanger members of the public and the firefighters who may need to assist them in either rescues and/or firefighting.

1.2.3 Carparking

Fire and Emergency is already encountering new development where emergency vehicle access along the roading corridor has been challenging. Issues with emergency vehicle access in these locations can be caused by narrow roads / laneways, higher density typologies and a lack of off-street parking available resulting in cars parking along both sides of already narrow residential streets. Implications for emergency services include on-road obstructions, meaning emergency vehicles have difficulty or are unable to manoeuvre, as well as an inability to access buildings and locate fire hydrants in an emergency. Inadequate parking lengths along frontages also have been encountered generally from vehicles parking over footpaths in driveways, blocking access.

Fire and Emergency acknowledges that, where no off-street parking is required, there may also be no requirement to provide for vehicular access to a property. In these situations, emergency service staff would need to enter a property on foot and/or remove fences and other structures to provide access. Regardless, there needs to be sufficient clearance to access properties with heavy emergency equipment.

Despite Policy 11 and clause 3.38 of the NPS-UD, consent authorities can continue to consider the wider effects of car parking supply and demand in resource consent applications. This includes where on-site car parking is provided voluntarily, that any such car parking is provided with dimensions that the spaces do not protrude onto footpaths or otherwise create obstructions. Given that section 104(1) requires a consent authority to have regard to 'any actual and potential effects on the environment of allowing [an] activity', an adverse effect of a particular activity could include adverse traffic effects on the local or wider road network.

Section 108AA of the RMA relates to requirements for conditions of resource consents. Section 108AA(1)(b) provides that a condition must not be included in a resource consent for an activity unless the condition is directly connected to one or both of: an adverse effect of the activity on the environment and/or an applicable district or regional rule, or a national environmental standard.

Fire and Emergency request that UHCC retain a policy framework that would enable such conditions to be imposed on a case-by-case basis, having regard to the effects of a particular activity. This could include, for example, matters of discretion relating to the safety of pedestrians and cyclists, surrounding car parking supply, and on and off-street amenity effects.

This will see that UHCC and the community are still able to consider any positive or adverse effects, and ensure any adverse effects can be avoided, remedied and mitigated. This would likely be most appropriate for large development applications with a significant under-provision of parking for the type and location of the activity. Consideration should also be given to the requirements of a transportation assessment to determine the impact of development of the roading network. It could also be necessary to use a condition of consent to tie a development application to preparing or updating a comprehensive parking management plan.

1.2.4 Reduced setbacks

The minimum building setbacks from boundaries and between buildings in the Medium Density Residential Standards to 1m on side boundaries from buildings on all sides increase the risk of fire spreading and can inhibit Fire and Emergency personnel from getting to the fire source. The difficulty of access may also increase the time for fire to burn, thereby increasing the heat radiation in a confined area.

Clause C3 of the NZBC is relevant here whereby buildings must be designed and constructed so that there is a low probability of fire spread to other property vertically or horizontally across a relevant boundary. Achieving this functional requirement is however limited by the mechanisms by which this is achieved (i.e. Acceptable Solutions) and buildings of which such requirements apply.

It is therefore vital that the NZBC is enforced and complied with to reduce the risk of fire spread in the intensified urban areas. This includes careful consideration of requirements to use non-combustible building materials to slow the vertical and horizontal spread of fire.

Fire and Emergency encourage UHCC to consider integrating these considerations into relevant urban design guidelines to align with the NZBC and prompt developments to consider fire risk mitigations early on in design. This should also be included as an advice note with the relevant side and rear boundary setback rules within the IPI plan change.

1.3 Firefighting water supply

The primary objective of Fire and Emergency is to reduce the incidence of unwanted fire and the associated risk to life and property. To achieve this objective Fire and Emergency requires adequate water supply be available for firefighting activities.

It is critical for Fire and Emergency that water supply infrastructure is in place prior to any development commencing and that this water supply has adequate capacity and pressures available to service the future growth. Fire appliances carry a limited amount of water; therefore, it is necessary that adequate water capacity and pressure be available to Fire and Emergency to control or extinguish a fire. In the urban areas of Upper Hutt, water is sourced from the reticulated water supply network however where reticulation is not available or limited (i.e. trickle fed), alternative water sources will be required. This may be in the form of dedicated water tanks or ponds for firefighting. Adequate physical access to this water supply for new development (whether reticulated or non-reticulated) is also essential.

Adequate capacity and pressure for each development can be determined through the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 (SNZ PAS 4509:2008)¹⁰. The Code of Practice is a non-mandatory New Zealand Standard that sets out the minimum requirements for firefighting water and access in order for Fire and Emergency to operate effectively and efficiently in an emergency. Fire and Emergency note that the Code of Practice for Civil Engineering Works requires the water supply network to comply with SNZ PAS 4509:2008.

Fire and Emergency consider it essential that urban development does not occur out of sequence with the delivery of key strategic infrastructure (network extensions or upgrades), or development is not enabled where there is potential or known infrastructure capacity constraints in relation to the Three Waters, in particular the water supply network.

Fire and Emergency consider that UHCC will need to develop more sophisticated water network models where they do not already exist. This will assist UHCC in identifying areas across Upper Hutt where there is potential or known infrastructure capacity constraints and will enable UHCC to manage the cumulative impacts of urban infill on the water supply network.

To manage this, Fire and Emergency considers that all subsequent subdivision and development should be subject to development standards within the district plan requiring all applicants to demonstrate by way of providing evidence (i.e. hydrant flow testing) that their development can be adequately serviced for firefighting water supply in accordance with the SNZ PAS 4509:2008 across all zones. If this does not become part of the consenting regime, there will likely be development with inadequate firefighting water supply with potentially serious consequences for life and property. Particular consideration should be given to high rise buildings and the network's capacity to maintain pressures.

1.4 Demand on emergency services

Fire and Emergency has a Statement of Performance Expectations¹¹ which sets out targets to delivering timely and effective fire response and suppression services as well as other services¹². Community need for Fire and Emergency services has been increasing, thereby increasing Fire and Emergency's presence on the roads and need for fast and efficient access to incidents across Upper Hutt.

Urban growth and intensification coupled with the increasing rate of extreme weather events and risk from natural hazards as a result of climate change and other environmental and demographic changes across communities is likely to result in a greater demand on emergency services and consequently can affect response times if not managed.

Fire and Emergency's response time commitments to the government and community are key determinants for the location of new, or expansion of existing fire stations. Fire stations therefore need to be strategically

¹⁰ The New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 can be found here: <https://fireandemergency.nz/assets/Documents/Files/N5a-SNZPAS-4509-2008-NZFS-Firefighting-water-supplies-Code-of-practice.pdf>

¹¹ Statement of Performance Expectations 2021/2022 can be found here: <https://www.fireandemergency.nz/assets/Documents/About-FENZ/Key-documents/FENZ-Statement-of-Performance-Expectations-2021-2022.pdf>

¹² Fire and Emergency Act 2017 sections 10-12

located within and throughout communities to maximise their coverage and maintain appropriate response times and efficiently provide for the health and safety of people and communities.

As urban areas develop and intensify, the ability to construct and operate fire stations in locations which will enable reasonable response times to fire and other emergencies is critical for the health, safety and wellbeing of people in the community. In this regard it is noted that Fire and Emergency is not a requiring authority under section 166 of the RMA and therefore does not have the ability to designate land for the purposes of fire stations.

Provisions within the rules of the district plan therefore may be the best way to facilitate the development of any new emergency service facilities as the city grows. Ongoing, and more frequent engagement with Fire and Emergency in terms of growth projections and demographic changes will assist us in understanding where we may need new emergency service facilities in the future. This will be particularly important during plan review and plan changes that seek to re-zone large portions of land to facilitate development.

Fire and Emergency seeks the following decision from the local authority:

Appendix A sets out the details of Fire and Emergency's submission, including the amendments sought by Fire and Emergency to specific provisions in the IPI plan change, and the reasons for the amendments.

Fire and Emergency would welcome any questions or further engagement on matters raised in the submission within.

Fire and Emergency may wish to be heard in support of its submission depending upon the proposed amendments to the Plan Change provisions as notified.

Signature of person authorised to sign on behalf of Fire and Emergency



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Contact person:	Fleur Rohleder

Appendix A

The following table sets out the specific position and any amendments sought by Fire and Emergency. Where specific amendments to provisions of the Upper Hutt District Plan are sought, these amendments are shown as red underline (for new text sought) and ~~word~~ (for deletion).

ID	Provision	Support / oppose	Submission	Decision sought
PART 1 – INTRODUCTION AND GENERAL PROVISIONS				
INTERPRETATION				
Definitions				
	Emergency service facility	Support	Fire and Emergency supports the definition of 'Emergency Service Facility' as it supports the provision of an appropriate rule framework to provide for emergency service facilities to support the health and safety of the community.	Retain as notified.
PART 2 – DISTRICT-WIDE MATTERS				
STRATEGIC DIRECTION				
UFD – Urban Form and Development				
	UFD-01 CMU-01	Support	Fire and Emergency supports UFD-01 and CMU-01 insofar that they require Council to provide for a well-functioning urban environment that enables all people and communities to provide for their health and safety, now and into the future. These objectives provide scope for the consideration of, and the requirement to provide, an adequate firefighting water supply and adequate emergency access and egress in the event of an emergency.	Retain as notified.
ENERGY, INFRASTRUCTURE AND TRANSPORT				
TP – Transport and Parking				
	TP-R3 Site Access <i>Activities and buildings and structures if site access if compliant with TP-S1 Permitted (Commercial and Mixed Use zone)</i>	Support in part	Fire and Emergency seeks to include proposed new standard TP-SX as a permitted activity standard for site access in the Commercial and Mixed Use Zones. Fire and Emergency considers it important that activities, buildings and structures are provided with a site access that ensures Fire and Emergency has the ability to efficiently and effectively respond to emergencies.	Amend as follows: TP-R3 Site Access <i>Activities and buildings and structures if site access # <u>is</u> compliant with TP-S1 <u>and TP-SX</u></i>
	New standard	NEW	Whilst it is acknowledged that the Council has a Code of Practice for Civil Engineering Works (hereafter referred to as the 'Engineering Code'), it is unclear whether access and roading requirements adequately provide for firefighting access. Fire and Emergency therefore seeks a new standard to	Include a new transport standard as follows, which should apply to all subdivision and land use activities in all zones: <u>TP-SX – Firefighting appliance access</u>

	<p>be included within the Transport section which should apply to all subdivisions and land use activities in all zones.</p> <p>Vehicular roading and access widths, surface and gradients should support the operational requirements of Fire and Emergency appliances. Fire and Emergency therefore seeks a new vehicle access standard that helps ensure access design accommodates a fire appliance vehicle of at least 2.5m wide, 13m long and a minimum gross mass of 25 tonne in circumstances where onsite access is vital.</p> <p>Fire and Emergency vehicles have a maximum hose run distance of 75m. To effectively respond to a fire, it is vital that Fire and Emergency can access all parts of a building within the 75m hose run distance. As such, Fire and Emergency seeks for the proposed access standard to apply to any access to a site that has a greater length than 50 metres, providing a distance of 25 metres that will allow the hose run to reach the entirety of buildings located onsite.</p> <p>Furthermore, where sites are located outside of the reticulated area, Fire and Emergency requires access to alternative firefighting water supplies provided onsite, such as water tanks.</p> <p>The proposed new standard therefore seeks to encompass the above requirements.</p>	<p>1. <u>Any access to a site located in an area where no fully reticulated water supply system is available, or having a length greater than 50 metres when connected to a road that has a fully reticulated water supply system including hydrants, must be designed to accommodate a fire appliance design vehicle of at least 2.5 metres wide and 13 metres long and with a minimum gross mass of 25 tonne including:</u></p> <ul style="list-style-type: none"> a. <u>a gradient of no more than 16%; and</u> b. <u>a minimum clear passageway and/or vehicle crossing of at least 3.5 metres width at the site entrance, internal entrances and between buildings; and</u> c. <u>a minimum formed carriageway width of 4 metres; and</u> d. <u>a height clearance of at least 4 metres; and</u> e. <u>a design that is free of obstacles that could hinder access for emergency service vehicles.</u> <p><u>Zone: All</u></p>
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SUBDIVISION

SUB-GEN – General Subdivision Provisions that Apply in All Zones

<p>New objective and policy</p>	<p>NEW</p>	<p>Fire and Emergency seeks a new objective that promotes the provision of infrastructure for subdivision in all zones.</p> <p>Furthermore, Fire and Emergency seeks the inclusion of a new policy that promotes subdivision activities in all zones be adequately serviced, particularly in relation to reticulated water supply.</p>	<p>Add a new objective and policy as follows:</p> <p><u>SUB-GEN-OX Three Waters Infrastructure</u></p> <p><u>Three Waters infrastructure is provided as part of subdivision and development, and in a way that is:</u></p> <ul style="list-style-type: none"> • <u>Integrated</u> • <u>Effective</u> • <u>Efficient</u> • <u>Functional</u> • <u>Safe</u> • <u>Sustainable</u> • <u>Resilient</u> <p><u>SUB-GEN-PX Three Waters Servicing</u></p> <p>a. <u>All subdivision and development provides integrated Three Waters infrastructure and services to a level that is appropriate to their location and intended use.</u></p> <p>b. <u>Where there is inadequate three waters infrastructure for the planned built environment, and necessary upgrades and improvements are not feasible in the short to long term, then avoid further intensification until constraints are resolved.</u></p>
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SUB-RES – Subdivision in the General Residential Zones

<p>SUB-RES-O2</p> <p><i>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.</i></p>	<p>Support</p>	<p>Fire and Emergency supports SUB-RES-O2 insofar that it requires Council to provide for a well-functioning urban environment that enables all people and communities to provide for their health and safety, now and into the future.</p> <p>This objective framework provides scope for the consideration of, and the requirement to provide, an adequate firefighting water supply and adequate emergency access and egress in the event of an emergency.</p>	<p>Retain as notified.</p>
<p>SUB-RES-P5</p> <p><i>To provide for subdivision that is compatible with the planned built character of the General Residential Zone, and ensure that it has adequate access to infrastructural requirements.</i></p>	<p>Support</p>	<p>Fire and Emergency supports SUB-RES-P5 insofar as it provides for subdivision that has adequate access to infrastructural requirements. This provides scope to ensure the provision of a water supply, including a firefighting water supply.</p>	<p>Retain as notified.</p>
<p>SUB-RES-R1 Subdivision within the General Residential Zone</p>	<p>Support in part</p>	<p>Fire and Emergency seeks that all subdivisions, controlled or otherwise, require compliance with the standard sought under TP-SX. This will ensure that all allotments can be appropriately accessed by fire appliances in the event of an emergency.</p> <p>Furthermore, Fire and Emergency seeks that all subdivisions in the residential zone make adequate provision for water supply, including a firefighting water supply, for all new allotments in accordance with the aforementioned Code of Practice, as is required in other zones within the District. A new standard is therefore sought, as detailed later in this table.</p>	<p>Amend as follows:</p> <p>2. <i>B. Each residential unit complies with the following rules and standards:</i></p> <p><i>(x) SUB-RES-SX</i></p>
<p>SUB-RES-S3 Access standards for subdivision</p>	<p>Support in part</p>	<p>Subject to the relief sought in the Transport and Parking chapter regarding the inclusion of a new fire appliance access standard, this provision will ensure that subdivisions within the General Residential Zone are capable of being accessed by fire appliances when sites are located outside of the reticulated area or have an accessway exceeding 50m in length.</p>	<p>Retain as notified.</p>
<p>New standard</p>	<p>NEW</p>	<p>Subdivisions in Commercial Zones require compliance with water supply, stormwater and wastewater standards in the Code of Practice for Engineering Works, under SUB-COM-S3 (as proposed to be amended to SUB-IND-C3). This provision does not however appear to be reflected in all zones. Fire and Emergency therefore seeks the inclusion of the requirement to meet three waters standards within the Code of Practice for Civil Engineering Works in the general residential zone.</p> <p>However, to increase visibility within the UHCC District Plan, Fire and Emergency seeks to also specifically include reference to firefighting water supply.</p>	<p>Add a new standard as follows:</p> <p><i>SUB-RES-SX</i></p> <p><i>Water supply, stormwater and wastewater</i></p> <p>1. <i>All activities shall comply with the water supply (including firefighting water supply), stormwater and wastewater standards in the Code of Practice for Civil Engineering Works.</i></p>
<p>SUB-RES-R6</p> <p><i>Subdivision that is not a controlled activity under rule SUB-RES-R1; and subdivision that does not comply with one or more of the standards under SUB-RES-S1 (1).</i></p> <p><i>Council will restrict its discretion to, and may impose conditions on:</i></p>	<p>Support in part</p>	<p>Fire and Emergency seek that proposals which are unable to comply with residential subdivision standards SUB-RES-SX and TP-SX have an activity status of restricted discretionary. This will ensure that matters of interest to Fire and Emergency, namely fire appliance access and firefighting water supply, are appropriately considered in the assessment of such proposals.</p>	<p>Amend as follows:</p> <p><i>Subdivision that is not a controlled activity under rule SUB-RES-R1; and subdivision that does not comply with one or more of the standards under SUB-RES-S1 (1) SUB-RES-S3, and SUB-RES-SX.</i></p> <p><i>Council will restrict its discretion to, and may impose conditions on:</i></p> <p>...</p>

SUB-HRZ – Subdivision in the High Density Residential Zone

<p>SUB-HRZ-O1 Well-functioning Urban Environments</p> <p><i>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.</i></p>	<p>Support</p>	<p>Fire and Emergency supports SUB-HRZ-O1 insofar as it requires Council to provide for a well-functioning urban environment that enables all people and communities to provide for their health and safety, now and into the future.</p> <p>This objective framework provides scope for the consideration of, and the requirement to provide, an adequate firefighting water supply and adequate emergency access and egress in the event of an emergency.</p>	<p>Retain as notified.</p>
<p>SUB-HRZ-O2</p> <p><i>High quality urban infrastructure is constructed to facilitate the demands of urban intensification and highly walkable urban environments.</i></p>	<p>Support</p>	<p>Fire and Emergency supports SUB-HRZ-O2 insofar as it promotes the construction of infrastructure to facilitate the demand of urban intensification.</p>	<p>Retain as notified.</p>
<p>SUB-HRZ-R1 Subdivision within the High Density Residential Zone</p>	<p>Support in part</p>	<p>Fire and Emergency seeks that all subdivisions, controlled or otherwise, require compliance with the standard sought under TP-SX. This will ensure that all allotments can be appropriately accessed by fire appliances in the event of an emergency.</p> <p>Furthermore, Fire and Emergency seeks that all subdivisions in the high density residential zone make adequate provision for water supply, including a firefighting water supply, for all new allotments in accordance with the aforementioned Code of Practice, as is required in other zones within the District. A new standard is therefore sought, as detailed later in this table.</p>	<p>Amend as follows:</p> <ol style="list-style-type: none"> 1. <i>b. ii. Each residential unit complies with the following rules and standards:</i> <p style="margin-left: 40px;"><i>(x) SUB-HRZ-SX</i></p> <ol style="list-style-type: none"> 2. <i>a. Compliance is not achieved.... under HRZ-SUB-R1 <u>SUB-HRZ-R1</u></i>
<p>SUB-HRZ-S2</p>	<p>Support in part</p>	<p>Subject to the relief sought in the Transport and Parking chapter regarding the inclusion of a new fire appliance access standard, this provision will ensure that subdivisions within the High Density Residential Zone are capable of being accessed by fire appliances when sites are located outside of the reticulated area or have an accessway exceeding 50m in length.</p>	<p>Retain as notified.</p>
<p>New standard</p>	<p>NEW</p>	<p>Subdivisions in Commercial Zones require compliance with water supply, stormwater and wastewater standards in the Code of Practice for Engineering Works, under SUB-COM-S3 (as proposed to be amended to SUB-IND-C3). This provision does not however appear to be reflected in all zones. Fire and Emergency therefore seeks the inclusion of the requirement to meet three waters standards within the Code of Practice for Civil Engineering Works in the general residential zone.</p> <p>However, to increase visibility within the UHCC District Plan, Fire and Emergency seeks to also specifically include reference to firefighting water supply.</p>	<p>Add a new standard as follows:</p> <p><i><u>SUB-HRZ-SX</u></i></p> <p><i><u>Water supply, stormwater and wastewater</u></i></p> <ol style="list-style-type: none"> 2. <i><u>All activities shall comply with the water supply (including firefighting water supply), stormwater and wastewater standards in the Code of Practice for Civil Engineering Works.</u></i>

SUB-CMU – Subdivision in Commercial and Mixed Use Zones

<p>SUB-CMU-R1 Subdivision around any existing lawfully established building which does not result in the creation of any new undeveloped allotment</p>	<p>Support in part</p>	<p>Fire and Emergency supports SUB-CMU-R1 insofar as it requires compliance with SUB-CMU-S2, which requires all subdivisions to comply with the water supply standards set out in the Code of Practice for Civil Engineering Works.</p>	<p>Amend as follows:</p> <ol style="list-style-type: none"> 1. <i>Activity status: Controlled</i> <p><i>Where:</i></p>
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		However, Fire and Emergency seeks the inclusion of an additional matter of compliance relating to the proposed access standards for subdivision in Commercial and Mixed Use zones (SUB-CMU-S1).	<p>a) Compliance is achieved with</p> <p>i. <u>SUB-CMU-S1</u></p> <p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a) Compliance is not achieved with <u>SUB-CMU-S1</u>, SUB-CMU-S2....</p>
SUB-CMU-S1 Access	Support in part	Subject to the relief sought in the Transport and Parking chapter regarding the inclusion of a new fire appliance access standard, this provision will ensure that subdivisions within the General Residential Zone are capable of being accessed by fire appliances when sites are located outside of the reticulated area or have an accessway exceeding 50m in length.	Retain as notified.
SUB-CMU-S2 Water supply, stormwater and wastewater	Support in part	<p>Fire and Emergency supports SUB-CMU-S2 insofar as it requires all subdivisions to comply with the water supply standards in the Code of practice for Civil Engineering Works. Fire and Emergency acknowledges that the Code of Practice for Civil Engineering Works which requires compliance with PAS 4509:2008.</p> <p>However, to increase visibility within the UHCC District Plan, Fire and Emergency seeks to amend SUB-CMU-S2 to specifically include firefighting water supply.</p>	<p>Amend as follows:</p> <p>All subdivisions shall comply with the water supply <u>(including firefighting water supply)</u>, stormwater and wastewater standards in the Code of Practice for Civil Engineering Works.</p>

GENERAL DISTRICT WIDE MATTERS

PK – Papakāinga

PK-P4 Maximum scale of papakāinga development	Support	<p>Fire and Emergency support PK-P4 insofar that the maximum intensity and scale of papakāinga development will be determined by the limitations of the site, including: (i) adequate provision of on-site or off-site infrastructure to serve the papakāinga.</p> <p>It is important that papakāinga is adequately serviced with a sufficient firefighting water supply, both in the reticulated and unreticulated areas of Upper Hutt. This should be ensured by the servicing provisions of the underlying zone.</p> <p>Further, Fire and Emergency note that any papakāinga development will be subject the access provisions of the transport chapter.</p>	Retain as notified.
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PART 3 – AREA SPECIFIC MATTERS

RESIDENTIAL ZONES

GRZ – General Residential Zone

GRZ-O2 Well-functioning Urban Environments <i>A well-functioning urban environment that enables all people and communities to provide for their social,</i>	Support	Fire and Emergency supports GRZ-O2 insofar that it requires Council to provide for a well-functioning urban environment that enables all people and communities to provide for their health and safety, now and into the future.	Retain as notified.
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<i>economic, and cultural wellbeing, and for their health and safety, now and into the future</i>		This objective framework provides scope for the consideration of, and the requirement to provide, an adequate firefighting water supply and adequate emergency access and egress in the event of an emergency.	
New objective	NEW	Fire and Emergency seeks a new objective that promotes the provision of infrastructure for all development within the General Residential Zone.	<p>Add a new objective as follows:</p> <p><u>GRZ-OX Three Waters Infrastructure</u></p> <p><u>Three Waters infrastructure is provided as part of subdivision and development, and in a way that is:</u></p> <ul style="list-style-type: none"> • <u>Integrated</u> • <u>Effective</u> • <u>Efficient</u> • <u>Functional</u> • <u>Safe</u> • <u>Sustainable</u> • <u>Resilient</u>
GRZ-P1 <i>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 account the capacity of the infrastructure.</i>	Support	Fire and Emergency supports GRZ-P1 insofar as it provides for development which takes into account the capacity of the infrastructure.	Retain as notified.
GRZ-P9 <i>To promote 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.</i>	Support	Fire and Emergency supports GRZ-P9 insofar as it promotes residential development that has adequate access to infrastructural requirements.	Retain as notified.
GRZ-S4 Setbacks	Support in part	<p>Fire and Emergency acknowledge that standard GRZ-S4 incorporates the density standards required by Part 2 of Schedule 3A of the RMA.</p> <p>Fire and Emergency have concerns around the increased risk of fire spreading as a result of reduced boundary setbacks. Reduced setbacks can inhibit Fire and Emergency personnel from getting to the fire source or other emergency. The difficulty of access may also increase the time for fire to burn, thereby increasing the heat radiation in a confined area.</p> <p>Fire and Emergency acknowledge that firefighting access requirements and building setback controls are managed through the New Zealand Building Code (NZBC) however consider it important that these controls are brought to the attention of plan users (i.e. developers) early on in the resource consent process so that they can incorporate the NZBC requirements early on in their building design. Fire and Emergency therefore request that, as a minimum, an advice note is included with standard GRZ-S4 directing plan users to the requirements of the NZBC.</p>	<p>Add advice note to GRZ-S4:</p> <p><u>Advice note:</u></p> <p><u>Building setback requirements are further controlled by the Building Code. Plan users should refer to the applicable controls within the Building Code to ensure compliance can be achieved at the building consent stage. Issuance of a resource consent does not imply that waivers of Building Code requirements will be considered/granted.</u></p>
GRZ-S5 Outdoor living space	Support in part	<p>Fire and Emergency support the provision of an outdoor living space on the premise that while not directly intended, may provide access for emergency services and space for emergency egress.</p> <p>Fire and Emergency acknowledge that firefighting access requirements are managed through the NZBC however consider it important that these</p>	<p>Add advice note:</p> <p><u>Advice note:</u></p> <p><u>Site layout requirements are further controlled by the Building Code. This includes the provision for firefighter access to buildings and egress from</u></p>

		<p>controls are brought to the attention of plan users (i.e. developers) in the resource consent process so that they can incorporate the NZBC requirements early on in their building design. The NZBC requirements will have an influence over how a site is designed and consequential site layout therefore Fire and Emergency consider it important that developers incorporate these requirements into their site layout at resource consent stage so that Council are able to assess this design to ensure compliance with the RMA.</p> <p>Fire and Emergency therefore request that, as a minimum, an advice note is included with GRZ-S5 directing plan users to the requirements of the NZBC.</p>	<p><u>buildings. Plan users should refer to the applicable controls within the Building Code to ensure compliance can be achieved at the building consent stage. Issuance of a resource consent does not imply that waivers of Building Code requirements will be considered/granted.</u></p>
<p>GRZ-R11 Buildings which do not comply with permitted activity standards.</p>	<p>Support in part</p>	<p>Fire and Emergency seeks additional matters of discretion that allows Council to consider the degree, extent, and effects of the non-compliance with GRZ-S1, GRZ-S10 and TP-SX (as per relief sought in Transport Chapter).</p>	<p>Amend as follows:</p> <p><i>Council will restrict its discretion to, and may impose conditions on:</i></p> <p><u>x. the degree, extent and effects of the non-compliance with GRZ-S1 and GRZ-S10.</u></p>
<p>GRZ-R12 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> <p>GRZ-R12A The construction and use of 4 or more residential units...</p> <p>GRZ-R12B 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.</p>	<p>Support in part</p>	<p>Fire and Emergency seeks the inclusion of standards GRZ-S1 (access) and GRZ-S10 (three waters connections) under Rules R12, R12A and R12N to ensure that land use activities which are unable to comply with such standards are treated as restricted discretionary activities.</p>	<p>Amend as follows:</p> <p><i>The construction and use of ... that do not comply with one or more of the following permitted standards:</i></p> <p><u>(x) GRZ-S1</u></p> <p><u>(xi) GRZ-S10</u></p>
<p>New Rule</p>	<p>NEW</p>	<p>Fire and Emergency seeks the addition of a new rule for 'emergency service facility'.</p> <p>New fire stations may be necessary in order to continue to achieve emergency response time commitments in stations where development occurs, and populations change. In this regard it is noted that Fire and Emergency is not a requiring authority under section 166 of the RMA, and therefore does not have the ability to designate land for the purposes of fire stations. Fire and Emergency considers that adding a new rule provides for emergency service facilities in this zone as a restricted discretionary activity. This will better provide for health and safety of the community by enabling the efficient functioning of Fire and Emergency in establishing and operating fire stations</p>	<p>Add a new rule as follows:</p> <p><u>GRZ-RX Emergency Service Facility</u></p> <p><u>1. Activity status: Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>1. The extent to which the activity may adversely impact on the anticipated character and amenity values of the General Residential Zone</u> <u>2. The effects of the activity on the existing and anticipated function and role of the General Residential Zone.</u> <u>3. The potential of the activity to compromise other activities that are enabled in the General Residential Zone.</u> <u>4. The extent to which the adverse effects of the activity can be avoided, or appropriately remedied or mitigated.</u> <u>5. The functional need or operational need for the emergency service facility to be located in the General Residential Zone.</u>

HDRZ – High Density Residential Zone

<p>HRZ-O1 Well-functioning Urban Environments</p> <p><i>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.</i></p>	<p>Support</p>	<p>Fire and Emergency supports HRZ-O1 insofar that it requires Council to provide for a well-functioning urban environment that enables all people and communities to provide for their health and safety, now and into the future.</p> <p>This objective framework provides scope for the consideration of, and the requirement to provide, an adequate firefighting water supply and adequate emergency access and egress in the event of an emergency.</p>	<p>Retain as notified.</p>
<p>HRZ-R1</p> <p>HRZ-R3</p> <p>HRZ-R4</p> <p>HRZ-S1</p>	<p>Support in part</p>	<p>Fire and Emergency supports HRZ-R1, HRZ-R3, HRZ-R4 and HRZ-S1 insofar as all activity rules, standards and matters of the GRZ are applicable to these rules.</p> <p>Therefore, subject to relief sought in GRZ chapter, Fire and Emergency supports these provisions.</p>	<p>Retain as notified.</p>
<p>New Rule</p>	<p>NEW</p>	<p>Fire and Emergency seeks the addition of a new rule for 'emergency service facility'.</p> <p>New fire stations may be necessary in order to continue to achieve emergency response time commitments in stations where development occurs, and populations change. In this regard it is noted that Fire and Emergency is not a requiring authority under section 166 of the RMA, and therefore does not have the ability to designate land for the purposes of fire stations. Fire and Emergency considers that adding a new rule provides for emergency service facilities in this zone as a restricted discretionary activity. This will better provide for health and safety of the community by enabling the efficient functioning of Fire and Emergency in establishing and operating fire stations.</p>	<p>Add a new rule as follows:</p> <p><u>HRZ-RX Emergency Service Facility</u></p> <p><u>1. Activity status: Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>1. The extent to which the activity may adversely impact on the anticipated character and amenity values of the High Density Residential Zone</u> <u>2. The effects of the activity on the existing and anticipated function and role of the High Density Residential Zone.</u> <u>3. The potential of the activity to compromise other activities that are enabled in the High Density Residential Zone.</u> <u>4. The extent to which the adverse effects of the activity can be avoided, or appropriately remedied or mitigated.</u> <u>5. The functional need or operational need for the emergency service facility to be located in the High Density Residential Zone.</u>
<p>Precinct 2 – St Patrick's Estate Precinct</p>			
<p>HRZ-PREC2-R1</p> <p>HRZ-PREC2-R2</p> <p>HRZ-PREC2-R3</p>	<p>Support in part</p>	<p>Fire and Emergency supports HRZ-PREC-R1 to HRZ-PREC-R3 insofar as the activity rules and standards in the High Density Residential Zone apply. Therefore, subject to the relief sought in the High Density Residential chapter, Fire and Emergency supports the provisions of Precinct 2.</p>	<p>Retain as notified.</p>
<p>NCZ – Neighbourhood Centre Zone</p>			
<p>New objective and policy</p>	<p>NEW</p>	<p>Fire and Emergency seeks a new objective that promotes the provision of infrastructure for development within the Neighbourhood Centre Zone.</p> <p>Furthermore, Fire and Emergency seeks the inclusion of a new policy that promotes land use activities in the Neighbourhood Centre Zone be adequately serviced, particularly in relation to reticulated water supply.</p>	<p>Add a new objective and policy as follows:</p> <p><u>NCZ-OX Three Waters Infrastructure</u></p> <p><u>Three Waters infrastructure is provided as part of subdivision and development, and in a way that is:</u></p> <ul style="list-style-type: none"> <u>• Integrated</u> <u>• Effective</u> <u>• Efficient</u>

			<ul style="list-style-type: none"> • Functional • Safe • Sustainable • Resilient <p>NCZ-PX Three Waters Servicing</p> <p>a. All subdivision and development provides integrated Three Waters infrastructure and services to a level that is appropriate to their location and intended use.</p> <p>b. Where there is inadequate three waters infrastructure for the planned built environment, and necessary upgrades and improvements are not feasible in the short to long term, then avoid further intensification until constraints are resolved.</p>
NCZ-P3 Other activities	Support in part	<p>Fire and Emergency supports NCZ-P3 insofar as it allows for other activities to occur within the NCZ.</p> <p>Due to urban growth, population changes and commitments to response times, Fire and Emergency may have a functional and operational need to locate stations within the NCZ in the future. Therefore, Fire and Emergency seeks an amendment to NCZ-P3 that allows for other activities where there is a functional and operational need to locate in the zone.</p>	<p>Amend as follows:</p> <p>6. There is a functional and operational need for the activity to locate in the Neighbourhood Centre Zone.</p>
NCZ-R1 Buildings and structures, including additions and alterations	Support	<p>Fire and Emergency supports NCZ-R1 insofar as it requires compliance with NCZ-S9, which requires all activities to comply with the water supply, standards in the Code of Practice for Civil Engineering Works.</p>	<p>Retain as notified.</p>
NCZ-R11 Emergency Service Facility	Support	<p>Fire and Emergency supports NCZ-R11 insofar as it allows emergency service facilities to establish in the NCZ as a restricted discretionary activity.</p>	<p>Retain as notified.</p>
NCZ-S3 Setback	Support in part	<p>Fire and Emergency have concerns around the increased risk of fire spreading as a result of reduced boundary setbacks. Reduced setbacks can inhibit Fire and Emergency personnel from getting to the fire source or other emergency. The difficulty of access may also increase the time for fire to burn, thereby increasing the heat radiation in a confined area.</p> <p>Fire and Emergency acknowledge that firefighting access requirements and building setback controls are managed through the New Zealand Building Code (NZBC) however consider it important that these controls are brought to the attention of plan users (i.e. developers) early on in the resource consent process so that they can incorporate the NZBC requirements early on in their building design. FENZ therefore request that, as a minimum, an advice note is included with standard NCZ-S3 directing plan users to the requirements of the NZBC.</p> <p>A new matter of discretion is also sought to give Council the ability to assess the effects of non-compliance on the efficient movement of residents and emergency services and the provision for the health and safety of residents in meeting their day-to-day needs.</p>	<p>Add advice note:</p> <p>Advice note:</p> <p>Building setback requirements are further controlled by the Building Code. Plan users should refer to the applicable controls within the Building Code to ensure compliance can be achieved at the building consent stage. Issuance of a resource consent does not imply that waivers of Building Code requirements will be considered/granted.</p> <p>Add new matter of discretion:</p> <p>5. The extent to which the non-compliance compromises the efficient movement of residents and emergency services and the provision for the health and safety of residents in meeting their day-to-day needs.</p>

<p>NCZ-S7 Outdoor Living Space</p>	<p>Support in part</p>	<p>Fire and Emergency support the provision of an outdoor living space on the premise that while not directly intended, may provide access for emergency services and space for emergency egress.</p> <p>Fire and Emergency acknowledge that firefighting access requirements are managed through the NZBC however consider it important that these controls are brought to the attention of plan users (i.e. developers) in the resource consent process so that they can incorporate the NZBC requirements early on in their building design. The NZBC requirements will have an influence over how a site is deigned and consequential site layout therefore Fire and Emergency consider it important that developers incorporate these requirements into their site layout at resource consent stage so that Council are able to assess this design to ensure compliance with the RMA.</p> <p>Fire and Emergency therefore request that, as a minimum, an advice note is included with NCZ-S7 directing plan users to the requirements of the NZBC.</p>	<p>Add advice note:</p> <p><u>Advice note:</u></p> <p><u>Site layout requirements are further controlled by the Building Code. This includes the provision for firefighter access to buildings and egress from buildings. Plan users should refer to the applicable controls within the Building Code to ensure compliance can be achieved at the building consent stage. Issuance of a resource consent does not imply that waivers of Building Code requirements will be considered/granted.</u></p>
<p>NCZ-S9 Water Supply, Stormwater and Wastewater</p>	<p>Support in part</p>	<p>Fire and Emergency supports NCZ-S9 insofar as it requires all activities in the NCZ to comply with the water supply standards in the Code of practice for Civil Engineering Works which requires compliance with SNZ PAS 4509:2008.</p> <p>However, to increase visibility within the UHCC District Plan, Fire and Emergency seeks to amend NCZ-S9 to specifically include firefighting water supply.</p>	<p>Amend as follows:</p> <p><u>All activities must comply with the water supply (including firefighting water supply), stormwater and wastewater standards in the Code of Practice for Civil Engineering Works.</u></p>
<p>LCZ – Local Centre Zone</p>			
<p>New objective and policy</p>	<p>NEW</p>	<p>Fire and Emergency seeks a new objective that promotes the provision of infrastructure for development within the Local Centre Zone.</p> <p>Further, Fire and Emergency seeks the inclusion of a new policy that requires land use activities in the Local Centre Zone be adequately serviced, particularly in relation to reticulated water supply.</p>	<p>Add a new objective and policy as follows:</p> <p><u>LCZ-OX Three Waters Infrastructure</u></p> <p><u>Three Waters infrastructure is provided as part of subdivision and development, and in a way that is:</u></p> <ul style="list-style-type: none"> • <u>Integrated</u> • <u>Effective</u> • <u>Efficient</u> • <u>Functional</u> • <u>Safe</u> • <u>Sustainable</u> • <u>Resilient</u> <p><u>LCZ-PX Three Waters Servicing</u></p> <p><u>a. All subdivision and development provides integrated Three Waters infrastructure and services to a level that is appropriate to their location and intended use.</u></p> <p><u>b. Where there is inadequate three waters infrastructure for the planned built environment, and necessary upgrades and improvements are not feasible in the short to long term, then avoid further intensification until constraints are resolved.</u></p>

LCZ-P3 Other activities	Support in part	<p>Fire and Emergency supports LCZ-P3 insofar as it allows for other activities to occur within the LCZ.</p> <p>Due to urban growth, population changes and commitments to response times, Fire and Emergency may have a functional and operational need to locate stations within the LCZ in the future. Therefore, Fire and Emergency seeks an amendment to LCZ-P3 that allows for other activities where there is a functional and operational need to locate in the zone.</p>	<p>Amend as follows:</p> <p><u>6. There is a functional and operational need for the activity to locate in the Local Centre Zone.</u></p>
LCZ-R1 Buildings and structures, including additions and alterations	Support	<p>Fire and Emergency supports MUZ-R1 insofar as it requires compliance with MUZ-S7, which requires all activities to comply with the water supply, standards in the Code of Practice for Civil Engineering Works.</p>	Retain as notified.
LCZ-R14 Emergency Service Facility	Support	<p>Fire and Emergency supports LCZ-R14 insofar as it allows emergency service facilities to establish in the LCZ as a restricted discretionary activity.</p>	Retain as notified.
LCZ-S3 Setback	Support in part	<p>Fire and Emergency has concerns around the increased risk of fire spreading as a result of reduced boundary setbacks. Reduced setbacks can inhibit Fire and Emergency personnel from getting to the fire source or other emergency. The difficulty of access may also increase the time for fire to burn, thereby increasing the heat radiation in a confined area.</p> <p>Fire and Emergency acknowledge that firefighting access requirements and building setback controls are managed through the New Zealand Building Code (NZBC) however consider it important that these controls are brought to the attention of plan users (i.e. developers) early on in the resource consent process so that they can incorporate the NZBC requirements early on in their building design. Fire and Emergency therefore request that, as a minimum, an advice note is included with standard LCZ-S3 directing plan users to the requirements of the NZBC.</p> <p>A new matter of discretion is also sought to give Council the ability to assess the effects of non-compliance on the efficient movement of residents and emergency services and the provision for the health and safety of residents in meeting their day-to-day needs.</p>	<p>Add advice note:</p> <p><u>Advice note:</u></p> <p><u>Building setback requirements are further controlled by the Building Code. Plan users should refer to the applicable controls within the Building Code to ensure compliance can be achieved at the building consent stage. Issuance of a resource consent does not imply that waivers of Building Code requirements will be considered/granted.</u></p> <p>Add new matter of discretion:</p> <p><u>5. The extent to which the non-compliance compromises the efficient movement of residents and emergency services and the provision for the health and safety of residents in meeting their day-to-day needs.</u></p>
LCZ-S7 Outdoor Living Space	Support in part	<p>Fire and Emergency support the provision of an outdoor living space on the premise that while not directly intended, may provide access for emergency services and space for emergency egress.</p> <p>Fire and Emergency acknowledge that firefighting access requirements are managed through the NZBC however consider it important that these controls are brought to the attention of plan users (i.e. developers) in the resource consent process so that they can incorporate the NZBC requirements early on in their building design. The NZBC requirements will have an influence over how a site is deigned and consequential site layout therefore Fire and Emergency consider it important that developers incorporate these requirements into their site layout at resource consent stage so that Council are able to assess this design to ensure compliance with the RMA.</p> <p>Fire and Emergency therefore request that, as a minimum, an advice note is included with LCZ-S7 directing plan users to the requirements of the NZBC.</p>	<p>Add advice note:</p> <p><u>Advice note:</u></p> <p><u>Site layout requirements are further controlled by the Building Code. This includes the provision for firefighter access to buildings and egress from buildings. Plan users should refer to the applicable controls within the Building Code to ensure compliance can be achieved at the building consent stage. Issuance of a resource consent does not imply that waivers of Building Code requirements will be considered/granted.</u></p>

LCZ-S9 Water Supply, Stormwater and Wastewater	Support in part	<p>Fire and Emergency supports LCZ-S9 insofar as it requires all activities in the LCZ to comply with the water supply standards in the Code of Practice for Civil Engineering Works which requires compliance with SNZ PAS 4509:2008.</p> <p>However, to increase visibility within the UHCC District Plan, Fire and Emergency seeks to amend LCZ-S9 to specifically include firefighting water supply.</p>	<p>Amend as follows:</p> <p><i>All activities shall comply with the water supply (including firefighting water supply), stormwater and wastewater standards in the Code of Practice for Civil Engineering Works.</i></p>
MUZ – Mixed Use Zone			
New objective and policy	NEW	<p>Fire and Emergency seeks a new objective that promotes the provision of infrastructure for development within the Mixed Use Zone.</p> <p>Further, Fire and Emergency seeks the inclusion of a new policy that requires land use activities in the Mixed Use Zone be adequately serviced, particularly in relation to reticulated water supply.</p>	<p>Add a new objective and policy as follows:</p> <p><u>MUZ-OX Three Waters Infrastructure</u></p> <p><i><u>Three Waters infrastructure is provided as part of subdivision and development, and in a way that is:</u></i></p> <ul style="list-style-type: none"> • <i><u>Integrated</u></i> • <i><u>Effective</u></i> • <i><u>Efficient</u></i> • <i><u>Functional</u></i> • <i><u>Safe</u></i> • <i><u>Sustainable</u></i> • <i><u>Resilient</u></i> <p><u>MUZ-PX Three Waters Servicing</u></p> <p><i><u>a. All subdivision and development provides integrated Three Waters infrastructure and services to a level that is appropriate to their location and intended use.</u></i></p> <p><i><u>b. Where there is inadequate three waters infrastructure for the planned built environment, and necessary upgrades and improvements are not feasible in the short to long term, then avoid further intensification until constraints are resolved.</u></i></p>
MUZ-P3 Other Activities	Support in part	<p>Fire and Emergency supports MUZ-P3 insofar as it allows for other activities to occur within the MUZ.</p> <p>Due to urban growth, population changes and commitments to response times, Fire and Emergency may have a functional and operational need to locate stations within the MUZ in the future. Therefore, Fire and Emergency seeks an amendment to MUZ-P3 that allows for other activities where there is a functional and operational need to locate in the zone.</p>	<p>Amend as follows:</p> <p><i><u>6. There is a functional and operational need for the activity to locate in the Mixed Use Zone.</u></i></p>
MUZ-R1 Buildings and structures, including additions and alterations	Support	<p>Fire and Emergency supports MUZ-R1 insofar as it requires compliance with MUZ-S7, which requires all activities to comply with the water supply standards in the Code of Practice for Civil Engineering Works.</p>	<p>Retain as notified.</p>
MUZ-R19 Emergency Service Facility	Support	<p>Fire and Emergency supports MUZ-R19 insofar as it allows emergency service facilities to establish in the MUZ as a restricted discretionary activity.</p>	<p>Retain as notified.</p>

MUZ-S3 Setback	Support in part	<p>Fire and Emergency have concerns around the increased risk of fire spreading as a result of reduced boundary setbacks. Reduced setbacks can inhibit Fire and Emergency personnel from getting to the fire source or other emergency. The difficulty of access may also increase the time for fire to burn, thereby increasing the heat radiation in a confined area.</p> <p>Fire and Emergency acknowledge that firefighting access requirements and building setback controls are managed through the New Zealand Building Code (NZBC) however consider it important that these controls are brought to the attention of plan users (i.e. developers) early on in the resource consent process so that they can incorporate the NZBC requirements early on in their building design. Fire and Emergency therefore request that, as a minimum, an advice note is included with standard MUZ-S3 plan users to the requirements of the NZBC.</p> <p>A new matter of discretion is also sought to give Council the ability to assess the effects of non-compliance on the efficient movement of residents and emergency services and the provision for the health and safety of residents in meeting their day-to-day needs.</p>	<p>Add advice note:</p> <p><u><i>Advice note:</i></u></p> <p><u><i>Building setback requirements are further controlled by the Building Code. Plan users should refer to the applicable controls within the Building Code to ensure compliance can be achieved at the building consent stage. Issuance of a resource consent does not imply that waivers of Building Code requirements will be considered/granted.</i></u></p> <p>Add new matter of discretion:</p> <p><u><i>5. The extent to which the non-compliance compromises the efficient movement of residents and emergency services and the provision for the health and safety of residents in meeting their day-to-day needs.</i></u></p>
MUZ-S5 Outdoor Living Space	Support in part	<p>Fire and Emergency support the provision of an outdoor living space on the premise that while not directly intended, may provide access for emergency services and space for emergency egress.</p> <p>Fire and Emergency acknowledge that firefighting access requirements are managed through the NZBC however consider it important that these controls are brought to the attention of plan users (i.e. developers) in the resource consent process so that they can incorporate the NZBC requirements early on in their building design. The NZBC requirements will have an influence over how a site is designed and consequential site layout therefore Fire and Emergency consider it important that developers incorporate these requirements into their site layout at resource consent stage so that Council are able to assess this design to ensure compliance with the RMA.</p> <p>Fire and Emergency therefore request that, as a minimum, an advice note is included with MUZ-S5 directing plan users to the requirements of the NZBC.</p>	<p>Add advice note:</p> <p><u><i>Advice note:</i></u></p> <p><u><i>Site layout requirements are further controlled by the Building Code. This includes the provision for firefighter access to buildings and egress from buildings. Plan users should refer to the applicable controls within the Building Code to ensure compliance can be achieved at the building consent stage. Issuance of a resource consent does not imply that waivers of Building Code requirements will be considered/granted.</i></u></p>
MUZ-S7 Water Supply, Stormwater, Wastewater	Support in part	<p>Fire and Emergency supports MUZ-S7 insofar as it requires all activities in the MUZ to comply with the water supply standards in the Code of practice for Civil Engineering Works. Fire and Emergency acknowledges that the Code of Practice for Civil Engineering Works which requires compliance with SNZ PAS 4509:2008.</p> <p>However, to increase visibility within the UHCC District Plan, Fire and Emergency seeks to amend MUZ-S7 to specifically include firefighting water supply.</p>	<p>Amend as follows:</p> <p><i>All activities shall comply with the water supply (including firefighting water supply), stormwater and wastewater standards in the Code of Practice for Civil Engineering Works.</i></p>
TCZ – Town Centre Zone			
New objective and policy	NEW	<p>Fire and Emergency seeks a new objective that promotes the provision of infrastructure for development within the Town Centre Zone.</p> <p>Further, Fire and Emergency seeks the inclusion of a new policy that promotes land use activities in the Town Centre Zone be adequately serviced.</p>	<p>Add a new objective and policy as follows:</p> <p><u><i>TCZ-OX Three Waters Infrastructure</i></u></p> <p><u><i>Three Waters infrastructure is provided as part of subdivision and development, and in a way that is:</i></u></p>

			<ul style="list-style-type: none"> • <u>Integrated</u> • <u>Effective</u> • <u>Efficient</u> • <u>Functional</u> • <u>Safe</u> • <u>Sustainable</u> • <u>Resilient</u> <p><u>TCZ-PX Three Waters Servicing</u></p> <p><u>a. All subdivision and development provides integrated Three Waters infrastructure and services to a level that is appropriate to their location and intended use.</u></p> <p><u>b. Where there is inadequate three waters infrastructure for the planned built environment, and necessary upgrades and improvements are not feasible in the short to long term, then avoid further intensification until constraints are resolved.</u></p>
TCZ-P3 Other activities	Support in part	<p>Fire and Emergency supports TCZ-P3 insofar as it allows for other activities to occur within the TCZ.</p> <p>Due to urban growth, population changes and commitments to response times, Fire and Emergency may have a functional and operational need to locate stations within the TCZ in the future. Therefore, Fire and Emergency seeks an amendment to TCZ-P3 that allows for other activities where there is a functional and operational need to locate in the zone.</p>	<p>Amend as follows:</p> <p><i>Only allow for other activities, including larger scale commercial and retail activities where:</i></p> <p><u>6. There is a functional and operational need for the activity to locate in the Town Centre Zone.</u></p>
TCZ-R1 Buildings and structures, including additions and alterations	Support	<p>Fire and Emergency supports TCZ-R1 insofar as it requires compliance with TCZ-S9, which requires all activities to comply with the water supply, standards in the Code of Practice for Civil Engineering Works.</p> <p>Fire and Emergency notes that when a restricted discretionary activity status is triggered, discretion extends to the matter of any infringed standard. This is also supported.</p>	Retain as notified.
TCZ-R14 Emergency Service Facility	Support	<p>Fire and Emergency supports TCZ-R14 i as it allows emergency service facilities to establish in the TCZ as a restricted discretionary activity.</p>	Retain as notified.
TCZ-S3 Setback	Support with amendment	<p>Fire and Emergency have concerns around the increased risk of fire spreading as a result of reduced boundary setbacks. Reduced setbacks can inhibit Fire and Emergency personnel from getting to the fire source or other emergency. The difficulty of access may also increase the time for fire to burn, thereby increasing the heat radiation in a confined area.</p> <p>Fire and Emergency acknowledge that firefighting access requirements and building setback controls are managed through the New Zealand Building Code (NZBC) however consider it important that these controls are brought to the attention of plan users (i.e. developers) early on in the resource consent process so that they can incorporate the NZBC requirements early on in their building design. Fire and Emergency therefore request that, as a minimum, an advice note is included with standard TCZ-S3 directing plan users to the requirements of the NZBC.</p>	<p>Add advice note:</p> <p><u>Advice note:</u></p> <p><u>Building setback requirements are further controlled by the Building Code. Plan users should refer to the applicable controls within the Building Code to ensure compliance can be achieved at the building consent stage. Issuance of a resource consent does not imply that waivers of Building Code requirements will be considered/granted.</u></p>

<p>TCZ-S7 Outdoor Living Space</p>	<p>Support in part</p>	<p>Fire and Emergency support the provision of an outdoor living space on the premise that while not directly intended, may provide access for emergency services and space for emergency egress.</p> <p>Fire and Emergency acknowledge that firefighting access requirements are managed through the NZBC however consider it important that these controls are brought to the attention of plan users (i.e. developers) in the resource consent process so that they can incorporate the NZBC requirements early on in their building design. The NZBC requirements will have an influence over how a site is deigned and consequential site layout therefore Fire and Emergency consider it important that developers incorporate these requirements into their site layout at resource consent stage so that Council are able to assess this design to ensure compliance with the RMA.</p> <p>Fire and Emergency therefore request that, as a minimum, an advice note is included with TCZ-S7 directing plan users to the requirements of the NZBC.</p>	<p>Add advice note:</p> <p><u>Advice note:</u></p> <p><u>Site layout requirements are further controlled by the Building Code. This includes the provision for firefighter access to buildings and egress from buildings. Plan users should refer to the applicable controls within the Building Code to ensure compliance can be achieved at the building consent stage. Issuance of a resource consent does not imply that waivers of Building Code requirements will be considered/granted.</u></p>
<p>TCZ-S9 Water Supply, Stormwater, and Wastewater</p>	<p>Support in part</p>	<p>Fire and Emergency supports TCZ-S9 insofar as it requires all activities in the TCZ to comply with the water supply standards in the Code of practice for Civil Engineering Works which requires compliance with SNZ PAS 4509:2008.</p> <p>However, to increase visibility within the UHCC District Plan, Fire and Emergency seeks to amend TCZ-S9 to specifically include firefighting water supply.</p>	<p>Amend as follows:</p> <p><u>All activities shall comply with the water supply (including firefighting water supply), stormwater and wastewater standards in the Code of Practice for Civil Engineering Works.</u></p>
<p>CCZ – City Centre Zone</p>			
<p>New objective and policy</p>	<p>NEW</p>	<p>Fire and Emergency seeks a new objective that promotes the provision of infrastructure for development within the City Centre Zone.</p> <p>Further, Fire and Emergency seeks the inclusion of a new policy that requires development in the City Centre Zone be adequately serviced, particularly in relation to reticulated water supply.</p>	<p>Add a new objective and policy as follows:</p> <p><u>CCZ-OX Three Waters Infrastructure</u></p> <p><u>Three Waters infrastructure is provided as part of subdivision and development, and in a way that is:</u></p> <ul style="list-style-type: none"> • <u>Integrated</u> • <u>Effective</u> • <u>Efficient</u> • <u>Functional</u> • <u>Safe</u> • <u>Sustainable</u> • <u>Resilient</u> <p><u>CCZ-PX Three Waters Servicing</u></p> <p><u>a. All subdivision and development provides integrated Three Waters infrastructure and services to a level that is appropriate to their location and intended use.</u></p> <p><u>b. Where there is inadequate three waters infrastructure for the planned built environment, and necessary upgrades and improvements are not feasible in the short to long term, then avoid further intensification until constraints are resolved.</u></p>

CCZ-P3 Other Activities	Support in part	<p>Fire and Emergency supports CCZ-P3 insofar as it allows for other activities to occur within the CCZ. Due to urban growth, population changes and commitments to response times, Fire and Emergency may have a functional and/or operational need to locate stations within the CCZ in the future. Therefore, Fire and Emergency seeks an amendment to CCZ-P3 that allows for other activities such as fire stations where there is a functional and operational need to locate in the area.</p>	<p>Amend as follows:</p> <p><u>5. There is a functional and operational need for the activity to locate in the City Centre Zone.</u></p>
CCZ-R7 Erection, Construction and Development of Additions to Existing Buildings	Support in part	<p>Fire and Emergency support CCZ-R7(2)(b)(vi) as it requires compliance with CCZ-S6 for restricted discretionary activities.</p> <p>As CCZ-R14 has been deleted as part of the plan change, it appears as though CCZ-R7(2)(a) is in error. Similarly, CCZ-R7(3)(a).</p> <p>If this is the case, Fire and Emergency request that this be amended to refer to the correct standard</p> <p>Fire and Emergency further seek a new matter of discretion that allows Council to consider the degree, extent and effects of the non-compliance with CCZ-S6.</p>	<p>Add new matter of discretion to CCZ-R7(2) as follows:</p> <p><i>Matters of discretion are restricted to:</i></p> <p><u>8. The extent, and effects of the non-compliance with CCZ-S6.</u></p>
CCZ-S2 Where the side or rear boundary of a site adjoins a High Density Residential Zone, General Residential Zone, or Open Space Zone, the following Setback standard applies.	Support in part	<p>Fire and Emergency have concerns around the increased risk of fire spreading as a result of reduced boundary setbacks. Reduced setbacks can inhibit Fire and Emergency personnel from getting to the fire source or other emergency. The difficulty of access may also increase the time for fire to burn, thereby increasing the heat radiation in a confined area.</p> <p>Fire and Emergency acknowledge that firefighting access requirements and building setback controls are managed through the New Zealand Building Code (NZBC) however consider it important that these controls are brought to the attention of plan users (i.e. developers) early on in the resource consent process so that they can incorporate the NZBC requirements early on in their building design. Fire and Emergency therefore request that, as a minimum, an advice note is included with standard CCZ-S2 directing plan users to the requirements of the NZBC.</p> <p>Fire and Emergency request that matters of discretion be added to this standard and that this include consideration of the extent to which the non-compliance compromises the efficient movement of residents and emergency services and the provision for the health and safety of residents in meeting their day-to-day needs.</p>	<p>Add advice note:</p> <p><u>Advice note:</u></p> <p><u>Building setback requirements are further controlled by the Building Code. Plan users should refer to the applicable controls within the Building Code to ensure compliance can be achieved at the building consent stage. Issuance of a resource consent does not imply that waivers of Building Code requirements will be considered/granted.</u></p> <p>Add new matter of discretion:</p> <p><u>The extent to which the non-compliance compromises the efficient movement of residents and emergency services and the provision for the health and safety of residents in meeting their day-to-day needs.</u></p>
CCZ-S6 Water Supply, Stormwater and Wastewater	Support in part	<p>Fire and Emergency supports CCZ-S6 insofar as it requires all activities in the CCZ to comply with the water supply standards in the Code of Practice for Civil Engineering Works. Fire and Emergency acknowledges that the Code of Practice for Civil Engineering Works requires compliance with SNZ PAS 4509:2008.</p> <p>However, to increase visibility within the District Plan, Fire and Emergency seeks to amend CCZ-S6 to specifically include firefighting water supply.</p>	<p>Amend as follows:</p> <p><i>All activities shall comply with the water supply (including firefighting water supply), stormwater and wastewater standards in the Code of Practice for Civil Engineering Works.</i></p>
CCZ-R13 Redevelopment, Alteration and Repair of Existing Buildings	Support in part	<p>Fire and Emergency support CCZ-R13(2)(b)(vi) as it requires compliance with CCZ-S6 for restricted discretionary activities.</p>	<p>Add new matter of discretion to CCZ-R13(2) as follows:</p> <p><i>Matters of discretion are restricted to:</i></p>

		Fire and Emergency seek a new matter of discretion that allows Council to consider the extent and effects of the non-compliance with CCZ-S6.	<u>8. The extent, and effects of the non-compliance with CCZ-S6.</u>
CCZ-R16 New Buildings and Structures	Support in part	<p>Fire and Emergency support CCZ-R16(1)(a)(vi) as it requires compliance with CCZ-S6 for restricted discretionary activities.</p> <p>Fire and Emergency seek a new matter of discretion that allows Council to consider the extent and effects of the non-compliance with CCZ-S6.</p>	<p>Add new matter of discretion to CCZ-R16(1) as follows:</p> <p><i>Matters of discretion are restricted to:</i></p> <p><u>9. The extent, and effects of the non-compliance with CCZ-S6.</u></p>
CCZ-R17 Emergency Service Facility	Support	Fire and Emergency supports CCZ-R17 insofar as it allows emergency service facilities to establish in the CCZ as a restricted discretionary activity.	Retain as notified.



OFFICE USE ONLY

Submission number

57

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN **Planning for Growth - Intensification Planning Instrument (IPI)**

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

Deliver to: Upper Hutt Civic Centre, 838 – 842 Fergusson Drive, Upper Hutt 5019

Post to: Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

Scan and email to: planning@uhcc.govt.nz

Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at planning@uhcc.govt.nz.

NAME OF SUBMITTER

Ryman Healthcare Limited

POSTAL ADDRESS OF SUBMITTER

c/o Chapman Tripp, Level 34, 15 Customs Street West, PO Box 2206,
Auckland 1140

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

Luke Hinchey

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

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CONTACT EMAIL

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I could gain an advantage in trade competition through this submission (please tick one): **yes** / **no**

Only answer this question if you ticked 'yes' above:

I **am** / **am not** (tick one) directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

See attached submission.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

See attached submission.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

See attached submission.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I **do** wish to be heard in support of my submission.
 I **do not** wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I **do** wish to make a joint case.
 I **do not** wish to make a joint case.

Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

DATE

30/09/22



Form 5

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR POLICY STATEMENT
OR PLAN, CHANGE OR VARIATION**

Clause 6 of Schedule 1, Resource Management Act 1991

To: Upper Hutt City Council (*Council*)

Name of submitter: Ryman Healthcare Limited (*Ryman*)

Introduction

- 1 This is a submission on Council's proposed amendments to the Upper Hutt City Plan (*City Plan*): Proposed Intensification Planning Instrument to make changes to the Upper Hutt City District Plan using the Intensification Streamlined Planning Process (*Proposed IPI*).
- 2 Ryman could not gain an advantage in trade competition through this submission.
- 3 Ryman supports in full the Retirement Villages Association of New Zealand Incorporated (*RVA*) submission on the Proposed IPI. This submission provides additional context to Ryman's villages and its interest in the Proposed IPI.
- 4 The submission covers:
 - 4.1 An introduction to Ryman, its villages and its residents; and
 - 4.2 Ryman's position on the Proposed IPI.

Ryman's approach

- 5 Ryman is considered to be a pioneer in many aspects of the healthcare industry – including retirement village design, standards of care, and staff education. It believes that a quality site, living environment, amenities and the best care maximises the quality of life for our residents. Ryman is passionately committed to providing the best environment and care for our residents. Ryman is not a developer. It is a resident-focused operator of retirement villages. Ryman has a long term interest in its villages and its residents.

The ageing demographic

- 6 Upper Hutt City's growing ageing population and the increasing demand for retirement villages is addressed in the RVA's submission on the Proposed IPI, and that is adopted by Ryman.
- 7 Ryman's own research confirms that good quality housing and sophisticated care for the older population is significantly undersupplied in many parts of the country, including Upper Hutt City. Upper Hutt City's ageing population is facing a significant shortage in appropriate accommodation and care options, which allow them to "age in place" as their health and lifestyle requirements change over time. This is because appropriate sites in good locations are incredibly scarce.

Ryman's residents

- 8 All of Ryman's residents – both retirement unit and aged care room residents – are much less active and mobile than the 65+ population generally as well as the wider population. Ryman's retirement unit residents are early 80s on move-in and its aged care residents are mid-late 80s on move-in. Across all of Ryman's villages, the average age of retirement unit residents is 82.1 years and the average age of aged care residents is 86.7 years.

Ryman villages' amenities and layout needs

- 9 To provide for the specific needs of its residents, Ryman provides extensive on-site community amenities, including entertainment activities, recreational amenities, small shops, bar and restaurant amenities, communal sitting areas, and large, attractively landscaped areas.
- 10 Because of the comprehensive care nature of Ryman's villages, all of the communal amenities and care rooms need to be located in the Village Centre to allow for safe and convenient access between these areas. This operational requirement results in a density and layout that differs from a typical residential development. However, Ryman's retirement villages are integrated developments, which often creates opportunities to achieve higher quality residential outcomes compared to typical residential developments.

Ryman's position on the Proposed IPI

- 11 Ryman adopts the RVA's submission on the Proposed IPI. In addition, Ryman wishes to emphasise that the Proposed IPI will have a significant impact on the provision of housing and care for Upper Hutt City's growing ageing population. There is a real risk that the proposed changes will delay necessary retirement and aged care accommodation in the region.

Decision sought

- 12 Ryman seeks the decisions sought by the RVA in its submission on the Proposed IPI.
- 13 Ryman wishes to be heard in support of this submission.
- 14 If others make a similar submission, Ryman will consider presenting a joint case with them at a hearing.

Matthew Brown

NZ Development Manager
Ryman Healthcare Limited
matthew.brown@rymanhealthcare.com

Address for service of submitter:

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15 Customs Street West
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Email address: luke.hinchey@chapmantripp.com / nicola.dewit@chapmantripp.com



30 September 2022

Attn: Upper Hutt City Council
Private Bag 907
Upper Hutt 5140
Submission by email via: planning@uhcc.govt.nz

KĀINGA ORA – HOMES AND COMMUNITIES SUBMISSION ON A NOTIFIED PROPOSAL FOR PROPOSED INTENSIFICATION PLANNING INSTRUMENT TO MAKE CHANGES TO THE UPPER HUTT CITY COUNCIL OPERATIVE CITY DISTRICT PLAN UNDER CLAUSE 6 OF SCHEDULE 1 OF THE RESOURCE MANAGEMENT ACT 1991

This is a submission on the Proposed Intensification Planning Instrument (“IPI”) from Upper Hutt City Council (“the Council” or “UHCC”) on the Upper Hutt Operative City District Plan (“the District Plan” or “the Plan”):

Kāinga Ora does not consider it can gain an advantage in trade competition through this submission. In any event, Kāinga Ora is directly affected by an effect of the subject matter of the submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

The specific provisions of the proposal that this submission relates to:

The IPI to the District Plan in its entirety.

This document and the Appendices attached is Kainga Ora submission on UHCC IPI.

The Kāinga Ora submission is:

1. Kāinga Ora Homes and Communities (“**Kāinga Ora**”) is a Crown Entity and is required to give effect to Government policies. Kāinga Ora has a statutory objective that requires it to contribute to sustainable, inclusive, and thriving communities that:
 - a) Provide people with good quality, affordable housing choices that meet diverse needs; and
 - b) Support good access to jobs, amenities and services; and
 - c) Otherwise sustain or enhance the overall economic, social, environmental and cultural well-being of current and future generations.
2. Because of these statutory objectives, Kāinga Ora has interests beyond its role as a public housing provider. This includes a role as a landowner and developer of residential housing and as an enabler of quality urban developments through increasing the availability of build-ready land across the Wellington region.
3. Kāinga Ora therefore has an interest in the IPI and how it:
 - a) Gives effect to the National Policy Statement on Urban Development (“**NPS-UD**”) and The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (“**the Housing Supply Act**”);
 - b) Minimises barriers that constrain the ability to deliver housing development across public housing, affordable housing, affordable rental, and market housing; and
 - c) Provides for the provision of services and infrastructure and how this may impact on the existing and planned communities, including Kāinga Ora housing developments.
4. The Kāinga Ora submission seeks amendments to the IPI in the following areas:
 - a) **Across the IPI** - References to Design Guides are deleted across the plan and provisions are updated to reflect design outcomes sought, external design guides are referenced as a guidance note, or guidance is streamlined and simplified. Kāinga Ora seeks the design guides are guidance that is provided outside of the Plan and can be updated on best practice without the need to undertake a Schedule 1 of the RMA process every time it needs to be updated.

- b) **Definitions** – Minor amendments to proposed definitions.
- c) **Strategic Direction** – Amendments sought, including reference to areas where greater levels of intensification are to be enabled.
- d) **Subdivision** – Amendments sought to provide more design and density flexibility and addition of notification preclusion statements. Deletion of the SUB-HRZ chapter and including the relevant rules from the SUB-HRZ chapter in the SUB-RES chapter.
- e) **Financial Contributions** - Kāinga Ora opposes the inclusion of Development Contributions (DC) within the District Plan, as local authorities are required to make provision for DC through a comprehensive DC policy under the Local Government Act 2002 (LGA) which sits outside of the District Plan. Amendments sought:
 - i. It is noted that Financial Contributions (FC) have been proposed as part of the IPI to provide for contributions that are not currently provided for under the current DC scheme, but Kāinga Ora considers that DC are out of scope of the legislation to be included in the District Plan. Amendments are sought to remove reference to DC, and make the chapter specifically related to FC, as provided under the RMA.
 - ii. Specific amendments are sought, and further assessment by Council is sought to make FC provisions clearer and more transparent, to provide further clarity to developers on potential FC required as part of development and subdivision of land.
- f) **Papakāinga** – Kāinga Ora support the introduction of the papakāinga chapter but seek that non-compliance with the relevant zone standards for Papakāinga on land held under Te Ture Whenua Māori Act 1993 is better suited as a Restricted Discretionary Activity rather than a discretionary activity to provide for district plan consistency.
- g) **Residential Zones** – Kāinga Ora seeks the General Residential Zone (“GRZ”) is renamed as to the Medium Density Residential Zone (“MRZ”) for regional consistency and to better indicate the purpose and description of the zone. In addition, Kāinga Ora seeks the following amendments:

- i. **Proposed GRZ (Sought as MRZ in this submission)** – Provide greater design flexibility to recognise the planned urban built form. Refine and simplify provisions. This includes for more intensive medium density residential development in a 400m/10min walkable catchment of the Local Centre Zone (“**LCZ**”).
 - ii. Kāinga Ora also seeks the removal of the Indigenous Biodiversity Precinct from the GRZ and seek that it is replaced with an overlay in the ‘ECO’ chapter, noting that the indigenous biodiversity provisions are not specific to the GRZ and should apply as a District Wide matters. Changes outlined in **Appendix 3**.
 - iii. **High Density Residential Zone (“HRZ”)** – Remove reference to the GRZ rules and standards within the HRZ and replace with the standards sought by Kāinga Ora in **Appendix 2**. Refine and simplify provisions. Provide greater design flexibility to recognise the planned urban built form including expanding the threshold for permitted residential development to up to 6 dwellings. Revisions are also sought to expand the application of notification preclusion statements and inclusion of specific provisions for small-scale commercial activities at ground floor level in the HRZ.
- h) **Commercial and Mixed Use Zones:**
- i. **Centres hierarchy** – Amendments sought to the centre’s hierarchy and zoning framework to better align with regional application of centres hierarchy, local context and recognise the current and future role and function of the centres in Upper Hutt and across greater Wellington Region. Changes also sought to better reflect the need for well-functioning urban environments across Upper Hutt, including the change of Local Centre zoning at Trentham railway station to a Town Centre Zone.
 - ii. **Spatial Extent of Centres** – Amendments sought to the spatial extent of specific centres, listed below and as shown in **Appendix 4**, to enable and provide for a greater level of commercial services and amenity to support the residential intensification enabled through the IPI and recognise the future need, role and function of these centres within the Upper Hutt urban environment. These centres are:
 - a. City Centre Zone;

- b. Silverstream Town Centre;
 - c. Trentham Town Centre (as sought within this submission);
 - d. Trentham North Local Centre; and
 - e. Wallaceville Local Centre.
- iii. **Height variation in centres** – If the relief sought in this submission regarding expansion of the spatial extent to centres is not granted, Kāinga Ora seeks that alternative outcomes and relief sought in this submission (e.g., height variation control in the HRZ) are applied. The alternative relief sought is captured in **Appendix 1**.
- iv. **Height** – Changes to enable intensification to achieve the planned urban built form, including increasing height in the Town Centre Zone (“**TCZ**”) to 36m.
- i) **Changes to the Planning maps** – Kāinga Ora seeks amendments to the planning maps to reflect the amendments sought to the commercial centres, centres, hierarchy, and increased intensification of the HRZ to better achieve well-functioning urban environments and regional consistency. The key changes sought are outlined in **Appendix 4** and as follows:
- i. Expand the HRZ to apply to areas that are generally:
 - a. 15min/1200m walkable catchment from the edge of the City Centre Zone (“**CCZ**”) – with increased heights within 800m/10min walkable catchment of the CCZ, demonstrated with a Height Variation Control overlay;
 - b. 10min/800m walkable catchment from the edge of TCZ – with increased heights within 400m of the centre, demonstrated with a Height Variation Control overlay; and
 - c. 10min/800m walkable catchment from existing and planned rapid transit stops.
 - ii. Rezone Blue Mountain Campus to Mixed Use Zone.
 - iii. Increase the spatial extent of the LCZ to the northwest in Wallaceville.

- iv. Expand Trentham North LCZ.
 - v. Expand the Silverstream Town Centre to the west of the train station.
 - vi. Rezone land adjacent to Trentham Train Station to TCZ.
 - vii. Expansion of the CCZ at fringe sites to the west, north and east.
 - viii. Increased permitted building height in NCZ and LCZ where these fall within the 1200m walkable catchment of the CCZ, 800m of the TCZ or 400m of the LCZ.
- j) Any consequential changes necessary to give effect to the changes highlighted above or in the appendices attached.
5. Kāinga Ora also has an interest to ensure regional and local consistency in resource management documents across the Wellington Region. From reviewing the Wellington regional plan changes/reviews and associated s32 documentation, it has become apparent that there has been little time for Councils to align their thinking. Accordingly, Kāinga Ora submits that UHCC should take the time to align the IPI with other regional planning documents ahead of the hearings for those documents.
6. Kāinga Ora seeks that the hearing process for the IPI follows that of Plan Change 1 (PC1) to the Wellington Regional Policy Statement so that consistency can be provided across the Wellington region and RMA s73 can be met which requires district plans to “give effect” to the Regional Policy Statement. It is unclear how this has been achieved as PC1 was notified after the IPI. Similarly, s74(2) also anticipates regional consistency including with matters such as the Regional Land Transport Plan. It is unclear how this has been achieved as PC1 was notified after the IPI and there appears to be misalignment between other plans of the region.
7. The changes sought are made to:
- a) Ensure that Kāinga Ora can carry out its statutory obligations;
 - b) Ensures that the proposed provisions are the most appropriate way to achieve the purpose of the Resource Management Act 1991, relevant national direction and regional alignment;

- c) Ensure that the s32 analysis has appropriately analysed and considered other reasonable options to justify the proposed plan provisions;
 - d) Reduce interpretation and processing complications for decision makers so as to provide for plan enabled development;
 - e) Provide clarity for all plan users; and
 - f) Allow Kāinga Ora to fulfil its urban development functions as required under the Kāinga Ora–Homes and Communities Act 2019.
8. The Kāinga Ora submission points and changes sought can be found within Table 1 of **Appendix 1** which forms the bulk of the submission.
9. Proposed rules and standards for the High Density Residential Zone are included in **Appendix 2**.
10. The proposed additions sought to the ECO chapter on Indigenous Biodiversity is included in **Appendix 3**.
11. Mapping changes sought are included in **Appendix 4**.

Kāinga Ora seeks the following decision from UHCC:

That the specific amendments, additions or retentions which are sought as specifically outlined in **this submission document and Appendix 1-4**, are accepted and adopted into the IPI, including such further, alternative or consequential relief as may be necessary to fully achieve the relief sought in this submission.

Kāinga Ora wishes to be heard in support of their submission.

Kāinga Ora seeks to work collaboratively with the Council and wishes to discuss its submission on the IPI to address the matters raised in its submission.

If others make a similar submission, Kāinga Ora are happy to consider presenting a joint case at a hearing.


.....
Brendon Liggett
Manager – Development Planning
Kāinga Ora – Homes and Communities

ADDRESS FOR SERVICE: *Kāinga Ora – Homes and Communities, PO Box 74598, Greenlane, Auckland 1051. Email: developmentplanning@kaingaora.govt.nz*

Appendix 1: Decisions sought on the IPI

The following table sets out the amendments sought to the IPI and also identifies those provisions that Kāinga Ora supports.

Proposed changes are shown as ~~strikethrough~~ for deletion and underlined for proposed additional text.

Table 1

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
General Submission Points					
1.	All	District Plan Wide – Centres Hierarchy and scale	Support in part	Kāinga Ora generally supports the approach to implement the NPS-UD and the Housing Supply Act by incorporating intensification provisions into the HCC District Plan. The Kāinga Ora submission as a whole seeks improvements to better align with local context and achieve regional consistency with this direction. This includes a comprehensive review of the evidence base for the Centres hierarchy.	<p><i>Amendments sought</i></p> <ol style="list-style-type: none"> 1. Changes to the centre’s hierarchy and commercial provisions in the Commercial and Mixed-Use zones to improve regional consistency to enable and support increased intensification across the City. 2. Expand the spatial extent of some centres and amend residential intensification standards, as sought in the rest of the submission, to reflect an increase in intensification anticipated in and around centres and rapid transit stops. 3. If the relief sought in this submission regarding expansion of the spatial extent to centres is not granted, Kāinga Ora seeks that alternative outcomes and relief sought in this submission (e.g.,

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>height variation control in the HRZ) are applied and granted. Where the alternative relief is sought, this is captured more specifically in Appendix 1.</p> <p>4. Undertake any consequential changes necessary across the UHCC District Plan to address the matters raised above.</p>
2.	All	District Plan Wide - Walkable Catchments from Centres and Train Stations	Support in part	<p>Kāinga Ora generally supports the establishment of the High Density Residential Zone in proximity to train stations and centres, but queries the principles applied, noting that many walkable catchments stop at Fergusson Drive and there is little understanding from the s32 analysis on how Council decided to apply walkable catchments and why the catchments have changed from draft PC50.</p> <p>Kāinga Ora seeks that walkable catchments are expanded to enable intensification within walking</p>	<p>1. Expand the High Density Residential Zone and additional height controls, as shown in Appendix 4, within walkable catchments of centres and train stations, which reflect general principles of:</p> <p>a. 15min/1200m walkable catchment from the edge of the City Centre Zone (CCZ) – with increased heights within 800m/10min walkable catchment of the CCZ, demonstrated with a Height Variation Control overlay;</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>distance to centres and train stations.</p>	<ul style="list-style-type: none"> b. 10min/800m walkable catchment from the edge of Town Centre Zone (TCZ) – with increased heights within 400m/5-10min walkable catchment of the TCZ, demonstrated with a Height Variation Control overlay; c. 10min/800m walkable catchment from existing and planned rapid transit stops. <ol style="list-style-type: none"> 2. Apply additional height up to 18m in the Medium Density Residential Zone within 400m/5-10min walkable catchment of Local Centre Zone (LCZ). 3. Where a lower order centre falls within a walkable catchment of a walkable catchment of a higher-order centre or train station, enable heights consistent with the height enabled in adjacent residential zones.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>4. Accept all changes sought from Kāinga Ora to the planning maps as shown in Appendix 4.</p> <p>5. Other than the changes sought in this submission and in Appendix 4, retain the zoning as notified.</p> <p>6. Consequential amendments may be required to give effect to the changes sought and this submission.</p>
3.	All	District Plan Wide – Standards	Support in part	<p>Kāinga Ora generally supports the use of standards to address adverse effects across the District Plan. A number of changes to the building height controls have been requested in this submission to help ensure the NPS-UD and the Housing Supply Act are effectively and efficiently implemented. There may be a number of other consequential changes needed to standards to give effect to these height adjustments.</p>	<p><i>Amendments sought</i></p> <ol style="list-style-type: none"> 1. Amend standards across the plan to be proportionate to the building height changes sought in this submission and detailed in the planning maps in Appendix 4 of this submission. 2. Undertake any consequential changes necessary across the District Plan to address the matters raised above.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>These changes should be proportionate to the changes in building height sought to address any transition issues between zones and provide for increased levels of intensification.</p>	
4.	All	District Plan Wide – Reference to Design Guides and design guidelines	Oppose	<p>Kāinga Ora opposes the inclusion of Design Guides or design guidelines in the Plan, which act as de facto rules to be complied with.</p> <p>Kāinga Ora opposes any policy or rule approach which would require development proposals to comply with such design guidelines in the District Plan.</p> <p>Kāinga Ora alternatively seeks and supports design guidelines sitting outside the Plan as guidance regarding best practice design outcomes. The Design Guidelines should be treated as a non-statutory tool.</p> <p>If there is content of a Design Guide or design guideline that Council</p>	<p><i>Amendments sought</i></p> <ol style="list-style-type: none"> 1. Kāinga Ora seeks the Design Guides and design guidelines are removed from within the District Plan and are treated as non-statutory tool, outside of the District Plan. 2. Delete all references to the Design Guides and design guidelines. 3. Where particular design outcomes are to be achieved, these should be specifically stated in matters of discretion or assessment. 4. If the Council does not provide the relief sought, in deleting the Design Guides and design guidelines and references to such guidelines in the District Plan, Kāinga Ora

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>wants in the Plan, Kāinga Ora seeks that these are relocated within a specific rule, matter of discretion or assessment criterion.</p> <p>Where particular design outcomes are to be achieved, these should be specified in matters of discretion or assessment.</p>	<p>seeks that the design guidelines are amended, simplified and written in a manner that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to provide for a design that fits and works on site, rather than rules that a consent holder must follow and adhere to. Otherwise, it is considered that there is no flexibility and scope to create a design that fits with specific site characteristics and desired built form development.</p> <p>5. Kāinga Ora seeks the opportunity to review these guidelines if they are to remain a statutory document.</p>
5.	All	District Plan Wide – Policy References	Support in part	<p>Kāinga Ora notes that the IPI includes numbering of policies, rules, standards and matters of discretion that are inconsistent with the National Planning Standards. The IPI also contains policies that are unnecessarily detailed and repeat</p>	<p><i>Amendments sought</i></p> <p>1. Amend the proposed objectives, policies, rules and standards as necessary to achieve compliance with the requirements of the National Planning Standards as sought by this submission.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>matters that are repeated within rules and standards. Further, rules contain reference to multiple policies, many not contained within the same specific chapter as the rule and not specific to the matter that the rule relates to. For example, the amendments to rules within the SUB-RES include the addition of reference to multiple new GRZ and UFD policies, many of which do not relate specifically to residential subdivision. Kāinga Ora considers a review of the conciseness of the proposed plan changes should be undertaken.</p>	<p>2. Amend the proposed objectives, policies, rules and standards as necessary to improve consistency and conciseness across the IPI as sought by this submission.</p>
6.	All	District Plan Wide – Indigenous Biodiversity Precinct	Oppose	<p>Kāinga Ora opposes the inclusion of an Indigenous Biodiversity Precinct in the General Residential Chapter as proposed. Kāinga Ora recognise that the Council are undertaking a ‘rolling review’ of the District Plan and have introduced the Indigenous Biodiversity Precinct as a placeholder</p>	<p><i>Amendments sought</i></p> <p>1. Replace all references to Indigenous Biodiversity Precinct with Indigenous Biodiversity overlay with accompanying rules located in the ECO chapter as provided within Appendix 3</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>until a more comprehensive plan change occurs but seek that the Indigenous Biodiversity Precinct is renamed and provided for as an overlay, as this is considered to be the appropriate method under the National Planning standards, particularly as it is relevant across many different parts of the urban environment.</p>	
Part 1 – Introduction and General Provisions					
7.	1.1 Contents	Add new chapters	Support in part	<p>Kāinga Ora supports the updating of the contents section, but requests amendments in line with the submission raised elsewhere in this submission.</p> <p>Kāinga Ora supports the proposed deletion of reference to the Residential Centres Precinct and the Residential Hill and Residential Conservation Precinct.</p>	<p><i>Amendments sought</i></p> <ol style="list-style-type: none"> 1. Delete the SUB-HDR chapter and delete the proposed amendment to SUB-RES to make it specific to the General Residential Zone. Combine subdivision in the GRZ and the HRZ into the SUB-RES chapter. 2. Delete the proposed ‘Precinct 1 – Indigenous Biodiversity Chapter’ and rename as the Indigenous Biodiversity Overlay.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					3. Rename the GRZ as the MRZ – Medium Density Residential Zone 4. Delete Appendix 1 and 2 of IPI.
8.	2.2 General Approach	Zones	Support in part	<p>Kāinga Ora generally support the proposed new zones and the establishment of a Centres hierarchy, but seek that the General Residential Zone is renamed as the Medium Density Residential Zone. In giving effect to the NPS-UD and the Act, the General Residential Zone is becoming a widespread medium density zone, and therefore it is more appropriately named as the Medium Density Residential Zone. This is consistent with the definition of the Medium Density Residential Zone in the National Planning standards and will be consistent with residential zone names proposed by other Councils in the Wellington Region.</p>	<p><i>Amendments sought</i></p> <ol style="list-style-type: none"> 1. Rename the General Residential Zone as the ‘Medium Density Residential Zone’. 2. Consequential amendments to incorporate the use of the term ‘Medium Density Residential Zone’ throughout the District Plan.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
9.	2.2 General Approach	Deletion of Section 2.4.7 and 2.4.8	Support	Kāinga Ora support the deletion of these provisions as it is considered to be consistent with the proposed changes to the planning framework.	<i>Retain as notified</i>
10.	3.1 Definitions	Ancestral Land	Support	Kāinga Ora support the proposed definition.	<i>Retain as notified</i>
11.	3.1 Definitions	<i>Deletion of Comprehensive Residential Development</i>	Support	Kāinga Ora support the deletion of this definition as it is considered that residential activity should not be differentiated into separate definitions and activities, and should instead be assessed on the effects and merits of the proposal.	<i>Retain as notified</i>
12.	3.1 Definitions	Dwelling	Oppose	Kāinga Ora opposes the definition for Dwelling as it is inconsistent with the National Planning Standards and, as proposed, defines another definition in the Plan that is consistent with the National Planning Standards.	<i>Delete definition.</i> <i>Consequential amendments sought to delete all references to Dwelling in the District Plan and to replace with Residential Unit.</i>
13.	3.1 Definitions	High Density Residential Zone	Oppose	Kāinga Ora oppose the definition for High Density Residential zone as it is considered unnecessary as the High	<i>Delete definition for High Density Residential Zone.</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				Density Residential Zone is a chapter in the plan and, as proposed, fails to recognise that the Zone is a chapter and framework and therefore more than the areas identified on the planning maps.	
14.	3.1 Definitions	Hydraulic Neutrality	Support in part	Kāinga Ora generally support defining hydraulic neutrality, but seek amendments to recognise that hydraulic neutrality can be achieved by more than on-site disposal or storage, and to recognise that hydraulic neutrality for new development that does not increase stormwater runoff can be achieved without disposal or storage.	<i>Amendments sought.</i> ... means managing stormwater runoff from all new subdivision and development through either on-site disposal or storage , so that stormwater is released from the site at a rate that does not exceed the predevelopment peak stormwater runoff for the 10% and 1% rainfall Annual Exceedance Probability event.
15.	3.1 Definitions	General Residential Zone	Oppose	Kāinga Ora seek that the General Residential Zone should be renamed as the Medium Density Residential Zone. In giving effect to the NPS-UD and the Act, the General Residential Zone is becoming a widespread medium density zone, and therefore	<i>Amendments sought</i> 1. Rename the 'General Residential Zone' as the 'Medium Density Residential Zone'. 2. All references of this residential zone to be amended throughout the IPI.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				its name should reflect this. This will also provide regional consistency with residential zone names.	
16.	3.1 Definitions	Papakāinga	Support in part	Kāinga Ora supports the proposed inclusion of a definition for papakāinga, but seeks changes to the definition to better reflect the activities that occur within papakāinga	<i>Amendments sought</i> Papakāinga means <u>housing residential</u> and ancillary activities (including social, cultural, educational, <u>conservation</u> , recreational, and commercial activities) for <u>to support the cultural, environmental, and economic wellbeing of</u> tangata whenua on their ancestral land.
17.	3.1 Definitions	Relevant Residential Zone	Support in part	Consistent with the rest of this submission, Kāinga Ora seek for the General Residential Zone to be renamed as the Medium Density Residential Zone to ensure regional consistency with other Councils in the Wellington Region.	<i>Amendments sought</i> Relevant Residential Zone means the <u>General Medium Density Residential Zone</u> and the High Density Residential Zone.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
18.	3.1 Definitions	Reverse sensitivity	Support	Kāinga Ora generally supports the proposed definition.	<i>Retain as notified</i>
19.	3.1 Definitions	Walkable catchment	Oppose	Kāinga Ora opposes defining walkable catchment as it is considered unnecessary. Walkable catchments is a concept from the NPS-UD, but can change and vary over time, and should be used to develop the planning framework but is not required to be referred to in the plan as a defined term.	<i>Amendments sought</i> 1. Delete definition for Walkable Catchment. Consequential amendments to delete definition for Walkable Catchments from the District Plan.
20.	3.2 Abbreviations	NPS-UD meaning National Policy Statement on Urban Development	Support in Part	Kāinga Ora generally supports the abbreviation for the NPS-UD.	<i>Retain as notified</i>
Part 2 – District-Wide Matters / Strategic Direction / UFD – Urban Form and Development					
21.	UFD – Urban Form and Development	UFD-O1	Support	Kāinga Ora supports the proposed objective, noting it incorporates the objectives in Schedule 3A of the Act.	<i>Retain as notified</i>
22.	UFD – Urban Form and Development	UFD-O2	Support	Kāinga Ora supports the proposed objective, noting it incorporates the objectives in Schedule 3A of the Act.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
23.	UFD – Urban Form and Development	UFD-O3	Support	Kāinga Ora support the proposed objective.	<i>Retain as notified</i>
24.	UFD – Urban Form and Development	UFD-O4	Support	Kāinga Ora support the proposed objective.	<i>Retain as notified</i>
25.	UFD – Urban Form and Development	UFD-P1	Oppose	<p>Kāinga Ora opposes any policy approach which would require development proposals to comply with such design guidelines in the District Plan. Kāinga Ora alternatively seeks and supports the design guides for residential development sit outside the Plan as guidance regarding best practice design outcomes. The Design Guides should be treated as a non-statutory tool.</p> <p>If there is content of a Design Guide that Council seeks to be included in the Plan, Kāinga Ora seeks that these are relocated within a specific rule, matter of discretion or assessment criterion.</p>	<p><i>Amendments sought</i></p> <ol style="list-style-type: none"> 1. Delete the reference to the Design Guide in Appendix 1 of the IPI and replace with a list of the specific design matters which Council seek be achieved.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
26.	UFD – Urban Form and Development	UFD-P2	Support in part	<p>Kāinga Ora generally support the proposed policy but seek amendments to provide for enhanced development flexibility and opportunities. It is noted that building heights of 26m are permitted by the proposed standard of the LCZ-S1, and this policy therefore requires an amendment to correct this.</p> <p>Amendments sought to clarify that buildings heights are enabled to at least the maximum height standard, and not up to, as this does not create a policy framework with flexibility where height standards can be infringed through a resource consenting process.</p>	<p><i>Amendments sought</i></p> <p>...</p> <p>2. enabling building heights up to <u>of at least:</u></p> <ul style="list-style-type: none"> i. 26 metres; <u>and</u> ii. <u>36m within 400m of the edge of the City Centre Zone</u> <p>and greater densities within the High Density Residential Zone. The High Density Residential Zone comprises areas within a walkable catchment of the following train stations and centres:</p> <ul style="list-style-type: none"> a. Silverstream Station; b. Heretaunga Station; c. Trentham Station; d. Wallaceville Station, e. Upper Hutt Station; f. City Centre Zone; g. Town Centre Zone; h. Local Centre Zone; and i. Neighbourhood Centre Zone; <p>3. enabling greater building heights and densities, including building heights of <u>at least 22-36</u> metres; to occur in the Town</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>Centre Zone, and <u>at least 26 metres in the</u> Local Centre Zone;</p> <p>4. enabling increased building heights and densities, including building heights of up to <u>at least</u> 12 metres, to occur within the Neighbourhood Centre Zone; and</p> <p>5. enabling a variety of building heights and densities, including 3-storey buildings, to occur within the General <u>Medium Density</u> Residential Zone;</p> <p>while avoiding inappropriate locations, heights and densities of buildings and development within qualifying matter areas as specified by the relevant qualifying matter area provisions.</p>
27.	UFD – Urban Form and Development Residential	Amend existing Strategic Direction relating to Residential	Support in part	Kāinga Ora generally support the amendments to the strategic direction. Amendments are sought to clarify that residential development is provided for and encouraged within centres as well as residential zones.	<p><i>Amendments sought.</i></p> <p>1. Amend the provision to state:</p> <p>...Higher density residential development is best located provided for <u>within centre and mixed use zones, and</u> within walkable catchments of in close proximity to retail, service and public transport centres</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>Kāinga Ora recognise that the Council are undertaking a ‘rolling review’ of the District Plan and have introduced the Indigenous Biodiversity Precinct as a placeholder until a more comprehensive plan change occurs but seek that the Indigenous Biodiversity Precinct is renamed and provided for as an overlay, as this is considered to be the appropriate method under the National Planning Standards, particularly as it is relevant across many different parts of the urban environment.</p> <p>Kāinga Ora notes that the Residential Conservation Precinct is proposed to be deleted from the Plan, which is supported, but it is further noted that consequential amendments have not been made to the strategic direction. Amendments sought.</p>	<p>specifically near the City Centre Zone (central business district), neighbourhood centres and major transport nodes.</p> <p>...</p> <ol style="list-style-type: none"> 2. Replace all references to Indigenous Biodiversity Precinct with Indigenous Biodiversity overlay. 3. Amendments to remove reference to the Residential Conservation Precinct: <p>...</p> <p>Within the General Residential Zone of the City are environments with special character. The Residential Conservation Precinct includes the areas adjoining Trentham Memorial Park, Palfrey Street, Chatsworth Road and parts of Pinehaven. These areas have a mature landscape and townscape, contain native flora and fauna, natural watercourses, as well as larger sections. They also include residential development on the hills</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				As consistent with the rest of this submission, Kāinga Ora opposes the reference to Design Guides as a statutory tool within the District Plan.	<p>surrounding the urban area. These areas require a lower density of development in order to maintain their important landscape and ecological values.</p> <p>4. Amendments to remove reference to the Medium and High Density Design Guide.</p>
28.	UFD – Urban Form and Development	CMU-O1 Well-functioning Urban Environments	Support	Kāinga Ora generally supports the proposed objective.	<i>Retain as notified</i>
29.	UFD – Urban Form and Development	CMU-O2 Business Land Capacity	Support	Kāinga Ora generally supports the proposed objective.	<i>Retain as notified</i>
30.	UFD – Urban Form and Development	CMU-O3 Centres Hierarchy	Support in part	Kāinga Ora generally supports the proposed objective.	<i>Retain as notified</i>
31.	UFD – Urban Form and Development	CMU-O4 Centres Zone Hierarchy	Support	Kāinga Ora generally supports the proposed objective, but seeks amendments to remove reference to Silverstream from the Town Centre description to allow for other centres to be classified as a Town Centre, as is consistent with the rest of the submission.	<p><i>Amendments sought</i></p> <p>...</p> <p>The Silverstream Town Centre <u>Zone</u> is a commercial centre that provides key services to the immediate and neighbouring suburbs and accommodates a wide range of commercial and community activities as well as residential activities.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
32.	UFD – Urban Form and Development	CMU-O5 Mixed Use Zone	Support	Kāinga Ora generally supports the proposed objective.	<i>Retain as notified</i>
Part 2 – District Wide Matters – Hazards and Risks – Natural Hazards					
33.	NH- Natural Hazards	NH-R7	Support in part	Kāinga generally supports the proposed rule but seeks an amendment to remove reference to ‘residential accommodation’ as this is not a defined term in the District Plan. The term should be replaced with ‘residential activities’.	<i>Amendments sought</i> Remove reference to ‘residential accommodation’ and replace with ‘residential activities’
34.	NH- Natural Hazards	NH-S6	Oppose	Kāinga Ora opposes the inclusion of this standard as a standard for a Restricted Discretionary Activity and considers that with the inclusion of minimum finished floor levels clear of defined flood extents, this should be a standard for a Permitted Activity.	<i>Amendments sought</i> Remove this standard from a Restricted Discretionary Activity and include as a standard for a Permitted Activity.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
35.	NH- Natural Hazards	NH-S7	Oppose	Kāinga Ora opposes the inclusion of this standard as a standard for a Restricted Discretionary Activity and considers that with the inclusion of minimum finished floor levels clear of defined flood extents, this should be a standard for a Permitted Activity.	<i>Amendments sought</i> Remove this standard from a Restricted Discretionary Activity and include as a standard for a Permitted Activity.
Part 2 – District Wide Matters – Subdivision – General Subdivision Provisions that Apply in All Zones					
36.	SUB-GEN - General Subdivision	All Controlled and Restricted Discretionary Activity Rules	Oppose in part	Kāinga Ora opposes the lack of use of a notification preclusion statement for both public and limited notification for controlled and restricted discretionary activities and seeks that this is applied to all controlled and restricted discretionary activities. The technical nature of these breaches requires technical and/or engineering assessments, and public participation by way of limited or public notification will unlikely add anything to the consideration of the effects of these breaches.	<i>Amendments sought</i> 1. Inclusion of a non-notification preclusion statement for all Controlled and Restricted Discretionary Activity rules within this chapter Notification: <u>Applications under this rule are precluded from being publicly or limited notified in accordance with section 95A or section 95B of the RMA.</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
37.	SUB-GEN - General Subdivision that Apply in All Zones	SUB-GEN-R2A	Support in part	Kainga Ora supports retaining control to achieve hydraulic neutrality, but as it is defined in the plan, seek amendment to simplify the rule.	Amendments sought Subdivision and development must be designed to ensure <u>hydraulic neutrality</u> . 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.
Part 2 – District Wide Matters – Subdivision – Subdivision in the Residential Zones					
38.	SUB-RES – Subdivision in the General Residential Zone	All Controlled and Restricted Discretionary Activity Rules	Oppose in part	Kāinga Ora opposes the lack of use of a notification preclusion statement (for both public and limited notification) for controlled and restricted discretionary activities and seeks that this is applied to all controlled and restricted discretionary activities. The technical nature of these breaches requires technical and/or engineering assessments, and public participation by way of limited or	1. Inclusion of a non-notification preclusion statement for all Controlled and Restricted Discretionary Activity rules in this chapter Notification: <u>Applications under this rule are precluded from being publicly or limited notified in accordance with section 95A or section 95B of the RMA.</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				public notification will unlikely add anything to the consideration of the effects of these breaches.	
39.	SUB-RES – Subdivision in the General Residential Zone	SUB-RES-O2	Support	Kāinga Ora supports this objective, noting it is mandated by the RMA.	<i>Retain as notified</i>
40.	SUB-RES – Subdivision in the General Residential Zone	SUB-RES-O3	Support	Kāinga Ora generally supports the proposed objective.	<i>Retain as notified</i>
41.	SUB-RES – Subdivision in the General Residential Zone	SUB-RES-P1	Support in part	<p>Kāinga Ora supports this policy in part, but seeks amendments to make it more explicitly related to subdivision as opposed to development.</p> <p>Further amendments sought:</p> <ul style="list-style-type: none"> • amendments to make explicit reference to the anticipated change to the planned urban built form, appearance and amenity within the zone, 	<p><i>Amendments sought</i></p> <p>To enable subdivision that ensures that the scale, appearance and siting of buildings, structures and activities are compatible with the planned built character of the area. <u>urban built form within the zone.</u></p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				consistent with Policy 6 of the NPS-UD; and <ul style="list-style-type: none"> notes that the matters contained within do not form a Qualifying Matter in which to limit application of Policy 3(c) of the NPS-UD. 	
42.	SUB-RES – Subdivision in the General Residential Zone	SUB-RES-P2	Support	Kāinga Ora generally supports the proposed amendment to the policy.	<i>Retain as notified</i>
43.	SUB-RES – Subdivision in the General Residential Zone	SUB-RES-P3	Support	Kāinga Ora generally supports the proposed amendment to the policy.	<i>Retain as notified</i>
44.	SUB-RES – Subdivision in the General Residential Zone	SUB-RES-P4	Support	Kāinga Ora generally supports the proposed amendment to the policy.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
45.	SUB-RES – Subdivision in the General Residential Zone	SUB-RES-P5	Support in part	<p>Kāinga Ora supports this policy in part, but:</p> <ul style="list-style-type: none"> • seek amendments to make explicit reference to the anticipated change to the planned urban built form, appearance and amenity within the zone, consistent with Policy 6 of the NPS-UD; and • notes that the matters contained within do not form a Qualifying Matter in which to limit application of Policy 3(c) of the NPS-UD. 	<p><i>Amendments sought</i></p> <p>To provide for subdivision that is compatible with the planned built character <u>urban built form</u> of the General Residential Zone and ensure that it has adequate access to infrastructure at requirements.</p>
46.	SUB-RES – Subdivision in the General Residential Zone	SUB-RES-P6	Support in part	<p>Kāinga Ora generally supports the proposed amendments to this policy, but seeks amendments to make it more specific to subdivision</p>	<p><i>Amendments sought.</i></p> <p>To provide for <u>subdivision of</u> medium density housing within the General Residential Zone, while encouraging the consideration of the protection and retention of indigenous biodiversity values within the Indigenous Biodiversity <u>overlay Precinct</u>.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
47.	SUB-RES – Subdivision in the General Residential Zone	SUB-RES-P7	Oppose	Kāinga Ora opposes this policy within the subdivision chapter, as it is related to land use activities as opposed to subdivision and would not be practical for a vacant lot subdivision.	<i>Delete policy.</i>
48.	SUB-RES – Subdivision in the General Residential Zone	SUB-RES-P8	Oppose	Kāinga Ora opposes this policy within the subdivision chapter, as it is related to land use activities as opposed to subdivision and would not be practical for a vacant lot subdivision.	<i>Delete policy.</i>
49.	SUB-RES – Subdivision in the General Residential Zone	SUB-RES-P9	Oppose	Kāinga Ora opposes this policy within the subdivision chapter, as it is related to land use activities as opposed to subdivision and would not be practical for a vacant lot subdivision.	<i>Delete policy.</i>
50.	SUB-RES – Subdivision in the General Residential Zone	SUB-RES- All Rules	Oppose	Kāinga Ora opposes the references to the GRZ policies within all subdivision rules, particularly policies from other chapters. Many of the policies are not relevant to the effects of subdivision, and inclusion	<i>Seek deletion of all policies from subdivision rules.</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				of the long list of policies will create a cumbersome resource consent application.	
51.	SUB-RES – Subdivision in the General Residential Zone	SUB-RES-R1	Support in part	Kāinga Ora generally supports the proposed rule and the introduction of the non-notification clauses for both public and limited notification, but seeks amendments to the matters of control to ensure they are more specifically related to subdivision effects and not land use activities	<i>Amendments sought.</i> ... Council may impose conditions over the following matters: (1) Design, appearance and layout of the subdivision (excluding any minimum size or shape-related subdivision requirements). (2) Landscaping. ...
52.	SUB-RES – Subdivision in the General Residential Zone	SUB-RES-R2	Support in part	Kāinga Ora generally supports the proposed rule but seeks amendments to the matters of control to ensure they are more specifically related to subdivision effects and not land use activities	<i>Amendments sought.</i> ... Council may impose conditions over the following matters:

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					(1) Design, appearance and layout of the subdivision (excluding any minimum size or shape-related subdivision requirements). (2) Landscaping
53.	SUB-RES – Subdivision in the General Residential Zone	SUB-RES-S1	Support in part	Kāinga Ora supports this standard applying only to <i>vacant</i> allotments created by subdivision. However, Kāinga Ora seeks the removal of the minimum site area threshold proposed. Instead Kāinga Ora considers the minimum shape factor is more appropriate. Kāinga Ora also seeks a slight revision to the shape factor to bring a degree of local and regional consistency.	<i>Amendments sought</i> 1. Delete minimum site area threshold 2. Add a shape factor of 8m x 15m for vacant allotments
54.	SUB-RES – Subdivision in the General Residential Zone	SUB-RES-S3	Support	Kāinga Ora generally supports the proposed amendments to this standard.	<i>Retain as notified</i>
55.	SUB-RES – Subdivision in the	SUB-RES-R6	Support in part	Kāinga Ora generally supports the proposed amendments to this rule but seeks the deletion of landscaping	<i>Amendments sought</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
	General Residential Zone			<p>as a matter of discretion. Landscaping and appearance is more appropriately assessed through the residential zone rules, where the objectives and policies give guidance on the amenity of the zone which the landscaping will contribute towards.</p> <p>Kāinga Ora also opposes that matters of discretion related to regionally significant infrastructure and renewable electricity generation activities - "in proximity" is too vague and should be directly reflective of a rule related to significant infrastructure. This would also allow Council to impose conditions based on consultation, where the consultation may not be balanced and needs further consideration based on actual effects of the development.</p>	<ol style="list-style-type: none"> 1. Remove appearance and landscaping from the matters of discretion under this rule. 2. Remove the outcome of consultation from the matters of discretion under this rule.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
56.	SUB-RES – Subdivision in the General Residential Zone	SUB-RES-R8 SUB-RES-R9 SUB-RES-R10	Support in part	<p>Kāinga Ora generally supports the proposed amendments to this rule but seeks the deletion of landscaping and appearance as a matter of discretion. Landscaping and appearance is more appropriately assessed through the residential zone rules, where the objectives and policies give guidance on the amenity of the zone which the landscaping will contribute towards.</p> <p>Kāinga Ora also opposes the reference to consent notices restricting the future development to the identified platform. This is more appropriately managed through the Natural Hazard land use activity rules.</p> <p>Kāinga Ora also opposes that matter of discretion related to regionally significant infrastructure and renewable electricity generation</p>	<p><i>Amendments sought</i></p> <ol style="list-style-type: none"> 1. Remove appearance and landscaping from the matters of discretion under this rule. 2. Remove reference to consent notices being used for restricting development. 3. Remove the outcome of consultation from the matters of discretion under this rule.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				activities - "in proximity" is too vague and should be directly reflective of a rule related to significant infrastructure This would also allow Council to impose conditions based on consultation, which the consultation may not be balanced and needs further consideration based on actual effects of the development.	
57.	SUB-RES – Subdivision in the General Residential Zone	<ul style="list-style-type: none"> • SUB-RES-R11 Delete Rule • SUB-RES-S7 Delete Standard • Amend Matters of Consideration 	Support	Kāinga Ora supports the deletion of the rules and supporting standards and matters of consideration for subdivision of Comprehensive Residential Development within the Residential Centres Precinct.	<i>Retain as notified</i>
Part 2 – District Wide Matters – Subdivision – Subdivision in the High Density Residential Zone					
58.	SUB-HRZ - Subdivision in the High Density Residential Zone	Entire chapter	Oppose	Kāinga Ora does not support the need for a separate chapter for Subdivision in the High Density Residential Zone. It is noted that many of the objectives and policies repeat matters addressed in the HRZ	<i>Delete chapter and include rules in the SUB-RES</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				chapter and are not specific to subdivision. It is considered more appropriate for subdivision in the GRZ and HRZ to be both combined into the SUB-RES with specific rules for the GRZ and HRZ within that chapter.	
Part 2 – District Wide Matters – Subdivision – Subdivision in Commercial and Mixed Use Zone					
59.	SUB-CMU – Subdivision in Commercial and Mixed Use Zones	All Controlled and Restricted Discretionary Activity Rules	Oppose	<p>Kāinga Ora opposes the lack of use of a notification preclusion statement (for both public and limited notification) for controlled and restricted discretionary activities and seeks that this is applied to all controlled and restricted discretionary activities.</p> <p>The technical nature of these breaches requires technical and/or engineering assessments, and public participation by way of limited or public notification will unlikely add anything to the consideration of the effects of these breaches.</p>	<p>1. Inclusion of a non-notification preclusion statement for all Controlled and Restricted Discretionary Activity rules</p> <p>Notification: <u>Applications under this rule are precluded from being publicly or limited notified in accordance with section 95A or section 95B of the RMA.</u></p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
60.	SUB-CMU – Subdivision in Commercial and Mixed Use Zones	SUB-CMU-P1	Support	Kāinga Ora generally supports the proposed policy.	<i>Retain as notified</i>
61.	SUB-CMU – Subdivision in Commercial and Mixed Use Zones	Rules	Support	Kāinga Ora generally supports the proposed table.	<i>Retain as notified</i>
62.	SUB-CMU – Subdivision in Commercial and Mixed Use Zones	SUB-CMU-R1 SUB-CMU-R2 SUB-CMU-R3 SUB-CMU-R4 SUB-CMU-R5	Support in part	Kāinga Ora generally supports the proposed amendments to these rules but seeks the deletion of landscaping as a matter of control or discretion. Landscaping is more appropriately assessed through the rules, where the objectives and policies give guidance on the amenity of the zone which the landscaping will contribute towards.	<i>Amendments sought</i> Remove landscaping from the matters of control or discretion under this rule.
63.	SUB-CMU – Subdivision in Commercial and Mixed Use Zones	SUB-CMU-R6	Support	Kāinga Ora generally supports the proposed rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
64.	SUB-CMU – Subdivision in Commercial and Mixed Use Zones	SUB-CMU-S1	Support	Kāinga Ora generally supports the proposed standard.	<i>Retain as notified</i>
65.	SUB-CMU – Subdivision in Commercial and Mixed Use Zones	SUB-CMU-S2	Support	Kāinga Ora generally supports the proposed standard.	<i>Retain as notified</i>
66.	SUB-CMU – Subdivision in Commercial and Mixed Use Zones	SUB-CMU-S3	Support	Kāinga Ora generally supports the proposed standard.	<i>Retain as notified</i>
Part 2 – Subdivision – Development Contributions					
67.	DC – Development Contributions	Whole chapter	Oppose in part	Kāinga Ora opposes the inclusion of Development Contributions (DC) within the District Plan, as local authorities are required to make provision for DC through a comprehensive DC policy under the Local Government Act 2002 (LGA) which sits outside of the District Plan.	<i>Amendments sought</i> 1. Rename the chapter to ‘Financial Contributions.’ 2. Delete all references to Development Contributions. 3. Amend as follows:

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>It is noted that Financial Contributions have been proposed as part of the IPI to provide for contributions that are not currently provided for under the current Development Contribution scheme, but Kāinga Ora considers that DC are out of scope of legislation to be included in the District Plan.</p> <p>Therefore, amendments are sought to remove reference to Development Contributions, and make the chapter specifically related to Financial Contributions, as provided under the RMA.</p> <p>In principle, Kāinga Ora supports and understands the need for Financial Contributions (FC) as a tool or mechanism to enable Council to take monetary contributions at the time of development to pay for (or</p>	<p>This chapter contains the requirements for financial contributions which can be imposed for subdivision and development of land. <u>Financial contributions are assessed, calculated, and directly related to the effects of subdivision and development of land.</u></p> <p>...</p> <p><u>Development Calculation of Financial Contributions</u></p> <p><u>This chapter contains pProvisions</u> relating to <u>how development financial contributions are assessed and calculated, including provisions related to:</u></p> <ul style="list-style-type: none"> • the effects of specific activities, • defining areas affected, • methods of calculation, and, • methods of application; <p>4. Kāinga Ora seeks that the District Plan include specific provisions that clarify how Financial Contributions will be applied, including by:</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>mitigate) the additional effects/ demand of a development and that are not already programmed to be undertaken through Council’s Long-Term Plan (and are therefore already funded through Development Contributions (‘DC’) and/or rates).</p> <p>However, Kāinga Ora has a number of concerns about how FC will be assessed and calculated and seeks that the District Plan provides greater transparency about costs and how these will be calculated and proportioned, and greater clarity in how FC will be implemented. As currently proposed, FC appear arbitrary and do not consider the variability of developments and their effects and therefore the FC are not considered to be reasonable or fair without provision for proper assessment of FC on a case-by-case</p>	<p>A. Provide a consistent methodology for determining FC across all forms of infrastructure, to the extent possible. For example:</p> <ul style="list-style-type: none"> i. Assessing whether infrastructure upgrades are already allowed for within the Council’s Development Contributions Policy and only charging FC on upgrades not allowed for. ii. Only charging the proportion of FC needed to service the proposed development (e.g., accounting for cumulative effects on infrastructure, but not disproportionately charging FC to those who may be the first to trigger an infrastructure upgrade). <p>B. Provide specific calculations, to the extent possible.</p> <p>C. Provide specific circumstances where FC will not be charged.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>basis. Further, the s32 analysis has not appropriately assessed the cost/benefit as the proposed provisions.</p> <p>Whilst generally supported, the introductory section to the chapter needs to clearly state that FC are required where the costs of development are not otherwise covered by development contributions or other funding sources available to the Council.</p> <p>Specific amendments are sought, and further assessment by Council is sought to make FC provisions clearer and more transparent, to provide further clarity to developers on potential FC required as part of development and subdivision of land.</p>	<p>D. Provide details as to who undertakes the assessment (e.g., per FC-S3.1.d) and the process for dispute resolution.</p> <p>E. By reference to an external document or resource, provide an ‘online calculator’ or similar tools to enable plan users to readily assess FC.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
68.	DC – Development Contributions	Background – Consequential amendment	Oppose	Consistent with the rest of this submission, Kāinga Ora opposes details related to DC as it complicates the chapter which Kāinga Ora seeks is directly related to FC, as provided for under the Act.	<i>Delete wording:</i> ...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 are found in the Public Access Chapter (PA) respectively.
69.	DC – Development Contributions	DC-P1	Support in part	Kāinga Ora generally supports this policy, but seeks amendments to clarify that contributions will be related to the effects of development and/or subdivision.	<i>Amendments sought.</i> To <u>Require those developing or subdividing land subdividers or developers</u> to contribute to the provision of utilities, community facilities, services, roading and amenities <u>based on the effects of the activity.</u>
70.	DC – Development Contributions	DC-P2	Oppose in part	Kāinga Ora generally supports a policy requiring financial contributions for development and subdivision of land, but seeks amendments to this policy to better reflect that FC should be fair and reasonable and only required where Council has not addressed	<i>Amendments sought.</i> <u>Require those developing or subdividing land Subdividers and developers should to be responsible for the fair and reasonable bear</u> the cost of providing all utility services within the land being subdivided or developed where the benefits accrue <u>services directly benefit to</u> the land being subdivided or developed,

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				investment through other funding sources. It is noted that Council through the LTP makes public investment in services that may consequentially benefit a development (including public services that run through a site) and therefore the servicing can be provided for by Council through allocated funding.	<u>where such costs are not otherwise addressed by any other funding source available to the Council.</u>
71.	DC – Development Contributions	DC-P3	Oppose in part	<p>Kāinga Ora generally supports a policy requiring financial contributions for services that require upgrading as a result of development, but seeks amendments to reflect that this is only required where Council does not have planned investment that would benefit the development.</p> <p>Amendments sought to clarify that the policy applies to infrastructure more generally, including transportation infrastructure.</p>	<p><i>Amendments sought</i></p> <p>1. Delete policy</p> <p>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 the full and actual cost of such upgrading or new utility services and facilities.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				Due to the scale of the amendments, a new policy has been proposed.	<p>Replace policy with:</p> <p><u>Require those developing or subdividing land to be responsible for the fair and reasonable cost of upgrading existing infrastructure or providing new infrastructure outside the land being subdivided, where existing infrastructure is not adequate to service the development, and where such costs are not otherwise addressed by any other funding source available to the Council.</u></p>
72.	DC – Development Contributions	DC-P4	Oppose	Kāinga Ora opposes this policy as the public investment is driven by Development Contributions Policy and the LTP and are therefore not required as a FC, which are seeking to fill the gap between DC/LTP and enabled intensification.	<i>Delete policy.</i>
73.	DC – Development Contributions	DC-P5	Oppose in part	Kāinga Ora generally supports a policy requiring financial contributions for increased demand on open space and reserves that may have an adverse effect on the environment, but as consistent with	<p><i>Amendments sought</i></p> <p>1. Delete policy</p> <p>Subdivision or development of land can lead to an increase in demand or need for reserves and open space and have adverse</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>the rest of the submission points on this chapter, seek that amendments are made to better reflect the balance between private and public investment in open space and reserves.</p> <p>Due to the structure of the policy as proposed, which Kāinga Ora considers does not read like a policy, a new policy has been proposed.</p>	<p>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.</p> <p>Replace policy with:</p> <p><u>Require those developing or subdividing land to make a fair and reasonable contribution, in money or land, to open space and/or reserve contribution, where such costs are not otherwise addressed by any other funding source available to the Council.</u></p>
74.	DC – Development Contributions	DC-P6	Oppose	Consistent with submission on DC-P3, Kāinga Ora seeks the deletion of this policy as infrastructure can appropriately be captured under DC-P3 subject to Kāinga Ora relief sought.	<i>Delete policy</i>
75.	DC – Development Contributions	DC-P7	Support in part	Kāinga Ora generally supports this policy, but seeks amendments consistent with the rest of the submission.	<p><i>Amendment sought</i></p> <p><u>Only require A those developing or subdividing land to make a</u> financial contribution may be required for any land use</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>or subdivision application to ensure positive effects on the environment are achieved to offset any adverse effects <u>when the effects that</u> cannot otherwise be avoided, remedied or mitigated, <u>and when costs are not otherwise addressed by any other funding source available to the Council.</u></p>
76.	DC – Development Contributions	All Proposed DC Rules	Oppose	<p>Kāinga Ora seeks the deletion of all financial contribution rules as proposed, as the rules appear to describe cost responsibility for a number of development activities which is irrelevant to Financial Contributions.</p> <p>Kāinga Ora is particularly opposed to DC-R2A to the extent of requiring 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. Further assessment is required to determine appropriate</p>	<ol style="list-style-type: none"> 1. Delete Rule R2-A to R2-E. 2. Notwithstanding the relief sought above, Kāinga Ora seeks deletion of a rule requiring 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.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>financial contributions on a case-by-case basis.</p> <p>A new rule has been proposed below that Kāinga Ora seeks to replace the proposed rules.</p>	
77.	DC – Development Contributions	New Rule	Support	Kāinga Ora seeks the following rule replaces proposed rule R2-A to R2-E.	<p><u>Financial Contribution for Residential and Subdivision Activities</u></p> <p><u>In all residential, commercial and mixed use zones, where two or more residential units or allotments are proposed and when not provided by the development, or costs are not otherwise addressed by any other funding source available to the Council, a financial contribution that is directly related to the effects of the land use and/or subdivision may be required for:</u></p> <ul style="list-style-type: none"> - <u>Infrastructure, including three waters and transportation;</u> - <u>Open space;</u> - <u>Reserves; and/or</u> - <u>Environmental effects;</u> <p><u>subject to considerations related to:</u></p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<ul style="list-style-type: none"> - <u>Whether there will be an increase in the intensity of use of land from that which existed before the development</u> - <u>Whether there is a change in nature and character of the use of land.</u> <p><u>The subsidies that council may receive from New Zealand Transport Agency or other central government agencies.</u></p>
Part 2 – General District Wide Matters – Papakāinga					
78.	PK - Papakāinga	Chapter Background	Support	Kāinga Ora supports the proposed text.	<i>Retain as notified</i>
79.	PK - Papakāinga	PK-O1 Papakāinga – Papakāinga are a Taonga	Support	Kāinga Ora supports the proposed objective.	<i>Retain as notified</i>
80.	PK - Papakāinga	PK-O2 Papakāinga - Kia ora te mauri o te Whānau (Māori living as Māori)	Support	Kāinga Ora supports the proposed objective.	<i>Retain as notified</i>
81.	PK - Papakāinga	PK-03 Papakāinga – Provide for the sustained occupation of Ancestral Land	Support	Kāinga Ora supports the proposed objective.	<i>Retain as notified</i>
82.	PK - Papakāinga	PK-O4 Papakāinga – Provide for the development of land owned by Tangata Whenua	Support	Kāinga Ora supports the proposed objective.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
83.	PK - Papakāinga	PK-O5 Papakāinga – Working in partnership with Tangata Whenua to exercise their Tino Rangatiratanga	Support	Kāinga Ora supports the proposed objective.	<i>Retain as notified</i>
84.	PK - Papakāinga	PK-O6 Papakāinga – Increasing the visibility of Tangata Whenua through the design of papakāinga	Support	Kāinga Ora supports the proposed objective.	<i>Retain as notified</i>
85.	PK - Papakāinga	PK-O7 Papakāinga – Implementing Te Ao Māori and demonstrating Kaitiakitanga in papakāinga development	Support	Kāinga Ora supports the proposed objective.	<i>Retain as notified</i>
86.	PK - Papakāinga	PK-P1 Providing for papakāinga on Māori owned land	Support	Kāinga Ora supports the proposed policy.	<i>Retain as notified</i>
87.	PK - Papakāinga	PK-P2 Papakāinga development to be led by Tangata Whenua	Support	Kāinga Ora supports the proposed policy.	<i>Retain as notified</i>
88.	PK - Papakāinga	PK-P3 Location, extent and design of papakāinga	Support	Kāinga Ora supports the proposed policy.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
89.	PK - Papakāinga	PK-P4 Maximum scale of papakāinga development	Support	Kāinga Ora generally supports the proposed policy but considers that there is potential conflict within the wording of the policy. The need to avoid, remedy or mitigate adverse effects on neighbouring properties is at odds with the overall intention of the policy, which relates to the maximum intensity and scale of papakāinga development.	<p><i>Amend as follows:</i></p> <p>...</p> <p>The maximum intensity and scale of papakāinga development will be determined by the limitations of the site, including:</p> <ol style="list-style-type: none"> 1. adequate provision of on-site or off-site infrastructure to serve the papakāinga; and 2. adverse effects on <u>adjoining properties</u> <u>and</u> the environment are avoided, remedied or mitigated; <p>while recognising that papakāinga may contain activities of a character, scale, intensity or range that are not provided for in the surrounding area.</p>
90.	PK - Papakāinga	PK-P5 Non-residential aspects of papakāinga	Support	Kāinga Ora supports the proposed policy subject to inclusion of conservation activities.	<p><i>Amend as follows:</i></p> <p>Amend to provide for conservation activities in the list of non-residential activities</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
91.	PK - Papakāinga	PK-P6 Papakāinga Design Guides and Development Plans	Support	Kāinga Ora supports the proposed policy.	<i>Retain as notified</i>
92.	PK – Papakāinga	PK-R1.1	Support	Kāinga Ora supports the proposed rule.	<i>Retain as notified</i>
93.	PK – Papakāinga	PK-R1.2	Oppose in part	Kāinga Ora opposes a Discretionary Activity status for rule PK-R1.2. PK-R1.2.a requires compliance with the standards of the underlying zone, which across the plan are generally provided for as a restricted discretionary activity. It is considered that a restricted discretionary activity status is more appropriate for this activity as is consistent with the general planning framework of the Plan. Amendments sought to the notification preclusion as it is considered to be inconsistent with the general planning framework of the plan.	<i>Amendments sought.</i> 2. Activity Status: <u>Restricted</u> Discretionary Where: a. Compliance is not achieved with one or more of the standards under rule PK-R1. Restriction on Notification: <i>Delete wording.</i> Except where compliance with rule PK-R1 standard (b) is not met, public notification of an application for resource consent under this rule is precluded. <i>Replace with:</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<u>An application for resource consent under this rule is precluded from public notification.</u>
Part 3 – Area Specific Matters – Residential Zones – General Residential Zone					
94.	GRZ – General Residential Zone	Entire chapter	Support in part	Kāinga Ora generally supports the intent of the proposed changes to the GRZ chapter to incorporate the MDRS standards and NPS-UD, but considers that the General Residential Zone should be renamed as the Medium Density Residential Zone. This will encourage regional consistency with the names of zones in the Wellington region and also will better reflect the type of housing that the zone seeks to achieve.	<i>Amendments sought</i> <ol style="list-style-type: none"> 1. Rename the General Residential Zone (GRZ) as the Medium Density Residential Zone (MDZ); 2. Make consequential changes throughout the District Plan to give effect to the relief sought.
95.	GRZ – General Residential Zone	Background	Support in part	Kāinga Ora generally supports the proposed amendments but is opposed to the reference to the design guides being incorporated as statutory elements of the District Plan. Kāinga Ora seeks deletion of this reference to these design guidelines.	<i>Amendments sought</i> <ol style="list-style-type: none"> 1. Remove reference to the Medium and High Density Design Guides. 2. Kāinga Ora seeks the Design Guides and design guidelines are removed from within the District Plan and are treated as

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>non-statutory tool, outside of the District Plan.</p> <p>3. Where particular design outcomes are to be achieved, these should be specifically stated in matters of discretion or assessment.</p> <p>4. If the Council does not provide the relief sought, in deleting the Design Guides and design guidelines and references to such guidelines in the District Plan, Kāinga Ora seeks that the design guidelines are amended, simplified and written in a manner that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to provide for a design that fits and works on site, rather than rules that a consent holder must follow and adhere to. Otherwise, it is considered that there is no flexibility and scope to create a design that fits with</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>specific site characteristics and desired built form development.</p> <p>5. Kāinga Ora seeks the opportunity to review these guidelines if they are to remain a statutory document.</p>
96.	GRZ – General Residential Zone	GRZ-O1	Support in part	Kāinga Ora generally supports the proposed amendments to the objective but seek amendments to make explicit reference to the anticipated change to the planned urban built form, appearance and amenity within the zone, consistent with Policy 6 of the NPS-UD.	<p><i>Amendments sought</i></p> <p>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 <u>the urban built form, appearance, and amenity of residential environments within the zone will change over time, in accordance with the planned urban built form of the zone.</u></p>
97.	GRZ – General Residential Zone	GRZ-O2 Well-functioning Urban Environments	Support	Kāinga Ora supports this objective, noting it is mandated by the RMA.	<i>Retain as notified, with the exception that the specific provision reference is changed from GRZ to MRZ.</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
98.	GRZ – General Residential Zone	GRZ-O3 Housing Variety	Support	Kāinga Ora supports this objective, noting it is mandated by the RMA.	<i>Retain as notified, with the exception that the specific provision reference is changed from GRZ to MRZ.</i>
99.	GRZ – General Residential Zone	GRZ-O4	Support in part	Kāinga Ora generally supports the intent of this objective, but considers the requirement for there to be ‘no increase’ is unnecessarily strict and could be difficult to achieve. Kāinga Ora considers that there should be no net increase in peak demand.	<i>Amendments sought</i> <u>There is no net increase in the peak demand on stormwater management systems and increase in flooding from new buildings and development.</u>
100.	GRZ – General Residential Zone	GRZ-P1A	Support	Kāinga Ora supports this provision, noting it is mandated by the RMA.	<i>Retain as notified, with the exception that the specific provision reference is changed from GRZ to MRZ.</i>
101.	GRZ – General Residential Zone	GRZ-P1B	Support	Kāinga Ora supports this provision, noting it is mandated by the RMA.	<i>Retain as notified, with the exception that the specific provision reference is changed from GRZ to MRZ.</i>
102.	GRZ – General Residential Zone	GRZ-P1C	Support	Kāinga Ora supports this provision, noting it is mandated by the RMA.	<i>Retain as notified, with the exception that the specific provision reference is changed from GRZ to MRZ.</i>
103.	GRZ – General Residential Zone	GRZ-P1D	Support	Kāinga Ora supports this provision, noting it is mandated by the RMA.	<i>Retain as notified, with the exception that the specific provision reference is changed from GRZ to MRZ.</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
104.	GRZ – General Residential Zone	GRZ-P1E	Support	Kāinga Ora supports this provision, noting it is mandated by the RMA.	<i>Retain as notified, with the exception that the specific provision reference is changed from GRZ to MRZ.</i>
105.	GRZ – General Residential Zone	GRZ-P1	Support in part	Kāinga Ora generally supports the proposed amendments to the provision but seek amendments to make explicit reference be made to the anticipated change to the planned urban built form, appearance and amenity within the zone, consistent with Policy 6 of the NPS-UD.	<i>Amendments sought</i> To provide for a range of building densities within the residential areas that are compatible in form and scale with the neighbourhood’s planned <u>urban</u> built form, <u>appearance and amenity</u> and character which takes into account the capacity of the infrastructure.
106.	GRZ – General Residential Zone	GRZ-P2	Support in part	Kāinga Ora generally supports the proposed amendments to the provision but seek amendments to make explicit reference be made to the anticipated change to the planned urban built form, appearance and amenity within the zone, consistent with Policy 6 of the NPS-UD.	<i>Amendments sought</i> To ensure that the scale, appearance and siting of buildings, structures and activities are compatible in form and scale with the neighbourhood’s planned <u>urban</u> built form, <u>appearance and amenity</u> and character .
107.	GRZ – General Residential Zone	GRZ-P4	Support	Kāinga Ora generally supports the proposed amendments to the provision.	<i>Retain as notified, with the exception that the specific provision reference is changed from GRZ to MRZ.</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
108.	GRZ – General Residential Zone	GRZ-P5	Support in part	Kāinga Ora generally supports the proposed amendments to the provision, but considers the use of the words “pleasant” is overly subjective and unnecessary.	<i>Amendments sought</i> To encourage sites fronting streets to present a pleasant and coherent residential appearance.
109.	GRZ – General Residential Zone	GRZ-P9	Support in part	Kāinga Ora generally supports the proposed amendments to the provision but seek amendments to make explicit reference be made to the anticipated change to the planned urban built form within the zone, consistent with Policy 6 of the NPS-UD.	<i>Amendments sought</i> To promote residential development <u>in accordance with the planned urban built form, appearance and amenity within the zone</u> and ensure that it has adequate access to infrastructural requirements, while recognising that amenity values develop and change over time.
110.	GRZ – General Residential Zone	GRZ-R2	Support	Kāinga Ora supports this rule and acknowledges it is taken from the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.	<i>Retain as notified, with the exception that the specific provision reference is changed from GRZ to MRZ.</i>
111.	GRZ – General Residential Zone	GRZ-R3	Support	Kāinga Ora supports the proposed amendment to this rule.	<i>Retain as notified, with the exception that the specific provision reference is changed from GRZ to MRZ.</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
112.	GRZ – General Residential Zone	GRZ-R5A	Support	Kāinga Ora supports the proposed amendment to this rule.	<i>Retain as notified, with the exception that the specific provision reference is changed from GRZ to MRZ.</i>
113.	GRZ – General Residential Zone	GRZ-S3 Building coverage	Support	Kāinga Ora supports this standard and acknowledges it is taken from the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.	<i>Retain as notified, with the exception that the specific provision reference is changed from GRZ to MRZ.</i>
114.	GRZ – General Residential Zone	GRZ-S4 Setbacks	Support	Kāinga Ora supports this standard and acknowledges it is taken from the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.	<i>Retain as notified, with the exception that the specific provision reference is changed from GRZ to MRZ.</i>
115.	GRZ – General Residential Zone	GRZ-S5 Outdoor living space (per residential unit)	Oppose	<p>Kāinga Ora supports the intent of this standard and acknowledges it is taken from the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.</p> <p>Kāinga Ora seeks amendments to provide for greater development by specifying a lower level of outdoor living space being required in</p>	<p><i>Amendments sought</i></p> <ol style="list-style-type: none"> 1. Delete the existing wording for GRZ-S5. 2. Replace with the following wording: <ol style="list-style-type: none"> a. <u>Each residential unit, including any dual key unit, must be provided with either a private outdoor living space or access to a communal outdoor living space;</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought									
				identified cases to provide for greater design flexibility.	<p>b. <u>Where private outdoor living space is provided it must be:</u></p> <ul style="list-style-type: none"> i. <u>For the exclusive use of residents;</u> ii. <u>Directly accessible from a habitable room;</u> iii. <u>A single contiguous space; and</u> iv. <u>Of the minimum area and dimension specified in the table below;</u> <p>c. <u>Where communal outdoor living space is provided it does not need to be in a single continuous space but it must be:</u></p> <ul style="list-style-type: none"> i. <u>Accessible from the residential units it serves;</u> ii. <u>Of the minimum area and dimension specified in the table below; and</u> iii. <u>Free of buildings, parking spaces, and servicing and manoeuvring areas.</u> <table border="1" data-bbox="1599 1158 2089 1350"> <thead> <tr> <th><u>Living Space Type</u></th> <th><u>Minimum area</u></th> <th><u>Minimum dimension</u></th> </tr> </thead> <tbody> <tr> <td>a. <u>Private</u></td> <td></td> <td></td> </tr> <tr> <td>i. <u>Studio unit & 1</u></td> <td><u>5m²</u></td> <td><u>1.8m</u></td> </tr> </tbody> </table>	<u>Living Space Type</u>	<u>Minimum area</u>	<u>Minimum dimension</u>	a. <u>Private</u>			i. <u>Studio unit & 1</u>	<u>5m²</u>	<u>1.8m</u>
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ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought												
					<table border="1"> <tr> <td data-bbox="1592 325 1789 400">bedroom unit</td> <td data-bbox="1789 325 1937 400"></td> <td data-bbox="1937 325 2085 400"></td> </tr> <tr> <td data-bbox="1592 400 1789 517">ii.2+ bedroom unit</td> <td data-bbox="1789 400 1937 517">8m²</td> <td data-bbox="1937 400 2085 517">1.8m</td> </tr> <tr> <td data-bbox="1592 517 1789 555">b. Communal</td> <td data-bbox="1789 517 1937 555"></td> <td data-bbox="1937 517 2085 555"></td> </tr> <tr> <td data-bbox="1592 555 1789 671">i.For every 5 units</td> <td data-bbox="1789 555 1937 671">10m²</td> <td data-bbox="1937 555 2085 671">8m</td> </tr> </table>	bedroom unit			ii.2+ bedroom unit	8m²	1.8m	b. Communal			i.For every 5 units	10m²	8m
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116.	GRZ – General Residential Zone	GRZ-S7 Building height	Support in part	Kāinga Ora seeks amendments to this standard to provide for greater density of development within walkable catchments of a Local Centre Zone. Kāinga Ora considers it appropriate to apply an additional height control within a 400m walkable catchment of a Local Centre Zones, as shown in the maps included in Appendix 4 of this submission.	<p><i>Amendments sought</i></p> <p>Buildings must not exceed:</p> <ol style="list-style-type: none"> 1. 11 metres in height 2. 18m where located in proximity to an identified Local Centre Zone, as identified on the Planning Maps as a Height Variation Control. <p>E 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>...</p>												

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
117.	GRZ – General Residential Zone	GRZ-S8 Height in relation to boundary	Support in part	<p>Kāinga Ora generally supports this standard and acknowledges it is taken from the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.</p> <p>Kāinga Ora seeks amendments to provide for greater development by specifying a more generous height in relation to boundary control for buildings within a walkable catchment of Local Centre Zones or Town Centre Zones.</p>	<p><i>Amendments sought</i></p> <ol style="list-style-type: none"> 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. 2. <u>For sites identified as being subject to an increase in height control around the Local Centre Zones, a 60° recession plane measured from a point 6m vertically above ground level for the first 22m of the side boundary as measured from the road frontage, and 60° recession plane measured from a point 4m vertically above ground level where located further than 22m from the road and along all other boundaries.</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>3. This standard does not apply to—</p> <ul style="list-style-type: none"> (a) a boundary with a road: (b) existing or proposed internal boundaries within a site: (c) site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.
118.	GRZ – General Residential Zone	GRZ-S13 Number of residential units per site	Support	Kāinga Ora supports this standard and acknowledges it is taken from the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.	<i>Retain as notified, with the exception that the specific provision reference is changed from GRZ to MRZ.</i>
119.	GRZ – General Residential Zone	GRZ-S14 Outlook space (per residential unit)	Support	Kāinga Ora supports this standard and acknowledges it is taken from the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.	<i>Retain as notified, with the exception that the specific provision reference is changed from GRZ to MRZ.</i>
120.	GRZ – General Residential Zone	GRZ-S15 Windows to street	Support	Kāinga Ora supports this standard and acknowledges it is taken from the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.	<i>Retain as notified, with the exception that the specific provision reference is changed from GRZ to MRZ.</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
121.	GRZ – General Residential Zone	GRZ-S16 Landscaped area	Support	Kāinga Ora supports this standard and acknowledges it is taken from the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.	<i>Retain as notified, with the exception that the specific provision reference is changed from GRZ to MRZ.</i>
122.	GRZ – General Residential Zone	GRZ-R11	Support in part	<p>Kāinga Ora generally supports the amendments to the rule, but:</p> <ol style="list-style-type: none"> 1. Kāinga Ora opposes the inclusion of Design Guides in the Plan, which act as de facto rules to be complied with. Kāinga Ora opposes any policy or rule approach which would require development proposals to comply with such design guidelines in the District Plan. Kāinga Ora alternatively seeks and supports the Design Guides sitting outside the Plan as guidance regarding best practice design outcomes. The Design Guidelines should be treated as a non-statutory tool. If there is content of a Design Guide that Council wants in the Plan, Kāinga 	<p><i>Amendments sought</i></p> <ol style="list-style-type: none"> 1. Kāinga Ora seeks the Design Guides are removed from within the District Plan and are treated as non-statutory tool, outside of the District Plan. 2. Delete all references to the Design Guides from this rule, including from the matters of discretion. 3. Where particular design outcomes are to be achieved, these should be specifically stated in matters of discretion or assessment, such as and not limited to: <ol style="list-style-type: none"> i. Provides an effective public private interface; ii. Provides a well-functioning site; iii. Provides high quality buildings; iv. Responds to the natural environment.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>Ora seeks that these are relocated within a specific rule, matter of discretion or assessment criterion. Where particular design outcomes are to be achieved, these should be specified in matters of discretion or assessment.</p> <p>2. Kāinga Ora seeks the introduction of a non-notification clause for this rule, noting that many of the permitted activity standards that may not be complied with generate effects that are internal to the development, and do not warrant public notification, and in some cases, do not warrant limited notification.</p> <p>3. Kāinga Ora seek the addition of clarification that the rule does not apply to non-compliance with GRZ-S13 Number of residential units.</p>	<p>4. If the Council does not provide the relief sought, in deleting the design guidelines and references to such guidelines in the District Plan, Kāinga Ora seeks that the design guidelines are amended, simplified and written in a manner that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to provide for a design that fits and works on site, rather than rules that a consent holder must follow and adhere to. Otherwise, there is no flexibility and scope to create a design that fits with specific site characteristics and desired built form development.</p> <p>5. Kāinga Ora seek the opportunity to review these guidelines if they are to remain a statutory document.</p> <p>6. Include a non-notification clause under this rule: ... <u>Restriction on notification:</u></p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>i. <u>An application for resource consent under this rule which does not comply with GRZ-S4 and GRZ-S8 is precluded from being publicly notified.</u></p> <p>ii. <u>An application for resource consent under this rule which does not comply with GRZ-S5, GRZ-S9, GRZ-S14, GRZ-S15 or GRZ-S16 is precluded from being either publicly or limited notified.</u></p> <p>7. Amend the wording of the exclusion under this rule:</p> <p>...</p> <p>This rule does not apply to <u>non-compliance with GRZ-S13 Number of residential units.</u></p>
123.	GRZ – General Residential Zone	GRZ-R12 - addition	Support in part	Kāinga Ora generally supports the proposed rule and acknowledges the provision for activities under this rule to be processed without public notification. Kāinga Ora seek	<p><i>Amendments sought</i></p> <p>1. Amend the matters of discretion:</p> <p>...</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>amendments to the rule to provide greater clarity.</p> <ol style="list-style-type: none"> 1. Kāinga Ora opposes the inclusion of Design Guides in the Plan, which act as de facto rules to be complied with. Kāinga Ora opposes any policy or rule approach which would require development proposals to comply with such design guidelines in the District Plan. Kāinga Ora alternatively seeks and supports the Design Guides sitting outside the Plan as guidance regarding best practice design outcomes. The Design Guidelines should be treated as a non-statutory tool. If there is content of a Design Guide that Council wants in the Plan, Kāinga Ora seeks that these are relocated within a specific rule, matter of discretion or assessment criterion. Where particular 	<p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> 1) <u>The matters contained in the Medium and High Density Design Guide in Appendix 1. The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood.</u> 2) <u>Site layout and design. The development contributes to a safe and attractive public realm and streetscape.</u> 3) Consideration of the <u>extent and effects of the standard not met.</u> 4) <u>Cumulative effects. The extent and effects of the development to deliver quality on-site amenity and privacy that is appropriate for its scale; and</u> 5) <u>The matters contained in the Code of Practice for Civil Engineering Works. The extent and effects on the three waters infrastructure, including that the infrastructure has the capacity to service the development.</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>design outcomes are to be achieved, these should be specified in matters of discretion or assessment.</p> <p>2. Kāinga Ora seeks the introduction of a clause to provide for preclusion from limited notification, noting that many of the permitted activity standards that may not be complied with generate effects that are internal to the development, and do not warrant public or limited notification.</p> <p>3. Kāinga Ora seeks general amendments to the matters of discretion under this rule to provide greater clarity to the matters that may be considered.</p>	<p>6) The imposition of financial contributions.</p> <p>2. Amend the non-notification clause under this rule:</p> <p>Restriction on notification:</p> <p><u>i.</u> Public notification of an application is precluded under this rule.</p> <p><u>ii.</u> <u>An application for resource consent under this rule which does not comply with GRZ-S5, GRZ-S9, GRZ-S14, GRZ-S15 or GRZ-S16 is precluded from being either publicly or limited notified.</u></p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
124.	GRZ – General Residential Zone	GRZ-R12A	Support in part	<p>Kāinga Ora generally supports the proposed rule and acknowledges the provision for activities under this rule to be processed without public or limited notification. Kāinga Ora seek amendments to the rule to provide greater clarity.</p> <p>1. Kāinga Ora opposes the inclusion of Design Guides in the Plan, which act as de facto rules to be complied with. Kāinga Ora opposes any policy or rule approach which would require development proposals to comply with such design guidelines in the District Plan. Kāinga Ora alternatively seeks and supports the Design Guides sitting outside the Plan as guidance regarding best practice design outcomes. The Design Guidelines should be treated as a non-statutory tool. If there is content of a Design</p>	<p><i>Amendments sought</i></p> <p>1. Amend the matters of discretion:</p> <p>...</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <p>1) <u>The matters contained in the Medium and High Density Design Guide in Appendix 1. The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood.</u></p> <p>2) <u>Site layout. The extent and effects of the development to deliver quality on-site amenity and privacy that is appropriate for its scale.</u></p> <p>3) <u>The matters contained in the Code of Practice for Civil Engineering Works. The extent and effects on the three waters infrastructure, achieved by demonstrating that at the point of connection the infrastructure has the capacity to service the development.</u></p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>Guide that Council wants in the Plan, Kāinga Ora seeks that these are relocated within a specific rule, matter of discretion or assessment criterion. Where particular design outcomes are to be achieved, these should be specified in matters of discretion or assessment.</p> <p>2. Kāinga Ora seeks general amendments to the matters of discretion under this rule to provide greater clarity to the matters that may be considered.</p>	<p>4) <u>Transport effects. The development contributes to a safe and attractive public realm and streetscape.</u></p> <p>5) <u>Cumulative effects. The extent and effects of the development to deliver quality on-site amenity and privacy that is appropriate for its scale.</u></p>
125.	GRZ – General Residential Zone	GRZ-R12B	Support in part	Kāinga Ora generally supports the proposed rule and acknowledges the provision for activities under this rule to be processed without public notification. Kāinga Ora seek	<p>1. Amend the matters of discretion: ... Council will restrict its discretion to, and may impose conditions on:</p> <p>1) <u>The matters contained in the Medium and High Density Design Guide in Appendix 1. The scale, form, and</u></p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>amendments to the rule to provide greater clarity.</p> <p>1. Kāinga Ora opposes the inclusion of Design Guides in the Plan, which act as de facto rules to be complied with. Kāinga Ora opposes any policy or rule approach which would require development proposals to comply with such design guidelines in the District Plan. Kāinga Ora alternatively seeks and supports the Design Guides sitting outside the Plan as guidance regarding best practice design outcomes. The Design Guidelines should be treated as a non-statutory tool. If there is content of a Design Guide that Council wants in the Plan, Kāinga Ora seeks that these are relocated within a specific rule, matter of discretion or assessment criterion. Where particular</p>	<p><u>appearance of the development is compatible with the planned urban built form of the neighbourhood.</u></p> <p>2) <u>Site layout and design. The extent and effects of the development to deliver quality on-site amenity and privacy that is appropriate for its scale.</u></p> <p>3) <u>The matters contained in the Code of Practice for Civil Engineering Works. The extent and effects on the three waters infrastructure, achieved by demonstrating that at the point of connection the infrastructure has the capacity to service the development.</u></p> <p>4) Consideration of the <u>extent and effects of the standard/s</u> not met.</p> <p>5) <u>Transport effects. The development contributes to a safe and attractive public realm and streetscape.</u></p> <p>6) <u>Methods to avoid, remedy, or mitigate adverse effects.</u></p> <p>7) <u>Cumulative effects. The extent and effects of the development to deliver quality on-site amenity and privacy that is appropriate for its scale.</u></p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>design outcomes are to be achieved, these should be specified in matters of discretion or assessment.</p> <p>2. Kāinga Ora seeks the introduction of a clause to provide for preclusion from limited notification, noting that many of the permitted activity standards that may not be complied with generate effects that are internal to the development, and do not warrant public or limited notification.</p> <p>3. Kāinga Ora seeks general amendments to the matters of discretion under this rule to provide greater clarity to the matters that may be considered.</p>	<p>2. Amend the non-notification clause under this rule:</p> <p>Restriction on notification:</p> <p><u>i.</u> Public notification of an application is precluded under this rule.</p> <p><u>ii.</u> <u>An application for resource consent under this rule which does not comply with GRZ-S5, GRZ-S9, GRZ-S14, GRZ-S15 or GRZ-S16 is precluded from being either publicly or limited notified.</u></p>
126.	GRZ – General Residential Zone	GRZ-R22 Non-residential activities	Support	Kāinga Ora generally supports the proposed amendment to the exclusion under this rule.	<i>Retain as notified, with the exception that the specific provision reference is changed from GRZ to MRZ.</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
127.	GRZ – General Residential Zone	GRZ-MC1	Support in part	Kāinga Ora generally supports the proposed amendment to the matters for consideration, but requests an amendment to the proposed wording to be consistent with the terminology introduced elsewhere in the IPI.	<i>Amendments sought</i> 1. Amend the matters for consideration: ... 6) The extent to which increased building coverage is compatible in form and scale with the neighbourhood’s planned <u>urban</u> built <u>character form</u> .
128.	GRZ – General Residential Zone	GRZ-MC2	Support in part	Kāinga Ora generally supports the proposed amendment to the matters for consideration, but requests an amendment to the proposed wording to be consistent with the terminology introduced elsewhere in the IPI.	<i>Amendments sought</i> 1. Amend the matters for consideration: ... 2) Whether the building location, design, appearance and scale is compatible in form and scale with the neighbourhood’s planned <u>urban</u> built <u>character form and appearance</u> .
Part 3 – Area Specific Matters / Residential Zones / General Density Residential Zone – Precinct 1 – Indigenous Biodiversity Precinct					
129.	GRZ – General Residential Zone – Precinct 1	Entire chapter	Oppose	Kāinga Ora recognise that the Council are undertaking a ‘rolling review’ of the District Plan and have introduced the Indigenous Biodiversity Precinct as a placeholder	1. Delete the GRZ – Precinct 1 chapter and replace with an Indigenous Biodiversity Overlay, with a rule framework contained within the ECO chapter.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>until a more comprehensive plan change occurs but seek that the Indigenous Biodiversity Precinct is renamed and provided for as an overlay, as this is considered to be the appropriate method under the National Planning Standards, particularly as it is relevant across many different parts of the urban environment. It is considered inappropriate for the rules relating to indigenous biodiversity to be contained within the GRZ, as it is noted that indigenous biodiversity is of relevance city wide.</p> <p>Kāinga Ora considers that the objectives, policies and rules pertaining to the overlay should be contained in the Ecosystems and Indigenous Biodiversity chapter.</p>	<p>2. Accept the changes sought in Appendix 3.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
Part 3 – Area Specific Matters / Residential Zones / High Density Residential Zone					
	HRZ – High Density Residential Zone	Entire chapter	Oppose	<p>Kāinga Ora opposes the requirement of the rules within the chapter to comply with the permitted activity rules, standards, matters and information requirements that apply to the General Residential Zone, unless specifically provided for in a rule table in this chapter. The relevant rules, standards, matters of discretion and information requirements should be included in the HRZ chapter to provide certainty and reduce the confusion currently presented by the current rule. These standards should be written specifically for the HRZ, and should not be a copy of the GRZ standards inserted into this chapter. Proposed HRZ rules and standards are included in Appendix 2 of this submission.</p> <p>Kāinga Ora seeks the introduction of a rule that permits residential</p>	<p><i>Amendments sought</i></p> <ol style="list-style-type: none"> 1. Rewrite the chapter to remove the need for compliance with the permitted activity rules and standards that apply to the GRZ. 2. Insert the HRZ rules and standards into this chapter, as detailed in Appendix 2 of this submission.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				activities within the HRZ. Proposed wording of the rule is included in Appendix 2 of this submission.	
	HRZ – High Density Residential Zone	Background	Support	Kāinga Ora generally supports the proposed wording of this section, but seek the removal of reference to the HRZ applying within a walkable catchment of the Local Centre Zone. As detailed elsewhere in this submission, Kāinga Ora considers it appropriate for the MRZ to apply adjacent to the LCZ, with an increased height control within a 400m walkable catchment of the LCZ.	<i>Amendments sought</i> 1. Remove item (viii) from the list, as the High Density Residential Zone should not apply within a walkable catchment of a Local Centre Zone
	HRZ – High Density Residential Zone	HRZ-O1 Well-functioning Urban Environments	Support	Kāinga Ora supports this objective, noting it is mandated by the RMA.	<i>Retain as notified</i>
	HRZ – High Density Residential Zone	HRZ-O2 Housing Variety	Support	Kāinga Ora supports this objective, noting it is mandated by the RMA.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
	HRZ – High Density Residential Zone	HRZ-O3 Hydraulic neutrality	Support	Kāinga Ora generally supports the objective.	<i>Retain as notified</i>
	HRZ – High Density Residential Zone	HRZ-O4 High Density Residential Zone	Support	Kāinga Ora generally supports the objective.	<i>Retain as notified</i>
	HRZ – High Density Residential Zone	HRZ-P1	Support	Kāinga Ora supports this provision, noting it is mandated by the RMA.	<i>Retain as notified</i>
	HRZ – High Density Residential Zone	HRZ-P2	Support	Kāinga Ora supports this provision, noting it is mandated by the RMA.	<i>Retain as notified</i>
	HRZ – High Density Residential Zone	HRZ-P3	Support	Kāinga Ora supports this provision, noting it is mandated by the RMA.	<i>Retain as notified</i>
	HRZ – High Density Residential Zone	HRZ-P4	Support	Kāinga Ora supports this provision, noting it is mandated by the RMA.	<i>Retain as notified</i>
	HRZ – High Density Residential Zone	HRZ-P5	Support in part	Kāinga Ora generally supports the proposed amendments to the provision but seek amendments to make explicit reference be made to the anticipated change to the	<i>Amendments sought</i> <u>To provide for a range of building densities within the residential areas that are compatible in form and scale with the</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				planned urban built form, appearance and amenity within the zone, consistent with Policy 6 of the NPS-UD.	<u>neighbourhood's planned urban built character form, appearance and amenity.</u>
	HRZ – High Density Residential Zone	HRZ-P6	Oppose	Kāinga Ora is opposed to design guides being incorporated as statutory elements of the District Plan. Kāinga Ora seeks changes so that the wording articulates the outcomes being sought.	<i>Amendments sought</i> 1. Remove reference to the Medium and High Density Design Guides and replace with wording to articulate the standard of urban design that is being sought.
	HRZ – High Density Residential Zone	HRZ-P7	Support in part	Kāinga Ora supports the policy but seeks provision for increase building heights where they are located within a walkable catchment of the CCZ, TCZ and rapid transit stops. It is noted the height proposed in this policy is inconsistent with the building height proposed in HRZ-S2, which provides a maximum permitted building height of 20m. Kāinga Ora considers it necessary to enable additional building height, and therefore residential intensification, within a walkable	<i>Amendments sought</i> 1. Amend the policy to enable the following building heights within the specified walkable catchments: a. CCZ and rapid transit stops i. 0m to 400m: 43m ii. 400m to 800m: 36m iii. 800 to 1200m: 22m b. TCZ i. 0m to 800m: 22m

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				catchment of the CCZ and TCZ, as detailed on the maps provided as part of this submission in Appendix 3.	
	HRZ – High Density Residential Zone	All rules	Oppose	Kāinga Ora opposes the structure of the rule framework where it is necessary to rely on both the GRZ and HRZ chapters to determine the activity status for an activity in the HRZ. As these are separate zones, the rule framework should provide for the HRZ as its own separate rule framework.	<i>Amendments sought</i> <ol style="list-style-type: none"> 1. Rewrite the rules to remove the need for reference to the GRZ chapter. The HRZ should contain all rules, standards, matters of discretion and information requirements necessary to determine the activity status of an activity occurring in the HRZ.
	HRZ – High Density Residential Zone	HRZ-R2 Buildings	Support in part	Kāinga Ora generally supports the rule but seeks the Kāinga Ora seeks the introduction of a non-notification clause for this rule, noting that some of the permitted activity standards that may not be complied with generate effects that are internal to the development, and do not warrant public notification,	<i>Amendments sought</i> <ol style="list-style-type: none"> 1. Include a non-notification clause for HRZ-R2-2 (Restricted Discretionary Activity): <ul style="list-style-type: none"> ... <u>Restriction on notification:</u> iii. <u>An application for resource consent under this rule which does not comply with HRZ-S3 is precluded from being publicly notified.</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				and in some cases, do not warrant limited notification.	iv. <u>An application for resource consent under this rule which does not comply with HRZ-S5 is precluded from being either publicly or limited notified.</u>
	HRZ – High Density Residential Zone	HRZ-R3	Oppose	Kāinga Ora opposes the requirement of the rule to comply with the controlled activity rules, standards, matters and information requirements that apply to the General Residential Zone, unless specifically provided for in the rule table. The relevant rules, standards, matters of discretion and information requirements should be included in the HRZ chapter to provide certainty and reduce the confusion currently presented by the current rule.	<i>Amendments sought</i> 1. Rewrite the rule to remove the need for compliance with the controlled activity rules, standards, matters and information requirements that apply to the GRZ.
	HRZ – High Density Residential Zone	HRZ-R5	Oppose	Kāinga Ora opposes the requirement of the rule to comply with the discretionary activity rules that apply to the General Residential Zone,	<i>Amendments sought</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>unless specifically provided for in the rule table. The relevant rules, standards, matters of discretion and information requirements should be included in the HRZ chapter to provide certainty and reduce the confusion currently presented by the current rule.</p>	<p>1. Rewrite the rule to remove the need for compliance with the discretionary activity rules that apply to the GRZ.</p>
	<p>HRZ – High Density Residential Zone</p>	<p>HRZ-R6</p>	<p>Oppose</p>	<p>Kāinga Ora opposes the requirement of the rule to comply with the non-complying activity rules that apply to the General Residential Zone, unless specifically provided for in the rule table. The relevant rules, standards, matters of discretion and information requirements should be included in the HRZ chapter to provide certainty and reduce the confusion currently presented by the current rule.</p>	<p><i>Amendments sought</i></p> <p>1. Rewrite the rule to remove the need for compliance with the non-complying activity rules that apply to the GRZ.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
	HRZ – High Density Residential Zone	HRZ-R7	Oppose	Kāinga Ora opposes the requirement of the rule to comply with the prohibited activity rules that apply to the General Residential Zone, unless specifically provided for in the rule table. The relevant rules, standards, matters of discretion and information requirements should be included in the HRZ chapter to provide certainty and reduce the confusion currently presented by the current rule.	<i>Amendments sought</i> <ol style="list-style-type: none"> 1. Rewrite the rule to remove the need for compliance with the non-complying activity rules that apply to the GRZ.
	HRZ – High Density Residential Zone	New rule	Support	Kāinga Ora seeks the introduction of a new rule applying to commercial activities to enable commercial activities on ground floor to be specifically enabled via a Restricted Discretionary Activity consent pathway. Small scale commercial activities, such as cafes, convenience stores, and hairdressers, provide amenity to residents in a walkable urban setting and increase the	<i>New rule:</i> <u>Commercial Activity</u> <u>1. Activity status: Restricted Discretionary</u> <u>Where:</u> <ol style="list-style-type: none"> a. <u>The commercial activity is limited to the ground floor tenancy of an apartment building;</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>vibrancy of an area. Operating thresholds have been incorporated to ensure such activities do not detract from the underlying residential environment.</p>	<p>b. <u>The gross floor area of the commercial activity/activities does not exceed 200m²; and</u></p> <p>c. <u>The hours of operation are between:</u></p> <ul style="list-style-type: none"> i. <u>7.00am and 9.00pm Monday to Friday; and</u> ii. <u>8.00am and 7.00pm Saturday, Sunday, and public holidays.</u> <p><u>Matters of discretion are restricted to:</u></p> <ul style="list-style-type: none"> 1. <u>The design, appearance and siting of the activity;</u> 2. <u>Noise and illumination;</u> 3. <u>Signage.</u> <p><u>2. Activity status: Discretionary</u></p> <p><u>Where:</u></p> <p><u>a. Compliance is not achieved with the matters specified in HRZ-RX(1)(a), (b) and/or (c) of this rule.</u></p>
	HRZ – High Density Residential Zone	HRZ-S2 Building height	Oppose	Kāinga Ora opposes the standard for the following reasons:	<i>Amendments sought:</i> <ul style="list-style-type: none"> 1. Provide for building heights of: <ul style="list-style-type: none"> a. 22m; or

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<ol style="list-style-type: none"> 1. Kāinga Ora seeks a higher permitted building height in the HRZ to provide opportunity for greater density of housing, as is provided for in the objectives and policies of the HRZ. It is noted that policy HRZ-P7 seeks to enable residential building heights of up to 26m, but this is not provided for in the HRZ rules or standards. 2. Kāinga Ora opposes the inclusion of Design Guides in the Plan, which act as de facto rules to be complied with. Kāinga Ora opposes any policy or rule approach which would require development proposals to comply with such design guidelines in the District Plan. Kāinga Ora alternatively seeks and supports the Design Guides sitting outside the Plan as 	<ol style="list-style-type: none"> b. 43m within 0m to 400m of the City Centre Zone or rapid transit stops. c. 36m within 400m to 800m of the edge of the City Centre Zone or rapid transit stops. d. 29m within 0m to 800m of the edge of the Town Centre Zone 2. Kāinga Ora seeks the Design Guides are removed from within the District Plan and are treated as non-statutory tool, outside of the District Plan. 3. Delete all references to the Design Guides from this rule, including from the matters of discretion. 4. Where particular design outcomes are to be achieved, these should be specifically stated in matters of discretion. 5. If the Council does not provide the relief sought, in deleting the design guidelines and references to such guidelines in the

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>guidance regarding best practice design outcomes. The Design Guidelines should be treated as a non-statutory tool. If there is content of a Design Guide that Council wants in the Plan, Kāinga Ora seeks that these are relocated within a specific rule, matter of discretion or assessment criterion. Where particular design outcomes are to be achieved, these should be specified in matters of discretion or assessment.</p> <p>3. Kāinga Ora seeks general amendments to the matters of discretion under this standard to provide greater clarity to the matters that may be considered.</p>	<p>District Plan, Kāinga Ora seeks that the design guidelines are amended, simplified and written in a manner that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to provide for a design that fits and works on site, rather than rules that a consent holder must follow and adhere to. Otherwise, there is no flexibility and scope to create a design that fits with specific site characteristics and desired built form development. Kāinga Ora seek the opportunity to review these guidelines if they are to remain a statutory document.</p> <p>6. Amend the matters of discretion: ... <u>Matters of discretion are restricted to:</u> 1) Height and sunlight access. 2) Effects on public spaces 3) Setbacks and coverage 4) Landscaping and screening.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>5) Privacy effects.</p> <p>6) The matters contained in the Medium and High Density Design Guide in Appendix 1</p> <p>7) Whether the building location, design, appearance, and scale is compatible in form and scale with the neighbourhood's planned built character.</p> <p>a. Whether topographical or other site constraints make compliance with the standard impractical.</p> <p>b. Streetscape and visual amenity effects;</p> <p>c. Dominance, privacy and shading effects on adjoining sites.</p>
	HRZ – High Density Residential Zone	HRZ-S3 Height in relation to boundary	Oppose	<p>Kāinga Ora opposes the standard for the following reasons:</p> <p>1. Kāinga Ora seeks a more enabling height in relation to boundary control in the HRZ to provide opportunity for greater</p>	<p><i>Amendments sought:</i></p> <p>1. Amend standard as follows:</p> <p><u>All buildings and structures must not project beyond a:</u></p> <p>a) <u>60° recession plane measured from a point 19m vertically above ground</u></p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>density of housing, as is provided for in the objectives and policies of the HRZ. Kāinga Ora also seeks amendments to the situations in which it is appropriate to further restrict the HIRB at the boundary to also include interface effects at the MRZ. Kāinga Ora seeks the amended wording and standard be utilised, which is similar to that used in the Wellington City PDP. Kāinga Ora is seeking regional consistency in situations such as this.</p> <p>2. Kāinga Ora opposes the inclusion of Design Guides in the Plan, which act as de facto rules to be complied with. Kāinga Ora opposes any policy or rule approach which would require development proposals to comply with such design</p>	<p><u>level along the first 22m of the side boundary as measured from the road frontage;</u></p> <p>b) <u>60° recession plane measured from a point 8m vertically above ground level along all other boundaries;</u></p> <p>c) <u>Except no part of any building or structure may project beyond a:</u></p> <p>i. <u>60° recession plane measured from a point 4m vertically above ground level along any boundary that adjoins a site in the Medium Density Residential Zone.</u></p> <p>2. Kāinga Ora seeks the Design Guides are removed from within the District Plan and are treated as non-statutory tool, outside of the District Plan.</p> <p>3. Delete all references to the Design Guides from this rule, including from the matters of discretion.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>guidelines in the District Plan. Kāinga Ora alternatively seeks and supports the Design Guides sitting outside the Plan as guidance regarding best practice design outcomes. The Design Guidelines should be treated as a non-statutory tool. If there is content of a Design Guide that Council wants in the Plan, Kāinga Ora seeks that these are relocated within a specific rule, matter of discretion or assessment criterion. Where particular design outcomes are to be achieved, these should be specified in matters of discretion or assessment.</p> <p>3. Kāinga Ora seeks general amendments to the matters of discretion under this standard to provide greater clarity to the</p>	<p>4. Where particular design outcomes are to be achieved, these should be specifically stated in matters of discretion or assessment.</p> <p>5. If the Council does not provide the relief sought, in deleting the design guidelines and references to such guidelines in the District Plan, Kāinga Ora seeks that the design guidelines are amended, simplified and written in a manner that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to provide for a design that fits and works on site, rather than rules that a consent holder must follow and adhere to. Otherwise, there is no flexibility and scope to create a design that fits with specific site characteristics and desired built form development.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>matters that may be considered.</p>	<p>6. Kāinga Ora seek the opportunity to review these guidelines if they are to remain a statutory document.</p> <p>7. Amend the matters of discretion: ... <u>Matters of discretion are restricted to:</u> 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.</p> <p>1. <u>Dominance, privacy and shading effects on adjoining sites.</u></p>
	HRZ – High Density Residential Zone	HRZ-S4 Building coverage	Support in part	Kāinga Ora supports the proposed building coverage standard but:	<p><i>Amendments sought:</i></p> <p>1. Kāinga Ora seeks the Design Guides are removed from within the District Plan</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>1. Kāinga Ora opposes the inclusion of Design Guides in the Plan, which act as de facto rules to be complied with. Kāinga Ora opposes any policy or rule approach which would require development proposals to comply with such design guidelines in the District Plan. Kāinga Ora alternatively seeks and supports the Design Guides sitting outside the Plan as guidance regarding best practice design outcomes. The Design Guidelines should be treated as a non-statutory tool. If there is content of a Design Guide that Council wants in the Plan, Kāinga Ora seeks that these are relocated within a specific rule, matter of discretion or assessment criterion. Where particular design outcomes are to be</p>	<p>and are treated as non-statutory tool, outside of the District Plan.</p> <p>2. Delete all references to the Design Guides from this rule, including from the matters of discretion.</p> <p>3. Where particular design outcomes are to be achieved, these should be specifically stated in matters of discretion or assessment.</p> <p>4. If the Council does not provide the relief sought, in deleting the design guidelines and references to such guidelines in the District Plan, Kāinga Ora seeks that the design guidelines are amended, simplified and written in a manner that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to provide for a design that fits and works on site, rather than rules that a consent holder must follow and adhere to.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>achieved, these should be specified in matters of discretion or assessment.</p> <p>2. Kāinga Ora seeks general amendments to the matters of discretion under this standard to provide greater clarity to the matters that may be considered.</p>	<p>Otherwise, there is no flexibility and scope to create a design that fits with specific site characteristics and desired built form development.</p> <p>5. Kāinga Ora seek the opportunity to review these guidelines if they are to remain a statutory document.</p> <p>6. Amend the matters of discretion: ... <u>Matters of discretion are restricted to:</u> 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.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<ul style="list-style-type: none"> a. <u>Streetscape and visual amenity effects; and</u> b. <u>Dominance effects on adjoining properties.</u> c. <u>Whether topographical or other site constraints make compliance with the standard impractical.</u>
	HRZ – High Density Residential Zone	HRZ-S5 Number of Residential units per site	Oppose	<p>Kāinga Ora opposes the standard for the following reasons:</p> <ol style="list-style-type: none"> 1. Kāinga Ora opposes the inclusion of Design Guides in the Plan, which act as de facto rules to be complied with. Kāinga Ora opposes any policy or rule approach which would require development proposals to comply with such design guidelines in the District Plan. Kāinga Ora alternatively seeks and supports the Design Guides sitting outside the Plan as guidance regarding best practice design outcomes. The 	<p><i>Amendments sought:</i></p> <ol style="list-style-type: none"> 1. Provide for building heights of 22m, or the following building heights within the specified walkable catchment of the CCZ or TCZ: <ol style="list-style-type: none"> a. CCZ <ol style="list-style-type: none"> i. 0m to 400m: 43m ii. 400m to 800m: 36m b. TCZ <ol style="list-style-type: none"> i. 0m to 800m: 29m 2. Kāinga Ora seeks the Design Guides are removed from within the District Plan and are treated as non-statutory tool, outside of the District Plan.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>Design Guidelines should be treated as a non-statutory tool. If there is content of a Design Guide that Council wants in the Plan, Kāinga Ora seeks that these are relocated within a specific rule, matter of discretion or assessment criterion. Where particular design outcomes are to be achieved, these should be specified in matters of discretion or assessment.</p> <p>2. Kāinga Ora seeks amendments to the matters of discretion under this standard to provide greater clarity to the matters that may be considered.</p>	<p>3. Delete all references to the Design Guides from this rule, including from the matters of discretion.</p> <p>4. Where particular design outcomes are to be achieved, these should be specifically stated in matters of discretion or assessment.</p> <p>5. If the Council does not provide the relief sought, in deleting the design guidelines and references to such guidelines in the District Plan, Kāinga Ora seeks that the design guidelines are amended, simplified and written in a manner that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to provide for a design that fits and works on site, rather than rules that a consent holder must follow and adhere to. Otherwise, there is no flexibility and scope to create a design that fits with</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>specific site characteristics and desired built form development.</p> <p>6. Kāinga Ora seek the opportunity to review these guidelines if they are to remain a statutory document.</p> <p>7. Amend the matters of discretion: ... <u>Matters of discretion are restricted to:</u> 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>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<ol style="list-style-type: none"> 1. <u>The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood;</u> 2. <u>The development contributes to a safe and attractive public realm and streetscape;</u> 3. <u>The extent and effects on the three waters infrastructure, achieved by demonstrating that at the point of connection the infrastructure has the capacity to service the development.</u> 4. <u>The degree to which the development delivers quality on-site amenity and occupant privacy that is appropriate for its scale; and</u> 5. <u>The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard.</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
	HRZ – High Density Residential Zone	HRZ-R8	Support in part	<p>Kāinga Ora generally supports the rule and its provision for assessing over-height buildings as a Restricted Discretionary Activity, but:</p> <ol style="list-style-type: none"> 1. It is unclear how this rule relates to rule HRZ-R2, as both manage buildings exceeding the permitted maximum building height. HRZ-R2 assesses buildings exceeding permitted activity standard HRZ-S2 (building height), while HRZ-R8 assesses buildings exceeding 20m. Both rules appear to seek to assess the same non-compliance. 2. Kāinga Ora opposes the inclusion of Design Guides in the Plan, which act as de facto rules to be complied with. Kāinga Ora opposes any policy or rule approach which would 	<p><i>Amendments sought:</i></p> <ol style="list-style-type: none"> 1. Amend the wording of HRZ-R2 or HRZ-R8 so that there is only one Restricted Discretionary Activity rule assessing buildings exceeding the maximum permitted building height. Amend the maximum building height to be 22m. 2. Kāinga Ora seeks the Design Guides are removed from within the District Plan and are treated as non-statutory tool, outside of the District Plan. 3. Delete all references to the Design Guides from this rule, including from the matters of discretion. 4. Where particular design outcomes are to be achieved, these should be specifically stated in matters of discretion or assessment. 5. If the Council does not provide the relief sought, in deleting the design guidelines

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>require development proposals to comply with such design guidelines in the District Plan. Kāinga Ora alternatively seeks and supports the Design Guides sitting outside the Plan as guidance regarding best practice design outcomes. The Design Guidelines should be treated as a non-statutory tool. If there is content of a Design Guide that Council wants in the Plan, Kāinga Ora seeks that these are relocated within a specific rule, matter of discretion or assessment criterion. Where particular design outcomes are to be achieved, these should be specified in matters of discretion or assessment.</p>	<p>and references to such guidelines in the District Plan, Kāinga Ora seeks that the design guidelines are amended, simplified and written in a manner that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to provide for a design that fits and works on site, rather than rules that a consent holder must follow and adhere to. Otherwise, there is no flexibility and scope to create a design that fits with specific site characteristics and desired built form development.</p> <p>6. Kāinga Ora seek the opportunity to review these guidelines if they are to remain a statutory document.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
Part 3 – Area Specific Matters – Commercial and Mixed Use Zones - Neighbourhood Centre Zone					
130.	NCZ - Neighbourhood Centre Zone	NCZ in walkable catchment of higher-order Centre	Support in part	Kāinga Ora generally supports the use of and spatial extent of the NCZ, subject to consequential amendments as detailed in the maps that form part of Appendix 4 of this submission.	<i>Retain as notified</i>
131.	NCZ - Neighbourhood Centre Zone	Introduction	Support in part	Kāinga Ora generally supports the introduction statement to the NCZ, but considers it to be too detailed and unnecessarily repeats the objectives and policies of the NCZ.	<i>Amendments sought</i> ... 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. Buildings in the Neighbourhood Centre Zone usually are of a similar scale to the surrounding residential 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

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					above the ground floor or towards the rear of the site. ...
	NCZ - Neighbourhood Centre Zone	NCZ-O1 - Purpose of the Neighbourhood Centre Zone	Support	Kāinga Ora generally supports the stated purpose of the zone.	<i>Retain as notified</i>
133.	NCZ - Neighbourhood Centre Zone	NCZ-O2 - Character and Amenity Values of the Neighbourhood Centre Zone	Support in part	Kāinga Ora generally supports this objective, but requests an amendment to the wording for consistency with other zones and policy 6 of the NPS-UD.	<i>Amendment sought</i> Built development in the Neighbourhood Centre Zone is of medium density and reflects the anticipated built character <u>planned urban built form</u> of the surrounding residential neighbourhood. It is well-designed and contributes positively to the <u>surrounding</u> residential environment.
134.	NCZ - Neighbourhood Centre Zone	NCZ-O3 - Managing Effects at the Zone Interface	Support	Kāinga Ora generally supports this objective.	<i>Retain as notified</i>
135.	NCZ - Neighbourhood Centre Zone	NCZ-P1 - Appropriate activities	Support in part	Kāinga Ora generally supports this policy, but seeks amendments to ensure activities are appropriate for the planned urban built form of the NCZ.	Enable appropriate activities that: <ol style="list-style-type: none"> 1. Are compatible with the anticipated purpose and character the <u>planned urban built form</u> of the Neighbourhood Centre Zone;

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<ol style="list-style-type: none"> 2. Provide for the day-to-day needs of the immediate residential neighbourhood; and 3. Minimise adverse effects on adjoining residential, recreational and open space sites.
136.	NCZ - Neighbourhood Centre Zone	NCZ-P2 - Residential activity	Support	Kāinga Ora generally supports this policy.	<i>Retain as notified</i>
137.	NCZ - Neighbourhood Centre Zone	NCZ-P3 - Other activities	Support in part	Kāinga Ora generally supports this policy.	<p>Only allow for other activities, including larger scale commercial and retail activities where:</p> <ol style="list-style-type: none"> 1. Any adverse effects can be managed; 2. The scale and intensity of the activity is consistent with the anticipated character <u>planned urban built form</u> and function of the Neighbourhood Centre Zone;
138.	NCZ - Neighbourhood Centre Zone	NCZ-P4 - Inappropriate activities	Support	Kāinga Ora generally supports this policy.	<i>Retain as notified</i>
139.	NCZ - Neighbourhood Centre Zone	NCZ-P5 - Built development	Support in part	Kāinga Ora generally supports this policy, but requests an amendment to the wording for consistency with	<p><i>Amendment sought</i></p> <p>Provide for medium-density development that</p>

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				other zones and policy 6 of the NPS-UD.	<ol style="list-style-type: none"> 1. Reflects the purpose and is consistent with the anticipated density and planned <u>urban</u> built form of the Neighbourhood Centre Zone; 2. Is commensurate with the anticipated level of commercial activities and community services in the Neighbourhood Centre Zone; 3. Is compatible with the planned <u>urban</u> built form of medium density residential development within the surrounding residential environment; and 4. Is well designed and contributes to an attractive urban environment.
140.	NCZ - Neighbourhood Centre Zone	NCZ-P6 - Public space interface	Support	Kāinga Ora generally supports this policy.	<i>Retain as notified</i>
141.	NCZ - Neighbourhood Centre Zone	NCZ-P7 - Interface with Residential Zones and Open Space and Recreation Zones	Support	Kāinga Ora generally supports this policy.	<i>Retain as notified</i>
142.	NCZ - Neighbourhood Centre Zone	NCZ-P8 - Hydraulic neutrality	Support in part	Kāinga Ora generally supports this policy, but seeks amendments to have a more consistent wording of	<u>Require</u> N ew buildings and development will <u>to</u> be designed to achieve hydraulic neutrality.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				other policies in the plan and with a best-practice approach to policy wording.	
143.	NCZ - Neighbourhood Centre Zone	Rules Advice Note	Support	Kāinga Ora generally supports this rule section of the plan.	<i>Retain as notified</i>
144.	NCZ - Neighbourhood Centre Zone	NCZ-R1 - Buildings and structures, including additions and alterations	Support in part	Kāinga Ora generally supports this rule framework and associated preclusions to notification, but considers that there are additional standards that should also be included in the preclusions to notification, as the effects generated are technical in nature and do not warrant public or limited notification.	<i>Amendments sought</i> Notification: An application under this rule where compliance is not achieved with NCZ-S1 , NCZ-S2, NCZ-S3, NCZ-S4 , NCZ-S5, NCZ-S6 or NCZ-S8 is precluded from being publicly notified in accordance with section 95A of the RMA. An application under this rule where compliance is not achieved with NCZ-S4 , NCZ-S7, NCZ-S9 or NCZ-S10 is precluded from being publicly or limited notified in accordance with section 95A of the RMA.
145.	NCZ - Neighbourhood Centre Zone	NCZ-R2 - Minor structures	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
146.	NCZ - Neighbourhood Centre Zone	NCZ-R3 - Demolition	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
147.	NCZ - Neighbourhood Centre Zone	NCZ-R4 - Retail Activity	Support in part	Kāinga Ora generally supports this rule, but considers the matter of discretion NCZ-R4(2)(a)(iii) should be amended to refer to all higher order centres, not just the CCZ to ensure that the NCZ also does not undermine the role and function of the LCZ and TCZ.	<i>Amendments sought</i> ... The potential of the location of the activity in the Neighbourhood Centre Zone to undermine the role and function of the Local Centre Zone , the Town Centre Zone and the City Centre Zone
148.	NCZ - Neighbourhood Centre Zone	NCZ-R5 - Commercial Service Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
149.	NCZ - Neighbourhood Centre Zone	NCZ-R6 - Food and Beverage Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
150.	NCZ - Neighbourhood Centre Zone	NCZ-R7 - Community Facility	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
151.	NCZ - Neighbourhood Centre Zone	NCZ-R8 - Residential Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
152.	NCZ - Neighbourhood Centre Zone	NCZ-R9 - Healthcare Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
153.	NCZ - Neighbourhood Centre Zone	NCZ-R10 - Educational Facility	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
154.	NCZ - Neighbourhood Centre Zone	NCZ-R11 - Emergency Service Facility	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
155.	NCZ - Neighbourhood Centre Zone	NCZ-R12 - Visitor Accommodation	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
156.	NCZ - Neighbourhood Centre Zone	NCZ-R13 - Sport and Active Recreation Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
157.	NCZ - Neighbourhood Centre Zone	NCZ-R14 - Entertainment Facility	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
158.	NCZ - Neighbourhood Centre Zone	NCZ-R15 - Office Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
159.	NCZ - Neighbourhood Centre Zone	NCZ-R16 - Large Format Retail Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
160.	NCZ - Neighbourhood Centre Zone	NCZ-R17 - Drive-through Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
161.	NCZ - Neighbourhood Centre Zone	NCZ-R18 - Retirement Village	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
162.	NCZ - Neighbourhood Centre Zone	NCZ-R19 - Any activity not otherwise listed as permitted, restricted discretionary, discretionary, or non-complying	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
163.	NCZ - Neighbourhood Centre Zone	NCZ-R20 - Industrial Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
164.	NCZ - Neighbourhood Centre Zone	NCZ-R21 - Yard Sale Activity / Trade Supplier	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
165.	NCZ - Neighbourhood Centre Zone	NCZ-R22 - Motorised Recreation	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
166.	NCZ - Neighbourhood Centre Zone	NCZ-R23 - Rural Industry	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
167.	NCZ - Neighbourhood Centre Zone	NCZ-R24 - Primary Production	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
168.	NCZ - Neighbourhood Centre Zone	NCZ-S1 - Height	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>
169.	NCZ - Neighbourhood Centre Zone	NCZ-S2 - Height in Relation to Boundary	Support in part	Kāinga Ora generally supports this standard, but seeks additional flexibility be introduced for sites located within or adjacent to the HRZ.	<i>Amendments sought.</i> Where the side or rear boundary of a site adjoins a Residential Zone or Open Space and Recreation Zone the following Height in Relation to Boundary standard applies: 1. Buildings must not project beyond a:

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>a. 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, <u>where that boundary adjoins a site zoned Medium Density Residential Zone or Open Space and Recreation Zone</u>, as shown on the following diagram, <u>or</u></p> <p>b. <u>60° recession plane measured from a point 8m vertically above ground level along all boundaries, where that boundary adjoins a site zoned High Density Residential Zone.</u></p> <p>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>....</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<i>Kāinga Ora seeks that a diagram consistent with submission point (b) above is added to this standard.</i>
170.	NCZ - Neighbourhood Centre Zone	NCZ-S3 - Setback	Oppose	Kāinga Ora opposes this standard, as it is considered unnecessary and will unduly constrain built development opportunities on smaller NCZ sites.	<i>Delete standard</i>
171.	NCZ - Neighbourhood Centre Zone	NCZ-S4 – Active Frontages	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>
172.	NCZ - Neighbourhood Centre Zone	NCZ-S5 – Location of Residential Units	Support in part	Kāinga Ora generally supports this standard but seeks an amendment to the exclusions for clarify.	<i>Amendments sought</i> <ol style="list-style-type: none"> 1. <u>All residential units must be located above ground floor level, except that residential units may be located on the ground floor where:</u> <ol style="list-style-type: none"> a. <u>No part of the residential unit fronts onto a public open space, including roads; and</u> b. They do <u>Pedestrian access to a residential unit does not interrupt or prevent an active frontage as required by NCZ-S4.</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
173.	NCZ - Neighbourhood Centre Zone	NCZ-S6 – Noise and Ventilation	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>
174.	NCZ - Neighbourhood Centre Zone	NCZ-S7 – Outdoor Living Space	Support in part	Kāinga Ora supports the intent of this standard and acknowledges it is taken from the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. Kāinga Ora seeks amendments to provide for greater development by specifying a lower level of outdoor living space being required in identified cases to provide for greater design flexibility.	<i>Amendments sought</i> <ol style="list-style-type: none"> 1. Delete the existing wording for NCZ-S7. 2. Replace with the following wording: <ol style="list-style-type: none"> a. <u>Each residential unit, including any dual key unit, must be provided with either a private outdoor living space or access to a communal outdoor living space;</u> b. <u>Where private outdoor living space is provided it must be:</u> <ol style="list-style-type: none"> v. <u>For the exclusive use of residents;</u> vi. <u>Directly accessible from a habitable room;</u> vii. <u>A single contiguous space; and</u> viii. <u>Of the minimum area and dimension specified in the table below;</u> c. <u>Where communal outdoor living space is provided it does not need to</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought																		
					<p><u>be in a single continuous space, but it must be:</u></p> <ul style="list-style-type: none"> iv. <u>Accessible from the residential units it serves;</u> v. <u>Of the minimum area and dimension specified in the table below; and</u> vi. <u>Free of buildings, parking spaces, and servicing and manoeuvring areas.</u> <table border="1" data-bbox="1599 727 2130 1224"> <thead> <tr> <th data-bbox="1599 727 1845 879"><u>Living Space Type</u></th> <th data-bbox="1845 727 1995 879"><u>Minimum area</u></th> <th data-bbox="1995 727 2130 879"><u>Minimum dimension</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="1599 879 1845 916">a. <u>Private</u></td> <td></td> <td></td> </tr> <tr> <td data-bbox="1599 916 1845 1032">iii. <u>Studio unit & 1 bedroom unit</u></td> <td data-bbox="1845 916 1995 1032"><u>5m²</u></td> <td data-bbox="1995 916 2130 1032"><u>1.8m</u></td> </tr> <tr> <td data-bbox="1599 1032 1845 1110">iv. <u>2+ bedroom unit</u></td> <td data-bbox="1845 1032 1995 1110"><u>8m²</u></td> <td data-bbox="1995 1032 2130 1110"><u>1.8m</u></td> </tr> <tr> <td data-bbox="1599 1110 1845 1149">b. <u>Communal</u></td> <td></td> <td></td> </tr> <tr> <td data-bbox="1599 1149 1845 1224">ii. <u>For every 5 units</u></td> <td data-bbox="1845 1149 1995 1224"><u>10m²</u></td> <td data-bbox="1995 1149 2130 1224"><u>8m</u></td> </tr> </tbody> </table>	<u>Living Space Type</u>	<u>Minimum area</u>	<u>Minimum dimension</u>	a. <u>Private</u>			iii. <u>Studio unit & 1 bedroom unit</u>	<u>5m²</u>	<u>1.8m</u>	iv. <u>2+ bedroom unit</u>	<u>8m²</u>	<u>1.8m</u>	b. <u>Communal</u>			ii. <u>For every 5 units</u>	<u>10m²</u>	<u>8m</u>
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ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
175.	NCZ - Neighbourhood Centre Zone	NCZ-S8 - Screening and Landscaping of Service Areas, Outdoor Storage Areas and Parking Areas	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>
176.	NCZ - Neighbourhood Centre Zone	NCZ-S9 – Water Supply, Stormwater and Wastewater	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>
177.	NCZ - Neighbourhood Centre Zone	NCZ-S10 – Hydraulic Neutrality	Support in part	Kāinga Ora generally supports this standard, but seeks amendments as Hydraulic Neutrality is defined in the plan. Amendments are consistent with the relief sought on the definition for Hydraulic neutrality.	<i>Amendments sought</i> New buildings and development must be designed to achieve <u>Hydraulic Neutrality</u> . 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.
178.	NCZ - Neighbourhood Centre Zone	NCZ-SSC-R1 and NCZ-SSC-R2 – Site Specific Controls	Support	Kāinga Ora opposes this rule framework as it is considered that the NCZ standards provide the rule framework to manage development and effects should be based on their merits at time of application.	<i>Delete rules.</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
179.	NCZ - Neighbourhood Centre Zone	NCZ-SSC-S1 to NCZ-SSC-S4 – Site Specific Controls	Support	Kāinga Ora opposes this rule framework as it is considered that the NCZ standards provide the rule framework to manage development and effects should be based on their merits at time of application.	<i>Delete rules.</i>
Part 3 – Area Specific Matters – Commercial and Mixed Use Zones - Local Centre Zone					
180.	LCZ – Local Centre Zone	Spatial Extent	Support in part	<p>Kāinga Ora generally supports the use of the LCZ but considers that the spatial extent of certain LCZs does not provide for the level of intensification required to serve the surrounding residential environment. Kāinga Ora therefore propose amendments to the areas mapped as LCZ to provide opportunity for greater density development and servicing of the surrounding residential environment.</p> <p>Kāinga Ora does not support the proposed inclusion of the Blue Mountain Campus as a LCZ, noting it</p>	<p><i>Amendments sought</i></p> <ol style="list-style-type: none"> 1. Accept the changes sought from Kāinga Ora to the planning maps, as shown in Appendix 4 of this submission, including the spatial expansion of: <ol style="list-style-type: none"> a. Wallaceville LCZ b. Trentham North LCZ c. Removal of the Blue Mountain Campus as a LCZ and changed to MUZ. 2. If the relief sought in this submission point and Appendix 4 are not granted, the following relief is sought: <ol style="list-style-type: none"> a. Blue Mountain Campus – amendments consistent with the rest of the submission on the LCZ.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>does appear to meet the requirements for a LCZ in terms of role and location with respect to the surrounding residential environment. Kāinga Ora considers that the Blue Mountain Campus would more appropriately be zoned as Mixed Urban Zone (MUZ) site.</p>	<p>b. Wallaceville LCZ – amendments consistent with the height variation control sought for the HRZ within a walkable catchment of the CCZ, including 36m height variation on the east side of Ward St.</p> <p>3. Where a LCZ falls within the walkable catchment of a higher order centre, amend heights as consistent with the heights enabled in the surrounding residential zone and as consistent with height variations shown and sought in Appendix 4 and this submission point, including applying a:</p> <ul style="list-style-type: none"> a. Height variation control of 36m to spatial expansion of Wallaceville LCZ on East side of Ward St (walkable catchment of CCZ). b. Height variation control of 36m to LCZ on Fergusson Dr at Whakatiki St. (walkable catchment of CCZ) c. Height Variation control of 29m to Silverstream LCZ on Fergusson Dr at

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>Stream Grove (walkable catchment of TCZ).</p> <p>d. Height variation control of 29m to Trentham LCZ on Fergusson Dr at Islington St (walkable catchment of proposed TCZ).</p> <p>4. Consequential amendments may be required to give effect to the changes sought.</p>
181.	LCZ – Local Centre Zone	Introduction	Support	Kāinga Ora generally supports the introduction statement to the LCZ.	<i>Retain as notified</i>
182.	LCZ – Local Centre Zone	LCZ-01 - Purpose of the Local Centre Zone	Support	Kāinga Ora generally supports this objective.	<i>Retain as notified</i>
183.	LCZ – Local Centre Zone	LCZ-02 - Character and Amenity Values of the Local Centre Zone	Support in part	Kāinga Ora generally supports this objective, but requests an amendment to the wording for consistency with other zones and policy 6 of the NPS-UD.	<p><i>Amendment sought</i></p> <p>LCZ-02 - Character and Amenity Values <u>Planned Urban Built Form</u> 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 <u>urban</u> built</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					form of the medium to high density surrounding residential environment and contributes positively to the surrounding streetscape and commercial and residential environment.
184.	LCZ – Local Centre Zone	LCZ-O3 - Managing Effects at the Zone Interface	Support in part	Kāinga Ora generally supports this objective, but requests an amendment to the wording for consistency with other zones and policy 6 of the NPS-UD.	<i>Amendment sought</i> Use and development within the Local Centre Zone are of an appropriate scale and reflect the purpose, anticipated character and planned <u>urban</u> built form of the zone and the surrounding residential environment while managing potential adverse effects on the amenity values of adjoining sites in Residential and Open Space and Recreation Zones.
185.	LCZ – Local Centre Zone	LCZ-O4 – Hydraulic Neutrality	Support	Kāinga Ora generally supports this objective.	<i>Retain as notified</i>
186.	LCZ – Local Centre Zone	LCZ-P1 – Appropriate Activities	Support	Kāinga Ora generally supports this policy.	<i>Retain as notified</i>
187.	LCZ – Local Centre Zone	LCZ-P2 – Residential Activity	Support	Kāinga Ora generally supports this policy.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
188.	LCZ – Local Centre Zone	LCZ-P3 – Other Activities	Support	Kāinga Ora generally supports this policy.	<i>Retain as notified</i>
189.	LCZ – Local Centre Zone	LCZ-P4 – Inappropriate Activities	Support	Kāinga Ora generally supports this policy.	<i>Retain as notified</i>
190.	LCZ – Local Centre Zone	LCZ-P5 – Built Development	Support in part	Kāinga Ora generally supports this policy, but requests an amendment to the wording for consistency with other zones and policy 6 of the NPS-UD.	<i>Amendment sought</i> Provide for medium to higher density development that: <ol style="list-style-type: none"> 1. Is compatible with the planned <u>urban</u> 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; 3. Reflects the anticipated medium to high density of the surrounding residential environment, 4. Is well designed and contributes to an attractive urban environment; and 5. Provides active and attractive street frontages.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
191.	LCZ – Local Centre Zone	LCZ-P6 - Public space interface and Active Street Frontages	Support	Kāinga Ora generally supports this policy.	<i>Retain as notified</i>
192.	LCZ – Local Centre Zone	LCZ-P7 - Interface with Residential Zones and Open Space and Recreation Zones	Support	Kāinga Ora generally supports this policy.	<i>Retain as notified</i>
193.	LCZ – Local Centre Zone	LCZ-P8 – Hydraulic Neutrality	Support	Kāinga Ora generally supports this policy.	<i>Retain as notified</i>
194.	LCZ – Local Centre Zone	Rules	Support	Kāinga Ora generally supports this rule table.	<i>Retain as notified</i>
195.	LCZ – Local Centre Zone	LCZ-R1	Support in part	Kāinga Ora generally supports this rule framework and associated preclusions to notification, but considers that there are additional standards that should also be included in the preclusions to notification, as the effects generated are technical in nature and do not warrant public or limited notification.	<p><i>Amendments sought:</i></p> <p><u>Notification:</u> An application under this rule where compliance is not achieved with <u>LCZ-S1</u>, LCZ-S2, LCZ-S3, <u>LCZ-S4</u>, LCZ-S5, LCZ-S6 or LCZ-S8 is precluded from being publicly notified in accordance with section 95A of the RMA. An application under this rule where compliance is not achieved with <u>LCZ-S4</u>, LCZ-S7, <u>LCZ-S9</u> or <u>LCZ-S10</u> is precluded from being</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					publicly or limited notified in accordance with section 95A of the RMA.
196.	LCZ – Local Centre Zone	LCZ-R2 - Minor structures	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
197.	LCZ – Local Centre Zone	LCZ-R3 - Demolition	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
198.	LCZ – Local Centre Zone	LCZ-R4 - Retail Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
199.	LCZ – Local Centre Zone	LCZ-R5 - Commercial Service Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
200.	LCZ – Local Centre Zone	LCZ-R6 - Food and Beverage Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
201.	LCZ – Local Centre Zone	LCZ-R7 - Community Facility	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
202.	LCZ – Local Centre Zone	LCZ-R8 - Healthcare Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
203.	LCZ – Local Centre Zone	LCZ-R9 - Educational Facility	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
204.	LCZ – Local Centre Zone	LCZ-R10 - Office activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
205.	LCZ – Local Centre Zone	LCZ-R11 - Visitor Accommodation	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
206.	LCZ – Local Centre Zone	LCZ-R12 – Residential Activity	Support in part	While Kāinga Ora supports the preclusion to both limited and public notification in this rule framework, Kāinga Ora does not consider it necessary for a limit on the number of residential units in the zone and therefore seeks amendment to remove a maximum threshold on the number of permitted residential units.	<i>Amendments sought</i> <ol style="list-style-type: none"> 1. Activity status: Permitted Where: <ol style="list-style-type: none"> a. No more than six residential units occupy the site; and <u>a.</u> Compliance is achieved with <ol style="list-style-type: none"> i. LCZ-S5 (Location of Residential Units); ii. LCZ-S6 (Noise and Ventilation); and

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>iii. iii. LCZ-S7 (Outdoor Living Space).</p> <p>2. Activity status: Restricted discretionary Where:</p> <p>a. — Compliance is not achieved with LCZ-R12-1.a Matters of discretion are restricted to:</p> <p>1. The effects of the residential activity on the existing and anticipated function and role of the Local Centre Zone.</p> <p>2. The potential of the residential activity to compromise activities that are enabled in the Local Centre Zone.</p> <p>3. The amenity for the occupiers of the residential units.</p> <p>b. a. Compliance is not achieved with LCZ-R12-1.b a Matters of discretion are restricted to:</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					1. The matters of discretion of the infringed standard.
207.	LCZ – Local Centre Zone	LCZ-R13 – Supermarket	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
208.	LCZ – Local Centre Zone	LCZ-R14 – Emergency Service Facility	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
209.	LCZ – Local Centre Zone	LCZ-R15 - Entertainment Facility	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
210.	LCZ – Local Centre Zone	LCZ-R16 - Sport and Active Recreation	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
211.	LCZ – Local Centre Zone	LCZ-R17 - Large Format Retail Activity, excluding Supermarkets	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
212.	LCZ – Local Centre Zone	LCZ-R18 - Drive-through Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
213.	LCZ – Local Centre Zone	LCZ-R19 - Retirement Village	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
214.	LCZ – Local Centre Zone	LCZ-R20 - Any activity not otherwise listed as permitted, restricted discretionary, discretionary or non-complying	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
215.	LCZ – Local Centre Zone	LCZ-R21 - Industrial Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
216.	LCZ – Local Centre Zone	LCZ-R22 - Yard Sale Activity / Trade Supplier	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
217.	LCZ – Local Centre Zone	LCZ-R23 - Motorised Recreation	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
218.	LCZ – Local Centre Zone	LCZ-R24 - Rural Industry	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
219.	LCZ – Local Centre Zone	LCZ-R25 - Primary Production	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
220.	LCZ – Local Centre Zone	LCZ-S1 – Height	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>
221.	LCZ – Local Centre Zone	LCZ-S2 - Height in Relation to Boundary	Support in part	Kāinga Ora generally supports this standard, but seeks additional flexibility be introduced for sites located within or adjacent to the HRZ.	<p><i>Amendments sought:</i></p> <p>Where the side or rear boundary of a site adjoins a Residential Zone or Open Space and Recreation Zone the following Height in Relation to Boundary standard applies:</p> <ol style="list-style-type: none"> 1. Buildings must not project beyond a: <ol style="list-style-type: none"> a. 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, <u>where that boundary adjoins a site zoned Medium Density Residential Zone</u>, as shown on the following diagram, <u>or</u> b. <u>60° recession plane measured from a point 8m vertically above ground level along all boundaries, where</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p><u>that boundary adjoins a site zoned High Density Residential Zone.</u></p> <p>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>....</p> <p><i>Kāinga Ora seeks that a diagram consistent with submission point (b) above is added to this standard.</i></p>
222.	LCZ – Local Centre Zone	LCZ-S3 - Setback	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>
223.	LCZ – Local Centre Zone	LCZ-S4 - Active Frontages	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
224.	LCZ – Local Centre Zone	LCZ-S5 - Location of Residential Units	Support in part	Kāinga Ora generally supports this standard, but seeks provision for residential units to be provided at the rear of sites, consistent with what is proposed under NCZ-S5 in the Neighbourhood Centre Zone.	<i>Amendment sought:</i> Along active frontages identified on the planning maps all residential units must be located above ground floor level, <u>except that residential units may be located on the ground floor where pedestrian access to a residential unit does not interrupt or prevent an active frontage as required by LCZ-S4.</u>
225.	LCZ – Local Centre Zone	LCZ-S6 - Noise and Ventilation	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>
226.	LCZ – Local Centre Zone	LCZ-S7 - Outdoor Living Space	Support in part	Kāinga Ora supports the intent of this standard and acknowledges it is taken from the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. Kāinga Ora seeks amendments to provide for greater development by specifying a lower level of outdoor living space being required in identified cases to provide for greater design flexibility.	<i>Amendments sought:</i> 1. Delete the existing wording for LCZ-S7. 2. Replace with the following wording: <u>a. Each residential unit, including any dual key unit, must be provided with either a private outdoor living space or access to a communal outdoor living space;</u> <u>b. Where private outdoor living space is provided it must be:</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought									
					<p> i. <u>For the exclusive use of residents;</u> ii. <u>Directly accessible from a habitable room;</u> iii. <u>A single contiguous space; and</u> iv. <u>Of the minimum area and dimension specified in the table below;</u> c. <u>Where communal outdoor living space is provided it does not need to be in a single continuous space, but it must be:</u> vii. <u>Accessible from the residential units it serves;</u> viii. <u>Of the minimum area and dimension specified in the table below; and</u> ix. <u>Free of buildings, parking spaces, and servicing and manoeuvring areas.</u> </p> <table border="1" data-bbox="1597 1086 2134 1313"> <thead> <tr> <th data-bbox="1597 1086 1861 1201"><u>Living Space Type</u></th> <th data-bbox="1861 1086 1995 1201"><u>Minimum area</u></th> <th data-bbox="1995 1086 2134 1201"><u>Minimum dimension</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="1597 1201 1861 1238">c. <u>Private</u></td> <td data-bbox="1861 1201 1995 1238"></td> <td data-bbox="1995 1201 2134 1238"></td> </tr> <tr> <td data-bbox="1597 1238 1861 1313">v. <u>Studio unit & 1 bedroom unit</u></td> <td data-bbox="1861 1238 1995 1313"><u>5m²</u></td> <td data-bbox="1995 1238 2134 1313"><u>1.8m</u></td> </tr> </tbody> </table>	<u>Living Space Type</u>	<u>Minimum area</u>	<u>Minimum dimension</u>	c. <u>Private</u>			v. <u>Studio unit & 1 bedroom unit</u>	<u>5m²</u>	<u>1.8m</u>
<u>Living Space Type</u>	<u>Minimum area</u>	<u>Minimum dimension</u>												
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ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought									
					<table border="1"> <tr> <td>vi.2+ bedroom unit</td> <td>8m²</td> <td>1.8m</td> </tr> <tr> <td>d. Communal</td> <td></td> <td></td> </tr> <tr> <td>iii.For every 5 units</td> <td>10m²</td> <td>8m</td> </tr> </table>	vi.2+ bedroom unit	8m ²	1.8m	d. Communal			iii.For every 5 units	10m ²	8m
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227.	LCZ – Local Centre Zone	LCZ-S8 - Screening and Landscaping of Service Areas, Outdoor Storage Areas and Parking Areas	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>									
228.	LCZ – Local Centre Zone	LCZ-S9 - Water Supply, Stormwater and Wastewater	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>									
229.	LCZ – Local Centre Zone	LCZ-S10 - Hydraulic neutrality	Support	Kāinga Ora generally supports this standard, but seeks amendments as Hydraulic Neutrality is defined in the plan. Amendments are consistent with the relief sought on the definition for Hydraulic neutrality.	<i>Amendments sought</i> New buildings and development must be designed to achieve <u>Hydraulic Neutrality</u> . 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.									

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
Part 3 – Area Specific Matters – Commercial and Mixed Use Zones – Mixed Use Zone					
230.	MUZ - Mixed Use Zone	Spatial Extent and Application of Zone	Support in part	Kāinga Ora generally supports the use of the MUZ but does not agree with spot rezoning to MUZ, particularly on sites in proximity to the CCZ.	Amendments sought 1. Accept the changes sought from Kāinga Ora to the planning maps as shown in Appendix 4 of this submission. 2. Rezone Blue Mountain Campus to Mixed Use Zone, as shown in Appendix 4 .
231.	MUZ - Mixed Use Zone	Introduction	Support	Kāinga Ora generally supports the introduction statement.	<i>Retain as notified</i>
232.	MUZ - Mixed Use Zone	MUZ-O1 - Purpose of the Mixed Use Zone	Support	Kāinga Ora generally supports this objective.	<i>Retain as notified</i>
233.	MUZ - Mixed Use Zone	MUZ-O2 - Character and Amenity Values of the Mixed Use Zone	Support	Kāinga Ora generally supports this objective.	<i>Retain as notified</i>
234.	MUZ - Mixed Use Zone	MUZ-O3 - Managing Effects at the Zone Interface	Support	Kāinga Ora generally supports this objective.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
235.	MUZ - Mixed Use Zone	MUZ-O4 - Hydraulic neutrality	Support	Kāinga Ora generally supports this objective.	<i>Retain as notified</i>
236.	MUZ - Mixed Use Zone	MUZ-P1 - Appropriate Activities	Support	Kāinga Ora generally supports this policy.	<i>Retain as notified</i>
237.	MUZ - Mixed Use Zone	MUZ-P2 - Residential Activities	Support	Kāinga Ora generally supports this policy.	<i>Retain as notified</i>
238.	MUZ - Mixed Use Zone	MUZ-P3 - Other Activities	Support	Kāinga Ora generally supports this policy.	<i>Retain as notified</i>
239.	MUZ - Mixed Use Zone	MUZ-P4 - Inappropriate Activities	Support	Kāinga Ora generally supports this policy.	<i>Retain as notified</i>
240.	MUZ - Mixed Use Zone	MUZ-P5 - Built Development	Support in part	Kāinga Ora generally supports this policy, but requests an amendment to the wording for consistency with other zones and policy 6 of the NPS-UD.	<i>Amendment sought</i> Provide for built development that: 1. Is consistent with the anticipated role, character, planned <u>urban</u> built form and density of the Mixed Use Zone;

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					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.
241.	MUZ - Mixed Use Zone	MUZ-P6 - Public Space Interface	Support	Kāinga Ora generally supports this policy.	<i>Retain as notified</i>
242.	MUZ - Mixed Use Zone	MUZ-P7 - Interface with Residential and Open Space and Recreation Zones	Support	Kāinga Ora generally supports this policy.	<i>Retain as notified</i>
243.	MUZ - Mixed Use Zone	MUZ-P8 - Hydraulic neutrality	Support	Kāinga Ora generally supports this policy.	<i>Retain as notified</i>
244.	MUZ - Mixed Use Zone	Rules	Support	Kāinga Ora generally supports this rule table.	<i>Retain as notified</i>
245.	MUZ - Mixed Use Zone	MUZ-R1 - Buildings and structures, including additions and alterations	Support in part	Kāinga Ora generally supports this rule framework and associated preclusions to notification, but considers that there are additional standards that should also be included in the preclusions to notification, as the effects generated	<i>Amendments sought</i> Notification: An application under this rule where compliance is not achieved with MUZ-S1 , MUZ-S2, MU-S3, MUZ-S4 or MUZ-S6 is

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				are technical in nature and do not warrant public or limited notification.	precluded from being publicly notified in accordance with section 95A of the RMA. An application under this rule where compliance is not achieved with MUZ-S5, <u>MUZ-S7 and MUZ-S8</u> is precluded from being publicly or limited notified in accordance with section 95A of the RMA.
246.	MUZ - Mixed Use Zone	MUZ-R2 - Minor structures	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
247.	MUZ - Mixed Use Zone	MUZ-R3 – Demolition	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
248.	MUZ - Mixed Use Zone	MUZ-R4 - Retail Activity and Large Format Retailing	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
249.	MUZ - Mixed Use Zone	MUZ-R5 - Commercial Service Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
250.	MUZ - Mixed Use Zone	MUZ-R6 - Food and Beverage Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
251.	MUZ - Mixed Use Zone	MUZ-R7 - Community Facility	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
252.	MUZ - Mixed Use Zone	MUZ-R8 - Healthcare Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
253.	MUZ - Mixed Use Zone	MUZ-R9 - Educational Facility	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
254.	MUZ - Mixed Use Zone	MUZ-R10 - Entertainment Facility	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
255.	MUZ - Mixed Use Zone	MUZ-R11 - Sport and Active Recreation	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
256.	MUZ - Mixed Use Zone	MUZ-R12 - Office activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
257.	MUZ - Mixed Use Zone	MUZ-R14 - Drive-through Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
258.	MUZ - Mixed Use Zone	MUZ-R15 - Visitor Accommodation	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
259.	MUZ - Mixed Use Zone	MUZ-R16 - Residential Activity	Support in part	While Kāinga Ora supports the preclusion to public notification in this rule framework, Kāinga Ora does not consider it necessary for a limit on the number of residential units in the zone and therefore seeks amendment to remove a maximum threshold on the number of permitted residential units. Kāinga Ora also consider that it is appropriate for this rule to provide for a preclusion to limited notification, consistent with the same rules in the NCZ and LCZ.	<i>Amendments sought</i> <ol style="list-style-type: none"> 1. Activity status: Permitted Where: <ul style="list-style-type: none"> a. No more than six residential units occupy the site; and b. a. Compliance is achieved with <ol style="list-style-type: none"> i. MUZ-S4 (Noise and Ventilation); and ii. MUZ-S5 (Outdoor Living Space). 2. Activity status: Restricted discretionary Where: <ul style="list-style-type: none"> a. Compliance is not achieved with MUZ-R16-1.a Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. The effects of the residential activity on the existing and anticipated function and role of the Mixed Use Zone.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>2. The potential of the residential activity to compromise activities that are enabled in the zone.</p> <p>3. The amenity for the occupiers of the residential units.</p> <p><u>a.</u> Compliance is not achieved with MUZ-R16-1.<u>a</u></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of the infringed standard. <p><u>Notification:</u></p> <p>An application under MUZ-R16-2.<u>a</u> is precluded from being publicly <u>or limited</u> notified in accordance with section 95A of the RMA.</p>
260.	MUZ - Mixed Use Zone	MUZ-R17 - Retirement Village	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
261.	MUZ - Mixed Use Zone	MUZ-R18 - Light Industrial Activities	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
262.	MUZ - Mixed Use Zone	MUZ-R19 - Emergency Service Facility	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
263.	MUZ - Mixed Use Zone	MUZ-R20 - Warehouses	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
264.	MUZ - Mixed Use Zone	MUZ-R21 - Yard Based Activity / Trade Supplier	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
265.	MUZ - Mixed Use Zone	MUZ-R22 - Motorised Recreation	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
266.	MUZ - Mixed Use Zone	MUZ-R23 -Any activity not otherwise listed as permitted, restricted discretionary, discretionary or non-complying	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
267.	MUZ - Mixed Use Zone	MUZ-R24 - Industrial Activity, excluding Light Industrial Activities and Warehouses	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
268.	MUZ - Mixed Use Zone	MUZ-R25 - Rural Industry	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
269.	MUZ - Mixed Use Zone	MUZ-R26 - Primary Production	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
270.	MUZ - Mixed Use Zone	MUZ-S1 - Height	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>
271.	MUZ - Mixed Use Zone	MUZ-S2 -Height in Relation to Boundary	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>
272.	MUZ - Mixed Use Zone	MUZ-S3 - Setback	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>
273.	MUZ - Mixed Use Zone	MUZ-S4 - Noise and Ventilation	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>
274.	MUZ - Mixed Use Zone	MUZ-S5 – Outdoor Living Space	Support in part	Kāinga Ora supports the intent of this standard and acknowledges it is taken from the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. Kāinga Ora seeks amendments to provide for greater development by	<i>Amendments sought:</i> <ol style="list-style-type: none"> 1. Delete the existing wording for MUZ-S5. 2. Replace with the following wording: <ol style="list-style-type: none"> a. <u>Each residential unit, including any dual key unit, must be provided with either a private outdoor living</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought						
				specifying a lower level of outdoor living space being required in identified cases to provide for greater design flexibility.	<p> <u>space or access to a communal outdoor living space;</u> </p> <p> <u>b. Where private outdoor living space is provided it must be:</u> </p> <p> <u>i. For the exclusive use of residents;</u> </p> <p> <u>ii. Directly accessible from a habitable room;</u> </p> <p> <u>iii. A single contiguous space; and</u> </p> <p> <u>iv. Of the minimum area and dimension specified in the table below;</u> </p> <p> <u>c. Where communal outdoor living space is provided it does not need to be in a single continuous space, but it must be:</u> </p> <p> <u>x. Accessible from the residential units it serves;</u> </p> <p> <u>xi. Of the minimum area and dimension specified in the table below; and</u> </p> <p> <u>xii. Free of buildings, parking spaces, and servicing and manoeuvring areas.</u> </p> <table border="1" data-bbox="1594 1264 2145 1340"> <thead> <tr> <th data-bbox="1594 1264 1845 1340"><u>Living Space Type</u></th> <th data-bbox="1845 1264 1995 1340"><u>Minimum area</u></th> <th data-bbox="1995 1264 2145 1340"><u>Minimum dimension</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="1594 1340 1845 1340"></td> <td data-bbox="1845 1340 1995 1340"></td> <td data-bbox="1995 1340 2145 1340"></td> </tr> </tbody> </table>	<u>Living Space Type</u>	<u>Minimum area</u>	<u>Minimum dimension</u>			
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					<table border="1"> <tr> <td>e. <u>Private</u></td> <td></td> <td></td> </tr> <tr> <td>vii. <u>Studio unit & 1 bedroom unit</u></td> <td><u>5m²</u></td> <td><u>1.8m</u></td> </tr> <tr> <td>viii. <u>2+ bedroom unit</u></td> <td><u>8m²</u></td> <td><u>1.8m</u></td> </tr> <tr> <td>f. <u>Communal</u></td> <td></td> <td></td> </tr> <tr> <td>iv. <u>For every 5 units</u></td> <td><u>10m²</u></td> <td><u>8m</u></td> </tr> </table>	e. <u>Private</u>			vii. <u>Studio unit & 1 bedroom unit</u>	<u>5m²</u>	<u>1.8m</u>	viii. <u>2+ bedroom unit</u>	<u>8m²</u>	<u>1.8m</u>	f. <u>Communal</u>			iv. <u>For every 5 units</u>	<u>10m²</u>	<u>8m</u>
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275.	MUZ - Mixed Use Zone	MUZ-S6 - Screening and Landscaping of Service Areas, Outdoor Storage Areas and Parking Areas	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>															
276.	MUZ - Mixed Use Zone	MUZ-S7 - Water Supply, Stormwater and Wastewater	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>															
277.	MUZ - Mixed Use Zone	MUZ-S8 - Hydraulic neutrality	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>															
Part 3 – Area Specific Matters – Commercial and Mixed Use Zones – Town Centre Zone																				
278.	TCZ - Town Centre Zone	Spatial Extent and Application of Zone	Support in part	Kāinga Ora generally supports the use of the TCZ but considers that the spatial extent of the Silverstream TCZ does not provide for the level of	Amendments sought 1. Accept the changes sought from Kāinga Ora to the planning maps as shown in															

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>intensification required to serve the surrounding residential environment. Kāinga Ora therefore propose amendments to the areas mapped as TCZ to provide opportunity for greater density development and servicing of the surrounding residential environment.</p> <p>Kāinga Ora also seeks that the proposed Trentham LCZ is expanded spatially and zoned as a Town Centre Zone. Kāinga Ora considers that the Trentham centre is suitable to provide for a wider spatial extent of residential areas to enable people to access a range of larger range of commercial amenity and community services, and provide for the future role and function of the centre within the context of anticipated residential development.</p>	<p>Appendix 4 of this submission, including the spatial expansion of:</p> <ol style="list-style-type: none"> a. Silverstream TCZ and; b. Trentham LCZ to become TCZ, as proposed in this submission. <p>2. If the relief sought in this submission point and Appendix 4 are not granted, the following relief is sought:</p> <ol style="list-style-type: none"> a. Silverstream TCZ – height variation control of 29m to HRZ b. Trentham as a TCZ – no variation to outcomes sought consistent with rest of submission c. Spatial Extent of Trentham TCZ – height variation of 29m to HRZ <p>3. Consequential amendments may be required to give effect to the changes sought in this submission.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
279.	TCZ - Town Centre Zone	Introduction	Support in part	Kāinga Ora generally supports the introduction, but seeks removal of specific mention of Silverstream as Kāinga Ora consider that other areas should be zoned TCZ, as shown in the planning maps in Appendix 4 of this submission.	<i>Amendments sought</i> 1. Remove specific reference to Silverstream Centre. 2. Add reference to Trentham as a town centre in the Zone provisions.
280.	TCZ - Town Centre Zone	TCZ-O1 - Purpose of the Town Centre Zone	Support	Kāinga Ora generally supports the objective.	<i>Retain as notified</i>
281.	TCZ - Town Centre Zone	TCZ-O2 - Character and Amenity Values of the Town Centre Zone	Support	Kāinga Ora generally supports the objective.	<i>Retain as notified</i>
282.	TCZ - Town Centre Zone	TCZ-O3 -Managing Effects at the Zone Interface	Support	Kāinga Ora generally supports the objective.	<i>Retain as notified</i>
283.	TCZ - Town Centre Zone	TCZ-O4 - Hydraulic neutrality	Support	Kāinga Ora generally supports the objective.	<i>Retain as notified</i>
284.	TCZ - Town Centre Zone	TCZ-P1 - Appropriate activities	Support	Kāinga Ora generally supports the policy.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
285.	TCZ - Town Centre Zone	TCZ-P2 - Residential activity	Support	Kāinga Ora generally supports the policy.	<i>Retain as notified</i>
286.	TCZ - Town Centre Zone	TCZ-P3 - Other activities	Support	Kāinga Ora generally supports the policy.	<i>Retain as notified</i>
287.	TCZ - Town Centre Zone	TCZ-P4 - Inappropriate activities	Support	Kāinga Ora generally supports the policy.	<i>Retain as notified</i>
288.	TCZ - Town Centre Zone	TCZ-P5 - Built development	Support	Kāinga Ora generally supports the policy.	<i>Retain as notified</i>
289.	TCZ - Town Centre Zone	TCZ-P6 - Public Space Interface and Active Street Frontages	Support	Kāinga Ora generally supports the policy.	<i>Retain as notified</i>
290.	TCZ - Town Centre Zone	TCZ-P7 - Interface with Residential Zones and Open Space and Recreation Zones	Support	Kāinga Ora generally supports the policy.	<i>Retain as notified</i>
291.	TCZ - Town Centre Zone	TCZ-P8 - Hydraulic neutrality	Support	Kāinga Ora generally supports the policy.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
292.	TCZ - Town Centre Zone	Rules	Support	Kāinga Ora generally supports the rule table.	<i>Retain as notified</i>
293.	TCZ - Town Centre Zone	TCZ-R1 - Buildings and structures, including additions and alterations	Support in part	Kāinga Ora generally supports this rule framework and associated preclusions to notification, but considers that there are additional standards that should also be included in the preclusions to notification, as the effects generated are technical in nature and do not warrant public or limited notification.	<i>Amendments sought</i> Notification: An application under this rule where compliance is not achieved with TCZ-S1 , TCZ-S2, TCZ-S3, TCZ-S4 , TCZ-S5, TCZ-S6 or TCZ-S8 is precluded from being publicly notified in accordance with section 95A of the RMA. An application under this rule where compliance is not achieved with TCZ-S4 , TCZ-S7, TCZ-S9 and TCZ-S10 is precluded from being publicly or limited notified in accordance with section 95A of the RMA.
294.	TCZ - Town Centre Zone	TCZ-R2 - Minor structures	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>
295.	TCZ - Town Centre Zone	TCZ-R3 – Demolition	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
296.	TCZ - Town Centre Zone	TCZ-R4 - Retail Activity not exceeding 500m ² gross floor area	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>
297.	TCZ - Town Centre Zone	TCZ-R5 - Commercial Service Activity	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>
298.	TCZ - Town Centre Zone	TCZ-R6 - Food and Beverage Activity	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>
299.	TCZ - Town Centre Zone	TCZ-R7 - Community Facility	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>
300.	TCZ - Town Centre Zone	TCZ-R8 - Healthcare Activity	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>
301.	TCZ - Town Centre Zone	TCZ-R9 - Educational Facility	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>
302.	TCZ - Town Centre Zone	TCZ-R10 - Office activity	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
303.	TCZ - Town Centre Zone	TCZ-R11 - Visitor Accommodation	Support in part	Kāinga Ora generally supports the rule but seeks that the public notification preclusion is extended to TCZ-R11-2.c, consistent with other rules in this Chapter.	<p><i>Amendments sought:</i></p> <p>Notification:</p> <ul style="list-style-type: none"> • An application under TCZ-R11-2.b <u>or TCZ-R11-2.c</u> is precluded from being publicly notified in accordance with section 95A of the RMA
304.	TCZ - Town Centre Zone	TCZ-R12 - Residential Activity	Support in part	While Kāinga Ora supports the preclusion to public notification in this rule framework, Kāinga Ora does not consider it necessary for a limit on the number of residential units in the zone and therefore seeks amendment to remove a maximum threshold on the number of permitted residential units. Kāinga Ora also considers that it is appropriate for this rule to provide for a preclusion to limited notification, consistent with the same rules in the NCZ and LCZ.	<p><i>Amendments sought:</i></p> <ol style="list-style-type: none"> 1. Activity status: Permitted Where: <ul style="list-style-type: none"> a. No more than six residential units occupy the site; and b. a. Compliance is achieved with <ol style="list-style-type: none"> i. TCZ-S5 (Location of Residential Units); ii. TCZ-S6 (Noise and Ventilation); and <ol style="list-style-type: none"> 1. TCZ-S7 (Outdoor Living Space). 2. Activity status: Restricted discretionary Where: <ul style="list-style-type: none"> a. Compliance is not achieved with TCZ R12 1.a

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The effects of the residential activity on the existing and anticipated function and role of the Town Centre Zone. 2. The potential of the residential activity to compromise activities that are enabled in the Town Centre Zone. 3. The amenity for the occupiers of the residential units. <p>a. b. Compliance is not achieved with TCZ-R12-1.b a</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of the infringed standard. <p>Notification:</p> <p>An application under this rule where compliance is not achieved with LCZ-S5 or LCZ-S6 is precluded from being publicly notified in accordance with section 95A of the RMA.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					An application under this rule where compliance is not achieved with LCZ-S7 is precluded from being publicly or limited notified in accordance with section 95A of the RMA.
305.	TCZ - Town Centre Zone	TCZ-R13 – Supermarket	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>
306.	TCZ - Town Centre Zone	TCZ-R14 – Emergency Service Facility	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>
307.	TCZ - Town Centre Zone	TCZ-R15 - Sport and Active Recreation	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>
308.	TCZ - Town Centre Zone	TCZ-R16 – Entertainment Facility	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>
309.	TCZ - Town Centre Zone	TCZ-R17 - Large Format Retail Activity, excluding Supermarkets	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>
310.	TCZ - Town Centre Zone	TCZ-R18 - Drive-through Activity	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
311.	TCZ - Town Centre Zone	TCZ-R19 - Retirement Village	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>
312.	TCZ - Town Centre Zone	TCZ-R20 - Any activity not otherwise listed as permitted, restricted discretionary, discretionary or non-complying	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>
313.	TCZ - Town Centre Zone	TCZ-R21 - Industrial Activity	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>
314.	TCZ - Town Centre Zone	TCZ-R22 - Yard Sale Activity / Trade Supplier	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>
315.	TCZ - Town Centre Zone	TCZ-R23 - Motorised Recreation	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>
316.	TCZ - Town Centre Zone	TCZ-R24 - Rural Industry	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
317.	TCZ - Town Centre Zone	TCZ-R25 – Primary Production	Support	Kāinga Ora generally supports the rule.	<i>Retain as notified</i>
318.	TCZ - Town Centre Zone	TCZ-S1 – Height	Support	Kāinga Ora generally supports this standard but seeks an increase in the height to 36m in recognition of the prominent commercial areas which the TCZ should apply to and their capacity for future development.	<i>Amendment sought</i> 1. 1. Buildings must not exceed 2 <u>3</u> 6 metres in height, except that 50% of a building's roof in elevation...
319.	TCZ - Town Centre Zone	TCZ-S2 - Height in Relation to Boundary	Support	Kāinga Ora generally supports this standard, but seeks amendments to provide for more flexibility where the TCZ is adjacent to HRZ.	<i>Amendments sought:</i> Where the side or rear boundary of a site adjoins a Residential Zone or Open Space and Recreation Zone the following Height in Relation to Boundary standard applies: 1. Buildings must not project beyond a: a. 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, <u>where that boundary adjoins a site zoned Medium Density Residential Zone</u> , as shown on the following diagram, <u>or</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>b. <u>60° recession plane measured from a point 8m vertically above ground level along all boundaries, where that boundary adjoins a site zoned High Density Residential Zone.</u></p> <p>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>....</p> <p><i>Kāinga Ora seeks that a diagram consistent with submission point (b) above is added to this standard.</i></p>
320.	TCZ - Town Centre Zone	TCZ-S3 - Setback	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>
321.	TCZ - Town Centre Zone	TCZ-S4 – Active Frontages	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
322.	TCZ - Town Centre Zone	TCZ-S5 – Location of Residential Units	Support	Kāinga Ora generally supports this standard, but seeks provision for residential units to be provided at the rear of sites, consistent with what is proposed under NCZ-S5 in the Neighbourhood Centre Zone.	<i>Amendment sought</i> Along active frontages identified on the planning maps all residential units must be located above ground floor level, <u>except that residential units may be located on the ground floor where pedestrian access to a residential unit does not interrupt or prevent an active frontage as required by LCZ-S4.</u>
323.	TCZ - Town Centre Zone	TCZ-S6 - Noise and Ventilation	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>
324.	TCZ - Town Centre Zone	TCZ-S7 - Outdoor Living Space	Support	Kāinga Ora supports the intent of this standard and acknowledges it is taken from the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. Kāinga Ora seeks amendments to provide for greater development by specifying a lower level of outdoor living space being required in identified cases to provide for greater design flexibility.	<i>Amendments sought</i> 1. Delete the existing wording for LCZ-S7. 2. Replace with the following wording: <u>a. Each residential unit, including any dual key unit, must be provided with either a private outdoor living space or access to a communal outdoor living space;</u> <u>b. Where private outdoor living space is provided it must be:</u> <u>i. For the exclusive use of residents;</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought									
					<p>ii. <u>Directly accessible from a habitable room;</u></p> <p>iii. <u>A single contiguous space; and</u></p> <p>iv. <u>Of the minimum area and dimension specified in the table below;</u></p> <p>c. <u>Where communal outdoor living space is provided it does not need to be in a single continuous space, but it must be:</u></p> <p>i. <u>Accessible from the residential units it serves;</u></p> <p>ii. <u>Of the minimum area and dimension specified in the table below; and</u></p> <p>iii. <u>Free of buildings, parking spaces, and servicing and manoeuvring areas.</u></p> <table border="1" data-bbox="1599 1050 2136 1316"> <thead> <tr> <th><u>Living Space Type</u></th> <th><u>Minimum area</u></th> <th><u>Minimum dimension</u></th> </tr> </thead> <tbody> <tr> <td>1. <u>Private</u></td> <td></td> <td></td> </tr> <tr> <td>i. <u>Studio unit & 1 bedroom unit</u></td> <td><u>5m²</u></td> <td><u>1.8m</u></td> </tr> </tbody> </table>	<u>Living Space Type</u>	<u>Minimum area</u>	<u>Minimum dimension</u>	1. <u>Private</u>			i. <u>Studio unit & 1 bedroom unit</u>	<u>5m²</u>	<u>1.8m</u>
<u>Living Space Type</u>	<u>Minimum area</u>	<u>Minimum dimension</u>												
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ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought									
					<table border="1"> <tr> <td>ii.2+ bedroom unit</td> <td>8m²</td> <td>1.8m</td> </tr> <tr> <td>2. Communal</td> <td></td> <td></td> </tr> <tr> <td>For every 5 units</td> <td>10m²</td> <td>8m</td> </tr> </table>	ii.2+ bedroom unit	8m ²	1.8m	2. Communal			For every 5 units	10m ²	8m
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2. Communal														
For every 5 units	10m ²	8m												
325.	TCZ - Town Centre Zone	TCZ-S8 - Screening and Landscaping of Service Areas, Outdoor Storage Areas and Parking Areas	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>									
326.	TCZ - Town Centre Zone	TCZ-S9 - Water Supply, Stormwater and Wastewater	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>									
327.	TCZ - Town Centre Zone	TCZ-S10 - Hydraulic neutrality	Support in part	Kāinga Ora generally supports this standard, but seeks amendments as Hydraulic Neutrality is defined in the plan. Amendments are consistent with the relief sought on the definition for Hydraulic neutrality.	<i>Amendments sought</i> New buildings and development must be designed to achieve <u>Hydraulic Neutrality</u> . 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.									

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
Part 3 – Area Specific Matters – Commercial and Mixed Use Zones – City Centre Zone					
328.	CCZ - City Centre Zone	Spatial Extent	Support in part	Kāinga Ora generally supports the continued use of the CCZ but considers that the spatial extent of the CCZ does not provide for the level of intensification required to serve the surrounding residential environment.	<p><i>Amendments sought</i></p> <ol style="list-style-type: none"> 1. Accept the changes sought from Kāinga Ora to the planning maps as shown in Appendix 4 of this submission to expand the extents of the City Centre zone. 2. If the relief sought in this submission point and Appendix 4 are not granted, the following relief is sought: <ol style="list-style-type: none"> a. Expansion of CCZ as proposed in this submission – height variation control of 45m to HRZ. 3. Consequential amendments may be required to give effect to the changes sought in this submission.
329.	CCZ - City Centre Zone	Background	Support	Kāinga Ora generally supports the amended background.	<i>Retain as notified</i>
330.	CCZ - City Centre Zone	CCZ-O1 - Purpose of the CCZ- City Centre Zone	Support	Kāinga Ora generally supports this amended objective.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
331.	CCZ - City Centre Zone	CCZ-O2 - Character and Qualities of the CCZ- City Centre Zone	Support	Kāinga Ora generally supports this amended objective.	<i>Retain as notified</i>
332.	CCZ - City Centre Zone	CCZ-O3 - Interface with Residential or Open Space and Recreation Zones	Support	Kāinga Ora generally supports this amended objective.	<i>Retain as notified</i>
333.	CCZ - City Centre Zone	CCZ-O4 - Hydraulic neutrality	Support	Kāinga Ora generally supports this objective.	<i>Retain as notified</i>
334.	CCZ - City Centre Zone	CCZ-P1 – Appropriate Activities	Support	Kāinga Ora generally supports this amended policy, but seeks amendments consistent with the rest of the submission on centre zones and consistent with other similar policies proposed in the IPI.	Enable a wide range of activities that are compatible with the anticipated purpose, character planned urban built form and amenity values of the CCZ- City Centre Zone.
335.	CCZ - City Centre Zone	CCZ-P2 - Residential Activity	Support in part	Consistent with its broader submission, Kāinga Ora opposes the reference to a statutory design guide and seeks the relevant assessment matters instead be directly articulated in the relevant provision/matter of discretion. Kāinga Ora would support the use of	<i>Amendments sought</i> 1. Kāinga Ora seeks the Design Guidelines are removed from within the District Plan and are treated as non-statutory tool, outside of the District Plan. A note should be added where reference is made to such guidelines: Note:

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>non-statutory design guides as a tool to inform assessment.</p> <p>Kāinga Ora also seeks reference to residential units being able to be located at the rear of buildings where not accessed from an active frontage.</p>	<p><u><i>1. Best practice urban design guidance is contained within the Council's Design Guidelines.</i></u></p> <p>2. Delete all references to the Design Guidelines.</p> <p>3. Where particular design outcomes are to be achieved, these should be specifically stated in matters of discretion or assessment, such as and not limited to:</p> <ul style="list-style-type: none"> i. <u><i>Provides an effective public private interface;</i></u> ii. <u><i>Provides a well-functioning site;</i></u> iii. <u><i>Provides high quality buildings.</i></u> iv. <u><i>Responds to the natural environment.</i></u> <p>4. If the Council does not provide the relief sought, in deleting the design guidelines and references to such guidelines in the District Plan, Kāinga Ora seeks that the design guidelines are amended, simplified and written in a manner that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>provide for a design that fits and works on site, rather than rules that a consent holder must follow and adhere to. Otherwise, there is no flexibility and scope to create a design that fits with specific site characteristics and desired built form development.</p> <p>5. Kāinga Ora seek the opportunity to review these guidelines if they are to remain a statutory document.</p> <p>6. Amend wording of 1a. to state:</p> <p><u>Residential units are located above ground floor or at ground floor where located to the rear of buildings where not accessed from an active frontage;</u></p>
336.	CCZ - City Centre Zone	CCZ-P3 – Other Activities	Support	Kāinga Ora generally supports this amended policy.	<i>Retain as notified</i>
337.	CCZ - City Centre Zone	CCZ-P4 – Built Development	Support	Consistent with its broader submission, Kāinga Ora opposes the reference to a statutory design guide	<i>Amendments sought</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>and seeks the relevant assessment matters instead be directly articulated in the relevant provision/matter of discretion. Kāinga Ora would support the use of non-statutory design guides as a tool to inform assessment.</p>	<ol style="list-style-type: none"> 1. Kāinga Ora seeks the Design Guidelines are removed from within the District Plan and are treated as non-statutory tool, outside of the District Plan. A note should be added where reference is made to such guidelines: <u>Note:</u> <u>1. Best practice urban design guidance is contained within the Council's Design Guidelines.</u> 2. Delete all references to the Design Guidelines. 3. Where particular design outcomes are to be achieved, these should be specifically stated in matters of discretion or assessment, such as and not limited to: <ol style="list-style-type: none"> i. <u>Provides an effective public private interface;</u> ii. <u>Provides a well-functioning site;</u> iii. <u>Provides high quality buildings.</u> iv. <u>Responds to the natural environment.</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>4. If the Council does not provide the relief sought, in deleting the design guidelines and references to such guidelines in the District Plan, Kāinga Ora seeks that the design guidelines are amended, simplified and written in a manner that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to provide for a design that fits and works on site, rather than rules that a consent holder must follow and adhere to. Otherwise, there is no flexibility and scope to create a design that fits with specific site characteristics and desired built form development.</p> <p>5. Kāinga Ora seek the opportunity to review these guidelines if they are to remain a statutory document.</p>
338.	CCZ - City Centre Zone	CCZ-P5 - Public Space Interface and Active Street Frontages	Support in part	Consistent with its broader submission, Kāinga Ora opposes the reference to a statutory design guide	<i>Amendments sought</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>and seeks the relevant assessment matters instead be directly articulated in the relevant provision/matter of discretion. Kāinga Ora would support the use of non-statutory design guides as a tool to inform assessment.</p>	<ol style="list-style-type: none"> 1. Kāinga Ora seeks the Design Guidelines are removed from within the District Plan and are treated as non-statutory tool, outside of the District Plan. A note should be added where reference is made to such guidelines: <u>Note:</u> <u>1. Best practice urban design guidance is contained within the Council's Design Guidelines.</u> 2. Delete all references to the Design Guidelines. 3. Where particular design outcomes are to be achieved, these should be specifically stated in matters of discretion or assessment, such as and not limited to: <ol style="list-style-type: none"> i. <u>Provides an effective public private interface;</u> ii. <u>Provides a well-functioning site;</u> iii. <u>Provides high quality buildings.</u> iv. <u>Responds to the natural environment.</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>4. If the Council does not provide the relief sought, in deleting the design guidelines and references to such guidelines in the District Plan, Kāinga Ora seeks that the design guidelines are amended, simplified and written in a manner that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to provide for a design that fits and works on site, rather than rules that a consent holder must follow and adhere to. Otherwise, there is no flexibility and scope to create a design that fits with specific site characteristics and desired built form development.</p> <p>5. Kāinga Ora seek the opportunity to review these guidelines if they are to remain a statutory document.</p>
339.	CCZ - City Centre Zone	CCZ-P6 - Inappropriate Activities	Support	Kāinga Ora generally supports this amended policy.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
340.	CCZ - City Centre Zone	CCZ-P7- Interface with Residential or Open Space and Recreation Zones	Support	Kāinga Ora generally supports this policy.	<i>Retain as notified</i>
341.	CCZ - City Centre Zone	CCZ-P8 - Hydraulic neutrality	Support	Kāinga Ora generally supports this policy.	<i>Retain as notified</i>
342.	CCZ - City Centre Zone	Rules	Support	Kāinga Ora generally supports this rule table.	<i>Retain as notified</i>
343.	CCZ - City Centre Zone	CCZ-R1 – Commercial Service Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
344.	CCZ - City Centre Zone	CCZ-R2 – Retail Activities	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
345.	CCZ - City Centre Zone	CCZ-R3 – Office Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
346.	CCZ - City Centre Zone	CCZ-R4 – Visitor Accommodation	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
347.	CCZ - City Centre Zone	CCZ-R5 – Community Facility	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
348.	CCZ - City Centre Zone	CCZ-R6 – Residential Activity	Support in part	<p>Consistent with its broader submission, Kāinga Ora opposes the reference to a statutory design guide and seeks the relevant assessment matters instead be directly articulated in the relevant provision/matter of discretion. Kāinga Ora would support the use of non-statutory design guides as a tool to inform assessment.</p> <p>Kāinga Ora also considers that the Restricted Discretionary Activity under this rule should be provided for without the need for public or limited notification, noting that the non-compliance would generate effects relating to internal amenity and active edges, both of which are technical in nature and would not benefit from public or limited notification.</p>	<p><i>Amendments sought</i></p> <ol style="list-style-type: none"> 1. Kāinga Ora seeks the Design Guidelines are removed from within the District Plan and are treated as non-statutory tool, outside of the District Plan. A note should be added where reference is made to such guidelines: <u>Note:</u> <u>1. Best practice urban design guidance is contained within the Council's Design Guidelines.</u> 2. Delete all references to the Design Guidelines. 3. Where particular design outcomes are to be achieved, these should be specifically stated in matters of discretion or assessment, such as and not limited to: <ol style="list-style-type: none"> i. <u>Provides an effective public private interface;</u> ii. <u>Provides a well-functioning site;</u> iii. <u>Provides high quality buildings.</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>iv. <u>Responds to the natural environment.</u></p> <p>4. If the Council does not provide the relief sought, in deleting the design guidelines and references to such guidelines in the District Plan, Kāinga Ora seeks that the design guidelines are amended, simplified and written in a manner that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to provide for a design that fits and works on site, rather than rules that a consent holder must follow and adhere to. Otherwise, there is no flexibility and scope to create a design that fits with specific site characteristics and desired built form development.</p> <p>5. Kāinga Ora seek the opportunity to review these guidelines if they are to remain a statutory document.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>6. Amend the non-notification clause under CCZ-R6(2) and CCZ-R6(3) as follows:</p> <p><u>Notification:</u> An application under this rule is precluded from being publicly or limited notified in accordance with section 95A of the RMA</p>
349.	CCZ - City Centre Zone	CCZ-R7 - Erection, Construction and Development of Additions to Existing Buildings	Support in Part	<p>Kāinga Ora generally supports this rule, however notes there is incorrect reference to R14. Additionally, consistent with its broader submission, Kāinga Ora opposes the reference to a statutory design guide and seeks the relevant assessment matters instead be directly articulated in the relevant provision/matter of discretion. Kāinga Ora would support the use of non-statutory design guides as a tool to inform assessment.</p>	<p><i>Amendments sought:</i></p> <ol style="list-style-type: none"> 1. Amend the wording of CCZ-R7(2) as follows: <ol style="list-style-type: none"> 2. <u>Activity status: Restricted discretionary</u> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>Compliance is not achieved with CCZ-R147-1.a; and</u> <p>...</p> 2. Amend the wording of CCZ-R7(3) as follows: 3. <u>Activity status: Discretionary</u> <p><u>Where:</u></p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>a. <u>Compliance is not achieved with one or more of the standards under CCZ-R147-2.b</u></p> <p>3. Kāinga Ora seeks the Design Guidelines are removed from within the District Plan and are treated as non-statutory tool, outside of the District Plan.</p> <p>4. Delete all references to the Design Guidelines.</p> <p>5. Where particular design outcomes are to be achieved, these should be specifically stated in matters of discretion or assessment, such as and not limited to:</p> <ul style="list-style-type: none"> i. <u>Provides an effective public private interface;</u> ii. <u>Provides a well-functioning site;</u> iii. <u>Provides high quality buildings.</u> iv. <u>Responds to the natural environment.</u> <p>6. If the Council does not provide the relief sought, in deleting the design guidelines</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>and references to such guidelines in the District Plan, Kāinga Ora seeks that the design guidelines are amended, simplified and written in a manner that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to provide for a design that fits and works on site, rather than rules that a consent holder must follow and adhere to. Otherwise, there is no flexibility and scope to create a design that fits with specific site characteristics and desired built form development.</p> <p>7. Kāinga Ora seek the opportunity to review these guidelines if they are to remain a statutory document.</p>
350.	CCZ - City Centre Zone	CCZ-R8 - Entertainment Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
351.	CCZ - City Centre Zone	CCZ-R9 – Large Format Retail	Support in part	<p>Consistent with its broader submission, Kāinga Ora opposes the reference to a statutory design guide and seeks the relevant assessment matters instead be directly articulated in the relevant provision/matter of discretion.</p> <p>Kāinga Ora would support the use of non-statutory design guides as a tool to inform assessment.</p>	<p><i>Amendments sought</i></p> <ol style="list-style-type: none"> 1. Kāinga Ora seeks the Design Guidelines are removed from within the District Plan and are treated as non-statutory tool, outside of the District Plan. 2. Delete all references to the Design Guidelines. 3. Where particular design outcomes are to be achieved, these should be specifically stated in matters of discretion or assessment, such as and not limited to: <ol style="list-style-type: none"> i. <u>Provides an effective public private interface;</u> ii. <u>Provides a well-functioning site;</u> iii. <u>Provides high quality buildings.</u> iv. <u>Responds to the natural environment.</u> 4. If the Council does not provide the relief sought, in deleting the design guidelines and references to such guidelines in the District Plan, Kāinga Ora seeks that the

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>design guidelines are amended, simplified and written in a manner that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to provide for a design that fits and works on site, rather than rules that a consent holder must follow and adhere to. Otherwise, there is no flexibility and scope to create a design that fits with specific site characteristics and desired built form development.</p> <p>5. Kāinga Ora seek the opportunity to review these guidelines if they are to remain a statutory document.</p>
352.	CCZ - City Centre Zone	CCZ-S1	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>
353.	CCZ - City Centre Zone	CCZ-S2	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>
354.	CCZ - City Centre Zone	CCZ-S3	Support in part	Kāinga Ora generally supports this standard, but seeks an amendment to allow residential units to be located at ground floor level if	<i>Amendments sought</i> <u>All residential units must be located above ground floor level. Along active frontages</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				located at the rear of a building, consistent with the NCZ.	<u>identified on the planning maps all residential units must be located above ground floor level, except that residential units may be located on the ground floor where pedestrian access to a residential unit does not interrupt or prevent an active frontage as required by CCZ-S8.</u>
355.	CCZ - City Centre Zone	CCZ-S4	Support	Kāinga Ora generally supports the intent of this standard but considers it currently restrains development to a greater degree than should occur in the CCZ. Kāinga Ora seeks deletion of the current wording and replacement with alternative wording that provides greater development capacity.	<p><i>Amendments sought</i></p> <ol style="list-style-type: none"> 1. Delete the current wording of CCZ-S4. 2. Include the following wording for the standard: <ul style="list-style-type: none"> <u>Buildings and structures must not project beyond a:</u> <ol style="list-style-type: none"> a. <u>For boundaries with the High Density Residential Zone:</u> <ol style="list-style-type: none"> i. <u>60° recession plane measured from a point 19m vertically above ground level along the first 20m of the side boundary as measured from the road frontage;</u> ii. <u>60° recession plane measured from a point 8m vertically above ground level along all other boundaries;</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p><u>Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.</u></p> <p><u>c. Residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aerials.</u></p>
356.	CCZ - City Centre Zone	CCZ-S5 – Noise and Ventilation	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>
357.	CCZ - City Centre Zone	CCZ-S6 - Water Supply, Stormwater and Wastewater	Support	Kāinga Ora generally supports this standard.	<i>Retain as notified</i>
358.	CCZ - City Centre Zone	CCZ-S7 - Service Areas, Outdoor Storage Areas and Parking Areas	Support in part	Consistent with its broader submission, Kāinga Ora opposes the reference to a statutory design guide and seeks the relevant assessment matters instead be directly articulated in the relevant provision/matter of discretion.	<p><i>Amendments sought:</i></p> <ol style="list-style-type: none"> 1. Kāinga Ora seeks the Design Guidelines are removed from within the District Plan and are treated as non-statutory tool, outside of the District Plan.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>Kāinga Ora would support the use of non-statutory design guides as a tool to inform assessment.</p>	<ol style="list-style-type: none"> 2. Delete all references to the Design Guidelines. 3. Where particular design outcomes are to be achieved, these should be specifically stated in matters of discretion or assessment, such as and not limited to: <ol style="list-style-type: none"> i. <u>Provides an effective public private interface;</u> ii. <u>Provides a well-functioning site;</u> iii. <u>Provides high quality buildings.</u> iv. <u>Responds to the natural environment.</u> 4. If the Council does not provide the relief sought, in deleting the design guidelines and references to such guidelines in the District Plan, Kāinga Ora seeks that the design guidelines are amended, simplified and written in a manner that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to provide for a design that fits and works on site, rather than rules that a consent

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>holder must follow and adhere to. Otherwise, there is no flexibility and scope to create a design that fits with specific site characteristics and desired built form development.</p> <p>5. Kāinga Ora seek the opportunity to review these guidelines if they are to remain a statutory document.</p>
359.	CCZ - City Centre Zone	CCZ-S8 - Active Frontages	Support in part	<p>Consistent with its broader submission, Kāinga Ora opposes the reference to a statutory design guide and seeks the relevant assessment matters instead be directly articulated in the relevant provision/matter of discretion. Kāinga Ora would support the use of non-statutory design guides as a tool to inform assessment.</p>	<p><i>Amendments sought:</i></p> <ol style="list-style-type: none"> 1. Kāinga Ora seeks the Design Guidelines are removed from within the District Plan and are treated as non-statutory tool, outside of the District Plan. 2. Delete all references to the Design Guidelines. 3. Where particular design outcomes are to be achieved, these should be specifically

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>stated in matters of discretion or assessment, such as and not limited to:</p> <ul style="list-style-type: none"> i. <u>Provides an effective public private interface;</u> ii. <u>Provides a well-functioning site;</u> iii. <u>Provides high quality buildings.</u> iv. <u>Responds to the natural environment.</u> <p>4. If the Council does not provide the relief sought, in deleting the design guidelines and references to such guidelines in the District Plan, Kāinga Ora seeks that the design guidelines are amended, simplified and written in a manner that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to provide for a design that fits and works on site, rather than rules that a consent holder must follow and adhere to. Otherwise, there is no flexibility and scope to create a design that fits with specific site characteristics and desired built form development.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					5. Kāinga Ora seek the opportunity to review these guidelines if they are to remain a statutory document.
360.	CCZ - City Centre Zone	CCZ-S9 – Hydraulic Neutrality	Support	Kāinga Ora generally supports this standard, but seeks amendments as Hydraulic Neutrality is defined in the plan. Amendments are consistent with the relief sought on the definition for Hydraulic neutrality.	<i>Amendments sought</i> New buildings and development must be designed to achieve <u>Hydraulic Neutrality</u> . 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.
361.	CCZ - City Centre Zone	CCZ-R10 – Food and Beverage Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
362.	CCZ - City Centre Zone	CCZ-R11 – Healthcare Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
363.	CCZ - City Centre Zone	CCZ-R12 – Demolition	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
364.	CCZ - City Centre Zone	CCZ-R13 - Redevelopment, Alteration and Repair of Existing Buildings	Support in part	<p>Consistent with its broader submission, Kāinga Ora opposes the reference to a statutory design guide and seeks the relevant assessment matters instead be directly articulated in the relevant provision/matter of discretion.</p> <p>Kāinga Ora would support the use of non-statutory design guides as a tool to inform assessment.</p>	<p><i>Amendments sought:</i></p> <ol style="list-style-type: none"> 1. Kāinga Ora seeks the Design Guidelines are removed from within the District Plan and are treated as non-statutory tool, outside of the District Plan. 2. Delete all references to the Design Guidelines. 3. Where particular design outcomes are to be achieved, these should be specifically stated in matters of discretion or assessment, such as and not limited to: <ol style="list-style-type: none"> i. <u>Provides an effective public private interface;</u> ii. <u>Provides a well-functioning site;</u> iii. <u>Provides high quality buildings.</u> iv. <u>Responds to the natural environment.</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>5. If the Council does not provide the relief sought, in deleting the design guidelines and references to such guidelines in the District Plan, Kāinga Ora seeks that the design guidelines are amended, simplified and written in a manner that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to provide for a design that fits and works on site, rather than rules that a consent holder must follow and adhere to. Otherwise, there is no flexibility and scope to create a design that fits with specific site characteristics and desired built form development.</p> <p>6. Kāinga Ora seek the opportunity to review these guidelines if they are to remain a statutory document.</p>
365.	CCZ - City Centre Zone	CCZ-R15 – Educational Facility	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
366.	CCZ - City Centre Zone	CCZ-R16	Support in part	<p>Consistent with its broader submission, Kāinga Ora opposes the reference to a statutory design guide and seeks the relevant assessment matters instead be directly articulated in the relevant provision/matter of discretion.</p> <p>Kāinga Ora would support the use of non-statutory design guides as a tool to inform assessment.</p>	<p><i>Amendments sought:</i></p> <ol style="list-style-type: none"> 1. Kāinga Ora seeks the Design Guidelines are removed from within the District Plan and are treated as non-statutory tool, outside of the District Plan. 2. Delete all references to the Design Guidelines. 3. Where particular design outcomes are to be achieved, these should be specifically stated in matters of discretion or assessment, such as and not limited to: <ol style="list-style-type: none"> i. <u>Provides an effective public private interface;</u> ii. <u>Provides a well-functioning site;</u> iii. <u>Provides high quality buildings.</u> iv. <u>Responds to the natural environment.</u> 4. If the Council does not provide the relief sought, in deleting the design guidelines and references to such guidelines in the District Plan, Kāinga Ora seeks that the

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>design guidelines are amended, simplified and written in a manner that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to provide for a design that fits and works on site, rather than rules that a consent holder must follow and adhere to. Otherwise, there is no flexibility and scope to create a design that fits with specific site characteristics and desired built form development.</p> <p>5. Kāinga Ora seek the opportunity to review these guidelines if they are to remain a statutory document.</p>
367.	CCZ - City Centre Zone	CCZ-R17 - Emergency Service Facility	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
368.	CCZ - City Centre Zone	CCZ-R18 – Sport and Active Recreation	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
369.	CCZ - City Centre Zone	CCZ-R19 – Retirement Village	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
370.	CCZ - City Centre Zone	CCZ-R20 – Drive-through Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
371.	CCZ - City Centre Zone	CCZ-R21 - Any activity not otherwise listed as permitted, restricted discretionary, discretionary or non-complying	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
372.	CCZ - City Centre Zone	CCZ-R22 - Industrial Activity	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
373.	CCZ - City Centre Zone	CCZ-R23 - Yard Sale Activity / Trade Supplier	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
374.	CCZ - City Centre Zone	CCZ-R24 - Motorised Recreation	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
375.	CCZ - City Centre Zone	CCZ-R25 - Primary Production	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
376.	CCZ - City Centre Zone	CCZ-R26 - Rural Industries	Support	Kāinga Ora generally supports this rule.	<i>Retain as notified</i>
Part 4 – Appendices / Appendices					
377.	Appendices	Appendix 1 – Medium and High Density Design Guide	Oppose	<p>Kāinga Ora opposes the inclusion of Design Guides in the Plan, which act as de facto rules to be complied with.</p> <p>Kāinga Ora opposes any policy or rule that requires development proposals to be consistent with such design guidelines in the District Plan.</p> <p>Kāinga Ora alternatively seeks and supports the design guidelines for residential subdivision, multi-unit</p>	<ol style="list-style-type: none"> 1. Kāinga Ora seeks the Design Guides are removed from within the District Plan and are treated as non-statutory tool, outside of the District Plans. This includes deletion of Appendix 1 and 2 from the District Plan and IPI. 2. Delete all references to the Design Guides. 3. Where particular design outcomes are to be achieved, these should be specifically
378.	Appendices	Appendix 2 – City Centre Design Guide	Oppose		

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>development and residential development in commercial centres sitting outside the Plan as guidance regarding best practice design outcomes. The Design Guides should be treated as a non-statutory tool.</p> <p>If there is content of a Design Guide that Council wants in the Plan, Kāinga Ora seeks that these are relocated within a specific rule, matter of discretion or assessment criterion.</p> <p>Where particular design outcomes are to be achieved, these should be specified in matters of discretion or assessment.</p> <p>Kāinga Ora seeks all necessary consequential changes to give effect to the relief sought.</p>	<p>stated in matters of discretion or assessment, such as and not limited to:</p> <ul style="list-style-type: none"> i. <u>Provides an effective public private interface;</u> ii. <u>Provides a well-functioning site;</u> iii. <u>Provides high quality buildings.</u> iv. <u>Responds to the natural environment.</u> <p>4. If the Council does not provide the relief sought, in deleting the design guidelines and references to such guidelines in the District Plan, Kāinga Ora seeks that the design guidelines are amended, simplified and written in a manner that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to provide for a design that fits and works on site, rather than rules that a consent holder must follow and adhere to. Otherwise, there is no flexibility and scope to create a design that fits with specific site characteristics and desired built form development.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					5. Kāinga Ora seek the opportunity to review these guidelines if they are to remain a statutory document.

Appendix 2: High Density Residential Zone rules and standards

The following sets out proposed amendments to the rules and standards of the High Density Residential Zone chapter, as sought from Kāinga Ora as part of the submission on IPI to the District Plan.

Kāinga Ora seeks the removal of reference to GRZ standards as notified in the IPI and seeks these standards are replaced with the proposed rules and standards outlined below. Consequential amendments to provide updated numbering of rules and standards will be required.

Please note that the layout of this section does not follow the layout of the existing rule framework and plan structure. It also does not incorporate all existing matters contained within that zone however is consistent with how other Councils are providing for high density residential development in accordance with the MDRS.

Kāinga Ora seeks the proposed provisions are inserted and re-structured to align with the plan structure.

HIGH DENSITY RESIDENTIAL ZONE
HRZ: RULES – ACTIVITY STATUS

Rule	Use/Activity	Activity Status	
HRZ : R1	Residential activities including Papakāinga	<p>Activity Status: Permitted</p> <p>Where:</p> <p>PER: 1</p> <p>a. No more than six residential units occupy the site; and</p> <p>PER: 2</p> <p>b. Compliance with the following standards is achieved:</p> <ul style="list-style-type: none"> i. building height - ii. HIRTB; iii. infringements to rear/side yard boundary setback; iv. building coverage v. outlook space. 	<p>HRZ : R2</p> <p>Where:</p> <ul style="list-style-type: none"> a. Where compliance with PER1 cannot be achieved. <p>Matters of discretion are:</p> <ul style="list-style-type: none"> 1. The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood; 2. The development contributes to a safe and attractive public realm and streetscape; 3. The extent and effects on the three waters infrastructure, achieved by demonstrating that at the point of connection the infrastructure has the capacity to service the development. 4. The degree to which the development delivers quality on-site amenity and occupant privacy that is appropriate for its scale. <p>Where:</p> <ul style="list-style-type: none"> b. Where compliance with PER2 cannot be achieved. <ul style="list-style-type: none"> 1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard. <p>Notification status:</p> <ul style="list-style-type: none"> 1. An application for resource consent which complies with PER1 but does not comply with PER2 is precluded from being <u>publicly notified</u>. 2. An application for resource consent made which does not comply with PER1 but

Rule	Use/Activity	Activity Status	
			<p>complies with PER2 is precluded from being either <u>publicly or limited notified</u>.</p> <p>3. An application for resource consent made which does not comply with PER1 and PER2 but complies with height and building coverage is precluded from being <u>publicly notified</u>.</p>
HRZ: R3	Supported Residential care facilities	<p>Activity Status: Permitted</p> <p>Where the following are complied with:</p> <p>PER-1</p> <ol style="list-style-type: none"> Standards 1-10. <p>PER-2</p> <ol style="list-style-type: none"> No more than 10 people, including staff and their dependents reside on site. <p>PER-3</p> <ol style="list-style-type: none"> Staff providing supervision for managed care facilities accommodating eight or more residents shall be present on site at all times that residents are in occupation. <p>PER-4</p> <ol style="list-style-type: none"> No part of any site or premises used as a managed care facility shall contain a secure unit. 	<p>HRZ : R4</p> <p>Activity Status where compliance is not achieved with PER-1-4: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The extent and effect of non-compliance with the relevant standard as specified in the associated assessment criteria for the infringed standard. The extent to which the intensity and scale of the activity adversely impacts on the planned urban built form of nearby residential properties and the surrounding neighbourhood. <p>Notification status: An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</p>
HRZ: R5	Home Based Business	<p>Activity Status: Permitted</p> <p>Where the following are complied with:</p> <p>PER-1</p> <ol style="list-style-type: none"> For the avoidance of doubt, if an 	<p>HRZ: R6</p> <p>Activity Status where compliance not achieved with PER-1: Discretionary</p>

Rule	Use/Activity	Activity Status	
		<p>activity does not comply with all of the standards specified, it is not a home-based business. Home-based businesses shall:</p> <ol style="list-style-type: none"> 2. Employ no more than 2 people, one of whom must reside on the site on a permanent basis. 3. Not exceed 30% of the total gross floor area of buildings on the site. 4. Not generate any trips by a heavy motor vehicle. 5. Not generate vehicle trips or pedestrian traffic between 2000 to 0800 hours. 6. Not display any indication of the activity from outside the site including the display or storage of materials, except for permitted signs. 7. Retail - only those goods which have 	

Rule	Use/Activity	Activity Status	
		<p>been manufactured, repaired, renovated or otherwise produced on the site.</p> <p>8. Not create electrical interference with television and radio sets or other types of receivers in adjacent residential units.</p> <p>9. Not generate nuisances, including smoke, noise, dust, vibration, glare, and other noxious or dangerous effects – these shall be measured at the boundaries of the site.</p> <p>10. Have only one sign with a maximum area of 0.6m², a maximum dimension of 1m and having no part higher than 2m above the adjacent ground level. The sign must be attached to either a fence, wall or building.</p>	

Rule	Use/Activity	Activity Status	
HRZ: R7	Homestay	<p>Activity Status: Permitted</p> <p>Where the following are complied with:</p> <p>PER-1</p> <ol style="list-style-type: none"> Standards 1-10. 	<p>HRZ: R8</p> <p>Activity Status where compliance is not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The extent and effect of non-compliance with the relevant standard as specified in the associated assessment criteria for the infringed standard. <p>Notification status: An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</p>
HRZ: R9	Demolition or removal of existing buildings (except scheduled heritage buildings)	<p>Activity Status: Permitted</p> <p>Where the following are complied with:</p>	
HRZ: R10	Maintenance, repair and alterations and additions to existing buildings (except Scheduled heritage buildings)	<p>Activity Status: Permitted</p> <p>Where the following are complied with:</p> <p>PER-1</p> <ol style="list-style-type: none"> Standards 1-10. 	<p>HRZ: R11</p> <p>Activity Status where compliance is not achieved with</p> <p>PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The extent and effect of non-compliance with the relevant standard as specified in the associated assessment criteria for the infringed standard. <p>Notification status: An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</p>
HRZ: R12	Childcare facility	<p>Activity Status: Restricted Discretionary</p> <p>Where the following are complied with:</p> <p>RDIS-1</p> <ol style="list-style-type: none"> Standards 1, 2, 3, 	<p>HRZ: R13</p> <p>Activity Status where compliance not achieved with RDIS-1: Discretionary</p>

Rule	Use/Activity	Activity Status	
		<p>4, 6, 7, 8, 9.</p> <p>2. The Childcare Facility shall not be part of a multiunit residential development.</p> <p>3. The activity shall be located on a front, corner or through site.</p> <p>4. The activity shall have a maximum gross floor area for all buildings of 250m².</p> <p>5. The hours of operation are between 7.00am and 7.00pm, Monday to Friday.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The extent and effect of non-compliance with the relevant standard as specified in the associated assessment criteria for the infringed standard. 2. The extent to which the intensity and scale of the activity may adversely impact on the planned urban built form of nearby residential properties and the surrounding neighbourhood. <p>Notification status: An application for resource</p>	

Rule	Use/Activity	Activity Status	
		consent for a restricted discretionary activity under this rule is precluded from being publicly notified.	
HRZ: R14	Retirement village	<p>Activity Status: Restricted Discretionary</p> <p>Where the following are complied with:</p> <p>RDIS-1</p> <ol style="list-style-type: none"> Standards 1 - 10. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The extent to which the intensity and scale of the activity may adversely impact on the planned urban built form of nearby residential properties and the surrounding neighbourhood. <p>Notification status: An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</p>	HRZ: R15 Activity Status where compliance not achieved with RDIS-1: Discretionary
HRZ: R16	Visitor accommodation	<p>Activity Status: Restricted Discretionary</p> <p>Where the following are complied with:</p> <p>RDIS-1</p> <ol style="list-style-type: none"> Standard 1-10. The maximum occupancy for visitor accommodation 	HRZ: R17 Activity Status where compliance not achieved with RDIS-1: Discretionary

Rule	Use/Activity	Activity Status	
		<p>shall be 12 guests.</p> <p>3. Visitor accommodation shall not provide for the sale of liquor through an ancillary facility such as a bar or a restaurant.</p> <p>Matters of discretion are restricted to:</p> <p>1. The extent to which the intensity and scale of the activity may adversely impact on the planned urban built form of nearby residential properties and the surrounding neighbourhood.</p> <p>Notification status: An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</p>	
HRZ: R18	Emergency service facilities	<p>Activity Status: Restricted Discretionary</p> <p>Where the following are complied with:</p> <p>RDIS-1</p> <p>1. Standard 1, 2, 3, 4, 7, 9.</p> <p>Matters of discretion are restricted to:</p> <p>1. The extent to which the intensity and scale of the activity may</p>	HRZ: R19 Activity Status where compliance not achieved with RDIS-1: Discretionary

Rule	Use/Activity	Activity Status	
		<p>adversely impact on the planned urban built form of nearby residential properties and the surrounding neighbourhood.</p> <p>Notification status: An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</p>	
HRZ: R20	Community centre, Education Facility, Healthcare Facility, Marae	<p>Activity Status: Restricted Discretionary</p> <p>Where the following are complied with:</p> <p>RDIS-1</p> <ol style="list-style-type: none"> 1. The standards listed in Standard 1, 2, 3, 4, 7, 9. 2. The maximum gross floor area of all buildings on a site will not exceed 250m². 3. The hours of operation will be restricted to 0700-2200 hours 4. Once per calendar year a special event may operate from 0700-2200 hours <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The extent to which the intensity and scale of the 	HRZ: R21 Activity Status where compliance not achieved with RDIS-1: Discretionary

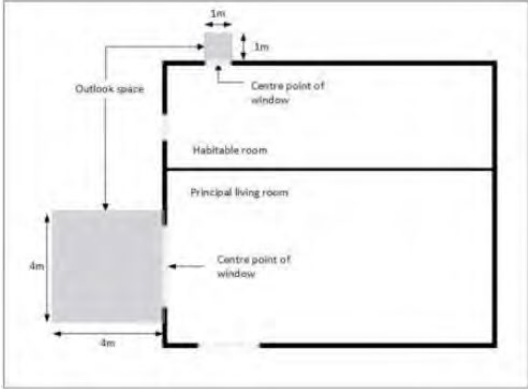
Rule	Use/Activity	Activity Status	
		<p>activity may adversely impact on the planned urban built form of nearby residential properties and the surrounding neighbourhood.</p> <p>Notification status: An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</p>	
HRZ: R22	Maintenance and repair of buildings and structures. and/or	Activity Status: Permitted	
HRZ: R23	Demolition or removal of buildings and structures	Activity Status: Permitted	
HRZ: R24	Addition or alteration of buildings and structures;	<p>Activity Status: Permitted</p> <p>Where the following are complied with:</p> <p>PER-1</p> <p>1. Standards 1-10.</p>	<p>HRZ: R25</p> <p>Activity Status where compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard. <p>Notification status:</p> <p>An application for resource consent made in respect of rule HRZ-27 which results from non-compliance with Standard 1, 2, 3 or 4 is precluded from being publicly notified.</p> <p>An application for resource consent made in respect of rule HRZ-R27 which results from non-</p>

Rule	Use/Activity	Activity Status	
			compliance with 5, 6, 7, or 8 is precluded from being either publicly or limited notified.
HRZ: R26	School	Activity Status: Discretionary	
HRZ: R27	Show homes	Activity Status: Discretionary	
HRZ: R28	Office	Activity Status: Discretionary	
HRZ: R29	Retail	Activity Status: Discretionary	
HRZ: R30	Places of assembly	Activity Status: Discretionary	

HRZ – DEVELOPMENT STANDARDS

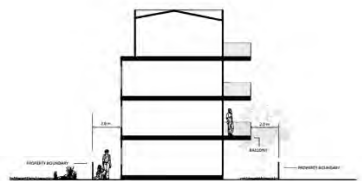
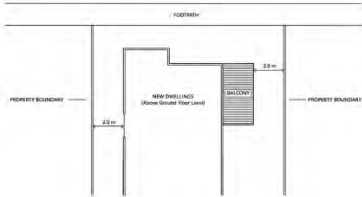
Standard	Activity Status where compliance not achieved
<p>HRZ – Standard 1</p> <p>Building height</p> <p>Buildings must not exceed the building heights shown in the planning maps.</p> <p>Except that 50% of a building’s roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more.</p>	<p>Assessment Criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. Whether topographical or other site constraints make compliance with the standard impractical. 2. Streetscape and visual amenity effects; 3. Dominance, privacy and shading effects on adjoining sites; and 4. Wind effects (where a building exceeds 25m).
<p>HRZ – Standard 2</p> <p>Height in relation to boundary</p> <ol style="list-style-type: none"> 1. Buildings within 22m from the frontage must not project beyond a 60-degree recession plane measured from a point 19m vertically above ground level along the side boundaries; and 2. Buildings 22m from the frontage must not project beyond a 60-degree recession plane measured from a point 8m vertically above ground level along the side boundaries. 3. Apply a 4m + 60° on boundaries at where the HRZ interfaces with a lower zone hierarchy (e.g. MRZ, Open Space etc). <p>This standard does not apply to—</p> <ol style="list-style-type: none"> a) a boundary with a road; b) existing or proposed internal boundaries within a site; c) site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed. 	<p>Activity Status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 2. Dominance, privacy and shading effects on adjoining sites.
<p>HRZ – Standard 3</p> <p>Setbacks</p> <ol style="list-style-type: none"> 1. Front yard: 1.5m 2. Side yards: 1m 3. Rear yard: 1m <p>This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</p>	<p>Activity Status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Streetscape and visual amenity effects; and 2. Dominance, privacy and shading effects on adjoining sites.

<p>HRZ – Standard 4 Building coverage The maximum building coverage must not exceed 70% of the net site area.</p>	<p>Assessment Criteria where the standard is infringed:</p> <ol style="list-style-type: none"> Streetscape and visual amenity effects; and Dominance effects on adjoining properties. Whether topographical or other site constraints make compliance with the standard impractical. 															
<p>HRZ – Standard 5 Outdoor living space (per unit)</p> <ol style="list-style-type: none"> Each residential unit, must be provided with either a private outdoor living space or access to a communal outdoor living space; Where private outdoor living space is provided it must be: <ol style="list-style-type: none"> For the exclusive use of residents; Directly accessible from a habitable room; A single contiguous space; and Of the minimum area and dimension specified in the table below; and Where communal outdoor living space is provided it does not need to be in a single continuous space, but it must be: <ol style="list-style-type: none"> Accessible from the residential units it serves; Of the minimum area and dimension specified in the table below; and Free of buildings, parking spaces, and servicing and manoeuvring areas. <p>Table 1</p> <table border="1" data-bbox="209 1585 783 1910"> <thead> <tr> <th>Living Space Type</th> <th>Minimum Area</th> <th>Minimum Dimension</th> </tr> </thead> <tbody> <tr> <td colspan="3">Private</td> </tr> <tr> <td>Studio unit and 1-bedroom unit</td> <td>5m²</td> <td>1.8m</td> </tr> <tr> <td>2+ bedroom unit</td> <td>8m²</td> <td>1.8m</td> </tr> <tr> <td colspan="3">Communal</td> </tr> </tbody> </table>	Living Space Type	Minimum Area	Minimum Dimension	Private			Studio unit and 1-bedroom unit	5m ²	1.8m	2+ bedroom unit	8m ²	1.8m	Communal			<p>Assessment criteria where the standard is infringed:</p> <p>The extent to which:</p> <ol style="list-style-type: none"> Any proposed outdoor living space provides a good standard of amenity relative to the number of occupants the space is designed for; Other on-site factors compensate for a reduction in the size or dimension of the outdoor living space; and The availability of public open space in proximity to the site.
Living Space Type	Minimum Area	Minimum Dimension														
Private																
Studio unit and 1-bedroom unit	5m ²	1.8m														
2+ bedroom unit	8m ²	1.8m														
Communal																

For every 5 units	10m ²	8m	
<p>HRZ – Standard 6</p> <p>Outlook Space (per unit)</p> <p>All habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width; and</p> <ol style="list-style-type: none"> 1. An outlook space must be provided from habitable room windows as shown in the diagram below:  <ol style="list-style-type: none"> 2. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies. 3. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space. 4. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building. 5. Outlook spaces may be under or over a balcony. 			<p>Assessment criteria where the standard is infringed:</p> <p>The extent to which:</p> <ol style="list-style-type: none"> 1. Acceptable levels of natural light are provided to habitable rooms; and 2. The design of the proposed unit provides a healthy living environment.

<p>6. Outlook spaces required from different rooms within the same building may overlap.</p> <p>7. Outlook spaces must—</p> <ol style="list-style-type: none"> a. be clear and unobstructed by buildings; and b. not extend over an outlook space or outdoor living space required by another dwelling. 	
<p>HRZ – Standard 7 Windows to Street</p> <p>Any residential unit facing the street must have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors.</p>	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. Streetscape and visual amenity effects; and 2. Passive surveillance and safety.
<p>HRZ – Standard 8 Landscaped area</p> <ol style="list-style-type: none"> 1. A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them. 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. 	<p>Assessment Criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. Streetscape and visual amenity effects; and 2. Hard surfacing is minimised as far as practicable.
<p>HRZ – Standard 9 Fences and Walls</p> <p>Fences, walls and retaining structures adjoining open space zones, public walkway or within 1.5 metres of the road boundary shall have a maximum cumulative height of:</p> <ol style="list-style-type: none"> a. 1.2 metres; or b. 1.8 metres for no more than 50 percent of the site frontage and 1.2 metres for the remainder; or c. 1.8 metres if the fence is at least 50 percent visually permeable as viewed perpendicular to the boundary. <p>Any fence or standalone wall, retaining wall or combination of these structures, must not exceed:</p> <ol style="list-style-type: none"> d. A maximum height of 2m above ground level where within 1m of any side or rear boundary. 	<p>Assessment Criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. Streetscape and visual amenity effects; 2. Passive surveillance to the street, public open space or public walkway; and
<p>HRZ – Standard 10 Minimum privacy separation to a boundary</p> <p>Any outdoor living space or habitable room window above ground floor level must be at least 2m from any</p>	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. Privacy effects on adjoining sites.

boundary except a road or a railway boundary, as shown in the diagram below.



Appendix 3: Proposed insertion of Indigenous Biodiversity overlay provisions in the ECO chapter

NATURAL ENVIRONMENTAL VALUES

ECO – Ecosystems and Indigenous Biodiversity

Background

[Insert paragraph]

Indigenous Biodiversity Overlay Area

The Indigenous Biodiversity Overlay Area reflect the significant indigenous vegetation and habitats that have been identified for protection in the District Plan in accordance with s6(c) of the RMA. The overlay seeks to encourage the protection and retention of indigenous biodiversity values by introducing policy direction, including objectives and policies, which apply within the Indigenous Biodiversity Overlay (as identified on the planning maps) in addition to the provisions of the underlying Zone. Where there is any conflict between the provisions, the Overlay provisions shall prevail. Subdivision provisions specific to the Indigenous Biodiversity Overlay are located in the Subdivision Chapter (SUB).

Objectives

[Insert objective]

The maintenance of indigenous biological diversity values within the Indigenous Biodiversity Overlay is encouraged.

Policies

[Insert policy]

To encourage the recognition and provision for the protection and maintenance of areas of significant indigenous vegetation and significant habitats of indigenous fauna from the potential adverse effects of residential development within the Indigenous Biodiversity Overlay.

[Insert policy]

To encourage the avoidance, remedying and mitigation of the actual and potential adverse effects of the use and development of sites within the Indigenous Biodiversity Overlay to assist in maintaining indigenous biological diversity through:

- (1) The consideration of methods to avoid, remedy or mitigate adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna; and
- (2) The consideration of methods to ensure positive indigenous ecological effects.

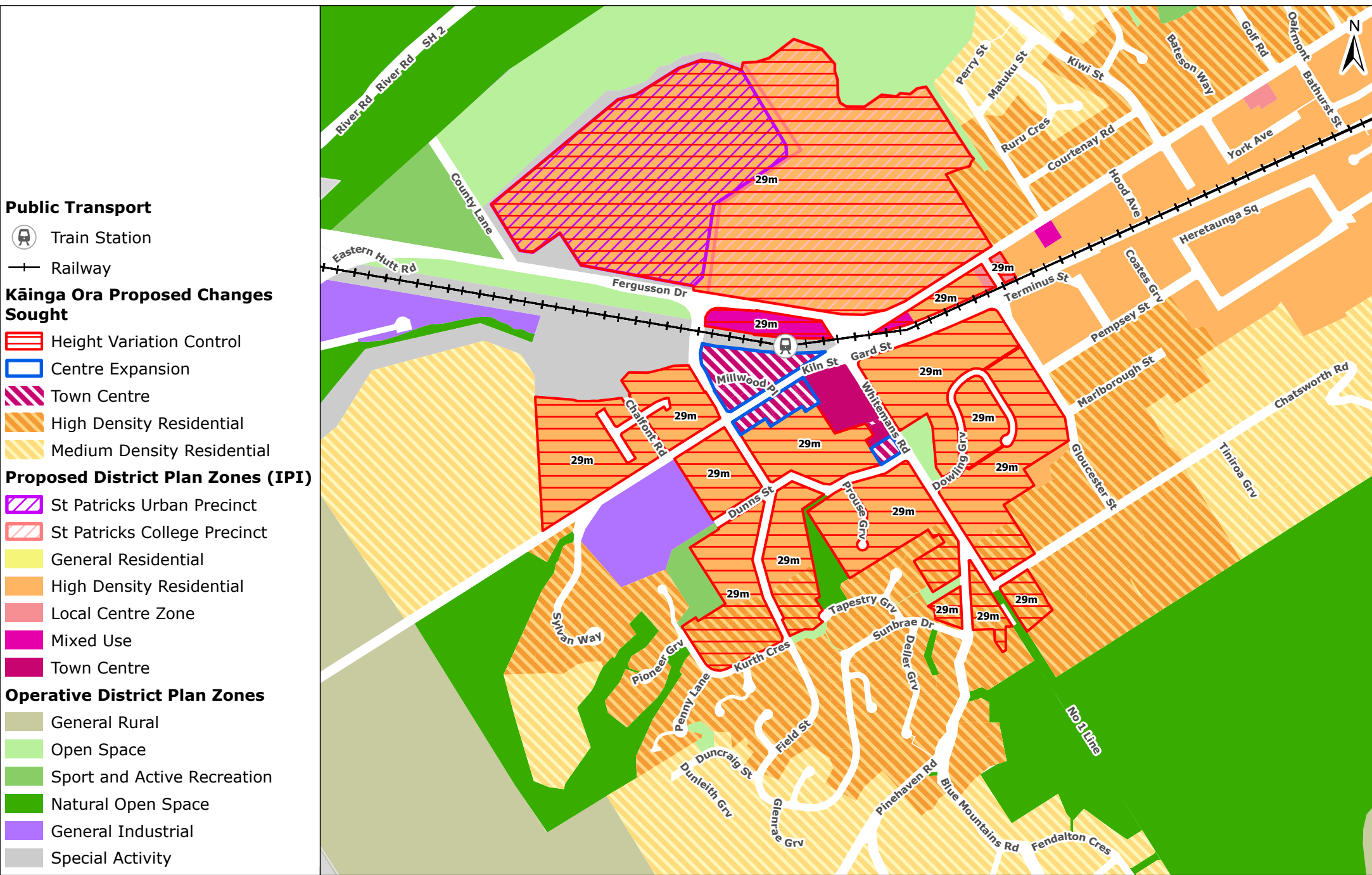
Rules

[Insert rule]

Note: All activity rules, standards, matters and information requirements of the underlying zone apply.

Appendix 4: Maps

The following maps set out the amendments sought from Kāinga Ora to the IPI on the District Plan.





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

Centre: Silverstream





PREPARED BY	TPG REF.	718449
Conor McIntosh	SHEET	1 OF 6
DATE	28/09/2022	
	A4 Scale 1:10,000	
0		260 Metres

Kāinga Ora
Homes and Communities





Public Transport

-  Train Station
-  Railway

Kāinga Ora Proposed Changes Sought

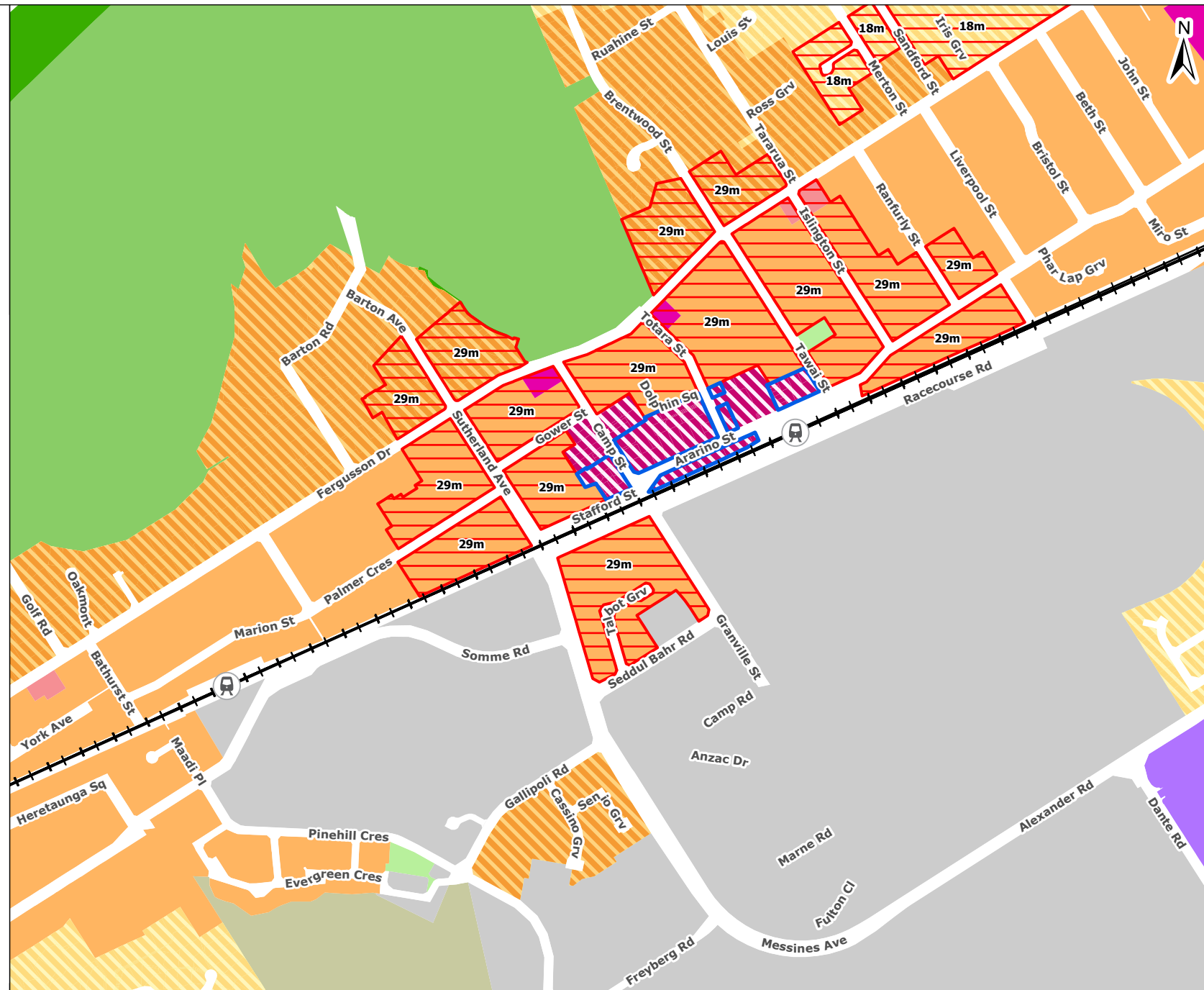
-  Height Variation Control
-  Centre Expansion
-  Town Centre
-  High Density Residential
-  Medium Density Residential

Proposed District Plan Zones (IPI)

-  General Residential
-  High Density Residential
-  Local Centre Zone
-  Mixed Use

Operative District Plan Zones

-  General Rural
-  Open Space
-  Sport and Active Recreation
-  Natural Open Space
-  General Industrial
-  Special Activity



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

Centre: Heretaunga/Trentham South



PREPARED BY	TPG REF.
Conor McIntosh	718449
DATE	SHEET
28/09/2022	2 OF 6
A4 Scale 1:10,000	
0 260 Metres	








Public Transport

— Railway






Kāinga Ora Proposed Changes Sought

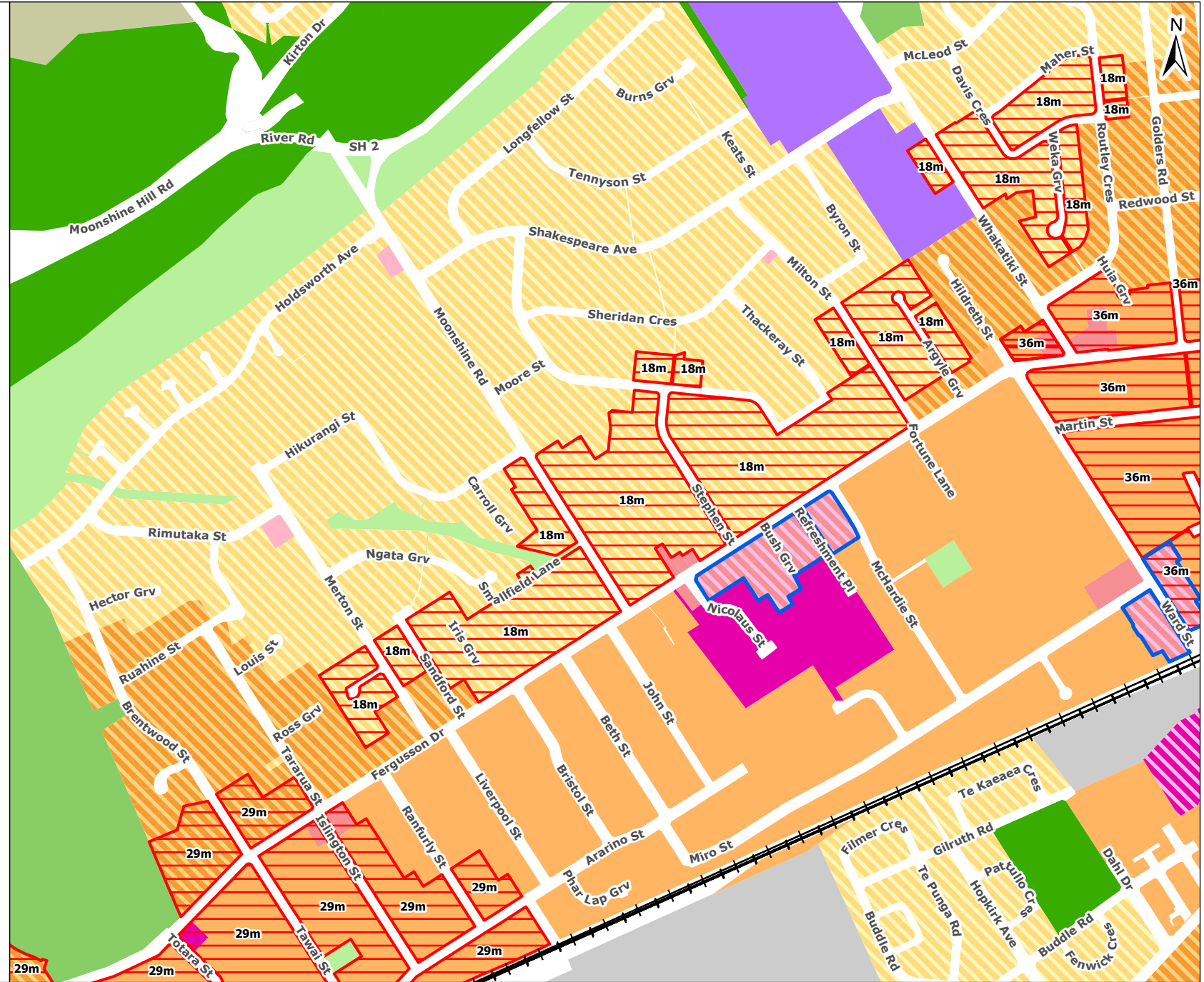
-  Height Variation Control
-  Centre Expansion
-  Mixed Use
-  Local Centre
-  High Density Residential
-  Medium Density Residential

Proposed District Plan Zones (IPI)

-  General Residential
-  High Density Residential
-  Neighbourhood Centre
-  Local Centre Zone
-  Mixed Use

Operative District Plan Zones

-  General Rural
-  Open Space
-  Sport and Active Recreation
-  Natural Open Space
-  General Industrial
-  Special Activity





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

Centre: Trentham North

PREPARED BY	TPG REF.
Conor McIntosh	718449
DATE	SHEET
28/09/2022	3 OF 6
A4 Scale 1:10,000	
0 260 Metres	








Public Transport

-  Train Station
-  Railway

Kāinga Ora Proposed Changes Sought

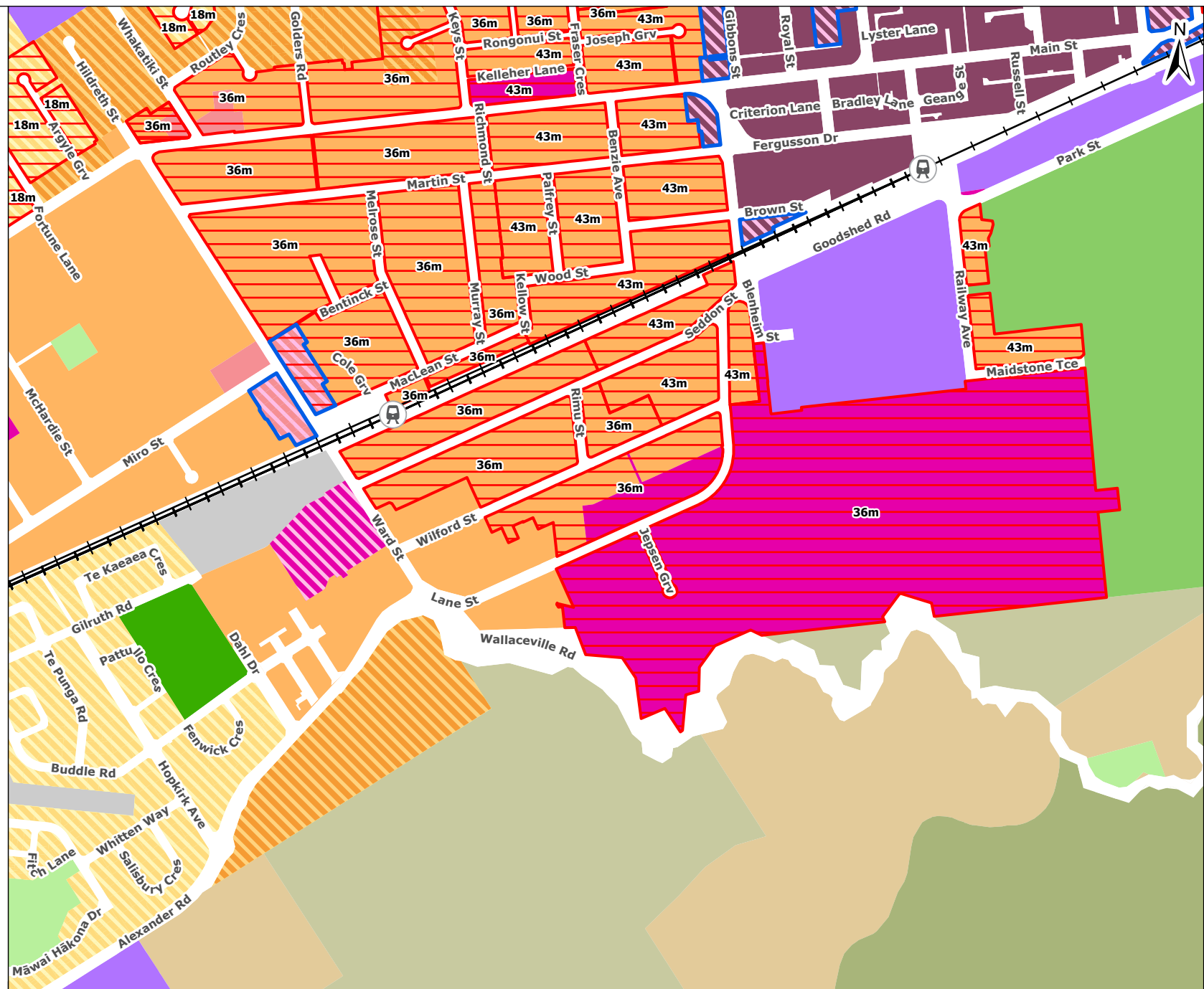
-  Height Variation Control
-  Centre Expansion
-  City Centre
-  Mixed Use
-  Local Centre
-  High Density Residential
-  Medium Density Residential

Proposed District Plan Zones (IPI)

-  General Residential
-  High Density Residential
-  Local Centre Zone
-  Mixed Use
-  City Centre

Operative District Plan Zones

-  Rural Lifestyle
-  General Rural
-  Rural Production
-  Open Space
-  Sport and Active Recreation
-  Natural Open Space
-  General Industrial
-  Special Activity



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

Centre: Wallaceville

PREPARED BY	TPG REF.
Conor McIntosh	718449
DATE	SHEET
28/09/2022	4 OF 6
A4 Scale 1:10,000	
0 260 Metres	





Public Transport

- Train Station
- Railway

Kāinga Ora Proposed Changes Sought

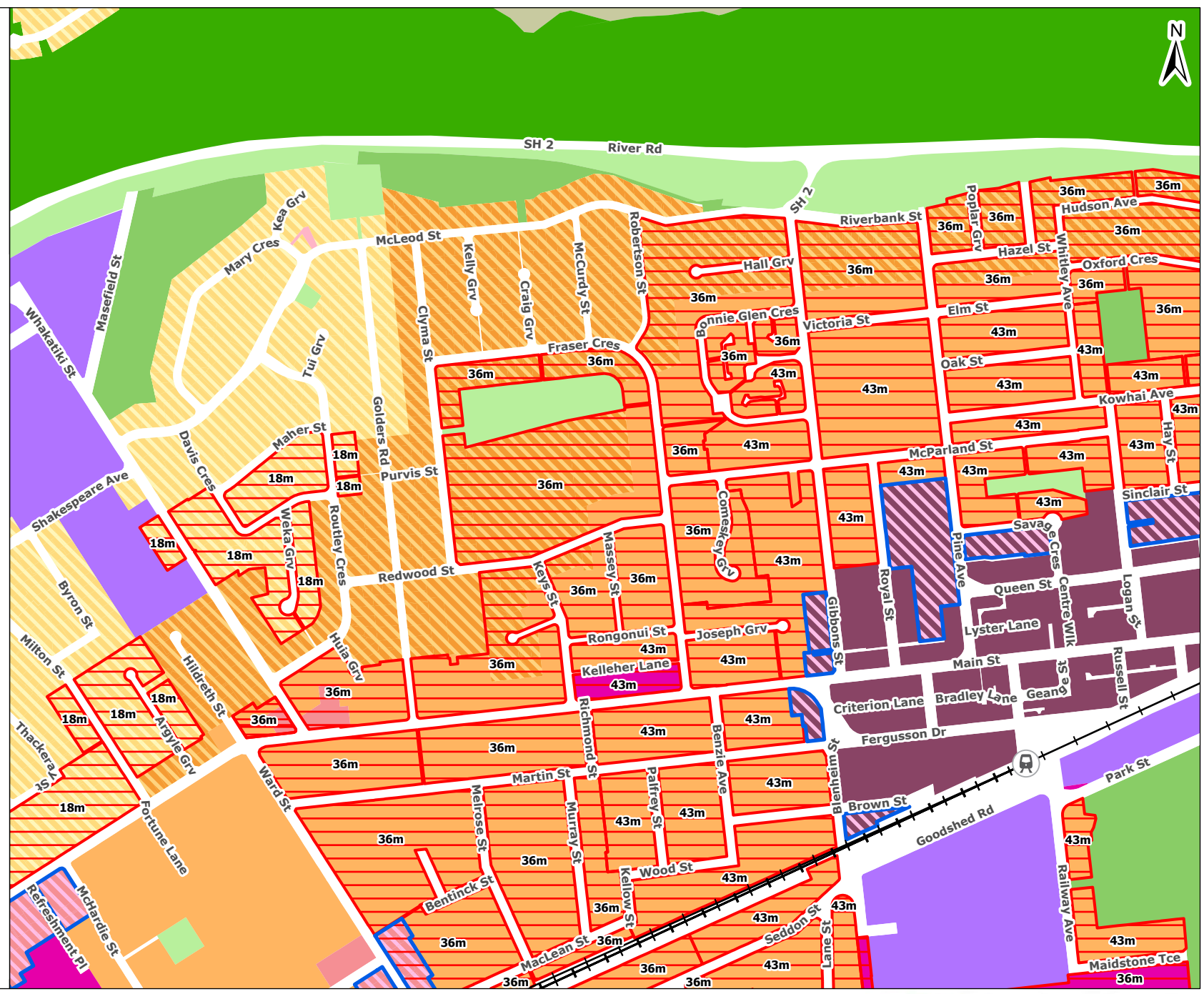
- Height Variation Control
- Centre Expansion
- City Centre
- Local Centre
- High Density Residential
- Medium Density Residential

Proposed District Plan Zones (IPI)

- General Residential
- High Density Residential
- Neighbourhood Centre
- Local Centre Zone
- Mixed Use
- City Centre

Operative District Plan Zones

- General Rural
- Open Space
- Sport and Active Recreation
- Natural Open Space
- General Industrial





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

Centre: Upper Hutt City West

PREPARED BY	TPG REF.
Conor McIntosh	718449
DATE	SHEET
28/09/2022	5 OF 6
A4 Scale 1:10,000	
0 260 Metres	








Public Transport

-  Train Station
-  Railway

Kāinga Ora Proposed Changes Sought

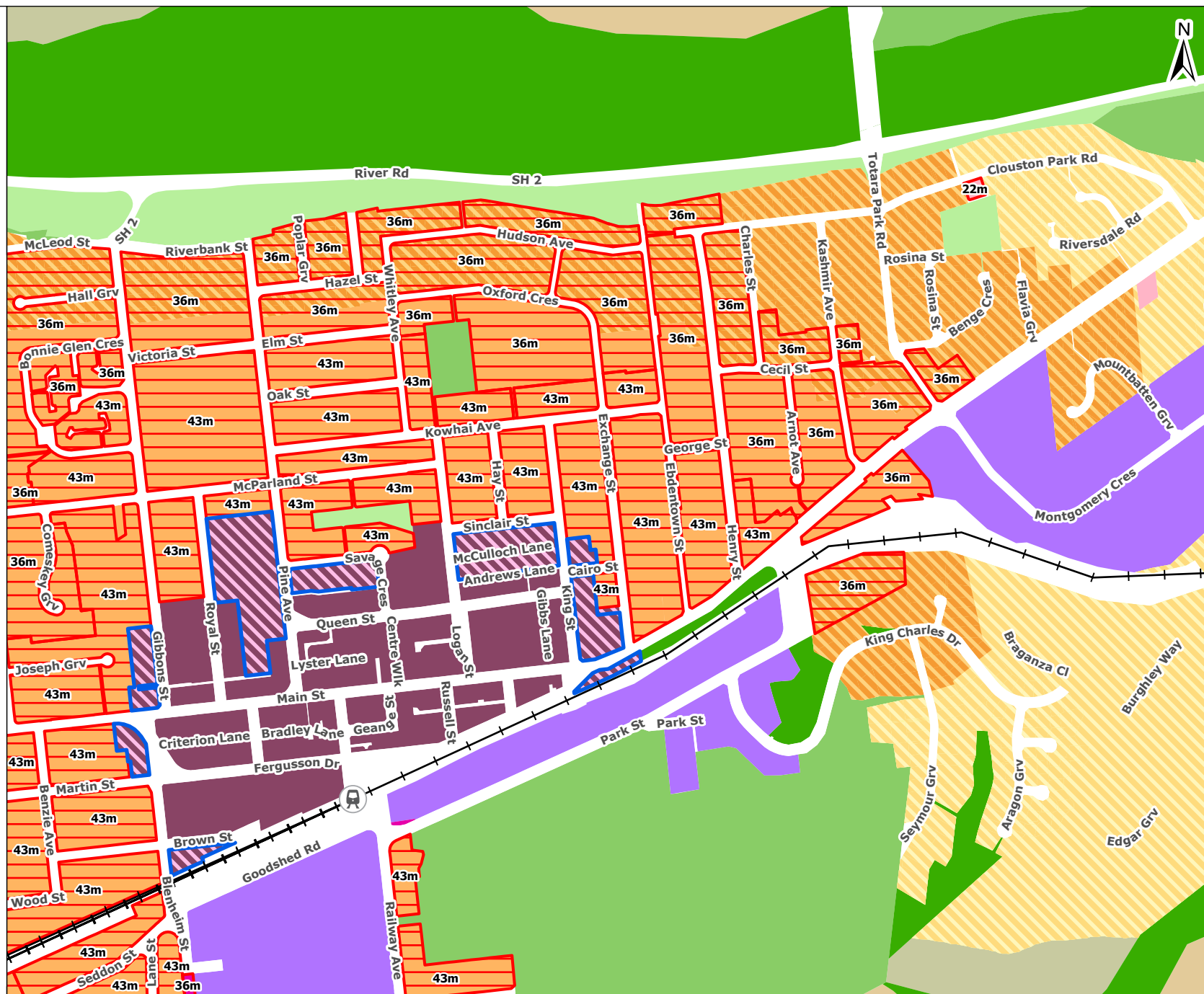
-  Height Variation Control
-  Centre Expansion
-  City Centre
-  High Density Residential
-  Medium Density Residential

Proposed District Plan Zones (IPI)

-  General Residential
-  High Density Residential
-  Neighbourhood Centre
-  Mixed Use
-  City Centre

Operative District Plan Zones

-  Rural Lifestyle
-  General Rural
-  Open Space
-  Sport and Active Recreation
-  Natural Open Space
-  General Industrial
-  Special Activity



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

Centre: Upper Hutt City East

PREPARED BY	TPG REF. 718449
Conor McIntosh	SHEET 6 OF 6
DATE 28/09/2022	A4 Scale 1:10,000
0 260 Metres	





OFFICE USE ONLY

Submission number

59

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN
Planning for Growth - Intensification Planning Instrument (IPI)

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

Deliver to: Upper Hutt Civic Centre, 838 – 842 Fergusson Drive, Upper Hutt 5019

Post to: Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

Scan and email to: planning@uhcc.govt.nz

Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at planning@uhcc.govt.nz.

NAME OF SUBMITTER

Kevin von Keisenberg

POSTAL ADDRESS OF SUBMITTER

31 Field St

Silverstream Upper Hutt

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

021 501 853

CONTACT EMAIL

I could gain an advantage in trade competition through this submission (please tick one): yes no

Only answer this question if you ticked 'yes' above:

I am / am not (tick one) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

The number of houses proposed to be built in the Southern Growth Area (Guildford) Pinchaven Hills

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

There is obviously a need for more housing. However the if the proposal as it stands goes ahead it will have a detrimental effect on the Silversream Pinchaven area the Park and Ride area at Silversstream Station is at full capacity every weekday at present

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

More consultation and information is required

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I do wish to be heard in support of my submission.
- I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I do wish to make a joint case.
- I do not wish to make a joint case.

Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

DATE

30/9/22



OFFICE USE ONLY

Submission number

60

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN
Planning for Growth - Intensification Planning Instrument (IPI)

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

Deliver to: Upper Hutt Civic Centre, 838 – 842 Fergusson Drive, Upper Hutt 5019

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Details of submitter

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NAME OF SUBMITTER **John A Sutton**

POSTAL ADDRESS OF SUBMITTER **1 Heretaunga Square, Silverstream, Upper Hutt**

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE **021326041**

CONTACT EMAIL **jsuttonn1@gmail.com**

I could gain an advantage in trade competition through this submission (please tick one): **yes** / **no**

Only answer this question if you ticked 'yes' above:

I **am** / **am not** (tick one) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

My submission is attached as a Word document

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

The attached Word document refers

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

The attached Word document refers

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I **do** wish to be heard in support of my submission.
 I **do not** wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I **do** wish to make a joint case.
 I **do not** wish to make a joint case.

Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE



DATE 30/09/2022

DATE: 30 September 2022

FROM: J A Sutton, 1 Heretaunga Square, Silverstream, Upper Hutt.

[Email: jsutton1@gmail.com]

TO: Upper Hutt City Council

RE: Submission on 2022 proposed plan changes to the Upper Hutt City Council District Plan

1. The specific provisions of the proposed Plan Changes that my submission relates to are as follows:

- i. My residential street - Heretaunga Square - is within the High Density Residential Zone set out in the proposed IPI dated July 2022.
- ii. Despite the raft of proposed new Objectives, new Policies and new Rules set out in the IPI, **every one** of my objections to the changes proposed last year under Plan Change 50 and which I formally submitted to you in September 2021 **remain relevant and continue as strong objections to the July 2022 IPI, specifically:**
 - a. the utter madness of the standard 20 metre/discretionary 26 metre height provision which will allow up to 8 storey residential buildings in Heretaunga Square, and the resulting loss of privacy, sun, green space, shelter and the destruction of the well functioning character of the existing one and two storey homes in Heretaunga Square that will result. This will defeat the NPS-UD 2020 Objective 1 of:

“providing 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”;
 - b. Up to 8 storey residential buildings among our one and two storey homes in Heretaunga Square will destroy our existing building form and style and the community that is unique to living in a “residential square” – again defeating NPS-UD 2020 under its Objective 1;
 - c. The proposed IPI new Rules for compliance in respect of: building height (HRZ-S2), height in relation to boundary (HRZ-S3), building coverage (HRZ-S4), and number of units per site (HRZ-S5) are demonstrably too permissive and will result in the destruction of the liveability, amenity value and quality of life that I and residents of my street currently enjoy;

- d. The proposed High Density Residential Rules, which continue to parrot the intensification madness of NPS-UD 2020, are all objected to with the exception of providing for **carefully planned growth** and **reasonable intensification** of residential land use up to a maximum of 3 storeys only when this intensification includes **mandatory off street car parking** for each residential unit, and only when the height in relation to boundary is **far less permissive** than proposed, and only when the **removal of any existing trees**, native or otherwise, is specifically consulted upon with all proximate residential neighbours prior to consent being issued;
- e. The proposed intensification provisions are strongly objected to because they will not, despite your utterances in the IPI to the contrary, deliver *“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-01)*;
- f. My submission also relates to, and strongly objects to, the intensification that will accompany the St Patrick’s Estate Precinct.

2. My submission is that:

- i. I continue to submit, as I did in my submission last year, that all elements of your proposed intensification for my street, Heretaunga Square, are **unacceptable** because the social and environmental impact of this level of intensification gives no weight whatsoever to, and will destroy, the liveability, amenity, social well-being and the well-functioning environment that I, and fellow residents of my street, currently enjoy;
- ii. I continue to submit, as I did in my submission last year, that all elements of your proposed intensification for my street, Heretaunga Square, are also **unnecessary** to meet your population growth projections because, as I carefully explained and analysed in my submission last year, the high level of your growth projections for Upper Hutt is flawed and simply wrong;
- iii. The 26 metre height level of intensification will do nothing other than create physical, social and psychological silos which will destroy the very community fabric of my street – which both defeats NPS-UD 2020 Objective 1 and to which I strongly object;
- iv. Your refusal under this IPI - as was your refusal under last year’s PC 50 – to understand the devastating ghetto outcome of cars littering residential streets because you will not require off street parking as a critical element of the intensification you propose really beggars belief and is, again, utterly unacceptable;
- v. Changes providing for **carefully planned growth** and **reasonable intensification** of residential land use up to a maximum of 3 storeys would be acceptable to me and welcomed but only when this intensification includes **mandatory off street car parking** for

each residential unit, and only when the height in relation to boundary is **far less permissive** than proposed, and only when the **removal of any existing trees**, native or otherwise, is specifically consulted upon with all proximate residential neighbours prior to consent being issued;

- vi. In respect of the St Patrick's Estate Precinct, I submit my similarly strong objection to this being a High Density Residential Zone because:
 - a. You have provided no detailed analysis of, or mitigation for, the detrimental effect this density in this area will have on traffic congestion and flow;
 - b. The intensification proposed is unacceptable as it will create slums and an eyesore at the entrance to Fergusson Drive, and will **destroy** the current well functioning urban environment, not **create** one as is required under NPS-UD.

3. I seek the following decision(s) from Upper Hutt City Council:

- i. First, rather than purposefully burying on your website your PDF that summarised last year's submissions and which shows that the majority of submitters did not support the PC 50 residential proposed changes, why don't you have the democratic spine to: a) clearly let us know that result; and b) what, if anything, it has led you to reconsider in the proposed IPI, and if not why not?
- ii. Secondly, I note that when it suits you are prepared to confront central government and physically turn up to Parliament to reject the current 3 Waters proposal yet you continue to fawn to central government's NPS-UD by taking no stand against it and thus ignoring the majority of submissions already in your hands that do not support the levels of intensification proposed. This inconsistency in your behaviour is shameful and utterly unacceptable.
- iii. I therefore seek from Council that you:
 - a. Adopt the same, sensible level of courage and democratic resolve displayed by the Christchurch City Council's Mayor and Councillors and join them in formally objecting to the imposition of the NPS-UD levels of intensification and convey this to the Minister for the Environment;
 - b. Tell the Minister for the Environment that the unplanned wholesale haphazard intensification of Upper Hutt under the NPS-UD will destroy Upper Hutt's current well functioning urban environment, not create one as is required under NPS-UD and that this level of intensification gives no weight whatsoever to liveability or amenity and is unacceptable to Upper Hutt City Council;
 - c. Be prepared to risk being bullied by a government that uses the instrument of the NPS-UD to shackle you into haphazard and socially unacceptable levels of residential intensity, that are simply not necessary for Upper Hutt;

- d. Develop an Intensification Plan to submit to government (and residents!) that is not driven by flawed population growth projections, nor driven by haphazard intensification, nor driven by the lunacy of the current NPS-UD, but that respects the current levels of amenity, privacy, sunlight, and green space enjoyed in Upper Hutt while ***at the same time*** allowing for carefully planned and reasonable intensification of residential land use up to a maximum of 3 storeys provided any intensification includes **mandatory off street car parking** for each residential unit and with boundary height restrictions that are sensibly restrictive rather than the unacceptable proposed level of permissiveness.

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OFFICE USE ONLY

Submission number

61

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN
Planning for Growth - Intensification Planning Instrument (IPI)

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

Deliver to: Upper Hutt Civic Centre, 838 – 842 Fergusson Drive, Upper Hutt 5019

Post to: Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

Scan and email to: planning@uhcc.govt.nz

Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at planning@uhcc.govt.nz.

NAME OF SUBMITTER

Prudence von Keisenberg

POSTAL ADDRESS OF SUBMITTER

31 Field St, Silverstream

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

021 25 20226

CONTACT EMAIL

pruevk@yahoo.com

I could gain an advantage in trade competition through this submission (please tick one ☐): **yes** / **no**

Only answer this question if you ticked 'yes' above:

I **am** / **am not** (tick one ☐) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Southern Growth Area (Guildford)
St Patricks Estate

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

The Pinehills are not suitable to sustain intensive development as proposed. The potential for ongoing slips and erosion is massive as is the flooding of areas that are already developed below and that feed into the Silverstream stream and Hut river. The number of sections on the St Pats

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

Estate to remain with stated numbers only

I seek the following decision from the local authority:

Cease the development of the Pinehills Hills (Guildford). The potential for flooding and erosion is vast. The infrastructure cannot support this development

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box):

- I do wish to be heard in support of my submission.
- I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box):

- I do wish to make a joint case.
- I do not wish to make a joint case.

Signature and date

P. M. van der Merwe

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

DATE 30.9.22

Submission 62

Form 5

Submission on Proposed Plan Change to the Upper Hutt City Council District Plan:
Planning for Growth – Intensification Planning Instrument

To: Upper Hutt City Council
Private Bag 907
Upper Hutt 5140

Attn: Intensification Planning Instrument Submissions

By email: planning@uhcc.govt.nz

Name of submitter: Silverstream Land Holdings Limited
PO Box 24137
Wellington 6142

This is a submission on the **Intensification Planning Instrument** for the Upper Hutt City District Plan.

Silverstream Land Holdings Ltd (SLHL) could not gain an advantage in trade competition as a result of this submission.

The specific provisions of the proposal that the submission relates to, the submission points, reasons and decisions sought are set out in the attached table. SLHL seeks that the decisions sought in the attached table are adopted, or any other such relief and/or consequential amendments are made that achieve an equivalent outcome.

SLHL wishes to be heard in support of its submission. SLHL does not wish to present a joint case.

Signed: 
On behalf of Silverstream Land Holdings Limited

Date: 30 September 2022

Address for Service:

Silverstream Land Holdings Limited
C/- Building Block Planning Limited
8A Travancore Street
Island Bay
Wellington 6140

Contacts Details:

Attention: Mitch Lewandowski
Telephone: 021 515 481
Email: mitch@bbplanning.co.nz

Submission introduction and summary

This submission relates to the St Patrick's College Silverstream site.

The Silverstream Land Holdings Limited (SLHL) site at 91-191 Fergusson Drive occupies 17.4 hectares of flat land within the wider St Patrick's College Estate. It is located in close proximity of the commuter rail network at Silverstream and key road transport links including the SH1 and SH2 exchange and Transmission Gully. Within a 25km radius, the site is able to service catchments from Wellington Central through to Upper Hutt, Remutaka and beyond. This is a key strategic site for the wider Wellington region that is located within an existing urban area and offers unique opportunities to add-value and amenity to the community, if zoned appropriately to do so.

SLHL holds and is implementing a resource consent to increase the ground level of the site to lift it above the 1 in 440 year flood return period of the Hutt River. This work will in turn facilitate the development of the site in a manner that will be free of the flood hazard of the river, thereby unlocking the significant strategic development potential of the site.

The site is presently zoned Special Activity Zone under the operative Upper Hutt District Plan and is divided into the Managed Development Area and the College Area.

In respect of the Managed Development Area, the operative zoning provides for the following as controlled activities:

- Car parks (but excluding buildings)
- Commercial development (excluding retail)
- Business and professional offices
- Active recreation and places of entertainment
- Places of assembly (including community facilities) and conference centres
- Garden centres
- Education facilities and early childcare centres
- Residential units and visitor accommodation
- Medical facilities

SLHL has been, with reference to these activities, considering future development options for the site. Discussions have also been had with Upper Hutt City Council regarding these development opportunities. SLHL has discussed with UHCC the use of the site for a wide range of residential and commercial activities. UHCC has been open to different uses of the site provided there is benefit to the city and the wider region. It is also important to retain flexibility so that development can respond to market demand and adapt to community benefit as the city evolves.

The changes proposed by the IPI will zone the site High Density Residential Zone (HDRZ) and create a 'St Patrick's Estate Precinct' with the site again divided into two segments – the St Patrick's Urban Precinct, and the St Patrick's College Precinct as shown below in Figure 1.



FIGURE 1: The St Patrick's Estate site showing the Urban Precinct and College Precinct.

The proposed zoning of HDRZ provides for the residential use of the site. It has however made the plan less enabling of the aforementioned activities currently provided for by the Special Activity Zone. Any non-residential activity is provided for as a discretionary activity. This has a significant impact on the development potential of the site and the range of development options available. It will increase the uncertainty around securing a resource consent for an activity that isn't residential in nature and potentially forecloses development options for a site suitable to a range of land uses. As noted above, for such a large site in this strategic location, unduly restrictive zoning has the potential to limit and possibly prevent development. There are also potential uses that would have a major economic benefit to the city and region that could be restricted under the proposed regime.

As discussed further below, the IPI is required to implement the direction of the National Policy Statement on Urban Development (NPS-UD) and the Medium Density Residential Standards (MDRS). The direction under Policy 3 of the NPS-UD relates to enabling "building heights and density of urban form" and is not specific to the type of land use that should be enabled.

The proposed HDRZ is considered inappropriate for the site as its focus on residential development is too narrow, particularly given the range of activities currently provided for on the site. While the Precinct approach could be utilised to craft bespoke provisions for the site, the underlying zoning would nevertheless be focussed on residential development. A change in zoning is accordingly sought and the Mixed Use Zone (MUZ), itself introduced by the IPI, is considered the most appropriate zoning for the site. This submission seeks to transfer the Precinct approach to the new zoning.

This submission also seeks that the existing activities provided for by the operative Special Activity Zoning be retained. These are long standing activities that have been provided as development options for the site. While the MUZ that SLHL seeks be applied to the land appears to provide for the majority of these activities already, SLHL nevertheless seeks confirmation that these activities are transferred to the new zoning, whether directly to the zone or to the Precinct provisions. SLHL is seeking to retain and provide for a wide array of development options for the site and the MUZ is consistent with this approach.

In addition to these core aspects, the submission identifies a range of minor matters, drafting corrections and operability issues, as detailed in the table below.

SLHL submits that the changes sought in this submission will better implement the NPS-UD and the purpose and principles of the RMA, and are more appropriate in terms of section 32.

Support for submission in section 32 report

Volume 2: Residential Zones of the section 32 evaluation report for the IPI considered the option of rezoning the St Patrick's site to HDRZ against leaving the site under its current zoning.¹ It did not assess the rezoning of the site as MUZ.

The report noted that the rezoning of the site is not compulsory under the NPS-UD to incorporate the MDRS into the district plan, but suggested that the rezoning of the site to HDRZ recognises existing land use activities as well as enabling additional housing opportunities and options. These same benefits of enabling additional housing opportunities can be realised through a rezoning of the site as MUZ, without the potential constraining or other negative outcomes associated with a narrow focus on residential development.

The key benefit of rezoning the St Patrick's site identified in the section 32 report was that:

The rezoning of the St Patrick's Estate area will generate a significant opportunity for increased residential subdivision and development. Development of the site following the proposed rezoning will result in opportunities for economic growth and employment associated with residential subdivision and development.

The section 32 report made the following comments around the risks to rezoning the site:

It is unknown what the impact of implementing the MDRS and giving effect to the NPS-UD is on district plan-enabled housing capacity and how this addresses the City's anticipated housing needs. It could be that the implementation of the MDRS and the NPS-UD results in there being no shortfall in plan-enabled housing capacity. This situation would reduce the policy support and justification for rezoning part of the St Patrick's Estate area in particular.

With regard to the proposed rezoning of part of the St Patrick's Estate site to High Density Residential Zone, it is acknowledged that the resulting subdivision and development will result in a significant change from the existing undeveloped character of the site. However, as the Council has previously consulted the community on the proposed rezoning of part of the site to enable residential subdivision and development, the resulting effects and change in existing character is not unanticipated by the community. This fact reduces the levels of risks and uncertainty significantly.

On this basis, and notwithstanding the unknown impact of incorporating the MDRS and giving effect to Policy 3 of the NPS-UD on plan-enabled housing capacity with respect to anticipated housing needs, it is considered there is sufficient information and low levels of risk associated with this option.

As discussed above, the proposed zoning of HDRZ provides for the residential use of the site, but makes the plan less enabling in relation to the activities currently provided for by the Special Activity Zone. Any non-residential activity is provided for as a discretionary activity. This has a significant impact on the development potential of the site and the range of development options available. It will increase the uncertainty around securing a resource consent for an activity that is not residential in nature and potentially forecloses development options for a site suitable to a range of land uses.

There is, therefore, a level of risk associated with rezoning the site to HDRZ: its focus on residential development is too narrow, particularly given the range of activities currently provided for on the site. This is compounded by the uncertainty noted in the section 32 report about plan-enabled housing capacity and the extent to which this will address the City's anticipated housing needs. Proceeding with the proposed rezoning is not the most appropriate approach and could potentially result in undeveloped land where activities are restricted in a

¹ Section 32 Evaluation Report, Volume 2: "Residential Zones" at 3.11, page 66. Available [here](#).

manner that does not best enable community outcomes, nor the density of urban form anticipated under NPS-UD Policy 3 (as discussed further below).

The MUZ provides for a wide range of activities ranging from 'residential over commercial' to light industrial. It enables retail, commercial, recreational, and entertainment activities, while also providing for drive-through and light industrial activities. MUZ zoning will therefore still generate a significant opportunity for increased residential subdivision and development, though without the associated risks of the narrow residential focus of a HDRZ zoning. In particular, the rationale for the commercial and mixed use zoning in Volume 3 of the section 32 report applies to the St Patrick's site:²

The identified zones and precinct have been selected as they adequately cover the range and scale of commercial activities and development currently present and anticipated throughout the city. They continue to provide for a range of activities in a way that offers flexibility to the market while recognising that some activities are better focused in certain areas (e.g. some areas are more sensitive to a change in scale and land use activities than others).

Support for submission in NPS-UD

IPIs may implement changes to district plans that give effect to Policies 3 and 4 of the NPS-UD (tier 1 territorial authority) and may also amend or include "related provisions", including objectives, policies, rules, standards, and zones, that support or are consequential on Policies 3 and 4.³

Policy 3(d) seeks to enable building heights and density of urban form commensurate with the level of accessibility to commercial activities and community services or the relative demand for housing and business use in that location. It is inappropriate and would undermine that policy to apply a narrow focus on residential subdivision and development, without considering the potential demand for commercial use (or other non-residential uses). There is demand for other commercial uses on the site particularly retail and supermarket uses which would support not only the Upper Hutt community but also the wider region. We are also aware of demand for other commercial uses such as business or technology centres, which could be incorporated within a master planned environment. An MUZ zoning supports Policy 3(d) by enabling density of urban form, but does so in a way that will better provide for the full range of activities contemplated by that policy and anticipated for the site.

This application of Policy 3 is supported by other provisions in the NPS-UD, and in particular, Objective 3 and Policy 2:

Objective 3: Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:

- a) the area is in or near a centre zone or other area with many employment opportunities
- b) the area is well-serviced by existing or planned public transport
- c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.

Policy 2: Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.

UHCC's implementation of Policy 3 in the IPI should be integrated with the other outcomes sought to be achieved by the NPS-UD, and in particular, the need to provide for development to meet expected demand for business land. Section 77N of the Resource Management Act 1991 enables UHCC to amend existing urban non-residential zones in giving effect to Policy 3 using an IPI. This includes enablement of an amendment to the St

² Section 32 Evaluation Report, Volume 3: "Commercial and Mixed Use Zones" at Appendix A. Available [here](#).

³ Resource Management Act 1991, s 80E.

Patrick's site to MUZ zoning introduced by the IPI (including confirmation that the Special Activity Zoning activities are transferred to the new zoning, whether directly to the zone or to the Precinct provisions).

Provision	Support/Oppose/Amend	Submission	Relief Sought
Zoning	Amend	<p>SLHL seeks that the proposed zoning of the St Patrick's Estate Precinct be changed from HDRZ to MUZ.</p> <p>SLHL considers that the MUZ, described as providing for a "wide range of activities" that include residential, retail, commercial, recreational and entertainment activities provides the greatest range of options for the site in a manner that is consistent with the existing range of activities provided for the site currently by the operative District Plan.</p> <p>The change in zoning would not preclude residential development on the site as provided for by the HDRZ. Moreover, the bulk and density standards provided for by the MUZ mirror that of the HDRZ meaning that the change in zoning does not foreclose residential development opportunities, or density of development, as provided for by the HDRZ.</p> <p>The proposed MUZ will instead offer the most flexibility in determining the future development options for this strategically important development site.</p>	Amend the zoning of the St Patrick's Estate Precinct to Mixed Use Zone.
Precinct	Amend	Retain the Precinct approach proposed for the site but transfer the Precinct provisions to the MUZ chapter.	Move the proposed St Patrick's Estate Precinct provisions to the MUZ chapter.
Precinct Mapping	Amend	<p>The reference to the 'St Patricks Estate Precinct' is inconsistent between the District Plan text and the proposed mapping.</p> <p>The mapping does not refer to the St Patrick's Estate Precinct, but rather the St Patrick's Urban Precinct and the St Patrick's College Precinct. Together they are understood to make-up the St Patrick's Estate Precinct.</p> <p>The inconsistency between the two should be corrected, and any consequential changes made to give effect to the correction.</p>	<p>Either:</p> <ol style="list-style-type: none"> 1. Combine the St Patrick's College and St Patrick's Urban Precincts into a single St Patricks Estate Precinct on the planning maps; or 2. Amend the District Plan text to refer to the St Patrick's College and St Patrick's Urban Precincts; or 3. Add an additional layer onto the planning maps of the St Patrick's Estate Precinct that encompasses both the St Patrick's College and St Patrick's Urban Precincts and make any consequential

Provision	Support/Oppose/Amend	Submission	Relief Sought
			changes necessary within the District Plan text.
Precinct Description	Amend	<p>An existing Precinct description is included within the HDRZ chapter. It is submitted above that the description be moved to the MUZ chapter.</p> <p>In addition, amendments are proposed to the description to better recognise the strategic importance of the site, its development potential, and the range of activities that could occur on it commensurate with the MUZ.</p>	<p>Amend the Precinct description as follows:</p> <p><i>The St Patrick's Estate Precinct comprises approximately 45 hectares of undeveloped land bordering the Hutt River, and forms part of the flood plain. The St Patrick's Estate Precinct is strategically located in proximity to State Highway 2, provides a regionally significant development opportunity and is within the walkable catchment of Silverstream Railway Station, and as such, a range of activities are high-density residential development is provided for within the Precinct. The Precinct sits near the Southern gateway to the City and therefore subdivision and development of the Precinct provides an opportunity for to enhance the entrance to the City via landscaping along Fergusson Drive.</i></p> <p><i>The following objectives, policies and rules apply within the St Patrick's Estate Precinct in addition to the provisions of the underlying High-Density Residential-Mixed Use Zone. Where there is any conflict between the provisions the St Patrick's Estate Precinct provisions shall prevail.</i></p>
Precinct Objective	Amend	The proposed Precinct objective refers to the objectives of the underlying zone. A consequential change is required to reflect the change to MUZ sought by this submission.	<p>Amend the proposed Precinct Objective as follows:</p> <p><i>All objectives of the High-Density Residential Mixed Use Zone apply.</i></p>
Precinct Objective	Amend	<p>Currently, the only objective applicable to the St Patrick's Estate Precinct is the one outlined above, which links to the objectives of the underlying zone.</p> <p>It is appropriate to include a Precinct specific objective to support the Precinct.</p>	<p>Insert the following new Objective:</p> <p><u>MUZ-PREC2-01</u> <i>St Patricks Estate Precinct</i></p> <p><i>The St Patrick's Estate Precinct is recognised as a development site of regional significance and a</i></p>

Provision	Support/Oppose/Amend	Submission	Relief Sought
			<i>wide range of activities are enabled on the site through the Mixed Use Zone.</i>
Precinct Policy	Amend		<p>Amend the Precinct policy as follows:</p> <p><i>Policies</i></p> <p><i>In addition to HRMUZ-PREC2-P1 and P2 below, all policies of the High-Density Residential Mixed Use Zone apply.</i></p> <p><i>HRZ-PREC2-P1 Provide for a range of activities including medium and high density residential subdivision, use and development within the St Patrick's Estate Precinct that:</i></p> <ul style="list-style-type: none"> <i>i. avoids significant adverse effects arising from potential inundation from the Hutt River and the Mawaihakona Stream; and</i> <i>ii. provides pedestrian linkages to the Hutt River walkway and Silverstream Railway Station;</i> <i>iii. enhances the southern entrance to the City via landscaping along the frontage of the site with Fergusson Drive.</i>
Precinct Rule – HRZ-PREC2-R1 Permitted Activities	Amend	This is a consequential change resulting from moving the Precinct to the MUZ chapter.	<p>Amend the rule as follows:</p> <p><i>HRMUZ-PREC2-R1 All permitted activity rules and standards in the High-Density Residential Mixed Use Zone apply unless specifically provided for in this table.</i></p>
Precinct Rule – HRZ-PREC2-R2 Controlled Activities	Amend	This is a consequential change resulting from moving the Precinct to the MUZ chapter.	<p>Amend the rule as follows:</p> <p><i>HRMUZ-PREC2-R2 All controlled activity rules, standards, and matters of control in the High</i></p>

Provision	Support/Oppose/Amend	Submission	Relief Sought
			<i>Density Residential Mixed Use Zone apply unless specifically provided for in this table.</i>
Precinct Rule – HRZ- PREC2-R3 Restricted Discretionary Activities	Amend	This is a consequential change resulting from moving the Precinct to the MUZ chapter.	Amend the rule as follows: <i>HRMUZ-PREC2-R3 All restricted <u>discretionary</u> activity rules, standards, matters of discretion, and information requirements in the High-Density Residential Mixed Use Zone apply unless specifically provided for in this table.</i>
Precinct Rule – HRZ- PREC2-R5 Discretionary Activities	Amend	This is a consequential change resulting from moving the Precinct to the MUZ chapter.	Amend the rule as follows: <i>HRMUZ-PREC2-R54 All discretionary activity rules in the High-Density Residential Mixed Use Zone apply unless specifically stated in this table.</i>
Precinct Rule – HRZ- PREC2-R6 Non- complying Activities	Amend	This is a consequential change resulting from moving the Precinct to the MUZ chapter.	Amend the rule as follows: <i>HRMUZ-PREC2-R65 All non-complying activity rules in the High-Density Residential Mixed Use Zone apply unless specifically stated in this table.</i>
Precinct Rule – HRZ- PREC2-R7 Prohibited Activities	Amend	This is a consequential change resulting from moving the Precinct to the MUZ chapter.	Amend the rule as follows: <i>HRMUZ-PREC2-R76 All prohibited activity rules in the High-Density Residential Mixed Use Zone apply unless specifically stated in this table.</i>
Mixed Use Zone Chapter Introduction	Amend	<p>The introduction states that the MUZ provides for a range of activities including “residential <u>over</u> commercial” however the provisions of the chapter do not contain any restriction on ground level residential.</p> <p>An amendment is sought to the introduction of this chapter to remove this linkage to ensure it is consistent with the subsequent provisions.</p> <p>Alternatively, in the event that the introduction reflects the intention, and that corrections are required to the latter provisions to reflect a ground level</p>	Amend the introduction as follows: <i>The Mixed Use Zone provides for a wide range of activities ranging from residential over—and commercial to light industrial. It enables retail, large format retail, commercial, recreational and entertainment activities, while also providing for drive-through activities and light industrial activities.</i>

Provision	Support/Oppose/Amend	Submission	Relief Sought
		restriction on residential development, then specific provision for ground level residential is sought for the St Patrick's Estate Precinct.	Alternatively, amend the introduction to the chapter to clarify that residential at ground floor is envisaged within the St Patricks Estate Precinct.
Mixed Use Zone Chapter Introduction	Amend	<p>The proposed introduction to the HDRZ includes the following statement:</p> <p><i>"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"</i></p> <p>Given the change sought by this submission of a MUZ, the statement should be moved to the MUZ chapter as a consequential change.</p>	<p>Amend the introduction to the Mixed Use chapter by adding the following:</p> <p><i>"Within the High Density Residential Mixed Use Zone, development within the St Patrick's Estate Precinct will maintain and enhance linkages to the Hutt River walkway and Silverstream Railway Station"</i></p>
Mixed Use Zone Objective MUZ-O1	Amend	<p>Proposed Objective MUZ-O1 presently reads:</p> <p><i>"The Mixed Use Zone accommodates a wide range of activities, including commercial, recreational, entertainment, 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."</i></p> <p>Given the range of activities that the zone provides for, including large format retailing, commercial development, entertainment and recreational activities, the activities may ultimately service a wider catchment than "surrounding residential catchments". There is uncertainty in that use of the word 'surrounding' which could refer to immediately surrounding suburbs, the wider Upper Hutt community or neighbouring cities.</p>	<p>Amend Objective MUZ-O1 by either removing the words "[t]he non-residential activities service the needs of business and surrounding residential catchments"</p> <p>Or, amend Objective MUZ-O1 as follows:</p> <p><i>The Mixed Use Zone accommodates a wide range of activities, including commercial, recreational, entertainment, 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."</i></p>
Mixed Use Zone Policy MUZ-P1	Amend	<p>Akin to Objective MUZ-O1, Policy MUZ-O1 states:</p> <p><i>Enable appropriate activities that</i></p> <ol style="list-style-type: none"> <i>1. Are consistent with the anticipated role, function and character of the Mixed Use Zone;</i> <i>2. Provide employment and services to businesses and surrounding residential catchments; and</i> 	<p>Amend Policy MUZ-P1 as follows:</p> <p>...</p> <ol style="list-style-type: none"> <i>2. Provide employment and services to businesses and surrounding residential catchments; and</i> <p>...</p>

Provision	Support/Oppose/Amend	Submission	Relief Sought
		<p>3. <i>Minimise any adverse effects on the amenity of adjoining residential, recreational and open space sites.</i></p> <p>Again the use of the word 'surrounding' in (2) creates uncertainty and it is proposed to remove the word from the policy.</p>	
Mixed Use Zone Policy MUZ-P2	Support	The policy appropriately provides for residential development in the MUZ.	Retain the policy as notified.
Mixed Use Zone Policy MUZ-P5	Support	The policy appropriately provides for built development in the MUZ.	Retain the policy as notified.
Mixed Use Zone Rule MUZ-R1	Support	The rule appropriately controls buildings and structure in the MUZ.	Retain the rule as notified.
Mixed Use Zone Rule MUZ-R4	Support	The rule provides for retail activity and large format retailing as a permitted activity subject to compliance with a landscaping and screening standard and is appropriate.	Retain the rule as notified.
Mixed Use Zone New Rule	Amend	The operative Special Activity Zone provides for a range of activities for the site. While the majority of those are also provided for by the MUZ, one activity that is not provided for are garden centres. While such an activity may arguably be 'caught' by the provision and definitions for retailing and/or large format retailing, because 'garden centre' is separately defined by the District Plan (and the definition is not proposed to be removed) it should also be provided for directly.	Include new rule MRZ-PREC1-R1 to provide for garden centres as a permitted activity within the St Patricks Estate Precinct, <u>or</u> , provide for garden centres as a permitted activity across the MUZ.
Mixed Use Zone New Rule	Amend	<p>While the definitions of retail activity and large format retail are broad, it is noted that a separate definition of supermarket is also provided by the District Plan.</p> <p>For the avoidance of doubt, the submissions seeks that supermarket activity is provided for directly.</p>	Provide for supermarkets as a permitted activity within the St Patrick's Estate Precinct, or clarify as part of the existing definition of large format retail, that it is inclusive of supermarkets.
Mixed Use Zone New Rule	Amend	Within the St Patrick's Estate Precinct is St Patrick's College. The College operates without the benefit of a designation to provide for its educational activity functions.	Amend the proposed Precinct provisions, as transferred to the MUZ, to provide for the educational activity functions of the St Patrick's College site as a permitted activity.

Provision	Support/Oppose/Amend	Submission	Relief Sought
		<p>Under the proposed HDRZ zoning, the educational activity function of the school would be provided for as a discretionary activity. Under the MUZ provisions, educational facilities are provided for as a permitted activity but are limited to a 500m² gross floor area per facility.</p> <p>The submission seeks that the educational activity functions of the existing St Patrick's College are provided for as a permitted activity.</p>	
Subdivision Chapter	Amend	<p>The proposed changes also include changes to the subdivision provisions for the HDRZ and specific provisions relating to the St Patrick's Estate Precinct. SLHL is comfortable with the subdivision provisions of that chapter.</p> <p>The changes proposed by this submission to rezone the site to MUZ will necessitate changes to the relevant subdivision provisions.</p>	Amend the subdivision provisions relevant to the MUZ by including, as necessary, subdivision provisions from the HDRZ relevant to the St Patrick's Estate Precinct.

Submission 63

alex_ just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Alex Stopforth

Postal address of submitter:

8 Terminus St, Silverstream, Upper Hutt

Email address:

alex.stopforth@live.com

Telephone number:

0273119355

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

New medium density residential standards.

My submission is that:

Council should consider specific rules stating that a three storey residential building cannot be built with any of its living, or dining spaces (indoor or outdoor) adjacent to or overlooking any neighbour's living, dining or outdoor spaces such as lawns, gardens or patios (but not driveways, or garages). I don't know if this conflicts with the new medium density standards, but presume it's possible to develop some additional rules like this which preserve privacy while not interfering with the new medium density standards.

I seek the following decision from the local authority:

See above.

Please indicate whether you wish to be heard in support of your submission:

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.



OFFICE USE ONLY

Submission number

64

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN
Planning for Growth - Intensification Planning Instrument (IPI)

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

Deliver to: Upper Hutt Civic Centre, 838 – 842 Fergusson Drive, Upper Hutt 5019

Post to: Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

Scan and email to: planning@uhcc.govt.nz

Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at planning@uhcc.govt.nz.

NAME OF SUBMITTER	Retirement Villages Association of New Zealand Incorporated		
POSTAL ADDRESS OF SUBMITTER	c/o Chapman Tripp, Level 34, 15 Customs Street West, PO Box 2206, Auckland 1140		
AGENT ACTING FOR SUBMITTER (IF APPLICABLE)	Luke Hinchey		
ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)			
CONTACT TELEPHONE	+6493572709	CONTACT EMAIL	luke.hinchey@chapmantripp.com

I could gain an advantage in trade competition through this submission (please tick one): **yes** / **no**

Only answer this question if you ticked 'yes' above:

I **am** / **am not** (tick one) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

See attached submission.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

See attached submission.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

See attached submission.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I **do** wish to be heard in support of my submission.
 I **do not** wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I **do** wish to make a joint case.
 I **do not** wish to make a joint case.

Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

DATE

30/09/22



Form 5

SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR POLICY STATEMENT OR
PLAN, CHANGE OR VARIATION

Clause 6 of Schedule 1, Resource Management Act 1991

To Upper Hutt City Council (*Council*)

Name of submitter: Retirement Villages Association of New Zealand Incorporated (*RVA*)

- 1 This is a submission on **the Council's proposed amendments to the** Upper Hutt City Council District Plan (*District Plan*): Proposed Intensification Planning Instrument (*IPI*).
- 2 The RVA could not gain an advantage in trade competition through this submission.

INTRODUCTION

- 3 The RVA welcomes this opportunity to provide feedback on the IPI. The RVA and its members have a significant interest in how the IPI will provide for retirement villages in Upper Hutt City.
- 4 New Zealand, including Upper Hutt City, has a rapidly increasing ageing population and longer life expectancy and there is a growing trend of people wishing to live in retirement villages.
- 5 The under-provision of retirement living and aged care in New Zealand is at crisis point, with the growing ageing population facing a significant shortage in appropriate accommodation and care options. This problem is immediate, and demographic changes mean that the demand for retirement accommodation and aged care will continue to grow.
- 6 The Government recently recognised the ageing population as one of the key housing and urban development challenges facing New Zealand in its overarching direction for housing and urban development – the Government Policy on Housing and Urban Development (*GPS-HUD*).¹ The **GPS-HUD records that "[s]ecure, functional housing choices for older people will be increasingly fundamental to wellbeing"**.² The government strategy *Better later life – He Oranga Kaumatua 2019 to 2034* recognises **that "[m]any people want to age in the communities they already live in, while others wish to move closer to family and whānau, or to move to retirement villages or locations that offer the lifestyle and security they want"**.³

¹ The GPS-HUD was issued in September 2021 (available [online](#)).

² GPS-HUD, page 10.

³ *Better Later Life – He Oranga Kaumatua 2019 to 2034* (available [online](#)), page 32.

- 7 The RVA considers the IPI needs to adequately address the critical need for retirement accommodation and aged care in Upper Hutt City. It must also provide a clear and consistent regime for retirement villages. It is also important that potential effects from retirement villages are managed proportionately and efficiently with the least regulation and prescription necessary. The significant benefits of retirement villages also need to be given appropriate weight.
- 8 The RVA is also seeking national consistency in the planning regimes for retirement villages through the intensification planning instruments required under the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (*Enabling Housing Act*). National consistency will greatly assist with streamlining and making more efficient, the delivery of retirement villages across New Zealand.
- 9 This submission is set out as follows:
- 9.1 Background: This section introduces the RVA, retirement villages and the regulatory regime applying to retirement villages. It then sets out New Zealand's ageing population demographics and outlines the retirement housing and care crisis and the wellbeing and health issues arising from that crisis. Finally, it sets out the role of retirement villages in addressing that crisis and the other benefits of retirement villages.
- 9.2 What the IPI must deliver for retirement villages: This section sets out the outcomes the RVA considers the IPI must deliver for retirement villages. The key outcomes sought by the RVA are: the appropriate translation of the Medium Density Residential Standards (*MDRS*) from the Enabling Housing Act into the District Plan, amendments to the District Plan to address inconsistencies with the MDRS and a retirement village-specific planning framework that adopts the key features of the MDRS as appropriately modified. The RVA also seeks amendments to the Financial Contributions chapter to prevent double dipping, provide clarity as to contributions payable and provide a retirement-specific regime that takes into account retirement villages' substantially lower demand profile compared to standard residential developments.
- 9.3 Relief sought: This section sets out the relief sought by the RVA to address the key outcomes it seeks in relation to the IPI. **The RVA's specific submission** points and relief sought on the IPI are set out in Appendix 1.

BACKGROUND

Retirement Villages Association

- 10 The RVA is a voluntary industry organisation that represents the interests of the owners, developers and managers of registered retirement villages throughout New Zealand. The RVA was incorporated in 1989 to represent the interests of retirement village owners, developers and managers, to government, develop operating standards for the day-to-day management of retirement villages, and protect their residents' wellbeing.
- 11 Today, the RVA has 407 member villages throughout New Zealand, with approximately 38,520 units that are home to around 50,000 older New Zealanders.

This figure is 96% of the registered retirement village units in New Zealand.⁴ The **RVA's members include all five publicly**-listed companies (Ryman Healthcare, Summerset Group, Arvida Group, Oceania Healthcare, and Radius Residential Care Ltd), other corporate groups (such as Metlifecare and Bupa Healthcare) independent operators, and not-for profit operators (such as community trusts, and religious and welfare organisations).

Retirement villages

- 12 'Retirement village' is an umbrella term given to all types of retirement living. There are two main types of retirement villages - **'comprehensive care villages' and 'lifestyle villages'**:

12.1 Comprehensive care retirement villages provide a full range of living and care options to residents from independent living, through to serviced care, rest home, hospital and dementia level care.

12.2 Lifestyle retirement villages focus mostly on independent living units with a small amount of serviced care provided on a largely temporary basis.

- 13 Approximately 65% of registered retirement villages have some level of aged residential care within the village. Approximately 19,300 aged care beds are part of a retirement village, which is 50% of all age care beds in the country.⁵

- 14 **'Retirement village' is defined in section 6 of the Retirement Villages Act 2003 (RV Act) as:**

... the part of any property, building, or other premises that contains 2 or more residential units that provide, or are intended to provide, residential accommodation together with services or facilities, or both, predominantly for persons in their retirement, or persons in their retirement and their spouses or partners, or both, and for which the residents pay, or agree to pay, a capital sum as consideration and regardless of [various factors relating to the type of right of occupation, consideration, etc]..

A regulated industry

- 15 The retirement village industry is regulated by the Retirement Villages Act 2003 (*RV Act*), as well as associated regulations and codes of practice established through the RV Act. The regulatory regime is focussed on consumer protection via a comprehensive disclosure regime, so that residents make an informed decision to move to a village.

- 16 This regulatory regime includes the following:

16.1 **Registration of retirement villages with the "Registrar of Retirement Villages"**. The Registrar places a memorial on the land title. The memorial means that the village can only be sold as a **retirement village and that the residents'** tenure is ranked above all other creditors to the village. The residents have absolute rights to live in their units and have access to the village amenities.

16.2 **Retirement village operators are required to appoint a "Statutory Supervisor" whose job is to protect residents' interests and report to the Registrar and the**

⁴ There are also almost 6,000 Occupation Right Agreements for care suites as part of the aged care system.

⁵ Jones Lang LaSalle, NZ Retirement Villages and Aged Care Whitepaper, July 2022, page 4.

Financial Markets Authority that the village is being operated in a financially prudent manner.

- 16.3 Operators are required to provide intending residents with a disclosure **statement that sets out the village’s ownership, financial position, status, and** a range of other important information. This statement provides **comprehensive guidance to ensure that a resident’s decision to move into a** retirement village is an informed one.
- 16.4 **Before signing a contract (an “Occupation Right Agreement” or “ORA”),** an intending resident must consult a solicitor who must explain the details of the contract and sign an affirmation that they have provided that advice.
- 17 The codes of practice that regulate the industry include a code of practice and a **code of residents’ rights.**⁶ The Code of Practice is administered by the Ministry of Business, Innovation and Employment, and it governs the day-to-day management of the villages. The Code sets out the minimum standards for the operation of retirement villages. These standards address a wide variety of matters, including documents that operators must provide to intending residents, staffing policies and procedures, safety and security policies, fire and emergency procedures, the frequency and conduct of meetings between residents and operators, complaint procedures, as well as communications with residents.
- 18 The **Code of Residents’ Rights is set out in the RV Act.**⁷ The Code is a summary of the minimum rights conferred on retirement village residents. It ensures that residents are respected and consulted on material matters that affect their contracts.⁸
- New Zealand’s ageing population**
- 19 The proportion of older people in our communities compared to the rest of the population is increasing. Soon, there will be more people aged 65+ than children aged under 14 years.⁹ By 2034, it is expected that New Zealand will be home to around 1.2 million people aged 65 and over, just over a fifth of the total population.¹⁰
- 20 The growth in the 75+ age bracket is also increasing exponentially (as illustrated by the graph below). It is estimated that 364,100 people in New Zealand were aged over 75 in 2022. By 2048, the population aged 75+ is forecasted to more than double to 804,600 people nationally.¹¹

⁶ Both codes are available online ([Code of Practice](#) and [Code of Residents Rights](#)).

⁷ Schedule 4.

⁸ **The Code sets out a residents’ rights to services, information, and consultation, the right to complain, the right to a speedy and efficient process for resolving disputes, the right to use a support person or representative in dealings with the operator or other residents at the village, the right to be treated with courtesy, and the right not to be exploited by the operator.**

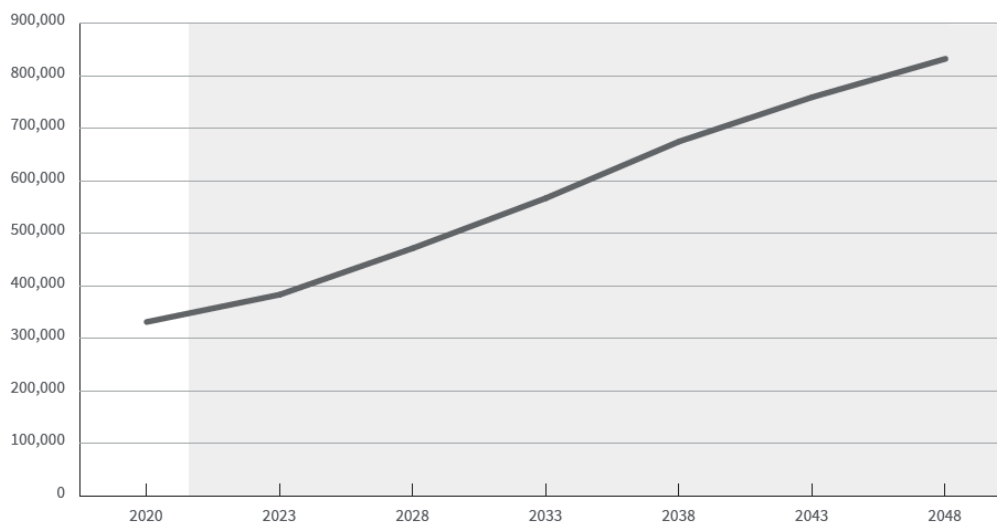
⁹ Better Later Life – He Oranga Kaumatua 2019 to 2034, page 6.

¹⁰ Ibid.

¹¹ Statistics New Zealand, Population Projections.

- 21 In Upper Hutt, the growth in the 75+ age bracket is similar to the national average. Statistics New Zealand estimates that in 2018, 3,010 people were aged over 75. By 2048, this number is forecasted to more than double to 7,930.¹²

Figure 1 75+ years population 2020 - 2048



Source: JLL Research and Consultancy; Statistics New Zealand (medium forecast scenario)

- 22 Older people aged 85+ comprise the most rapidly increasing age group in the country, with the numbers projected to almost triple from 93,500 in 2022 to 227,600 in 2048. Given around 45% of this age group require aged care beds, this growth will create a need for a minimum of an additional 84,700 aged care beds to be provided by 2048.
- 23 The ageing population of New Zealand reflects the combined impact of:
- 23.1 Lower fertility;
 - 23.2 Increasing longevity (due to advances in medical technology and increased survival rates from life-threatening diseases); and
 - 23.3 The movement of the large number of people born during the 1950s to early 1970s into the older age groups.
- 24 The largest increases in the 65+ age group will occur in the 2020s and 2030s, when **the large birth cohorts of the 1950s and 1960s (the "baby boomers")** move into this age group.
- The retirement housing and care crisis
- 25 The under-provision of retirement living and aged care in New Zealand is at crisis point, with the growing ageing population facing a significant shortage in appropriate accommodation and care options. This problem is immediate, and projected to worsen in the coming decades as older age groups continue to grow.¹³

¹² Statistics New Zealand, Subnational Population Estimates at 30 June 2021 (provisional).

¹³ See, for example, Stats NZ (2020). Housing in Aotearoa: 2020, which outlines the need for changing size and suitability of housing, acknowledging the ageing population. For further detail on the question of 'what is the ideal place to grow older', see Janine Wiles, Kirsty Wild, Ngaire Kerse, Mere

- 26 The demand for quality living options is significantly higher than the current supply. The supply is decreasing due to closures of older style small and poor quality aged care homes, which are usually conversions of old houses. These usually do not offer the living standard that residents deserve. At the same time, demand for retirement housing and care is increasing.
- 27 **This crisis is evidenced by the increasing number of RVA members' villages that** have waiting lists (including existing villages and those under construction). Many RVA member villages have waiting lists of 2 or more years. These lists are comprised of people who have expressed an interest in living in a retirement village. The waitlists show the desperate need in New Zealand for more retirement living and care options.
- 28 The ageing population and longer life expectancy, coupled with a trend towards people wishing to live in retirement villages that provide purpose-built accommodation, means that demand is continuing to grow. This is creating a severe and growing shortage of retirement villages, as supply cannot match demand. The national penetration rate for retirement villages (i.e. the percentage of the population aged 75+ who choose to live in a village) is 14.3%. If the existing penetration rate continues, we can expect an increase of approximately 34,000 residents, and a national demand for an additional 26,000 retirement village units by 2033.¹⁴ In reality, the demand will be higher as the penetration rate continues to grow.
- 29 This increasing demand is reflected in the development pipeline.¹⁵ In 2022, there was a total of 216 villages in the development pipeline.¹⁶ This development pipeline, if realised, will help ease the short-term anticipated shortfall in supply of quality retirement living and aged care options in New Zealand. However, further development of new villages, beyond the current pipeline, is needed to meet the longer-term predicted shortfall. It is anticipated that at least 10 new large scale villages each year are going to be required across New Zealand, just to keep up with demand over the next 20 years.
- 30 Further, the COVID-19 pandemic has exacerbated this issue. Overall, retirement villages performed remarkably well in protecting the most vulnerable by providing safe communities and companionship during the tough periods of lockdown. This performance has resulted in an even stronger demand to access retirement villages and further limited stock available.¹⁷
- 31 As discussed in more detail in subsequent sections of this paper, a key barrier to meeting the increasing demand is the significant delay between the consenting and construction stages of developments. Even if the resource consent process goes smoothly, the development of a retirement village is around a 10 year project for most new villages. But, many retirement villages face years of delays during the consenting process. Delays are frustrating and costly for all involved, and are

Kēpa, Carmel Peteru (2011). Resilient Ageing in Place Project Recommendations and Report. The University of Auckland, Auckland.

¹⁴ Jones Lang LaSalle, NZ Retirement Villages and Aged Care Whitepaper, July 2022, page 18.

¹⁵ **The 'development pipeline' refers to the development of new villages (both actual and planned).**

¹⁶ Jones Lang LaSalle, NZ Retirement Villages and Aged Care Whitepaper, June 2021, page 17.

¹⁷ Ibid, pages 5 and 25.

especially prejudicial to the wellbeing of older persons who are living in unsuitable accommodation while waiting for a retirement village to be completed.

- 32 Social issues arising from the shortage of housing and care for older people
Providing appropriate accommodation and care for older persons is a critical social issue facing New Zealand. A failure to recognise and provide for appropriate housing and care for the ageing population in future planning will impact on the mental and **physical health and wellbeing of some of society's most** vulnerable members, and have flow on effects that will impact the wider community as a whole.

Suitability of accommodation

- 33 **Many of New Zealand's older residents are currently living in unsuitable** accommodation. **"Unsuitable accommodation" in this context can mean a couple or a** single person living in a large house that is expensive and difficult to maintain and heat properly, has barriers to mobility such as stairs, or is built on a hill, or has a garden that they cannot maintain. Unsuitable accommodation could also include housing that is of such a distance from key services and amenities that it limits their access to their community and care needs.

- 34 In this context, it is important to note that retirement villages have a very different **new-build pattern than the rest of the country's new-build** housing stock.¹⁸ **New Zealand's general housing stock is dominated by three or more bedroom dwellings,** with the average size of new builds increasing from around 115 m² in 1976 (33 m² per person) to 200 m² in 2013 (71 m² per person).

- 35 In contrast, the retirement village industry is building units that match the needs of smaller households, with approximately 90% of retirement village units providing one or two bedrooms.¹⁹

- 36 Retirement units are also purpose-built for older people. They are accessible for those with mobility restrictions, are modern, warm and comfortable, and responsibility for their upkeep and maintenance falls on the village operator rather than the resident.

- 37 Further, retirement villages generally offer extensive on-site amenities, such as pools, gyms, theatres, libraries, bars and restaurants, communal sitting areas, activity rooms, bowling greens, and landscaped grounds. These amenities are provided to meet the specific needs of retirement village residents, leading to significant positive benefits for residents.

Mental wellbeing

- 38 Mental wellbeing issues are also growing, including isolation, loneliness, and related depression due to many older people living alone, and often also being separated from family and friends due to their increasing mobility restrictions.

- 39 This presents a serious social issue for New Zealand. There is little doubt that older people are particularly vulnerable to social isolation or loneliness because friends and family have either died or moved away, or they have restricted mobility or **income. This isolation impacts on the individual's quality of life and wellbeing,** adversely affecting their health and increasing their use of health and social care

¹⁸ CRESA, Retirement Village Housing Resilience Survey (June 2014), and Equity Release – Realities for Older People (August 2016).

¹⁹ CRESA, Equity Release – Realities for Older People, August 2016.

services. In exploring the prevalence of this issue, one study estimates that between 5 and 16% of people aged 65+ report loneliness, while 12% feel socially isolated.²⁰

40 Based on recent data collected by UMR Research New Zealand,²¹ the most important factors for people when deciding to move into a retirement village are 'security and safety', 'peace of mind' and 'hassle-free lifestyle'. Importantly, the data also shows that retirement villages deliver on these important factors. The changing structure of society, resulting in families living far apart and older people living on their own, has resulted in many older people feeling isolated and lonely. Villages provide safe, warm, appropriate housing and a community of interest for their residents with the opportunity for socialisation should they choose to take it up. Villages therefore directly combat isolation and loneliness felt by so many older people.

41 Longitudinal studies into recorded lifespans show that older people who are part of a social group have a better chance of living longer than those who are not. Australian studies suggest that retirement village residents live longer and happier lives than the same cohort who live elsewhere.²²

42 Retirement villages are an important way to fight social isolation and loneliness. Facilitating the development of appropriate accommodation and care for the ageing population and enabling older people to move into purpose built, comfortable and secure dwellings not only improves the quality of life of these older people, but also has wider benefits for the community as a whole. The improved social and health support provided in retirement villages alleviates pressure placed on health and social care services freeing up these resources for other community members. The movement of older people into retirement villages also releases existing housing stock for other people, as addressed in more detail below.

The role of retirement villages

Addressing the retirement housing and care crisis

43 Retirement villages already play a significant part in housing and caring for older people in New Zealand. As previously noted, currently 14.3% of the 75+ age group population live in retirement villages, a penetration rate that has risen from around 9.0% of the 75+ age population at the end of 2012.²³ It is likely that this rate will continue to increase over time.

44 In Upper Hutt, the penetration rate is already higher than the national average, with 18.6% of the 75+ age group population living in a retirement village.

45 As previously mentioned, **RVA's members have 407 villages across the country**, providing homes for around 50,000 residents. Over the next 5 to 10 years, that is anticipated to grow significantly with 86 new villages and 130 expansions to existing villages, providing 22,200 homes for approximately additional 28,900 residents.

²⁰ Social Care Institute for Excellence, Research Briefing number 39, Preventing loneliness and social isolation: Intervention and Outcomes, October 2011.

²¹ UMR Research New Zealand, 'Residents Survey – Retirement Villages Association', January 2021. The results were based on questions asked in an online survey distributed to 100 retirement villages across New Zealand.

²² For example, studies undertaken by the Illawarra Retirement Trust, a retirement village operator based in Wollongong, NSW.

²³ Ibid, page 15.

Retirement villages therefore will play a growing role in addressing the retirement housing and care crisis.

- 46 In Upper Hutt, there are currently 4 existing villages that are home to around 560 residents. There are no villages currently in development or expanding in Upper Hutt. A number of additional villages will be needed in the City to meet the growth in the 75+ demographic.
- 47 **The RVA's members have established reputations for building high quality villages to** address the needs of residents and employing professional and caring staff. Through this experience, retirement village operators have developed in depth and specialist knowledge and expertise in the development of purpose built retirement villages. Importantly, retirement village operators are not developers, and have a long term interest in their villages and residents.
- 48 Retirement villages also cater to a wide range of residents with differing levels of health and independence, offering a range of housing options and care to meet the specific needs of the residents. These are features that often distinguish retirement village operators from typical residential developers who generally do not deliver purpose built environments for the ageing population.
- 49 Retirement village operators are therefore well placed to help to address the retirement housing and care crisis. To do so, it is critical that the construction, operation and maintenance of retirement villages are appropriately provided for in planning regimes.
- Providing a range of accommodation options to suit different needs*
- 50 Retirement villages provide appropriate accommodation and care for a vulnerable sector of our community with different housing and care needs compared to the rest of the population.
- 51 Retirement villages allow older people to continue living in their established community, while down-sizing to a more manageable property (i.e. without stairs or large gardens). Retirement village living provides security, companionship and peace of mind for residents.²⁴ Residents will also, in most cases, have easy access to care and other support services.
- 52 The RVA has seen a marked change in retirement accommodation over the last 20 years. In the past, lifestyle villages without care were relatively common. As the population ages, the retirement village industry is seeing a greater demand for a **'continuum of care' in one location** - from independent units through to hospital and dementia care. Today, many villages are being developed with some degree of residential care in their campus. Some villages are committed to a full continuum of care, while others focus on providing a smaller number of rest home beds that are available for residents if they are needed.
- 53 Another important trend is for operators to build serviced apartments, where a resident moves in and out of care as required but without having to physically move from their apartment. These developments are a direct response to market demands. The sector is focused on providing a mix of independent living units and

²⁴ PWC 'Retirement village contribution to housing, employment, and GDP in New Zealand' (March 2018). Brown, N.J., "Does Living Environment Affect Older Adults Physical Activity Levels?". Grant, Bevan C. (2007) 'Retirement Villages', *Activities, Adaptation and Aging*, 31:2, 37-55.

care options to meet the range of financial, social and other resources our residents have.

- 54 A number of operators also focus on providing social housing as part of their villages. This can be a mix of affordable Occupation Right Agreements and rental units.
- 55 **'Care only' facilities are increasingly rare. This is because under the current** government funding regime for health care provision, it is not possible to justify the capital cost of building stand-alone residential care facilities. As a result, no residential care facilities, apart from extensions to existing facilities, have been built in the last five years or so.
- 56 Ultimately, the retirement village industry provides appropriate accommodation to address the specific needs of the older population, including a range of large and smaller scaled retirement villages and aged care homes with differing services, amenities and care. This variety enables differing price points and options, which are vital to enabling choices for the growing ageing population.

Retirement villages' role in addressing the general housing crisis

- 57 Retirement villages also help to ease demand on the residential housing market and assist with the housing supply shortage in New Zealand. That is because growth in retirement village units is faster than growth in the general housing stock. And, the majority of new villages are located in major urban centres. **The retirement village sector therefore also contributes significantly to the development of New Zealand's urban areas, and the particular challenges urban areas face.**
- 58 New build data from Statistics NZ shows that retirement village units constituted between 5% and 8% of all new dwellings between June 2016 and June 2021.
- 59 The retirement village sector allows older New Zealanders to free up their often large and age-inappropriate family homes and move to comfortable and secure homes in a retirement village. The RVA estimates that around 5,500 family homes are released back into the housing market annually through new retirement village builds. This represents a significant contribution to easing the chronic housing shortage. A large scale village, for example, releases approximately 300 houses back onto the market to be more efficiently used by families desperate for homes. To illustrate, retirement units are generally occupied by an average of 1.3 people per unit, compared to an average of 2.6 people per standard dwelling.

Other benefits of retirement villages

- 60 In addition to the important role of retirement villages in addressing the housing crisis and providing the ageing population with housing and care tailored to their needs, the retirement village sector also produces other broader benefits:
- 60.1 The sector employs approximately 19,000 people to support day-to-day operations. Between 2018 and 2026, approximately 9,500 new jobs will have been created from construction of new villages. The sector contributes around **\$1.1 billion to New Zealand's GDP from day-to-day operations.**²⁵ More recently, and importantly, the sector has generated jobs in industries that have been impacted by COVID-19 (such as hospitality and accommodation).

²⁵ PWC 'Retirement village contribution to housing, employment, and GDP in New Zealand' (March 2018) page 4.

- 60.2 The contribution of retirement village construction is also substantial. For example, a large scale new village will cost in the order of \$100-\$200 million to construct. Retirement village construction is also expected to employ approximately 5,700 FTEs each year.²⁶
- 60.3 Retirement villages also support Te Whatu Ora, Health New Zealand by providing health care support for residents that would otherwise be utilising **the public healthcare system thereby reducing “bed blocking” in hospitals.**
- 60.4 Due to the lower demand for transport (including because of on-site amenities), retirement villages contribute proportionately less to transport emissions than standard residential developments. Operators also invest in a range of other methods to reduce carbon emissions from the construction and operation of villages.

WHAT THE IPI MUST DELIVER FOR RETIREMENT VILLAGES

Better enable housing and care for the ageing population

- 61 As explained above, promoting the wellbeing of older persons within our communities requires district plans to better enable the construction of new retirement villages. In the experience of RVA members, cumbersome, rigid and uncertain resource management processes and practices are a major impediment to delivering necessary retirement housing and care. In particular, resource consent processes take too long, are unnecessarily complex, and often do not provide for retirement living options properly because the relevant plans are not fit for purpose.
- 62 The IPI represents a major opportunity to better enable the provision of a diverse range of retirement housing and care options. If this opportunity is not taken now, the existing consenting challenges facing retirement village operators are likely to be perpetuated for many years.
- 63 In fact, Council must take this step in order to give effect to the NPSUD through the IPI. The NPSUD specifically recognises that well-functioning urban environments enable all people and communities to provide for their wellbeing, health and safety (Objective 1). For the reasons explained in detail above, achieving this wellbeing objective in relation to older persons within our community means providing for their specific housing and care needs.
- 64 The NPSUD also states that contributing to well-functioning urban environments **means enabling a “variety of homes” to meet the “needs ... of different households”** (Policy 1), and that cannot be achieved in our major centres without enabling significant intensification of our urban environments (Policy 3). These NPSUD policies therefore require the IPI to specifically respond to the need to provide suitable and diverse housing choices and options for our ageing population as part of the intensification of urban environments.
- 65 **The Enabling Housing Act builds on the NPSUD as part of the Government’s** response to reduce barriers to housing supply. The Enabling Housing Act puts in place specific requirements to provide for medium density housing as a minimum in all relevant residential zones (the MDRS). Retirement villages will not be permitted **activities under the MDRS because of the “no more than 3 residential units per site” density standard (clause 10). However, retirement villages require “the construction**

²⁶ Ibid.

and use of 4 or more residential units on a site". They will therefore be restricted discretionary activities under the MDRS. Accordingly, the RVA considers the IPI must include a restricted discretionary activity rule for retirement villages in all relevant residential zones.

- 66 It is also important to emphasise that the Enabling Housing Act does not only require Tier 1 councils to implement the medium density requirements in relevant residential zones but also to give effect to Policy 3 of the NPSUD regarding intensification of urban environments.²⁷ Accordingly, the IPI also needs to enable intensification (through building heights and densities) that responds to the location of centres and rapid transit stops. In some cases, that intensification must include **"building heights of at least 6 storeys" and must achieve the objective of enabling more people to live in areas where there is a high demand for housing** (Objective 3 of the NPSUD).
- 67 In order to meet the Enabling Housing Act requirements, to give effect to the NPSUD, and respond to the significant health and wellbeing issues created by the current retirement housing and care crisis, the IPI must ensure that the District Plan specifically and appropriately provides for and enables retirement villages in all relevant residential and commercial/mixed use zones.
- 68 The RVA considers this outcome can only be achieved by providing for a retirement village-specific objective, policy and rule framework. In the experience of RVA members, without a specific framework, retirement village proposals face material uncertainty and consenting barriers as council officers attempt to apply general residential approaches that are not fit-for-purpose to retirement villages. The retirement village-specific framework sought by the RVA is set out in the following sections of this submission.
- 69 Recognise that retirement villages are a residential activity
A key issue with many existing district plans is their failure to explicitly recognise that retirement villages are a residential activity. This issue has resulted in consenting challenges with members of the community, and sometimes even council officers, taking the view that retirement villages are non-residential activities that should only be provided for in non-residential zones or seeking to assess different parts of a village in a different manner (such as a commercial activity).
- 70 Retirement villages are clearly a residential activity²⁸ as they provide permanent homes for the residents that live there. Retirement villages do provide a range of ancillary services, however those services are provided for residents only and complement the residential function of retirement villages by meeting the particular needs of older residents. The residential nature of retirement villages is reflected in the definition, which recognises the key function of villages as a "*residential complex or facilities*" for the provision of "*residential accommodation for people who are retired*".²⁹
- 71 This recognition requires that retirement villages as a land use are a permitted activity. In line with the Enabling Housing Act, the RVA considers the construction of

²⁷ RMA, s77G.

²⁸ The definition of 'residential activity' as set out in the National Planning Standards is: "*means the use of land and building(s) for people's living accommodation*".

²⁹ National Planning Standard, page 62.

retirement villages (being four or more residential units on a site) can be regulated as a restricted discretionary activity.

- Provide for retirement villages in the GRZ and HRZ
- 72 **The RVA members' experience is that older people want to stay in the communities** in which they currently live, and have lived for many years, during their retirement. **This is called 'ageing in place'. It allows residents to remain close to their families, friends, familiar amenities and other support networks. It promotes activities that improve residents' wellbeing, including physical activity, social engagement and intergenerational activity, due to the easily accessible surrounding destinations in a familiar neighbourhood. It allows residents to access public transport to facilitate these activities as independent driving ability declines and climate change impact increases. It allows residents to continue to play an integral part in the communities that they helped establish.**
- 73 For these reasons, the majority of retirement village residents come from dwellings located in surrounding suburbs.
- 74 It is noted that the Christchurch Replacement District Plan Independent Hearings Panel (chaired by a former High Court judge, with members including another former High Court judge, an Environment Court judge and experienced independent commissioners) acknowledged the importance of ageing in place:³⁰
- [332] Dr **Humphrey's evidence stressed the clear health and social** evidence of people ageing in their own communities. We have also taken particular note of Dr **Humphrey's evidence as** to the importance of providing choice for ageing in place. That evidence was supported by the evidence of Mr de Roo. We find that ageing in place, whereby older persons have choices to downsize from their family homes yet remain within their familiar neighbourhoods, is important not only for the wellbeing of our older citizens but also for the communities of which they should continue to contribute to and be part of. In addition to providing choice, assisting affordability is also important. Those priorities are also generally reflected in the Statement of Expectations.
- 75 Similar issues were recognised in the Proposed Auckland Unitary Plan section 32 evaluation:³¹
- Existing legacy plans do not provide the flexibility required by retirement villages to **construct buildings that are 'fit for purpose' in terms of providing for a range of housing and care choices for older people and those requiring care or assisted living. As Auckland's population continues to grow, it is important that a choice of housing is provided for older people, particularly in locations that provide good amenity and access to community services and facilities.**
- 76 Both the Auckland Unitary Plan and Christchurch District Plan provide for the construction of retirement villages as a restricted discretionary activity in the key residential zones.
- 77 **The RVA members' experience is that sites in existing residential areas that are** appropriate for retirement villages are extremely rare. Sites of the required size and

³⁰ Decision 10 – Residential (part) (and relevant definitions and associated planning maps) (10 December 2015).

³¹ Auckland Unitary Plan Section 32 Report, Part 2.50.

in good locations are highly unique and valuable resources in our larger cities. They need to be efficiently used.

- 78 **The need to provide for older persons to 'age in place', the inappropriateness of traditional intensification models, and lack of appropriate sites for retirement villages, means that achieving the objective of providing appropriate housing and care for older persons requires a planning framework that enables retirement villages in the GRZ and HRZ.**
- Provide for change to existing urban environments
- 79 **There are key differences between retirement villages and 'typical' residential dwellings.** These differences mean that retirement villages do change the existing urban environments **that are dominated by 'typical' dwellings**, and this has not been acknowledged properly in planning frameworks leading to a range of consenting challenges.
- 80 Because of their functional and operational needs, retirement village and aged care facilities **tend to be larger (in height and bulk) than 'typical' residential housing** in order to properly cater for resident needs.
- 81 To illustrate, retirement villages contain a range of unit types to cater for the different care and mobility needs of the residents. The accommodation ranges from independent townhouses and apartments, through to serviced apartments, hospital beds and dementia rooms. While independent living villas, townhouses and apartments will include full kitchens, bathrooms, lounges and other household amenities, serviced apartments and care rooms will not always have these amenities. These factors may be a key driver for the layout and amenities within a unit and also within a village. For example, serviced apartments and care rooms need to have quick, accessible, and all weather access to communal living and **dining areas. In the experience of RVA members', council** officers often attempt to redesign village layouts based on what they think might be suitable, without proper knowledge of villages and **residents' needs.**
- 82 In addition, retirement villages often include a wide range of amenities and services for resident needs and convenience. Services range from communal indoor and outdoor amenity areas, gardens, pools, gyms, libraries, reflection spaces, hairdressing services and cafés and bars through to welfare and medical facilities. These are important amenities and services as many retirement village residents are frail or have mobility restrictions (making it more difficult for them to travel to access amenities and services). They also provide a better quality of life for residents than could be offered without these communal amenities and services. For example, a townhouse would not have space for a pool or gym.
- 83 Retirement villages also use new, low maintenance building products and design techniques to ensure their efficient operation. These design requirements can result in change when compared to surrounding neighbourhoods that were built many decades in the past.
- 84 **The experience of RVA members'** is that communities (particularly neighbouring landowners seeking to preserve status quo interests) and council officers often can have an expectation as to how sites are going to be used. Typically, that expectation is not for medium or higher density retirement accommodation. In part, this is because, traditionally, planning provisions have ignored the unique features of retirement villages. Further, the significant positive effects and community benefits of retirement villages are sometimes not given sufficient weight.

85 The failure of district plans to recognise the functional and operational needs of retirement villages, and provide for change to the character and amenity of existing neighbourhoods to enable the benefits of retirement villages, has created significant consenting challenges.

86 The NPSUD now requires district plans to provide for this change to existing urban environments. It creates an expectation that *“New Zealand’s urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations”* (Objective 4). Further, the NPSUD recognises that amenity values can differ among people and communities, and also recognises that changes can be made via increased and varied housing densities and types, noting that changes are not, of themselves, an adverse effect (Policy 6).

87 The importance of this direction is also clearly set out in the Ministry for the Environment’s (MfE) and the Ministry of Housing and Urban Development’s (HUD) final decisions report on the NPSUD, which provides that:³²

Urban areas are dynamic and complex, continually changing in response to wider economic and social change. The current planning system can be slow to respond to these changing circumstances and opportunities, which can lead to a mismatch between what is enabled by planning and where development opportunity (or demand) exists. This can lead to delays in supply, or incentivise land banking.

88 The Enabling Housing Act further supports this need for change by enabling medium density housing to be developed as a minimum in all relevant residential zones. Although the MDRS generally capture retirement villages under the umbrella of residential activities, the framework fails to recognise the unique operational, functional and locational features of retirement villages. Specific provision is therefore necessary to enable much needed retirement housing and care.

89 The IPI also needs to provide for change to existing urban environments in order to achieve the intensification envisaged in Policy 3 of the NPSUD. And, in order to respond to the significant issues created by the retirement housing and care crisis, this provision for change should also explicitly acknowledge that the functional and operational needs of retirement villages are a driver of appropriate and necessary change because of demographic ageing and the increasing housing needs of older people.

90 Recognise the intensification opportunities provided by larger sites
As discussed above, sites in existing residential areas that are appropriate for retirement villages are extremely rare, due to the need for sites to be large enough to accommodate all parts of a village and be located in close proximity to community services and amenities. Given large sites are a rare resource, it is important they are developed efficiently to maximise the benefits from their development. This approach is consistent with the enabling intensification approach of the NPSUD.

91 As well as providing intensification opportunities, large sites also provide unique opportunities to internalise potential impacts of intensification on neighbours and the neighbourhood. For example, additional height can be located towards the centre of a site without adverse dominance, shading or privacy effects.

³² MfE and HUD, *“Recommendations and decisions report on the National Policy Statement on Urban Development”* (Wellington, 2020), page 59.

92 This approach was adopted in the Auckland Unitary Plan, with the residential zones including a policy to enable more efficient use of larger sites.³³

93 Recognise the unique internal amenity needs of retirement villages
A key consenting challenge faced by the RVA members is an expectation from council officers that the internal amenity controls used for traditional housing typologies (e.g. outlook, sunlight, privacy, outdoor living spaces, landscaping and the like) are appropriate for retirement villages.

94 This approach fails to recognise the unique functional and operational needs of retirement villages (discussed above). For example, residents have access to a wide range of communal spaces as well as their individual homes, so their amenity is provided by the village as a whole rather than an individual space. This means that internal amenity standards, such as outlook space, do not have the same level of relevance to retirement villages as to typical residential housing. Other factors, such as proximity to communal spaces, may be more relevant to the overall level of amenity experienced by residents.

95 This approach also fails to recognise that retirement village operators have a long and positive track record and understanding of what works for their residents. Over many years they have provided high quality environments for their residents – significantly better than typical housing typologies have delivered. Retirement village operators rely on their reputation, which would be quickly diminished by bad publicity. The quality of life provided to residents is therefore paramount to the **RVA's members**.

96 These points were accepted by the Christchurch Replacement District Plan Independent Hearing Panel:³⁴

[331] Considering costs, benefits and risks, we have decided against imposing internal amenity controls on retirement villages. On this matter, we accept the position of Ryman and the RVA that there is no evidence at this time that there is a problem requiring intervention. We have also borne in mind the caution expressed by Mr Collyns as to the untested impacts of such regulation on the cost of delivering the affordable housing end of the retirement village market. Having said that, we are also mindful that it is at this **"affordable" end of the market where residents have the least market power and hence, greatest vulnerability**. However, on the basis of Mr Collyns' evidence, we have assumed that **the RVA's members would act responsibly**. Also, we have noted that the Council did not seek to address this topic in its closing submissions and took from that some concurrence with the retirement village sector position as to the lack of any need for regulatory intervention at this time. However, we record that this is a matter where the Council, as plan administrator, has an ongoing plan monitoring responsibility.

97 Similarly, a number of internal amenity standards in the Auckland Unitary Plan apply to dwellings, but not to retirement units.³⁵

98 There are two internal amenity standards in the Enabling Housing Act that the RVA considers require amendment when applied to retirement villages:

³³ H3.3(8), H4.3(8), H5.3(9).

³⁴ Decision 10 – Residential (part) (and relevant definitions and associated planning maps) (10 December 2015).

³⁵ For example, H4.6.12, H4.6.13 and H4.6.15.

- 98.1 *Outdoor living space:* Retirement villages provide a range of private and communal outdoor areas that can be enjoyed by residents. All of these areas should be counted towards this amenity standard. In addition, retirement village residents tend to spend a significant amount of their recreational time inside, given their sensitivity to temperature extremes. A proportion of these indoor areas should also be counted towards this amenity standard to reflect the actual usage patterns of village residents.
- 98.2 *Outlook space:* The standard is not workable for all units across a comprehensive site. Furthermore, such a standard is simply not needed. **Residents of a village have a much greater degree of choice of 'living rooms'** than residents of typical residential dwellings (including communal sitting areas, dining rooms, a library, activity room and chapel). These communal spaces are typically well orientated for daylight and enjoying an outlook into a large and attractive outdoor space.
- Provide clear and focused matters of discretion
- 99 The RVA's **members have faced significant cost and delay in consenting retirement villages** in residential zones. Often, the process requirements are significantly out of proportion with the adverse effects of the activity, and do not recognise its substantial benefits.
- 100 An example of this issue is excessive and extraneous information requests. Over time, the amount of information that is required to support an application for consent has substantially increased. Council officers often request information that is not relevant to the assessment of the effects of a retirement village proposal, such as information regarding electricity supply, internal lighting, hallway width, planter box size, and outdoor furniture. It is not uncommon to receive unsolicited design change requests from council urban designers. These requests add cost and delay, and distract from the key issues. Council officers have too much discretion to require applicants to provide further information, and have the ability to wield the threat of notification if the requested information is not provided. By way of example, one RVA member received seven requests for further information following lodgement of an application, which resulted in a five month delay in the decision being issued. Another application resulted in four further information requests and a four month delay.
- 101 It is therefore important that matters of discretion for decision-making are clear and focused on the aspects that matter.
- Provide appropriately focused notification rules
- 102 Notification is a significant cause of the cost and delay of consenting processes. RMA processes currently provide multiple opportunities for opposition to projects, which is the reason for significant delays in processing consents, and does not ensure good outcomes. Notification is often a cause of much angst for developers. **'NIMBYism' is rife.** Self-interested neighbours can create huge delays and disputes for no material environmental benefit.
- 103 Although notification has an important role in the RM system, it must be proportional to the issues at hand. It is only beneficial, and should only be required, where notification is likely to uncover information that will assist the decision-making process. The costs of public notification are too high for it to be required **simply for persons to 'be heard'.**
- 104 Applications for residential activities that are anticipated in residential zones (i.e. through restricted discretionary activity status) should not be publicly notified.

Rather, the time for public participation is at the plan making stage where residential zones and appropriate/inappropriate activities can be clearly identified. This approach aligns with the Enabling Housing Act which precludes public notification for residential proposals.

- 105 Limited notification may remain available in some cases as it provides for neighbours to participate when they are likely to be impacted by a next-door development. However, given the significant costs associated with notification, it should only be required where it will benefit the decision-making process. Where an application meets the expectations for development in an area (i.e. through compliance with external amenity standards), there should be no need for limited notification. This approach aligns with the Enabling Housing Act which precludes limited notification for residential proposals that comply with relevant standards.

Use the MDRS as a guideline

- 106 The Enabling Housing Act sets medium density residential standards that guide when residential activities require closer assessment and when limited notification of proposals can be available. The retirement village-specific framework sought by the RVA takes a similar approach (given that retirement villages are a form of development with four or more residential units) with the standards informing matters of discretion and limited notification presumptions.

- 107 The Enabling Housing Act will result in a level of standardisation that will set expectations for the scale of development across the country. The standards have **been deemed to 'cover the ground' in relation to the key matters relevant to residential proposals.** With some amendments to reflect the specific nature of retirement villages, the RVA considers the standards also set a relevant baseline for identifying standards relevant for the construction of retirement villages.

- 108 Furthermore, it is important the IPI does not inadvertently make retirement village developments more difficult to consent, construct and use than standard residential development. Such an outcome would significantly exacerbate the retirement housing and care crisis that is already resulting in poor wellbeing outcomes for older people.

Provide for retirement villages in commercial and mixed use zones

- 109 The **RVA's members generally seek to locate their villages in established, good quality residential areas, as these locations are most suited for residents to 'age in place'.** However, due to the lack of suitable sites in existing residential areas and need to respond to the retirement living and care crisis, the RVA's members also operate retirement villages in some commercial and mixed use zones where there is good access to services and amenities.

- 110 It is important to note that the Enabling Housing Act is not limited to residential zones and also requires councils to ensure district plans provide for intensification of urban non-residential zones through the Enabling Housing Supply plan changes. As noted, Policy 3 of the NPSUD requires the IPI to enable intensification (through building heights and densities) that respond to the location of centres and rapid transit stops.

- 111 City centre, metropolitan centre, neighbourhood centre, local centre and town centre zones in particular provide opportunities for retirement villages as these areas serve the surrounding local communities and provide close access for amenities to residents who are often unable to walk long distances. Residents' wellbeing is improved when social engagement and intergenerational activities are easily

accessible. Many general business areas are also located between centres and residential areas and are therefore potentially suitable for retirement villages.

RETIREMENT VILLAGE-SPECIFIC FRAMEWORK

- 112 To address the issues outlined above, the RVA seeks that the IPI is amended to provide a retirement-village specific framework as follows:

Adoption of the MDRS

- 113 The RVA considers the MDRS must be translated into the District Plan without amendments or other provisions that read down or alter their interpretation. A number of the provisions included in the IPI dilute, conflict or overlap with the MDRS. The IPI also includes a number of standards additional to the density standards included in the MDRS.
- 114 The RVA considers a number of the General Residential and High Density Residential Zone provisions require amendment for this reason. For example, GRZ-P4 refers to existing residential amenity and is therefore inconsistent with the expectation for significant change that may detract from amenity. Further, the RVA seeks that the directiveness of the MDRS and the direction of the NPSUD is not diluted through the **addition of new, undefined concepts such as a 'high quality residential environment' (GRZ-O1) or a 'pleasant and coherent' residential appearance (GRZ-P5)** when these matters are already addressed by the Enabling Housing Act.
- 115 In some cases the RVA considers amendments to the MDRS are required to ensure they are workable for retirement villages, but these amendments do not change the intent of the MDRS.
- 116 A failure to make these amendments will give rise to significant interpretation issues and uncertainty when the Plan is applied, as well as failing to achieve the intention of the NPSUD and Enabling Housing Act to speed up intensification.

Objectives and policies that appropriately recognise the acute need for retirement housing and care in all relevant residential zones

- 117 As detailed in this submission, the rapidly ageing population is a significant resource management issue. The objectives and policies of the Plan must enable appropriate accommodation and care for the ageing population as follows:
- 117.1 An objective to provide for the housing and care needs of the ageing population;
- 117.2 A policy that recognises the need for change over time to the existing character and amenity of neighbourhoods to provide for the diverse and changing needs of the community;
- 117.3 A policy that recognises the need to provide for a range of housing and care options for older people and to recognise the functional and operational needs of retirement villages;
- 117.4 A policy to enable the efficient use of larger sites; and
- 117.5 A policy that directs that density standards are to be used as a baseline for the assessment of the effects of developments.

- 118 The IPI does not include a policy to provide for retirement villages (despite including retirement village-specific rules). The RVA considers that a retirement village specific

policy is required in order to give effect to the MDRS and the NPSUD, as discussed in greater detail above, and to provide policy guidance for the retirement village-specific rules. The District Plan must recognise and provide for the benefits of retirement villages and their functional and operational needs, in order to provide a well-functioning urban environment that enables all people and communities to provide for their wellbeing. The RVA considers a specific policy is necessary to enable appropriate accommodation and care for the ageing population.

119 Additional objectives and policies are also required as set out above.

Rules to enable retirement villages in the GRZ and HRZ

120 As detailed in this submission, retirement villages need to be provided for as a residential activity and enabled in the GRZ and HRZ, as follows:

120.1 A rule that permits the use and operation of retirement villages, recognising that this activity is expected and encouraged in residential zones; and

120.2 A rule that regulates the construction of retirement villages as a restricted discretionary activity, recognising that this activity is anticipated in residential zones with limited matters requiring assessment.

121 The RVA considers retirement villages are required to be restricted discretionary **activities under the MDRS as they require “the construction and use of 4 or more residential units on a site”**.

122 Rules GRZ-R3 and HRZ-R2 regulate the construction of buildings as a permitted activity, subject to compliance with standards, or a restricted discretionary activity. This approach is generally supported however the RVA considers a retirement village specific rule is required for the reasons set out above.

123 The RVA considers the IPI must include a specific permitted activity rule for the use and operation of retirement villages.

Tailored matters of discretion for retirement villages

124 As detailed in this submission, retirement villages are different to typical residential dwellings, and therefore do not necessarily fit in with the typical controls imposed on residential developments. It is therefore critical to provide a tailored and fit for purpose retirement village matters of discretion, as follows:

124.1 Recognise the positive effects of retirement villages;

124.2 Focus effects assessments on exceedances of relevant standards, effects on the safety of adjacent streets or public open spaces, and effects arising from the quality of the interface between the village and adjacent streets or public open spaces to reflect the policy framework within the Enabling Housing Act. A degree of control over longer buildings is also acknowledged as appropriate; and

124.3 Enable the need to provide for efficient use of larger sites and the functional and operational needs of retirement villages to be taken into account when assessing effects.

125 The IPI includes very broad matters of discretion that would apply to retirement villages where the permitted activity standards are not met. The RVA opposes these matters of discretion as they are not sufficiently focused on the effects of retirement villages that should be regulated in line with the MDRS. In addition, the matters of

discretion do not allow for consideration of the positive effects of retirement villages, the functional and operational needs of retirement villages and the need to provide for the efficient use of large sites.

- 126 It is important that other rules do not render retirement villages discretionary or non-complying, therefore losing the benefit of clear and focused matters of discretion.

Proportionate notification

- 127 As noted, a key consenting issue for retirement village operators across the country relates to the delays, costs and uncertainties associated with notification processes. Consistent with the direction of the Enabling Housing Act relating to four or more residential units, applications for retirement villages in the relevant residential zones should not be publicly notified based on density effects. In addition, limited notification should only be used where a retirement village application proposes a breach of a relevant density standard that manages external amenity effects and the relevant effects threshold in the RMA is met.

- 128 Currently, the IPI does not preclude public or limited notification of an application for the construction of buildings which do not comply with permitted activity standards (GRZ-R11 and HRZ-R2). The RVA considers that public notification should be precluded for retirement villages in all cases. Limited notification should only be available where a retirement village breaches one or more of the height, height in relation to boundary, setbacks and building coverage standards and the relevant RMA effects threshold is met.

Clear, targeted and appropriate development standards

- 129 The RVA considers the development standards for retirement villages should reflect the MDRS, except where amendments are necessary to reflect the particular characteristics of retirement villages. The height, height in relation to boundary, setbacks and building coverage standards should therefore reflect the MDRS. The outdoor living space, outlook space, windows to street and landscaped area standards should generally reflect the MDRS with some amendments. No additional development standards should apply.

- 130 The RVA does not oppose the development standards inserted in the IPI that reflect the MDRS, but does not consider that all of the matters of discretion under each standard are appropriate for all activities. The RVA seeks that only the focused matters of discretion for retirement villages apply when the permitted activity standard is not met, as outlined in the submission above.

- 131 The RVA also seeks a number of amendments to the standards to align with the MDRS and to reflect the particular characteristics of retirement villages.

Providing for retirement villages in commercial zones

- 132 As discussed above, commercial zones enable mixed uses, including residential activities, and may contain suitable sites for retirement villages. In order to give effect to Policy 3 of the NPSUD, the IPI must provide for intensification in these zones. The RVA seeks that fit for purpose retirement village planning provisions are applied in appropriate commercial zones, similar to those proposed for residential zones. Any other zones which enable residential activities should be treated similarly.

- 133 The RVA supports the provision of retirement village-specific rules in the mixed use and centres zones. However, the RVA considers the IPI fails to adequately provide for retirement villages in the Neighbourhood Centre Zone, Local Centre Zone, and

Town Centre Zone as retirement villages are a discretionary activity in these Zones. The RVA seeks permitted activity status for retirement villages as an activity/use, with construction of a retirement village regulated as a restricted discretionary activity. In the City Centre Zone and Mixed Use Zone, retirement villages are a restricted discretionary activity, however the RVA seeks permitted activity status for retirement villages as an activity/use.

- 134 The RVA also seeks retirement-village specific objectives and policies as for the residential zones.

Financial contributions

- 135 The IPI introduces changes to the DC - Development Contributions chapter. The financial contributions regime would result in contributions being required for water, wastewater, stormwater and transport infrastructure, along with the offsetting of any adverse effects of residential intensification. **This overlaps with Council's Development Contributions Policy and the RVA is concerned the regime may result in 'double dipping'. The RVA considers greater clarity is needed to ensure the scope of the financial contributions regime is distinct from the Development Contributions Policy.**

- 136 The RVA is highly concerned that there is no certainty in DC- Development Contributions for developers as to the financial contributions they will be required to pay. This uncertainty is likely to result in delay and cost for developers as well as objections and appeals. It will deter development.

- 137 The RVA seeks a clear and transparent regime for financial contributions which ensures contributions required are proportionate to the demand created by retirement villages.

- 138 Retirement villages have a substantially lower demand profile than standard residential developments due to low occupancy levels (1.3 residents per retirement unit and 1 resident per aged care room care unit, compared to around 2.6 residents per standard dwelling) and reduced activity levels of the residents due to their age and frailty. In particular, retirement villages have substantially lower demands than typical housing types in the following areas the financial contributions regime would cover:

138.1 Reserves – due to their age and frailty older people living in retirement villages use council reserves, sports grounds and the like substantially less than other age groups. Retirement village residents are less mobile. And, the provision of on-site amenities at villages to cater for residents' specific needs significantly reduces residents' need to travel to access care, services or entertainment.

138.2 Transport – retirement villages are very low traffic generators. Residents use public transport infrequently, and traffic generation is mostly off-peak as residents do not travel for school drop-offs or work. Even with staff and visitors accounted for, traffic generation is much lower than typical housing.

138.3 Water, wastewater – residents use less water, and produce much less wastewater due to lower occupancy levels of retirement units and different living needs.

- 139 In some cases, the RVA's members as part of their proposals also construct public infrastructure, such as roading and stormwater infrastructure, which adds capacity

to the network for wider public benefit. DC – Development Contributions does not take into account infrastructure works undertaken by developers.

- 140 The RVA seeks amendments to DC – Development Contributions to:
- 140.1 Ensure the dual financial and development contributions regimes will not result in double dipping;
 - 140.2 Provide certainty as to the financial contributions that will be required to be paid;
 - 140.3 Ensure the calculation methodology takes into account cost of works undertaken as part of development; and
 - 140.4 Provide a retirement village-specific regime for retirement villages that takes into account their substantially lower demand profile compared to standard residential developments.

DECISION SOUGHT

- 141 The RVA seeks:
- 141.1 Amendments to the IPI as set out in paragraphs 113-140 above;
 - 141.2 Without limiting the generality of the above, the specific relief set out in Appendix 1;
 - 141.3 Any alternative or consequential relief to address the matters addressed in this submission.
- 142 The RVA wishes to be heard in support of this submission.
- 143 If others make a similar submission, the RVA will consider presenting a joint case with them at a hearing

Signed for and on behalf of Retirement Villages Association of New Zealand Incorporated
by John Collyns

John Collyns, Executive Director
30 September 2022

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APPENDIX 1 – SPECIFIC SUBMISSION POINTS AND RELIEF SOUGHT

PART 1 – INTRODUCTION AND GENERAL PROVISIONS

Provisions	Submission Position	Reason for Submission	Relief Sought
Section 3.1 - Definitions	Support	The RVA considers that a 'retirement unit' definition is required in the District Plan as a result of its submission on the Proposed Intensification Planning Instrument to acknowledge the differences from typical residential activities in terms of layout and amenity needs.	<i>The RVA seeks to add the following 'retirement unit' definition to the District plan:</i> <u>Retirement Unit</u> <u>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.</u>

PART 2 – DISTRICT-WIDE MATTERS

Provisions	Submission Position	Reason for Submission	Relief Sought
Strategic Direction – Urban Form and Development – Residential - Objective UFD-01	Support	The RVA supports UFD-01 as it aligns with Objective 1 of the MDRS.	Retain UFD-01 as notified.

Provisions	Submission Position	Reason for Submission	Relief Sought
Strategic Direction – Urban Form and Development – Residential - Objective UFD-O2	Support	The RVA supports UFD-O2 as it aligns with Objective 2 of the MDRS.	Retain UFD-O2 as notified.
Strategic Direction – Urban Form and Development – Residential - Objective UFD-O3	Support in part	The RVA supports UFD-O3 as it aligns with Policy 3 of the NPSUD. However, it opposes the need for housing needs and demand to be 'identified' as it is unclear what this entails and is contrary to Policy 3.	Amend UFD-O3 as follows: 1. Identified housing needs and demand.
Strategic Direction – Urban Form and Development – Residential - Objectives	Support	In addition to the current strategic direction objectives for Urban Form and Development, the RVA considers that an ageing population specific objective should be included that recognises and enables the housing and care needs of the ageing population.	<i>The RVA seeks that a new objective is inserted in the Strategic Direction objectives for Urban Form and Development that provides for the housing and care needs of the ageing population as follows:</i> <u>UFD-Ox Ageing population</u> <u>Recognise and enable the housing and care needs of the ageing population.</u>
Strategic Direction – Urban Form and Development – Residential - Policy UFD-P1	Oppose	The RVA opposes UFD-P1, as the Medium and High Density 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).	<i>The RVA seeks that retirement villages are expressly excluded from UFD-P1.</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
Strategic Direction – Urban Form and Development – Residential - Policy UFD-P2	Support	The RVA supports UFD-P2 as it aligns with the urban environment intensification provisions sought by the NPS-UD and enables heights and densities of the urban built form that will facilitate increased intensification in the City’s urban environments.	Retain UFD-P2 as notified.
Strategic Direction – Urban Form and Development – Residential Explanation	Oppose in part	As outlined in the response to UFD-P1 above, the RVA opposes the use of the Medium and High Density Design Guide as guidance for design outcomes and / or a matter of discretion for all medium and high density residential developments. The RVA seeks that retirement villages are excluded from the applicability of the Medium and High Density Design Guide and instead assessed against any built form standards they infringe. The RVA considers that retirement villages can be ‘well-designed’ without being consistent with design guidelines.	<i>The RVA seeks that the Residential Explanation is amended as follows:</i> ...design outcomes identified within the Medium and High Density Design Guide (Appendix 1) for Residential Developments will be encouraged for permitted activity medium density residential development, and will be a matter of discretion for medium and high density residential development that requires a resource consent (except for retirement villages).
Strategic Direction – Urban Form and Development – Commercial and Mixed Use – Objective CMU-O1	Support	The RVA supports CMU-O1 as it aligns with Objective 1 of the MDRS.	Retain CMU-O1 as notified.
Strategic Direction – Urban Form and Development – Commercial and	Support in part	The RVA supports CMU-O4 and the provision for residential activities in the City Centre Zone, the Silverstream Town Centre and Local Centre Zones. However, the RVA seeks to amend the objective to also include the provision for residential activities in	<i>Amend CMU-O4 to provide for residential activities in the Neighbourhood Centre Zone.</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
Mixed Use – Objective CMU-O4		the Neighbourhood Centre Zone (consistent with Policy 3 of the NPSUD).	
Strategic Direction – Urban Form and Development – Commercial and Mixed Use – Objective CMU-O5	Support	The RVA supports CMU-O5 and the provision for residential activities in the Mixed Use Zone.	Retain CMU-O5 as notified.
Development Contributions	Oppose	<p>The RVA is concerned that Chapter 12 as proposed will result in 'double dipping' under the dual financial and development contribution regimes, given the extension of the financial contribution regime to cover water, wastewater, stormwater and transport infrastructure, given these matters are covered by the Council's development contribution policy.</p> <p>The RVA is also concerned that Chapter 12 does not clearly set out the financial contributions that will be required, and does not recognise the bespoke demand characteristics of retirement villages or works carried out as part of development. It is particularly unclear what financial contributions are proposed to be required in relation to offsetting adverse environmental effects of residential intensification activities.</p>	<p>The RVA seeks amendments to:</p> <ul style="list-style-type: none"> • Ensure the dual financial and development contributions regimes will not result in double dipping; • Provide certainty as to the financial contributions that will be required to be paid; • Ensure the calculation methodology takes into account cost of works undertaken as part of development; and • Provide a retirement village-specific regime for retirement villages that takes into account their substantially lower demand profile compared to standard residential developments.

Provisions	Submission Position	Reason for Submission	Relief Sought
Signs – Rule SIGN-R3 and related standards	Oppose in part	The RVA supports permitted activity status for signs, but considers the applicable standards are too restrictive. For example, under SIGN-S2 a retirement village would be restricted to one sign of less than 1.5 m ² . This provision is not sufficient for wayfinding to a village.	Amend SIGN-R3 and SIGN-S2 and other related standards to provide for two signs of up to 3m ² per site as a permitted activity for retirement villages.

PART 3 – AREA SPECIFIC MATTERS

GRZ - GENERAL RESIDENTIAL ZONE

Provisions	Submission Position	Reason for Submission	Relief Sought
General Residential Zone - Background	Support in part	<p>The RVA supports the integration of acknowledgement that the character, densities and style of residential development in the General Residential Zone will develop and change over time in response to the diverse and changing needs of the community and future generations, in accordance with Policy 6 of the NPSUD.</p> <p>Furthermore, and as noted in response to UFD-P1 above, the RVA considers the applicability of the Medium and High Density Design Guide to all residential development is not appropriate, and reference to the Design Guide should be removed or amended to expressly exclude retirement villages. The</p>	<p><i>The RVA seeks the following changes to the General Residential Zone background text:</i></p> <ul style="list-style-type: none"> - <i>Expressly exclude retirement villages from the applicability of the Medium and High Density Design Guide; and</i> - <i>Specifically acknowledge that retirement villages and / or accommodation for the ageing population is anticipated / provided for in the General Residential Zone.</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
		<p>RVA considers that retirement villages can be 'well-designed' without being consistent with the design guidelines.</p> <p>The RVA opposes the encouragement for new development to make a 'positive contribution'. It is unclear what this would entail, and the RVA submits a well-functioning urban environment already covers positive matters.</p> <p>In addition, the RVA considers that specific acknowledgement of retirement villages is required in the introductory text given the important role retirement villages have in accommodating ageing populations in the community.</p>	
General Residential Zone – Objective GRZ-O1	Oppose	<p>The RVA opposes GRZ-O1, 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>	Delete GRZ-O1, or amend for consistency with the MDRS.
General Residential Zone – Objective GRZ-O2	Support	The RVA supports GRZ-O2 as it aligns with Objective 1 of the MDRS.	Retain GRZ-O2 as notified.
General Residential Zone – Objective GRZ-O3	Support	The RVA supports GRZ-O3 as it aligns with Objective 2 of the MDRS.	Retain GRZ-O3 as notified.

Provisions	Submission Position	Reason for Submission	Relief Sought
General Residential Zone – Policy GRZ-P1A	Support	The RVA supports GRZ-P1A as it aligns with Policy 1 of the MDRS.	Retain GRZ-P1A as notified.
General Residential Zone – Policy GRZ-P1B	Support	The RVA supports GRZ-P1B as it aligns with Policy 2 of the MDRS.	Retain GRZ-P1B as notified.
General Residential Zone – Policy GRZ-P1C	Support	The RVA supports GRZ-P1C as it aligns with Policy 3 of the MDRS.	Retain GRZ-P1C as notified.
General Residential Zone – Policy GRZ-P1D	Support	The RVA supports GRZ-P1D as it aligns with Policy 4 of the MDRS.	Retain GRZ-P1D as notified.
General Residential Zone – Policy GRZ-P1E	Support	The RVA supports GRZ-P1E as it aligns with Policy 5 of the MDRS.	Retain GRZ-P1E as notified.
General Residential Zone – Policy GRZ-P1	Support in part	<p>The RVA supports GRZ-P1 as it provides for a range of building densities within the GRZ. It seeks to amend GRZ-P1 to ensure it aligns with Objective 2 of the MDRS.</p> <p>The RVA also opposes the linkage between building density and infrastructure capacity. It considers infrastructure challenges can be overcome through innovative design and, in some cases, undertaking</p>	<p><i>Amend GRZ-P1 as follows:</i></p> <p>To provide for a range of building densities within the residential areas that <u>respond to</u> are compatible in form and scale with the neighbourhood's planned built form and character which takes into account the capacity of the infrastructure.</p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		local works. It is not necessary to control density as a proxy for managing infrastructure constraints.	
General Residential Zone – Policy GRZ-P2	Support in part	The RVA supports the intention of GRZ-P2 but suggests an amendment should be made to align with Objective 2 of the MDRS,	<i>Amend GRZ-P2 as follows:</i> 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
General Residential Zone – Policy GRZ-P4	Oppose	The RVA considers the amendment to GRZ-P4 is insufficient to avoid conflict with the MDRS. This policy continues to refer to existing residential amenity, and is therefore inconsistent with the expectation for significant change that may detract from amenity values.	Delete GRZ-P4.
General Residential Zone – Policy GRZ-P5	Oppose	The RVA opposes GRZ-P5 as the reference to a 'pleasant and coherent' residential appearance is vague and subjective. It is also not necessary given GRZ-P1C addresses attractive streets.	Delete GRZ-P5.
General Residential Zone – Policy GRZ-P9	Support in part	The RVA supports the intention of the amendment to GRZ-P9 to recognise that amenity values may change over time to reflect the neighbourhood's planned built form, but suggests the reference to a 'high level of amenity' is unclear and inconsistent with the MDRS.	<i>Amend GRZ-P9 as follows:</i> 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 values develop and change over time.

Provisions	Submission Position	Reason for Submission	Relief Sought
General Residential Zone – Policy GRZ-P11	Support in part	The RVA considers that 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.	<i>Amend GRZ-P11 as follows:</i> New buildings and development <u>are encouraged to</u> will be designed to achieve hydraulic neutrality.
General Residential Zone – Policies	Support	In addition to the proposed policies for the General Residential Zone, the RVA considers that a policy is required that recognises the diverse and changing residential needs of communities, and 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.	<i>The RVA seeks that a new Policy is included in the Policies of the General Residential Zone, as follows:</i> <u>GRZ-Px Changing communities</u> <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>
General Residential Zone – Policies	Support	In addition to the current policies for the General Residential Zone, the RVA considers that a policy regarding the intensification opportunities provided by larger sites should be included in the District Plan.	<i>The RVA seeks that a new policy is included in the General Residential Zone that recognises the intensification opportunities provided by larger sites:</i> <u>GRZ-Px Larger sites</u> <u>Recognise the intensification opportunities provided by larger sites within all residential zones by providing for more efficient use of those sites.</u>
General Residential Zone – Policies	Support	In addition to the current policies for the General Residential Zone, the RVA considers that a policy to provide for and acknowledge the following should be integrated into the District Plan:	<i>The RVA seeks that a new policy is included in the General Residential Zone, as follows:</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
		<ul style="list-style-type: none"> - The diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons; and - The functional and operational needs of retirement villages. 	<p><u>GRZ-Px Provision of housing for an ageing population</u></p> <ol style="list-style-type: none"> 1. <u>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.</u> 2. <u>Recognise the functional and operational needs of retirement villages, including that they:</u> <ol style="list-style-type: none"> a. <u>May require greater density than the planned urban built character to enable efficient provision of services.</u> b. <u>Have a unique layout and internal amenity needs to cater for the requirements of residents as they age.</u>
General Residential Zone – Policies	Support	In addition to the current policies for the General Residential Zone, the RVA considers that it is appropriate for the density standards to be utilised as a baseline for the assessment of the effects of developments.	<p><i>The RVA seeks that a new policy is inserted in the General Residential Zone that enables the density standards to be utilised as a baseline for the assessment of the effects of developments.</i></p> <p><u>GRZ-Px Role of density standards</u></p> <p><u>Enable the density standards to be utilised as a baseline for the assessment of the effects of developments.</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
General Residential Zone – Rule GRZ-R11	Support in part	<p>The RVA supports Rule GRZ-R3 and the construction of buildings as permitted when complying with the relevant permitted activity standards; and the triggering of restricted discretionary activity status based on non-compliance with the relevant permitted activity standards (Rule GRZ-R11).</p> <p>Retirement villages will typically infringe the number of residential units per site standard (GRZ-S13), meaning the construction of retirement villages are likely to be a restricted activity under this rule. This being the case, the RVA considers that the construction of retirement villages should have a focused set of matters of discretion (to provide for and acknowledge the differences that retirement villages have from other residential activities).</p> <p>As detailed below, the RVA considers that retirement villages as an activity should be a permitted activity in the General Residential Zone, and that it should instead only be the construction of a retirement village that is assessed as a restricted discretionary activity.</p> <p>The RVA considers the matters of discretion applicable to retirement villages need to appropriately provide for / support the efficient use of larger sites for retirement villages, and the functional and operational needs of the retirement village.</p> <p>In accordance with Schedule 3A(5) of the Act, the RVA seeks that a retirement village should be precluded from public notification in all cases, and where it is</p>	<p><i>The RVA seeks that GRZ-R11 is amended as follows to include a set of focused matters of discretion that are applicable to retirement villages, so to provide for and acknowledge the differences that retirement villages have from other residential activities:</i></p> <p>GRZ-R11 Buildings which do not comply with permitted activity standards</p> <p><u>(a) Council will restrict its discretion to, and may impose conditions on:</u></p> <p>...</p> <p><u>(b) For the construction of buildings associated with a retirement village, council will restrict its discretion to, and may impose conditions on:</u></p> <ol style="list-style-type: none"> 1) <u>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.</u> 2) <u>The effects of the retirement village on the safety of adjacent streets or public open spaces;</u> 3) <u>The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;</u> 4) <u>The extent to which articulation, modulation and materiality addresses adverse visual dominance effects associated with building length;</u>

Provisions	Submission Position	Reason for Submission	Relief Sought
		compliant with the relevant standards should also be precluded from limited notification.	<p>5) <u>When assessing the matters in 1 – 4, consider:</u></p> <p>a) <u>The need to provide for efficient use of larger sites; and</u></p> <p>b) <u>The functional and operational needs of the retirement village.</u></p> <p>6) <u>The positive effects of the construction, development and use of the retirement village.</u></p> <p><u>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</u></p> <p><u>Notification status:</u></p> <p><u>An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</u></p> <p><u>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.</u></p>
General Residential Zone - Rules	Support	The RVA supports Rule GRZ-R5A and the provision for residential activities as a permitted activity. However, the RVA considers that the General Residential Zone should include a retirement village specific rule that provides for retirement village activities as a permitted activity, recognising that retirement villages provide substantial benefit in residential zones including enabling older people to remain in familiar community	<p><i>The RVA seeks to insert a new rule to provide for retirement villages as a permitted activity in the General Residential Zone</i></p> <p><u>GRZ-X Retirement Villages PER</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		environments for longer (close to family and support networks), whilst also freeing up a number of dwellings located in surrounding suburbs.	
General Residential Zone – Standard GRZ-S3	Support	The RVA supports GRZ-S3 and the building coverage provisions as they reflect the building coverage standard of the MDRS.	Retain GRZ-S3 as notified.
General Residential Zone – Standard GRZ-S4	Support	The RVA supports GRZ-S4 and the setback provisions as they reflect the setback standards of the MDRS.	Retain GRZ-S4 as notified.
General Residential Zone – Standard GRZ-S5	Oppose in part	The RVA acknowledges that GRZ-S5 and the outdoor living space provisions reflect the outdoor living space standard of the MDRS. However, it is considered that as a result of retirement villages providing a range of private and communal outdoor areas, amendments should be made to GRZ-S5 that enable the communal areas to count towards the amenity standard.	<p><i>The RVA seeks to amend GRZ-S5 as follows to enable the communal outdoor living spaces of retirement villages to count towards the amenity standard.</i></p> <p>GRZ-S5 Outdoor Living Space (per residential unit)</p> <p>...</p> <p>3. <u>For retirement units, clauses 1 and 2 apply with the following modifications:</u></p> <p>a. <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></p> <p>b. <u>a retirement village may provide indoor living spaces in one or more communally accessible</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
			<u>locations in lieu of up to 50% of the required outdoor living space.</u>
General Residential Zone – Standard GRZ-S7	Support	The RVA supports GRZ-S7 and the building height provisions as they reflect the building height standards of the MDRS.	Retain GRZ-S7 as notified.
General Residential Zone – Standard GRZ-S8	Support in part	The RVA supports GRZ-S8 and the height in relation to boundary provisions in principle as it reflects the height in relation to boundary standards of the MDRS. However, it is considered that additional exclusions should be integrated with the standard to reflect that some developments may occur adjacent to less sensitive zones.	<p><i>The RVA seeks to amend GRZ-S8 as follows to include additional exclusions from the standard:</i></p> <p>GRZ S8 Height in Relation to Boundary</p> <ol style="list-style-type: none"> 1. ... 2. This standard does not apply to – <ol style="list-style-type: none"> a. A boundary with a road: b. Existing or proposed internal boundaries within a site: c. Site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed: d. <u>Boundaries adjoining open space and recreation zones, rural zones, commercial and mixed use zones, industrial zones and special purpose zones.</u>

Provisions	Submission Position	Reason for Submission	Relief Sought
General Residential Zone – Standard GRZ-S9	Oppose in part	The RVA considers the standard should be amended to recognise 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.	<i>Amend GRZ-S9 to address reasons.</i>
General Residential Zone – Standard GRZ-S13	Support	The RVA supports GRZ-S13 and the number of residential units per site provisions which reflect the number of residential units per site standard of the MDRS.	Retain GRZ-S13 as notified.
General Residential Zone – Standard GRZ-S14	Support in part	The RVA supports GRZ-S14 and the outlook space provisions in principle which reflect the outlook space standards of the MDRS, however the RVA considers that in a retirement village environment (that has multiple communal spaces available for residents), the standard is not directly relevant. The RVA considers amendments should be made to GRZ-S14 to provide for outlook space requirements that are appropriate for retirement villages.	<i>The RVA seeks to amend GRZ-S14 as follows to provide for outlook space requirements that are appropriate for retirement villages:</i> GRZ-S14 Outlook Space (per residential unit) 1. ... 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>
General Residential Zone – Standard GRZ-S15	Support in part	The RVA supports GRZ-S15 and the windows to street provisions in principle which reflect the windows to street standard of the MDRS, however the RVA considers that the standard should be amended to provide for retirement units facing the street.	<i>The RVA seeks to amend GRZ-S15 as follows to provide for retirement units:</i> GRZ-S15 Windows to Street (a) Any retirement unit <u>or retirement unit</u> facing the <u>a public street</u> must have a minimum of

Provisions	Submission Position	Reason for Submission	Relief Sought
			20% of the street-facing façade in glazing. This can be in the form of windows or doors.
General Residential Zone – Standard GRZ-S16	Support in part	The RVA supports GRZ-S16 and the landscaped area provisions in principle which reflect the landscaped area standard of the MDRS. However, the RVA considers that the standard should be amended to provide for retirement units.	<p><i>The RVA seeks to amend GRZ-S16 as follows to provide for retirement units:</i></p> <p>GRZ-S16 Landscaped Area</p> <ol style="list-style-type: none"> 1. A residential unit <u>or retirement unit</u> at ground floor level has a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them. 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 or <u>retirement unit</u>.

HDRZ – HIGH DENSITY RESIDENTIAL ZONE

Provisions	Submission Position	Reason for Submission	Relief Sought
High Density Residential Zone - Background	Support in part	The RVA supports the provision for predominantly residential activities with high concentration and bulk of buildings in the High Density Residential Zone, which gives effect to policies 3(c) and (d) of the NPSUD.	Retain background text as notified.

Provisions	Submission Position	Reason for Submission	Relief Sought
High Density Residential Zone – Objective HRZ-O1	Support	The RVA supports HRZ-O1 as it aligns with Objective 1 of the MDRS.	Retain HRZ-O1 as notified.
High Density Residential Zone – Objective HRZ-O2	Support	The RVA supports HRZ-O2 as it aligns with Objective 2 of the MDRS.	Retain HRZ-O2 as notified.
High Density Residential Zone – Objective HRZ-O3	Oppose in part	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.	<i>Amend HRZ-O3 to address submission.</i>
High Density Residential Zone – Objective HRZ-O4	Support	The RVA supports HRZ-O4 and the planned built urban form of the High Density Residential Zone which is greater than that of the General Residential Zone.	Retain HRZ-O4 as notified.
High Density Residential Zone – Policy HRZ-P1	Support	The RVA supports HRZ-P1 as it aligns with Policy 2 of the MDRS.	Retain HRZ-P1 as notified.
High Density Residential Zone – Policy HRZ-P2	Support	The RVA supports HRZ-P2 as it aligns with Policy 3 of the MDRS.	Retain HRZ-P2 as notified.
High Density Residential Zone – Policy HRZ-P3	Support	The RVA supports HRZ-P3 as it aligns with Policy 4 of the MDRS.	Retain HRZ-P3 as notified.

Provisions	Submission Position	Reason for Submission	Relief Sought
High Density Residential Zone – Policy HRZ-P4	Support	The RVA supports HRZ-P4 as it aligns with Policy 5 of the MDRS.	Retain HRZ-P4 as notified.
High Density Residential Zone – Policy HRZ-P5	Support in part	The RVA supports the intention of HRZ-P5 to provide for a range of building densities within the High Density Residential Zone in a similar manner to Policy 1 of the MDRS, but suggests amendments are required to align with Objective 2 of the MDRS	Amend HRZ-P5 as follows: 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 character.
High Density Residential Zone – Policy HRZ-P6	Oppose in part	The RVA opposes HRZ-P6, which seeks to provide for and encourage medium and high density residential development that is consistent with the Council’s Medium and High Density Design Guide. The Medium and High Density 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).	<i>The RVA seeks that retirement villages are expressly excluded from having to apply Council’s Medium and High Density Design Guide.</i>
High Density Residential Zone – Policy HRZ-P7	Support	The RVA supports HRZ-P7 and its enabling of residential building heights up to 26 metres.	Retain HRZ-P7 as notified.

Provisions	Submission Position	Reason for Submission	Relief Sought
High Density Residential Zone – Policy HRZ-P8	Support in part	The RVA considers that 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.	<i>Amend HRZ-P8 as follows:</i> New buildings and development <u>are encouraged to will</u> be designed to achieve hydraulic neutrality.
High Density Residential Zone – Policies	Support	In addition to the proposed policies for the High Density Residential Zone, the RVA considers that a policy is required that recognises the diverse and changing residential needs of communities, and that the character and amenity of the residential zones will change over time to enable a variety of housing types with a mix of densities.	<i>The RVA seeks that a new policy is included in the High Density Residential Zone, as follows:</i> <u>HRZ-Px Changing communities</u> <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>
High Density Residential Zone – Policies	Support	In addition to the proposed policies for the High Density Residential Zone, the RVA considers that a policy regarding the intensification opportunities provided by larger sites should be included.	<i>The RVA seeks that a new policy is included in the High Density Residential Zone that recognises the intensification opportunities provided for by larger sites:</i> <u>HRZ-Px Larger sites</u> <u>Recognise the intensification opportunities provided by larger sites within all residential zones by providing for more efficient use of those sites.</u>
High Density Residential Zone – Policies	Support	In addition to the proposed policies for the High Density Residential Zone, the RVA considers that a	<i>The RVA seeks that a new policy is included in the High Density Residential Zone, as follows:</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
		<p>policy to provide for and acknowledge the following should be integrated:</p> <ul style="list-style-type: none"> - The diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons; and - The functional and operational needs of retirement villages. 	<p><u>HRZ-Px Provision of housing for an ageing population</u></p> <ol style="list-style-type: none"> 1. <u>Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in High Density Residential Areas, such as retirement villages.</u> 2. <u>Recognise the functional and operational needs of retirement villages, including that they:</u> <ol style="list-style-type: none"> a. <u>May require greater density than the planned urban built character to enable efficient provision of services.</u> b. <u>Have a unique layout and internal amenity needs to cater for the requirements of residents as they age.</u>
High Density Residential Zone – Policies	Support	In addition to the proposed policies for the High Density Residential Zone, the RVA considers that it is appropriate for the density standards to be utilised as a baseline for the assessment of the effects of developments.	<p><i>The RVA seeks that a new policy is inserted in the High Density Residential Zone that enables the density standards to be utilised as a baseline for the assessment of the effects of developments.</i></p> <p><u>HRZ-Px Role of density standards</u></p> <p><u>Enable the density standards to be utilised as a baseline for the assessment of the effects of developments.</u></p>
High Density Residential Zone – Rule HRZ-R1	Support in part	The RVA supports Rule HRZ-R1 and the applicability of the General Residential Zone rules, standards, matters and information requirements in the High Density Residential Zone unless stated otherwise in the High	<p><i>Amend HRZ-R1 as follows:</i></p> <p>...Activity status: Permitted</p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		<p>Density Residential Zone. An amendment to HRA-R1(1) is required to clarify that the building height, height in relation to boundary and building coverage standards are excluded.</p> <p>As noted in the response to the General Residential Zone rule provisions above, the RVA seeks that retirement villages are provided for as a permitted activity in the General Residential Zone, meaning they would therefore provided for as a permitted activity under Rule HRZ-R1 in the High Density Residential Zone.</p>	<p>Where:</p> <p>a. Compliance is achieved with all permitted activity rules and standards that apply to the General Residential Zone <u>(excluding building height, height in relation to boundary, and building coverage)</u>.</p>
<p>High Density Residential Zone – Rule HRZ-R2</p>	<p>Support in part</p>	<p>The RVA supports Rule HRZ-R2 and the permitting of buildings when complying with the relevant permitted activity standards; and the triggering of a restricted discretionary activity status based on non-compliance with the relevant permitted activity standards.</p> <p>Retirement villages will typically infringe the number of residential units per site standard in the GRZ, meaning the construction of retirement villages are likely to be a restricted activity under this rule. This being the case, the RVA considers that the construction of retirement villages should have a focused set of matters of discretion (to provide for and acknowledge the differences that retirement villages have from other residential activities).</p> <p>As noted above (and in response to the General Residential Zone provisions), the RVA considers that retirement villages as an activity should be a</p>	<p><i>The RVA seeks that HRZ-R2 is amended as follows to include a set of focused matters of discretion that are applicable to retirement villages, so to provide for and acknowledge the differences that retirement villages have from other residential activities:</i></p> <p>HRZ-R2 Buildings</p> <p>...</p> <p>3. <u>Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <p>a) <u>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.</u></p> <p><u>Matters of discretion are restricted to:</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		<p>permitted activity in the High Density Residential Zone, and that it should instead only be the construction of a retirement village that is assessed as a restricted discretionary activity.</p> <p>The RVA considers the matters of discretion applicable to retirement villages need to appropriately provide for / support the efficient use of larger sites for retirement villages, and the functional and operational needs of the retirement village.</p> <p>In accordance with Schedule 3A(5) of the Act, the RVA seeks that a retirement village should be precluded from public notification in all cases, and where it is compliant with the relevant standards should also be precluded from limited notification.</p>	<ul style="list-style-type: none"> (1) <u>The effects arising from exceeding any of the following High Density Residential Zone standards: HRZ-S2, HRZ-S3 and HRZ-S4.</u> (2) <u>The effects arising from exceeding any of the following General Residential Zone standards: GRZ-S4, GRZ-S5, GRZ-S14, GRZ-S15 and GRZ-S16.</u> (3) <u>The effects of the retirement village on the safety of adjacent streets or public open spaces:</u> (4) <u>The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces:</u> (5) <u>The extent to which articulation, modulation and materiality addresses adverse visual dominance effects associated with building length:</u> (6) <u>When assessing the matters in 1 – 4, consider:</u> <ul style="list-style-type: none"> (a) <u>The need to provide for efficient use of larger sites; and</u> (b) <u>The functional and operational needs of the retirement village.</u> (7) <u>The positive effects of the construction, development and use of the retirement village.</u>

Provisions	Submission Position	Reason for Submission	Relief Sought
			<p><u>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</u></p> <p><u>Notification status:</u></p> <p><u>An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</u></p> <p><u>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.</u></p>
<p>High Density Residential Zone – Standard HRZ-S2</p>	<p>Support in part</p>	<p>The RVA supports HRZ-S2 and the building height provisions which enable greater building heights than the MDRS.</p> <p>The RVA considers that not all of the matters of discretion under HRZ-S2 are appropriate for all activities, such as the requirement for retirement villages to consider the matters contained in the Medium and High Density Design Guide (as discussed above in response to UFD-P1). The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to HRZ-R2 above.</p>	<p><i>The RVA seeks to amend the matters of discretion for HRZ-S2 to exclude retirement villages:</i></p> <p>HRZ-S2 Building height</p> <p>...</p> <p>Matters of Discretion where Permitted Activity Standard(s) are not met</p> <p>Matters of discretion are restricted to:</p> <p>...</p> <p>6. The matters contained in the Medium and High Density Design Guide in Appendix 1.</p> <p>7. <u>For retirement villages, the matters of discretion under HRZ-R2(3)(a)(1)-(7) apply.</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
High Density Residential Zone – Standard HRZ-S3	Support in part	<p>The RVA supports HRZ-S3 but seeks additional amendments to reflect that some developments may occur adjacent to less sensitive zones.</p> <p>The RVA also considers that not all of the matters of discretion under HRZ-S3 are appropriate for all activities, such as the requirement for retirement villages to consider the matters contained in the Medium and High Density Design Guide (as discussed above in response to UFD-P1). The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to HRZ-R2 above.</p>	<p><i>The RVA seeks to amend HRZ-S3 to include additional exclusions from the standard. The RVA also seeks to amend the matters of discretion for HRZ-S3 to exclude retirement villages from matter of discretion (5).</i></p> <p>HRZ-S3 Height in relation to boundary</p> <p>...</p> <p>Matters of Discretion where Permitted Activity Standard(s) are not met</p> <p>(a) Matters of discretion are restricted to:</p> <p>...</p> <p>5.</p> <p><u>(b) For retirement villages, the matters of discretion under HRZ-R2(3)(a)(1)-(7) apply.</u></p>
High Density Residential Zone – Standard HRZ-S4	Support in part	<p>The RVA supports HRZ-S4 and the building coverage provisions, but considers that not all of the matters of discretion under HRZ-S4 are appropriate for all activities, such as the requirement for retirement villages to consider the matters contained in the Medium and High Density Design Guide (as discussed above in response to UFD-P1). The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to HRZ-R2 above.</p>	<p><i>The RVA seeks to amend the matters of discretion for HRZ-S4 to exclude retirement villages from being considered under matter of discretion (5).</i></p> <p>HRZ-S4 Building coverage</p> <p>...</p> <p>Matters of Discretion where Permitted Activity Standard(s) are not met</p> <p>(a) Matters of discretion are restricted to:</p> <p>...</p>

Provisions	Submission Position	Reason for Submission	Relief Sought
			<p>5. The matters contained in the Medium and High Density Design Guide in Appendix 1.</p> <p>(b) For retirement villages, the matters of discretion under <u>HRZ-R2(3)(a)(1)-(7)</u> apply.</p>
<p>High Density Residential Zone – Standard HRZ-S5</p>	<p>Support in part</p>	<p>The RVA supports HRZ-S5 and the number of residential units per site provisions, but considers that not all of the matters of discretion under HRZ-S5 are appropriate for all activities, such as the requirement for retirement villages to consider the matters contained in the Medium and High Density Design Guide (as discussed above in response to UFD-P1). The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to HRZ-R2 above.</p>	<p><i>The RVA seeks to amend the matters of discretion for HRZ-S5 to exclude retirement villages from being considered under matter of discretion (5).</i></p> <p>HRZ-S5 Number of Residential units per site ...</p> <p>Matters of Discretion where Permitted Activity Standard(s) are not met</p> <p>(a) Matters of discretion are restricted to: ...</p> <p>5. The matters contained in the Medium and High Density Design Guide in Appendix 1.</p> <p><u>(b) For retirement villages, the matters of discretion under HRZ-R2(3)(a)(1)-(7) apply.</u></p>
<p>High Density Residential Zone – Rule HRZ-R8</p>	<p>Support in part</p>	<p>The RVA supports HRZ-R8’s provision for buildings greater than 20 m as a restricted discretionary activity, but considers that not all of the matters of discretion are appropriate for all activities, such as the requirement for retirement villages to consider the matters contained in the Medium and High Density Design Guide (as discussed above in response to UFD-P1). The RVA seeks that only the focused matters of</p>	<p><i>The RVA seeks to amend the matters of discretion for HRZ-R8 to exclude retirement villages from being considered under matter of discretion (6).</i></p> <p>HRZ-R8 Buildings within the High Density Residential Zone that exceed 20 metres in height ...</p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to HRZ-R2 above.	(a) Matters of Discretion are restricted to: ... 6. The matters contained in the Medium and High Density Design Guide in Appendix 1. <u>(b) For retirement villages, the matters of discretion under HRZ-R2(3)(a)(1)-(7) apply.</u>

NCZ – NEIGHBOURHOOD CENTRE ZONE

Provisions	Submission Position	Reason for Submission	Relief Sought
Neighbourhood Centre Zone – Introduction	Support in part	<p>The RVA supports the acknowledgement for the provision of living opportunities within the Neighbourhood Centre Zone. However, as 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>The RVA seeks that residential activities, not just residential units, are enabled and residential activities at ground floor can be considered when appropriate.</p>	<p><i>The RVA seeks that the Neighbourhood Centre Zone introduction is amended to acknowledge that residential activities are anticipated / provided for at a level that is not 'limited'.</i></p> <p>NCZ – Neighbourhood Centre Zone</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. 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 and living opportunities.</p>

Provisions	Submission Position	Reason for Submission	Relief Sought
			... Residential activities units are located either above the ground floor or towards the rear of the site <u>or at ground floor where appropriate.</u>
Neighbourhood Centre Zone – Objective NCZ-O1	Support	The RVA supports NCZ-O1 and the provision for residential activities in the Neighbourhood Centre Zone.	Retain NCZ-O1 as notified.
Neighbourhood Centre Zone – Objective NCZ-O2	Support in part	The RVA supports the recognition in NCZ-O2 that the built development of the Neighbourhood Centre Zone is of medium density and reflects the built character of the surrounding residential neighbourhood, however it suggests the wording should be amended to reflect the MDRS as drafted in the Enabling Housing Act. It also suggests 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.	Amend NCZ-O2 as follows: Built development in the Neighbourhood Centre Zone is of medium density and reflects <u>responds to</u> the anticipated built character of the surrounding residential neighbourhood. It is well-designed and contributes positively to the residential environment.
Neighbourhood Centre Zone – Objective NCZ-O4	Support in part	The RVA considers that 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.	<i>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.</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
Neighbourhood Centre Zone – Policy NCZ-P2	Oppose in part	<p>The RVA supports NCZ-P2 in principle and the provision for residential activities, however the RVA opposes limitations on ground level residential activities, and considers that such requirements need to be determined on a case-by-case basis, with consideration given to individual site characteristics and environments.</p> <p>In addition, the RVA seeks for retirement units to also be provided for in NCZ-P2.</p>	<p><i>The RVA seeks to amend NCZ-P2 to remove restrictions on ground level residential activities and provide for consideration of ground level residential activities on a case-by-case basis, and to provide for retirement units.</i></p> <p>NCZ-P2 Residential Activity</p> <p>Provide for residential activity where:</p> <ol style="list-style-type: none"> 1. The residential units or retirement units are located either above ground floor or to the rear of a commercial activity, <u>or above ground floor where appropriate...</u> 2.
Neighbourhood Centre Zone – NCZ-P4	Oppose in part	The RVA opposes NCZ-P4, as it is unclear what activities are “incompatible” with the Zone.	Amend NCZ-P4 to clarify that activities covered by NCZ-P2 are compatible.
Neighbourhood Centre Zone – NCZ-P8	Support in part	As noted in response to NCZ-O4 above, the RVA considers that 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.	Amend NCZ-P8 as follows: New buildings and development <u>are encouraged to</u> will be designed to achieve hydraulic neutrality.
Neighbourhood Centre Zone - Policy	Support	The Enabling Housing Act is not limited to residential zones and councils are required to ensure district plans provide for intensification in urban non-residential zones. The RVA considers policy support for retirement	<p><i>The RVA seeks the following policies:</i></p> <p>Provision of housing for an ageing population</p> <p>Provide for a diverse range of housing and care options that are suitable for the particular needs and</p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		villages in the Neighbourhood Centre Zone is required (as also set out in the submission above).	<p>characteristics of older persons in [add] zone, 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 unique layout and internal amenity needs to cater for the requirements of residents as they age.</p> <p>Delete or amend other Commercial Zone objectives and policies for consistency.</p> <p>Larger sites</p> <p>Recognise the intensification opportunities provided by larger sites within the Medium Density Residential Zone by providing for more efficient use of those sites.</p> <p>Density standards</p> <p>Enable the density standards to be utilised as a baseline for the assessment of the effects of development.</p>
Neighbourhood Centre Zone – NCZ-R1	Support in part	The RVA supports NCZ-R1 and the construction of buildings and structures, including additions and alterations, when complying with the relevant activity standards and the gross floor area standards as a permitted activity; and the triggering of restricted discretionary activity status based on non-compliance with the relevant activity and gross floor area standards.	<p><i>The RVA seeks that NCZ-R1 is amended as follows to include a set of focused matters of discretion that are applicable to retirement villages, so to provide for and acknowledge the differences that retirement villages have from other residential activities:</i></p> <p>NCZ-R1 Buildings and structures, including additions and alterations</p> <p>...</p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		<p>Retirement villages will typically infringe the gross floor area standards and may infringe the location of residential units standard, therefore the construction of retirement villages are likely to be a restricted activity under this rule. The RVA considers that the construction of retirement villages should have a bespoke set of matters of discretion to provide for and acknowledge the differences that retirement villages have from other residential activities.</p> <p>As noted in response to NCZ-R18 below, the RVA considers that retirement villages as an activity should be a permitted activity in the Neighbourhood Centre Zone, and that it should instead only be the construction of a retirement village that is assessed as a restricted discretionary activity.</p> <p>The RVA considers the matters of discretion applicable to retirement villages need to appropriately provide for / support the efficient use of larger sites for retirement villages, and the functional and operational needs of the retirement village. It considers only these matters of discretion should apply to the construction of retirement villages, not the matters of discretion currently set out under NCZ-S1, NCZ-S2, NCZ-S3 and NCZ-S7.</p> <p>In accordance with Schedule 3A(5) of the Act, the RVA seeks that a retirement village should be precluded from public notification in all cases, and where it is</p>	<p>4. <u>Activity status: Restricted discretionary</u> <u>Where:</u></p> <p>b) <u>Compliance is not achieved with NCZ-R1-1.a or NCZ-R1-1.b, or compliance is not achieved with NCZ-R1-1.c, and the activity is for the construction of buildings for a retirement village.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>(1) <u>The effects arising from exceeding any of the following standards: NCZ-S1, NCZ-S2, NCZ-S3 and NCZ-S7.</u></p> <p>(2) <u>The effects of the retirement village on the safety of adjacent streets or public open spaces;</u></p> <p>(3) <u>The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;</u></p> <p>(4) <u>When assessing the matters in 1 – 3, consider:</u></p> <p>(a) <u>The need to provide for efficient use of larger sites; and</u></p> <p>(b) <u>The functional and operational needs of the retirement village.</u></p> <p>(5) <u>The positive effects of the construction, development and use of the retirement village.</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		compliant with the relevant standards should also be precluded from limited notification.	<p><u>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</u></p> <p><u>Notification status:</u></p> <p><u>An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</u></p> <p><u>An application for resource consent for a restricted discretionary activity under this rule that complies with NCZ-S1, NCZ-S2 and NCZ-S3 is precluded from being limited notified.</u></p>
Neighbourhood Centre Zone – NCZ-R18	Oppose in part	The RVA supports the inclusion of a retirement village specific rule, however considers that discretionary activity status is not appropriate in this Zone, The RVA therefore considers that the Neighbourhood Centre Zone should provide for retirement village activities as a permitted activity (with the construction of the retirement village being a restricted discretionary activity), recognising that retirement villages provide substantial benefits including enabling older people to remain in familiar community environments for longer (close to family and support networks), whilst also freeing up a number of dwellings located in surrounding suburbs.	<p><i>Amend NCZ-R18 as follows:</i></p> <p>NCZ-R18 Retirement Village</p> <p>1. Activity status: Discretionary <u>Permitted</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
Neighbourhood Centre Zone – NCZ-S1	Support in part	<p>The RVA supports NCZ-S1 and the building height provisions in principle as it largely reflects the building height standards of the MDRS.</p> <p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to NCZ-R2 above.</p>	<p><i>Amend NCZ-S1 to exclude retirement villages from the matters of discretion.</i></p>
Neighbourhood Centre Zone – NCZ-S2	Support in part	<p>The RVA supports NCZ-S2 and the height in relation to boundary provisions in principle as it largely reflects the height in relation to boundary standards of the MDRS.</p> <p>However, the RVA consider that the Open Space and Recreation Zone should also be excluded from the standard (as it is a less sensitive zone), with the height in relation to boundary standards only applying where a site adjoins a Residential Zone.</p> <p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to NCZ-R2 above.</p>	<p><i>The RVA seeks to amend NCZ-S2 as follows to exclude the Open Space and Recreation Zone from the standard:</i></p> <p>NCZ-S2 Height in Relation to Boundary</p> <p>Where the side or rear boundary of a site adjoins a Residential Zone or Open Space and Recreation Zone the following Height in Relation to Boundary standard applies: ...</p> <p><i>Amend standard to exclude retirement villages from the matters of discretion.</i></p>
Neighbourhood Centre Zone – NCZ-S3	Support in part	<p>The RVA supports NCZ-S3 and the setback provisions as they reflect the side and rear setback standards of the MDRS.</p> <p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the</p>	<p><i>Amend standard to exclude retirement villages from the matters of discretion.</i></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		permitted activity standard is not met, as set out under the response to NCZ-R2 above.	
Neighbourhood Centre Zone – NCZ-S4	Oppose in part	The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to NCZ-R2 above.	<i>Amend standard to exclude retirement villages from the matters of discretion.</i>
Neighbourhood Centre Zone – NCZ-S5	Oppose in part	<p>The RVA opposes limitations on ground level residential activities, and considers that such requirements need to be determined on a case-by-case basis, with consideration given to individual site characteristics and environments. The RVA considers NCZ-S5 should refer to retirement units as well as residential units.</p> <p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to NCZ-R2 above.</p>	<p><i>The RVA seeks to amend NCZ-S5 to remove restrictions on ground level residential activities and provide for consideration of ground level residential activities on a case-by-case basis, and to provide for retirement units.</i></p> <p>NCZ-S5 Location of Residential Units</p> <ol style="list-style-type: none"> 1. All residential units <u>and / or retirement units</u> must be located above ground floor level, except that residential units and / or retirement units may be located on the ground floor where: <ol style="list-style-type: none"> a. No part of the residential unit <u>and / or retirement unit</u> fronts onto a public open space, including roads; and b. They do not interrupt or prevent an active frontage as required by NCZ-S4; <u>and</u> c. <u>When taking into account individual site characteristics and environments residential units and / or retirement units may be appropriate on the ground floor.</u>

Provisions	Submission Position	Reason for Submission	Relief Sought
			<i>Amend standard to exclude retirement villages from the matters of discretion.</i>
Neighbourhood Centre Zone – NCZ-S7	Support in part	<p>The RVA acknowledges that NCZ-S7 and the outdoor living space provisions reflect the outdoor living space standards of the MDRS (with additional standards related to multi-unit housing). However, it is considered that as a result of retirement villages providing a range of private and communal outdoor areas, amendments should be made to NCZ-S7 that enable the communal areas of retirement villages to count towards the amenity standard.</p> <p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to NCZ-R2 above.</p>	<p><i>The RVA seeks to amend NCZ-S7 as follows to enable the communal outdoor living spaces of retirement villages to count towards the amenity standard.</i></p> <p>NCZ-S7 Outdoor Living Space</p> <p>...</p> <p>4. <u>For retirement units, clauses 1 and 2 apply with the following modifications:</u></p> <p>a) <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></p> <p>b) <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> <p>(b) <i>Amend standard to exclude retirement villages from the matters of discretion.</i></p>

LCZ – LOCAL CENTRE ZONE

Provisions	Submission Position	Reason for Submission	Relief Sought
Local Centre Zone – Introduction	Support in part	<p>The RVA supports the provision for residential opportunities / activities in the Local Centre Zone, however the RVA consider that residential activities should not be limited to being located above ground floor on identified street frontages.</p> <p>The RVA support the recognition provided for the anticipated change and intensification of the scale and density of buildings over time.</p>	<p><i>The RVA seeks for the Local Centre Zone to provide for residential activities (including 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).</i></p>
Local Centre Zone – Objective LCZ-01	Support	The RVA supports LCZ-01 and the provision for residential activities in the Local Centre Zone.	Retain LCZ-01 as notified.
Local Centre Zone – LCZ-02	Support in part	<p>The RVA supports the intention of LCZ-02 but suggests amendments are necessary to reflect Policy 1 of the NPSUD. 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 LCZ-02 as follows:</p> <p>Local Centres are <u>well-functioning</u> 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>
Local Centre Zone – LCZ-04	Support in part	<p>The RVA considers that 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 LCZ-04 as follows:</p> <p>New buildings and development <u>are encouraged to</u> will be designed to achieve hydraulic neutrality.</p>

Provisions	Submission Position	Reason for Submission	Relief Sought
Local Centre Zone – Policy LCZ-P2	Oppose in part	<p>The RVA supports LCZ-P2 in principle and the provision for residential activities, however the RVA opposes limitations on ground level residential activities, and considers that such requirements need to be determined on a case-by-case basis, with consideration given to individual site characteristics and environments.</p> <p>In addition, the RVA seeks for retirement units to also be provided for in LCZ-P2.</p>	<p><i>The RVA seeks to amend LCZ-P2 to remove restrictions on ground level residential activities, and to provide for retirement units:</i></p> <p>LCZ-P2 Residential activity</p> <p>Provide for residential activity and development where:</p> <p>1) The residential units or retirement units are located above ground floor, where located along an active frontage identified on the planning maps, <u>or above ground floor where appropriate...</u></p>
Local Centre Zone – LCZ-P4	Oppose in part	<p>The RVA opposes LCZ-P4, as it is unclear what activities are “incompatible” with the Zone.</p>	<p><i>Amend LCZ-P4 to clarify that activities covered by LCZ-P2 are compatible.</i></p>
Local Centre Zone – LCZ-P5	Support in part	<p>The RVA supports LCZ-P5 and its provision for medium to high density development in the Local Centre Zone, but opposes 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(4) as follows: .</p> <p>Provide for medium-density development that</p> <p>...</p> <p>4. Is well designed and contributes to an attractive a <u>well-functioning urban environment.</u></p>
Local Centre Zone – LCZ-P8	Support in part	<p>As noted in response to LCZ-O4 above, the RVA considers that 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 LCZ-P8 as follows:</p> <p>New buildings and development <u>are encouraged to will</u> be designed to achieve hydraulic neutrality.</p>

Provisions	Submission Position	Reason for Submission	Relief Sought
Local Centre Zone - Policy	Support	The Enabling Housing Act is not limited to residential zones and councils are required to ensure district plans provide for intensification in urban non-residential zones. The RVA considers policy support for retirement villages in the Local Centre Zone is required (as also set out in the submission above).	<p><i>The RVA seeks the following policies:</i></p> <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 [add] zone, such as retirement villages. 2. Recognise the functional and operational needs of retirement villages, including that they: <ol style="list-style-type: none"> a. May require greater density than the planned urban built character to enable efficient provision of services. b. Have unique layout and internal amenity needs to cater for the requirements of residents as they age. <p><i>Delete or amend other Commercial Zone objectives and policies for consistency.</i></p> <p>Larger sites</p> <p>Recognise the intensification opportunities provided by larger sites within the Medium Density Residential Zone by providing for more efficient use of those sites.</p> <p>Density standards</p> <p>Enable the density standards to be utilised as a baseline for the assessment of the effects of development.</p>
Local Centre Zone - LCZ-R1	Support in part	The RVA supports LCZ-R1 and the construction buildings and structures, including additions and alterations, when complying with the relevant activity standards and the gross floor area standards as a	<p><i>The RVA seeks that LCZ-R1 is amended as follows to include a set of focused matters of discretion that are applicable to retirement villages, so to provide for and</i></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		<p>permitted activity; and the triggering of restricted discretionary activity status based on non-compliance with the relevant activity and gross floor area standards.</p> <p>Retirement villages will typically infringe the gross floor area standards and may infringe the location of residential units standards, therefore the construction of retirement villages are likely to be a restricted activity under this rule. The RVA considers that the construction of retirement villages should have a bespoke set of matters of discretion (to provide for and acknowledge the differences that retirement villages have from other residential activities).</p> <p>As noted in response to LCZ-R19 below, the RVA considers that retirement villages as an activity should be a permitted activity in the Local Centre Zone, and that it should instead only be the construction of a retirement village that is assessed as a restricted discretionary activity.</p> <p>The RVA considers the matters of discretion applicable to retirement villages need to appropriately provide for / support the efficient use of larger sites for retirement villages, and the functional and operational needs of the retirement village. It considers only these matters of discretion should apply to the construction of retirement villages, not the matters of discretion currently set out under LCZ-S1, LCZ-S2, LCZ-S3 and LCZ-S7.</p>	<p><i>acknowledge the differences that retirement villages have from other residential activities:</i></p> <p>LCZ-R1 Buildings and structures, including additions and alterations</p> <p>...</p> <p>5. <u>Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <p>c) <u>Compliance is not achieved with LCZ-R1-1.a or LCZ-R1-1.b, or compliance is not achieved with one or more of the standards under LCZ-R1-1.c, and the activity is for the construction of buildings for a retirement village.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>(1) <u>The effects arising from exceeding any of the following standards: LCZ-S1, LCZ-S2, LCZ-S3 and LCZ-S7.</u></p> <p>(2) <u>The effects of the retirement village on the safety of adjacent streets or public open spaces;</u></p> <p>(3) <u>The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;</u></p> <p>(4) <u>When assessing the matters in 1 – 3, consider:</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		<p>In accordance with Schedule 3A(5) of the Act, the RVA seeks that a retirement village should be precluded from public notification in all cases, and where it is compliant with the relevant standards should also be precluded from limited notification.</p>	<p>(a) <u>The need to provide for efficient use of larger sites; and</u></p> <p>(b) <u>The functional and operational needs of the retirement village.</u></p> <p>(5) <u>The positive effects of the construction, development and use of the retirement village.</u></p> <p><u>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</u></p> <p><u>Notification status:</u></p> <p><u>An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</u></p> <p><u>An application for resource consent for a restricted discretionary activity under this rule that complies with LCZ-S1, LCZ-S2 and LCZ-S3 is precluded from being limited notified.</u></p>
<p>Local Centre Zone – LCZ-R19</p>	<p>Oppose in part</p>	<p>The RVA supports the inclusion of a retirement village specific rule, however considers that discretionary activity status is not appropriate in this Zone., The RVA therefore considers that the Local Centre Zone should provide for retirement village activities as a permitted activity (with the construction of the retirement village being a restricted discretionary activity), recognising that retirement villages provide substantial benefits including enabling older people to</p>	<p><i>Amend LCZ-R19 as follows:</i></p> <p>LCZ-R19 Retirement Village</p> <p>1. Activity status: Discretionary<u>Permitted</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		<p>remain in familiar community environments for longer (close to family and support networks), whilst also freeing up a number of dwellings located in surrounding suburbs.</p>	
<p>Local Centre Zone – LCZ-S1</p>	<p>Support in part</p>	<p>The RVA supports LCZ-S1 and the building height provisions which enable greater building heights as required under the NPSUD.</p> <p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to LCZ-R1 above.</p>	<p><i>Amend standard to exclude retirement villages from the matters of discretion.</i></p>
<p>Local Centre Zone – LCZ-S2</p>	<p>Support in part</p>	<p>The RVA supports LCZ-S2 and the height in relation to boundary provisions in principle as it largely reflects the height in relation to boundary standards of the MDRS</p> <p>However, the RVA consider that the Open Space and Recreation Zone should also be excluded from the standard (as it is a less sensitive zone), with the height in relation to boundary standards only applying where a site adjoins a Residential Zone.</p> <p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to LCZ-R1 above.</p>	<p><i>The RVA seeks to amend LCZ-S2 as follows to exclude the Open Space and Recreation Zone from the standard:</i></p> <p>LCZ-S2 Height in Relation to Boundary</p> <p>Where the side or rear boundary of a site adjoins a Residential Zone or Open Space and Recreation Zone the following Height in Relation to Boundary standard applies: <i>Amend standard to exclude retirement villages from the matters of discretion.</i></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
Local Centre Zone – LCZ-S3	Support in part	<p>The RVA supports LCZ-S3 and the setback provisions as they reflect the side and rear setback standards of the MDRS.</p> <p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to LCZ-R1 above.</p>	<i>Amend standard to exclude retirement villages from the matters of discretion.</i>
Local Centre Zone – LCZ-S4	Oppose in part	<p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to LCZ-R1 above.</p>	<i>Amend standard to exclude retirement villages from the matters of discretion.</i>
Local Centre Zone – LCZ-S5	Oppose in part	<p>The RVA opposes limitations on ground level residential activities, and considers that such requirements need to be determined on a case-by-case basis, with consideration given to individual site characteristics and environments. The RVA considers LCZ-S5 should refer to retirement units as well as residential units.</p> <p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to LCZ-R1 above.</p>	<p><i>The RVA seeks to amend NCZ-S5 to remove restrictions on ground level residential activities and provide for consideration of ground level residential activities on a case-by-case basis, and to provide for retirement units.</i></p> <p>LCZ-S5 Location of Residential Units</p> <ol style="list-style-type: none"> 1. Along active frontages identified on the planning maps all residential <u>units and / or retirement units</u> must be located above ground floor level, <u>except that residential units and / or retirement units may be located on the ground floor where:</u> <ol style="list-style-type: none"> a. <u>When taking into account individual site characteristics and environments residential units and / or retirement units may be appropriate on the ground floor.</u>

Provisions	Submission Position	Reason for Submission	Relief Sought
			<i>Amend standard to exclude retirement villages from the matters of discretion.</i>
Local Centre Zone – LCZ-S7	Support in part	<p>The RVA acknowledges that LCZ-S7 and the outdoor living space provisions reflect the outdoor living space standards of the MDRS, however, it is considered that as a result of retirement villages providing a range of private and communal outdoor areas, amendments should be made to LCZ-S7 that enable the communal areas to count towards the amenity standard.</p> <p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to LCZ-R1 above.</p>	<p><i>The RVA seeks to amend LCZ-S7 as follows to enable the communal outdoor living spaces of retirement villages to count towards the amenity standard.</i></p> <p>LCZ-S7 Outdoor Living Space</p> <p>...</p> <p>5. <u>For retirement units, clauses 1 and 2 apply with the following modifications:</u></p> <p>a) <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></p> <p>b) <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> <p>(c) <i>Amend standard to exclude retirement villages from the matters of discretion.</i></p>

MUZ – MIXED USE ZONE

Provisions	Submission Position	Reason for Submission	Relief Sought
Mixed Use Zone – Introduction	Support in part	<p>The RVA supports the provision for residential opportunities / activities in the Mixed Use Zone, however the RVA considers that residential activities should not be limited to being located “over” commercial activities and that specific mention should be given to the enabling of residential activities such as retirement villages.</p> <p>The RVA submits that the Introduction could be amended to align better with the direction in the NPSUD. It suggests that it is unclear what a ‘safe, vibrant, and attractive’ environment means, and that the definition of a ‘well-functioning urban environment’ as provided under the NPSUD covers those matters.</p>	<p><i>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 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.</i></p>
Mixed Use Zone – Objective MUZ-O1	Support in part	<p>The RVA supports MUZ-O1 and the provision for residential activities in the Mixed Use Zone, however it opposes the qualifier “compatible” applying to residential activities.</p>	<p><i>Amend MUZ-O1 so that “compatible” applies to light industrial activities only and not to residential activities.</i></p>
Mixed Use Zone – Objective MUZ-O2	Support in part	<p>The RVA supports the intention of MUZ-O2 to recognise that the built development of the Mixed Use Zone is generally of a medium to high scale and density. However, it suggests that it MUZ-O2 should be amended to refer to a ‘well-functioning’ urban environment.</p>	<p>Amend MUZ-O2 as follows:</p> <p>Mixed Use Zones are <u>well-functioning</u> 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>

Provisions	Submission Position	Reason for Submission	Relief Sought
Mixed Use Zone – Objective MUZ-O4	Support in part	The RVA considers that 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.	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.
Mixed Use Zone – Policy MUZ-P2	Support in part	The RVA supports MUZ-P2 in principle and the provision for residential activities The RVA seeks for retirement units to also be provided for in MUZ-P2.	Amend MUZ-P2 as follows: Provide for residential activity where any residential units <u>or retirement units</u> are designed to: 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.
Mixed Use Zone – MUZ-P4	Oppose in part	The RVA opposes LCZ-P4, as it is unclear what activities are “incompatible” with the Zone.	<i>Amend MUZ-P4 to clarify that activities covered by LCZ-P2 are compatible.</i>
Mixed Use Zone – MUZ-P5	Oppose in part	The RVA suggests amendments are required to MUZ-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.	<i>Amend MUZ-P5 as follows:</i> Provide for built development that: 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;

Provisions	Submission Position	Reason for Submission	Relief Sought
			<p>3. contributes to a well-functioning urban environment.</p> <p>3. Is well designed; and</p> <p>4. Contributes to an attractive and safe urban environment.</p>
Mixed Use Zone – Policy MUZ-P8	Support in part	As noted in response to MUZ-O4 above, the RVA considers that 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>Amend as follows:</p> <p>New buildings and development <u>are encouraged to will</u> be designed to achieve hydraulic neutrality.</p>
Mixed Use Zone - Policy	Support	The Enabling Housing Act is not limited to residential zones and councils are required to ensure district plans provide for intensification in urban non-residential zones. The RVA considers policy support for retirement villages in the Mixed Use Zone is required (as also set out in the submission above).	<p><i>The RVA seeks the following policies:</i></p> <p>Provision of housing for an ageing population</p> <p>Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in [add] zone, 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 unique layout and internal amenity needs to cater for the requirements of residents as they age.</p>

Provisions	Submission Position	Reason for Submission	Relief Sought
			<p><i>Delete or amend other Commercial Zone objectives and policies for consistency.</i></p> <p>Larger sites</p> <p>Recognise the intensification opportunities provided by larger sites within the Medium Density Residential Zone by providing for more efficient use of those sites.</p> <p>Density standards</p> <p>Enable the density standards to be utilised as a baseline for the assessment of the effects of development.</p>
Mixed Use Zone – MUZ-R1	Support in part	<p>The RVA supports MUZ-R1 and the construction of buildings and structures, including additions and alterations, when complying with the relevant activity standards as a permitted activity; and the triggering of restricted discretionary activity status based on non-compliance with the relevant activity standards.</p> <p>The RVA considers that, where the construction of a retirement village is a restricted discretionary activity, the construction of retirement villages should have their own set of focused matters of discretion (so to provide for and acknowledge the differences that retirement villages have from other residential activities).</p> <p>As noted in response to MUZ-R17 below, the RVA considers that retirement villages as an activity should be a permitted activity in the Mixed Use Zone, and that it should instead be the construction of a</p>	<p><i>The RVA seeks that MUZ-R1 is amended as follows to include a set of focused matters of discretion that are applicable to retirement villages, so to provide for and acknowledge the differences that retirement villages have from other residential activities:</i></p> <p>MUZ-R1 Buildings and structures, including additions and alterations</p> <p>...</p> <p>3. <u>Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <p>a) <u>Compliance is not achieved with one or more of the standards under MUZ-R1-1.a, and the activity is for the construction of buildings associated with a retirement village.</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		<p>retirement village that is assessed as a restricted discretionary activity.</p> <p>The RVA considers the matters of discretion applicable to retirement villages need to appropriately provide for / support the efficient use of larger sites for retirement villages, and the functional and operational needs of the retirement village. It considers only these matters of discretion should apply to the construction of retirement villages, not the matters of discretion currently set out under MUZ-S1, MUZ-S2, MUZ-S3 and MUZ-S7.</p> <p>In accordance with Schedule 3A(5) of the Act, the RVA seeks that a retirement village should be precluded from public notification in all cases, and where it is compliant with the relevant standards should also be precluded from limited notification.</p>	<p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> (1) <u>The effects arising from exceeding any of the following standards: MUZ-S1, MUZ-S2, MUZ-S3 or MUZ-S5;</u> (2) <u>The effects of the retirement village on the safety of adjacent streets or public open spaces;</u> (3) <u>The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;</u> (4) <u>When assessing the matters in 1 – 3, consider:</u> <ol style="list-style-type: none"> (a) <u>The need to provide for efficient use of larger sites; and</u> (b) <u>The functional and operational needs of the retirement village.</u> (5) <u>The positive effects of the construction, development and use of the retirement village.</u> <p><u>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</u></p> <p><u>Notification status:</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
			<p><u>An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</u></p> <p><u>An application for resource consent for a restricted discretionary activity under this rule that complies with MUZ-S1, MUZ-S2 and MUZ-S3 is precluded from being limited notified.</u></p>
Mixed Use Zone – MUZ-R17	Oppose in part	<p>The RVA supports the inclusion of a retirement village specific rule. However, recognising that the Enabling Housing Act is not limited to residential zones, with councils required to ensure district plans provide for intensification of urban non-residential zones, the RVA considers that the Mixed Use Zone should provide for retirement village activities as a permitted activity (as opposed to a restricted discretionary activity as currently drafted), with the construction of the retirement village being a restricted discretionary activity.</p> <p>This permitted activity status would recognise that retirement villages provide substantial benefits including enabling older people to remain in familiar community environments for longer (close to family and support networks), whilst also freeing up a number of dwellings located in surrounding suburbs.</p>	<p><i>The RVA seeks to amend the activity status of retirement villages activities to be a permitted activity in the Mixed Use Zone and subsequently delete the existing matters of discretion for retirement village activities.</i></p>
Mixed Use Zone – MUZ-S1	Support in part	The RVA supports MUZ-S1 and the building height provisions which enable greater building heights as required under the NPSUD.	<p><i>Amend standard to exclude retirement villages from the matters of discretion.</i></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		<p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to MUZ-R1 above.</p>	
<p>Mixed Use Zone – MUZ-S2</p>	<p>Support in part</p>	<p>The RVA supports MUZ-S2 and the height in relation to boundary provisions in principle as it largely reflects the height in relation to boundary standards of the MDRS.</p> <p>However, the RVA consider that the Open Space and Recreation Zone should also be excluded from the standard (as it is a less sensitive zone), with the height in relation to boundary standards only applying where a site adjoins a Residential Zone.</p> <p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to MUZ-R1 above.</p>	<p><i>The RVA seeks to amend MUZ-S2 as follows to exclude the Open Space and Recreation Zone from the standard:</i></p> <p>MUZ-S2 Height in Relation to Boundary</p> <p>Where the side or rear boundary of a site adjoins a Residential Zone or Open Space and Recreation Zone the following Height in Relation to Boundary standard applies:</p> <p>---</p> <p><i>Amend standard to exclude retirement villages from the matters of discretion.</i></p>
<p>Mixed Use Zone – MUZ-S3</p>	<p>Support in part</p>	<p>The RVA supports MUZ-S3 and the setback provisions as they reflect the side and rear setback standards of the MDRS.</p> <p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to MUZ-R1 above.</p>	<p><i>Amend standard to exclude retirement villages from the matters of discretion.</i></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
Mixed Use Zone – MUZ-S5	Support in part	<p>The RVA acknowledges that MUZ-S5 and the outdoor living space provisions reflect the outdoor living space standards of the MDRS (with additional standards related to multi-unit housing). However, it is considered that a result of retirement villages providing a range of private and communal outdoor areas, amendments should be made to MUZ-S5 that enable the communal areas to count towards the amenity standard.</p> <p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to MUZ-R1 above.</p>	<p><i>The RVA seeks to amend MUZ-S5 as follows to enable the communal outdoor living spaces of retirement villages to count towards the amenity standard.</i></p> <p>MUZ-S5 Outdoor Living Space</p> <p>...</p> <p>4. <u>For retirement units, clauses 1 and 2 apply with the following modifications:</u></p> <p>a) <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></p> <p>b) <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> <p>(d) <i>Amend standard to exclude retirement villages from the matters of discretion.</i></p>

TCZ – TOWN CENTRE ZONE

Provisions	Submission Position	Reason for Submission	Relief Sought
Town Centre Zone - Introduction	Support in part	The RVA supports the provision for residential opportunities / activities in the Town Centre Zone, however the RVA considers that residential activities should not be limited to being located above ground floor on identified street frontages.	<i>The RVA seeks that the Town Centre Zone is amended to provide for residential activities at the ground level where appropriate (including retirement villages).</i>
Town Centre Zone – Objective TCZ-O1	Support	The RVA supports TCZ-O1 and the provision for residential activities in the Town Centre Zone.	Retain TCZ-O1 as notified.
Town Centre Zone – Objective TCZ-O2	Support in part	The RVA supports the intention of TCZ-O2 to recognise that the urban environment of the Town Centre Zone is characterised by high-density urban development. However, it suggests that TCZ-O2 should be amended to refer to a 'well-functioning' urban environment.	Amend TCZ-O2 as follows: 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
Town Centre Zone – Objective TCZ-O4	Support in part	The RVA considers that 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.	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.
Town Centre Zone – Policy TCZ-P2	Oppose in part	The RVA supports TCZ-P2 in principle and the provision for residential activities, however the RVA opposes limitations on ground level residential activities.	<i>The RVA seeks that TCZ-P2 is amended to remove limitations on ground level residential activities:</i> TCZ-P2 Residential activity

Provisions	Submission Position	Reason for Submission	Relief Sought
			<p>Provide for medium to high density residential development and activity where:</p> <p>2) 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>3) It does not interrupt or preclude an attractive frontage that provides a positive interface with the public space;</p> <p>...</p>
Town Centre Zone – TCZ-P4	Oppose	The RVA opposes TCZ-P4, as it is unclear what activities are “incompatible” with the Zone.	<i>Amend TCZ-P4 to clarify that activities covered by LCZ-P2 are compatible.</i>
Town Centre Zone – TCZ-P5	Oppose in part	The RVA suggests 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>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; 4. Is well designed and contributes to <u>a well-functioning an attractive</u> urban environment; and

Provisions	Submission Position	Reason for Submission	Relief Sought
			5. Provides active and attractive street frontages.
Town Centre Zone – TCZ-P8	Support in part	As noted in response to TCZ-O4 above, the RVA considers that 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.	<i>Amend TCZ-P8 as follows:</i> New buildings and development <u>are encouraged to will</u> be designed to achieve hydraulic neutrality.
Town Centre Zone - Policy	Support	The Enabling Housing Act is not limited to residential zones and councils are required to ensure district plans provide for intensification in urban non-residential zones. The RVA considers policy support for retirement villages in the Town Centre Zone is required (as also set out in the submission above).	<i>The RVA seeks the following policies:</i> Provision of housing for an ageing population Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in [add] zone, such as retirement villages. 2. Recognise the functional and operational needs of retirement villages, including that they: a. May require greater density than the planned urban built character to enable efficient provision of services. b. Have unique layout and internal amenity needs to cater for the requirements of residents as they age. <i>Delete or amend other Commercial Zone objectives and policies for consistency.</i> Larger sites

Provisions	Submission Position	Reason for Submission	Relief Sought
			<p>Recognise the intensification opportunities provided by larger sites within the Medium Density Residential Zone by providing for more efficient use of those sites.</p> <p>Density standards</p> <p>Enable the density standards to be utilised as a baseline for the assessment of the effects of development.</p>
Town Centre Zone – TCZ-R1	Support in part	<p>The RVA supports TCZ-R1 and the construction of buildings and structures, including additions and alterations, when complying with the relevant activity standards and the gross floor area standards as a permitted activity; and the triggering of restricted discretionary activity status based on non-compliance with the relevant activity and gross floor area standards.</p> <p>The RVA considers that where the construction of a retirement village is a restricted discretionary activity, the construction of retirement villages should have their own set of focused matters of discretion (so to provide for and acknowledge the differences that retirement villages have from other residential activities). It considers only these matters of discretion should apply to the construction of retirement villages, not the matters of discretion currently set out under TCZ-S1, TCZ-S2, TCZ-S3 and TCZ-S7.</p> <p>As noted in response to TCZ-R19 below, the RVA considers that retirement villages as an activity should</p>	<p><i>The RVA seeks that TCZ-R1 is amended as follows to include a set of focused matters of discretion that are applicable to retirement villages, so to provide for and acknowledge the differences that retirement villages have from other residential activities:</i></p> <p>TCZ-R1 Buildings and structures, including additions and alterations</p> <p>...</p> <p>3. <u>Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <p>d) <u>Compliance is not achieved with LCZ-R1-1.a or LCZ-R1-1.b, or compliance is not achieved with one or more of the standards under LCZ-R1-1.c, and the activity is for the construction of buildings for a retirement village.</u></p> <p><u>Matters of discretion are restricted to:</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		<p>be a permitted activity in the Town Centre Zone, and that it should instead be the construction of a retirement village that is assessed as a restricted discretionary activity.</p> <p>The RVA considers the matters of discretion applicable to retirement villages need to appropriately provide for / support the efficient use of larger sites for retirement villages, and the functional and operational needs of the retirement village. It considers only these matters of discretion should apply to the construction of retirement villages, not the matters of discretion currently set out under the TCZ standards.</p> <p>In accordance with Schedule 3A(5) of the Act, the RVA seeks that a retirement village should be precluded from public notification in all cases, and where it is compliant with the relevant standards should also be precluded from limited notification.</p>	<p>(1) <u>The effects arising from exceeding any of the following standards: LCZ-S1, LCZ-S2, LCZ-S3 and LCZ-S7.</u></p> <p>(2) <u>The effects of the retirement village on the safety of adjacent streets or public open spaces:</u></p> <p>(3) <u>The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces:</u></p> <p>(4) <u>When assessing the matters in 1 – 3, consider:</u></p> <p>(a) <u>The need to provide for efficient use of larger sites; and</u></p> <p>(b) <u>The functional and operational needs of the retirement village.</u></p> <p>(5) <u>The positive effects of the construction, development and use of the retirement village.</u></p> <p><u>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</u></p> <p><u>Notification status:</u></p> <p><u>An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
			<p><u>An application for resource consent for a restricted discretionary activity under this rule that complies with LCZ-S1, LCZ-S2 and LCZ-S3 is precluded from being limited notified.</u></p>
Town Centre Zone – TCZ-R19	Oppose in part	<p>The RVA supports the inclusion of a retirement village specific rule, however it considers that discretionary activity status is not appropriate in this Zone. Recognising that the Enabling Housing Act is not limited to residential zones, with councils required to ensure district plans provide for intensification of urban non-residential zones, the RVA considers that the Town Centre Zone should provide for retirement village activities as a permitted activity (with the construction of the retirement village being a restricted discretionary activity), recognising that retirement villages provide substantial benefits including enabling older people to remain in familiar community environments for longer (close to family and support networks), whilst also freeing up a number of dwellings located in surrounding suburbs.</p>	<p><i>The RVA seeks to amend the activity status of retirement villages to be a permitted activity in the Town Centre Zone.</i></p>
Town Centre Zone – TCZ-S1	Support in part	<p>The RVA supports TCZ-S1 and the building height provisions which enable greater building heights as required under the NPSUD.</p> <p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to TCZ-R1 above.</p>	<p><i>Amend standard to exclude retirement villages from the matters of discretion.</i></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
Town Centre Zone – TCZ-S2	Support in part	<p>The RVA supports TCZ-S2 and the height in relation to boundary provisions in principle as it largely reflects the height in relation to boundary standards of the MDRS.</p> <p>However, the RVA consider that the Open Space and Recreation Zone should also be excluded from the standard (as it is a less sensitive zone), with the height in relation to boundary standards only applying where a site adjoins a Residential Zone.</p> <p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to TCZ-R1 above.</p>	<p><i>The RVA seeks to amend TCZ-S2 as follows to exclude the Open Space and Recreation Zone from the standard:</i></p> <p>TCZ-S2 Height in Relation to Boundary</p> <p>Where the side or rear boundary of a site adjoins a Residential Zone or Open Space and Recreation Zone the following Height in Relation to Boundary standard applies:</p> <p>...</p> <p><i>Amend standard to exclude retirement villages from the matters of discretion.</i></p>
Town Centre Zone – TCZ-S3	Support in part	<p>The RVA supports TCZ-S3 and the setback provisions as they reflect the side and rear setback standards of the MDRS (where the side of rear boundary of a site in the Town Centre Zone adjoins a Residential Zone or Open Space and Recreation Zone).</p> <p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to TCZ-R1 above.</p>	<p><i>Amend standard to exclude retirement villages from the matters of discretion.</i></p>
Town Centre Zone – TCZ-S4	Oppose in part	<p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to TCZ-R1 above.</p>	<p><i>The RVA seeks to amend TCZ-S4 to integrate consideration of individual site characteristics / circumstances.</i></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
			<i>Amend standard to exclude retirement villages from the matters of discretion.</i>
Town Centre Zone – TCZ-S5	Oppose in part	<p>The RVA opposes limitations on ground level residential activities, and considers that such requirements need to be determined on a case-by-case basis, with consideration given to individual site characteristics and environments. The RVA considers TCZ-S5 should refer to retirement units as well as residential units.</p> <p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to TCZ-R1 above.</p>	<p><i>The RVA seeks to amend TCZ-S5 to remove restrictions on ground level residential activities and provide for consideration of ground level residential activities on a case-by-case basis, and to provide for retirement units.</i></p> <p>TCZ-S5 Location of Residential Units</p> <p>1. Along active frontages identified on the planning maps <u>encourage</u> all residential units <u>and / or retirement units to</u> be located above ground floor level, <u>or allow residential units and / or retirement units to be located on the ground floor where:</u></p> <p>a. <u>When taking into account individual site characteristics and environments residential units and / or retirement units may be appropriate on the ground floor.</u></p> <p><i>Amend standard to exclude retirement villages from the matters of discretion.</i></p>
Town Centre Zone – TCZ-S7	Support in part	The RVA acknowledges that TCZ-S7 and the outdoor living space provisions reflect the outdoor living space standards of the MDRS (with additional standards related to multi-unit housing). However, it is considered that a result of retirement villages providing a range of private and communal outdoor areas, amendments should be made to TCZ-S7 that	<p><i>The RVA seeks to amend TCZ-S7 as follows to enable the communal outdoor living spaces of retirement villages to count towards the amenity standard.</i></p> <p>TCZ-S7 Outdoor Living Space</p> <p>...</p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		<p>enable the communal areas to count towards the amenity standard.</p> <p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to TCZ-R1 above.</p>	<p>4. <u>For retirement units, clauses 1 and 2 apply with the following modifications:</u></p> <p>a) <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></p> <p>b) <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> <p>(e) <i>Amend standard to exclude retirement villages from the matters of discretion.</i></p>

CCZ – CITY CENTRE ZONE

Provisions	Submission Position	Reason for Submission	Relief Sought
<p>City Centre Zone – Introduction</p>	<p>Support in part</p>	<p>The RVA supports the provision for residential opportunities / activities in the City Centre Zone, however the RVA consider that residential activities should not be limited to being located above ground floor along active frontages.</p> <p>The RVA considers amendments should be made to ensure that development is not required to “improve” amenity values in the public realm, as new developments should not have to account for the effects of historic development. The RVA also considers amendments should be made to recognise that amenity values will change over time, in accordance with Objective 4 of the NPSUD.</p> <p>The RVA considers the reference to a ‘high quality’ urban environment must be replaced with ‘well-functioning’.</p> <p>The RVA opposes a requirement for new buildings to be consistent with the City Centre Design Guide, as they make no reference to retirement villages, and provide 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). The RVA considers that retirement villages can</p>	<p><i>The RVA seeks that the City Centre Zone is amended to provide for residential activities at the ground level where appropriate (including retirement villages:</i></p> <p>High-density development and intensification is enabled and encouraged, <u>recognising that the urban environment, while maintaining and improving including amenity values, 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 active streetscape and improve the quality and appeal of City Centre Zone. New buildings and development are well designed and reflect the <u>well-functioning high-quality</u> urban environment 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</p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		be 'well-designed' and of a 'high standard' without being consistent with the design guidelines.	<p>proposal to ensure that any new development is well designed <u>and of a high quality</u> 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 <u>unless residential activity at ground floor is appropriate assessed on a case by case basis.</u></p>
City Centre Zone – Objective CCZ-O1	Support in part	The RVA supports CCZ-O1 and the provision for residential activities in the City Centre Zone. However, it suggests that CCZ-O1 should be amended to refer to a 'well-functioning' urban environment.	<p>Amend CCZ-O1 as follows:</p> <p>...It is a <u>well-functioning urban environment</u> vibrant and attractive and accommodates a wide range of commercial, community, recreational and residential activities.</p>
City Centre Zone – Objective CCZ-O2	Support	The RVA supports CCZ-O2 and its recognition that the built form of the City Centre Zone reflects a high-density urban environment.	Retain CCZ-O2 as notified.
City Centre Zone – Objective CCZ-O4	Support in part	The RVA considers that 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.	Amend so that hydraulic neutrality is not required (but encouraged) where there is sufficient capacity in the downstream system and / or the effects of increased water flows can be managed effectively.

Provisions	Submission Position	Reason for Submission	Relief Sought
City Centre Zone – Policy CCZ -P1	Oppose in part	The RVA considers that amendments are required to CCZ-P1 to better align with Policy 6 of the NPSUD.	Amend CCZ-P1 as follows: 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
City Centre Zone – Policy CCZ-P2	Oppose in part	<p>The RVA supports CCZ-P2 in principle and the provision for residential activities, however the RVA opposes limitations on ground level residential activities.</p> <p>Furthermore, the RVA do not consider that it is 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><i>The RVA seeks that CCZ-P2 is amended to remove limitations on ground level residential activities, and to remove reference to the requirement to be consistent with the City Centre Design Guide:</i></p> <p>CCZ-P2 Residential Activity</p> <p>1) Provide for high-density residential activity and development where:</p> <p>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>;</p> <p>b) Residential units <u>and / or retirement units</u> are designed to</p> <p>i. ...</p> <p>...</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>

Provisions	Submission Position	Reason for Submission	Relief Sought
			<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>...</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>4) Avoid the location of residential units on the ground floor along Active Street Frontages identified on the planning maps.</p>
City Centre Zone – Policy CCZ-P4	Oppose in part	<p>The RVA supports the provision for as much development capacity as possible (to maximise the benefits of intensification) and the provision for a compact, high-density built environment which aligns with the NPSUD.</p> <p>However, the RVA opposes clause 6 of CCZ-P4, which seeks to provide for and encourage high density and high quality built development that is consistent with the City Centre Design Guide.</p> <p>As noted, the City Centre Design Guide makes no specific reference to retirement villages, and there is</p>	<p><i>The RVA seeks that CCZ-P4 is amended to remove reference to the requirement to be consistent with the City Centre Design:</i></p> <p>CCZ-P4 Built Development</p> <p>Provide for and encourage high-density and high quality built development that:</p> <p>...</p> <p>6. Is consistent with the City Centre Design Guide.</p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		<p>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>As such the RVA considers that retirement villages should be assessed against any built form standards they do not comply with. The City Centre Design Guide does not align with the NPSUD.</p>	
City Centre Zone – Policy CCZ-P5	Oppose in part	<p>As detailed in the response to CCZ-P2 and CCZ-P4 above, the RVA does not consider that new built development and activities (including retirement villages) should 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. It considers an 'avoid' requirement is contrary to the purpose of the NPSUD to enable intensification in this Zone.</p>	<p><i>The RVA seek to amend CCZ-P5 to remove reference to the City Centre Design Guide and to integrate consideration of individual site characteristics / circumstances.</i></p> <p>CCZ-P5 Public Space Interface and Active Street Frontages</p> <p>...</p> <p>Where located along identified active frontages, require new built development and activities to:</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. Encourage new built development and activities to provide a continuous active street frontage along identified</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
			<u>active frontages, whilst considering the individual site characteristics and environment.</u>
City Centre Zone – Policy CCZ-P6	Oppose	The RVA opposes the policy, as it is unclear what activities are “incompatible” with the Zone.	<i>Amend policy to clarify that activities covered by CCZ-P2 are compatible.</i>
City Centre Zone – Policy CCZ-P8	Support in part	As noted in response to CCZ-O4 above, the RVA considers that 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.	Amend CCZ-P8 as follows: New buildings and development <u>are encouraged to will</u> be designed to achieve hydraulic neutrality.
City Centre Zone - Policy	Support	The Enabling Housing Act is not limited to residential zones and councils are required to ensure district plans provide for intensification in urban non-residential zones. The RVA considers policy support for retirement villages in the City Centre Zone is required (as also set out in the submission above).	<i>The RVA seeks the following policies:</i> Provision of housing for an ageing population Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in [add] zone, such as retirement villages. 2. Recognise the functional and operational needs of retirement villages, including that they: a. May require greater density than the planned urban built character to enable efficient provision of services. b. Have unique layout and internal amenity needs to cater for the requirements of residents as they age. <i>Delete or amend other Commercial Zone objectives and policies for consistency.</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
			<p>Larger sites</p> <p>Recognise the intensification opportunities provided by larger sites within the Medium Density Residential Zone by providing for more efficient use of those sites.</p> <p>Density standards</p> <p>Enable the density standards to be utilised as a baseline for the assessment of the effects of development.</p>
City Centre Zone – CCZ-R6	Oppose in part	<p>The RVA considers that the City Centre Zone should provide for retirement village activities as a permitted activity with the construction of the retirement village being a restricted discretionary activity.</p> <p>The RVA considers the construction of a retirement village should have their own set of focused matters of discretion (so to provide for and acknowledge the differences that retirement villages have from other residential activities).</p> <p>The RVA seeks that a retirement village should be precluded from public notification in all cases, and where it is compliant with the relevant standards should also be precluded from limited notification.</p>	<p><i>Amend rules to provide a permitted activity rule for retirement villages and a restricted discretionary rule for the construction of retirement villages.</i></p> <p><i>Amend to provide the following matters of discretion:</i></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> (1) <u>The effects arising from exceeding any of the following standards: LCZ-S1, LCZ-S2, LCZ-S3 and LCZ-S7.</u> (2) <u>The effects of the retirement village on the safety of adjacent streets or public open spaces;</u> (3) <u>The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;</u> (4) <u>When assessing the matters in 1 – 3, consider:</u>

Provisions	Submission Position	Reason for Submission	Relief Sought
			<p>(a) <u>The need to provide for efficient use of larger sites; and</u></p> <p>(b) <u>The functional and operational needs of the retirement village.</u></p> <p>(5) <u>The positive effects of the construction, development and use of the retirement village.</u></p> <p><u>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</u></p> <p><u>Notification status:</u></p> <p><u>An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</u></p> <p><u>An application for resource consent for a restricted discretionary activity under this rule that complies with LCZ-S1, LCZ-S2 and LCZ-S3 is precluded from being limited notified.</u></p>
City Centre Zone – CCZ-S2	Support	The RVA supports CCZ-S2 and the setback provisions as they reflect the side and rear setback standards of the MDRS.	Retain CCZ-S2 as notified.
City Centre Zone – CCZ-S3	Oppose in part	The RVA opposes limitations on ground level residential activities.	<i>The RVA seeks for CCZ-S3 to be amended to acknowledge that ground level residential units and / or retirement units can be provided if deemed to be</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
			<i>appropriate when considering the individual site characteristics and environment.</i>
City Centre Zone – CCZ-S4	Support in part	<p>The RVA supports CCZ-S4 and the height in relation to boundary provisions in principle as it largely reflects the height in relation to boundary standards of the MDRS (where the side or rear boundary of a site in the City Centre Zone adjoins a High Density Residential Zone, General Residential Zone or Open Space and Recreation Zone).</p> <p>However, the RVA consider that the Open Space and Recreation Zone should also be excluded from the standard (as it is a less sensitive zone), with the height in relation to boundary standards only applying where a site adjoins a High Density Residential Zone or General Residential Zone.</p>	<p><i>The RVA seeks to amend CCZ-S4 as follows to exclude the Open Space and Recreation Zone from the standard:</i></p> <p>CCZ-S4</p> <p>Where the side or rear boundary of a site adjoins a High Density Residential Zone, or General Residential Zone, or Open Space and Recreation Zone, the following Height in Relation to Boundary standard applies:</p> <p>...</p>
City Centre Zone – CCZ-S8	Oppose in part	<p>As detailed in the response to TCZ-S4, the RVA opposes the minimum ground floor frontage requirements (that at least 55% of the ground floor building frontage must be display windows or transparent glazing). The RVA acknowledges the importance of active frontages in city centre zones, however given the requirements of the Enabling Housing Act to provide for intensification of urban non-residential zones (including town centre zones), the RVA considers that such requirements need to be determined on a case-by-case basis, with</p>	<p><i>The RVA seeks to amend CCZ-S8 to integrate consideration of individual site characteristics / circumstances. The RVA also seeks to exclude retirement villages from the applicability of the City Centre Design Guide.</i></p> <p>CCZ-S8 Active Frontages</p> <p>Matters of discretion are restricted to:</p> <p>...</p> <p>4) Consistency with the City Centre Design Guide. <u>This matter of discretion does not apply to retirement villages.</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		<p>consideration given to individual site characteristics and environments.</p> <p>Furthermore, as detailed in the response to the CCZ-P5 and CCZ-S7 above, the RVA does not consider that retirement villages should be assessed against the City Centre Design Guide. The RVA therefore seek to exclude retirement villages from matter of discretion (4) for CCZ-S8, with a retirement village specific set of matters of discretion applying instead. These retirement specific matters of discretion are those provided in response to Rule CCZ-R16 above.</p> <p>The RVA seeks that only the focused matters of discretion for retirement villages apply where the permitted activity standard is not met, as set out under the response to CCZ-R6 above.</p>	<p><i>Amend standard to exclude retirement villages from the matters of discretion.</i></p>
City Centre Zone – CCZ-R16	Oppose in part	<p>The RVA notes that unlike the other zones of the District Plan, the construction of new buildings and structures in the City Centre Zone are provided for as a restricted discretionary activity under CCZ-R16 when complying with the relevant activity standards (rather than a permitted activity), with non-compliance with the relevant activity standards triggering a discretionary activity status.</p> <p>The RVA considers that, where the construction of retirement village buildings is a restricted discretionary activity (when activity standards are infringed), that a focused set of retirement village matters of discretion should apply (so to provide for and acknowledge the</p>	<p><i>The RVA seeks that CCZ-R16 is amended as follows to include a set of focused matters of discretion that are applicable to retirement villages, so to provide for and acknowledge the differences that retirement villages have from other new buildings and structures and residential activities:</i></p> <p>CCZ-R16 Buildings and structures</p> <p>...</p> <p>3. <u>Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		<p>differences that retirement villages have from other residential activities).</p> <p>As noted in response to CCZ-R19 below, the RVA considers that retirement villages as an activity should be a permitted activity in the City Centre Zone, and that it should instead be the construction of a retirement village that is assessed as a restricted discretionary activity.</p> <p>The RVA considers the matters of discretion applicable to retirement villages need to appropriately provide for / support the efficient use of larger sites for retirement villages, and the functional and operational needs of the retirement village.</p>	<p>a) <u>Compliance is not achieved with one or more of the standards under CCZ-R16-1.a, and the activity is for the construction of buildings associated with a retirement village.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> (1) <u>The effects arising from exceeding any of the following standards: CCZ-S2 and CCZ-S4;</u> (2) <u>The effects of the retirement village on the safety of adjacent streets or public open spaces;</u> (3) <u>The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;</u> (4) <u>When assessing the matters in 1 – 3, consider:</u> <ol style="list-style-type: none"> (a) <u>The need to provide for efficient use of larger sites; and</u> (b) <u>The functional and operational needs of the retirement village.</u> (5) <u>The positive effects of the construction, development and use of the retirement village.</u> <p><u>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
			<p><u>Notification status:</u></p> <p><u>An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</u></p> <p><u>An application for resource consent for a restricted discretionary activity under this rule that complies with CCZ-S2 and CCZ-S4 is precluded from being limited notified.</u></p>
City Centre Zone – CCZ-R19	Oppose in part	<p>The RVA supports the inclusion of a retirement village specific rule, but opposes the discretionary activity status. However, recognising that the Enabling Housing Act is not limited to residential zones, with councils required to ensure district plans provide for intensification of urban non-residential zones, the RVA considers that the City Centre Zone should provide for retirement village activities as a permitted activity (with the construction of the retirement village being a restricted discretionary activity), recognising that retirement villages provide substantial benefits including enabling older people to remain in familiar community environments for longer (close to family and support networks), whilst also freeing up a number of dwellings located in surrounding suburbs.</p>	<p><i>The RVA seeks to amend the activity status of retirement villages to be a permitted activity in the City Centre Zone.</i></p>

PART 4 – APPENDICES

Provisions	Submission Position	Reason for Submission	Relief Sought
Medium and High Density Design Guide	Oppose	The Medium and High Design Guide makes no specific reference to retirement villages, and there is no guidance provided 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).	The RVA seeks that retirement villages are expressly excluded from having to apply the Medium and High Density Design Guide.
City Centre Zone Design Guide	Oppose	The City Centre Zone Design Guide makes no specific reference to retirement villages, and there is no guidance provided 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).	The RVA seeks that retirement villages are expressly excluded from having to apply the City Centre Zone Design Guide.

Submission 65

Tepene just submitted the survey Submission Form (Form 5) with the responses below.

Name of submitter:

Stephen Pattinson

Postal address of submitter:

Box 48-070 Silverstream Upper Hutt 5142

Agent acting for submitter (if applicable):

N/A

Address for service (if different from above)

As above

Email address:

stephenjpattinson@gmail.com

Telephone number:

0272263374

Could you gain an advantage in trade competition through this submission?

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

A) General Residential Zone - subdivision under SUB-RES-R2. Front and rear lots 400m2 minimum. B) Qualifying matters (Add UFD-O4): Introduce new Policy (LCZ-P8); Flood zone Pinehaven Catchment Overlay (SUB-RES-R9) C) Appendix_D HBA Update 2022 (pp54,55) - Southern Growth Area (Guildford)

My submission is that:

A) General Residential Zone - subdivision under SUB-RES-R2. Front and rear lots 400m² minimum. I support the zone change in Pinehaven from Residential Conservation to General Residential with consequent minimum lot sizes being reduced from 750m² (front) and 900m² (rear) to 400m² for both front and rear lots. The reason I support this is because I believe it is better to intensify the valley floor rather than allow intensive residential development on the Pinehaven and Silverstream hills (Southern Growth Area). An Infiltration Report by Alex Ross shows that the forested and bush-clad hills around Pinehaven (which make up 80% of the Pinehaven Stream catchment) have extraordinarily high infiltration rates (500mm/hr - 900mm/hr by field tests). In contrast, typical valley floor (suburban lawns in Pinehaven, and grassed open space areas in Pinehaven Reserve) have virtually no infiltration capacity (1-2mm/hr by field tests). It makes sense therefore to preserve the forested hills for their infiltration capacity, and intensify instead on the valley floor where new impervious areas (new steel roofs and concrete driveways) will make little if any difference to stormwater runoff because of the virtual impervious compacted clays under existing suburban lawns. B) Qualifying matters (Add UFD-04): Introduce new Policy (LCZ-P8); Flood zone Pinehaven Catchment Overlay (SUB-RES-R9). I support qualifying matters, but only for genuine qualifying matters. The flood zones in the Pinehaven Stream Catchment Overlay are not genuine qualifying matters. These flood zones were determined by false data and supported by a false "Pinehaven Stream Flood Mapping Audit" by Beca (2015) in which the auditor discovered but failed to disclose to the public the truth about the flood model being fatally flawed. It failed to detect an approximate 300% increase in stormwater runoff and flood volume in the SKM "Future Case Scenario" so it is not reliable as a base model for determining flood zones nor for assessing future development on the hills for hydraulic neutrality. Contrary to claims by Council, the Environment Court did not find the Pinehaven Stream flood model and flood maps fit for purpose. These non-genuine flood zones have a negative impact on property owners. They can falsely show properties in a flood zone when in fact they are not, negatively impacting property insurance and preventing potential development opportunities for the owners. C) Appendix_D HBA Update 2022 (pp54,55) - Southern Growth Area (Guildford): I do not support Council's intention to make the Silverstream and Pinehaven hills "urban". The Guildford land on these hills is currently zoned for a maximum 1 dwelling per 20ha (minimum lot size 20ha). This is appropriate for the high earthquake zone and very steep slip-prone hazardous land of the Silverstream and Pinehaven hills. As mentioned above, the forested and bush-clad hills around Pinehaven (which make up 80% of the Pinehaven Stream catchment) have extraordinarily high infiltration rates (500mm/hr - 900mm/hr by field tests). The high infiltration capacity of the greenbelt Pinehaven hills protects Pinehaven from much stormwater runoff in high and severe storm events, maintains stream base flows and replenishes the aquifer, and must be preserved and protected against intensive development. I believe it is inappropriate to propose intensive housing on the so-called "Southern Growth Area" (Guildford), estimated now by Council (HBA May 2022) to have a yield of 1,960 to 2,857 lots (up from HBA 2017 estimate of 1,000 lots). Intensification is better located in Council's proposed High Density Residential Zone close to rapid electric passenger rail stations and existing infrastructure, shops and public amenities.

I seek the following decision from the local authority:

A) General Residential Zone - subdivision under SUB-RES-R2. Proceed with the zone change in Pinehaven from Residential Conservation to General Residential with consequent minimum lot sizes being reduced from 750m² (front) and 900m² (rear) to 400m² for both front and rear lots. B)

Qualifying matters (Add UFD-O4): Introduce new Policy (LCZ-P8); Flood zone Pinehaven Catchment Overlay (SUB-RES-R9). Re-assess the flood zones in the Pinehaven Stream Catchment Overlay using accurate input parameters that are truly representative of the catchment in order to provide flood zones that are genuine 'qualifying matters'. C) Appendix_D HBA Update 2022 (pp54,55) - Southern Growth Area (Guildford): Reverse Council's support for the Southern Growth Area (Guildford) and do not intensively develop the Silverstream and Pinehaven hills or make them "urban". Rather, preserve and protect the Silverstream and Pinehaven greenbelt hills in the Southern Hills Overlay to protect the high visual, ecological and landscape values of these hills.

Please indicate whether you wish to be heard in support of your submission:

I do wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.



OFFICE USE ONLY

Submission number

66

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN
Planning for Growth - Intensification Planning Instrument (IPI)

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

Deliver to: Upper Hutt Civic Centre, 838 – 842 Fergusson Drive, Upper Hutt 5019

Post to: Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

Scan and email to: planning@uhcc.govt.nz

Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at planning@uhcc.govt.nz.

NAME OF SUBMITTER Mrs Janice Carey

POSTAL ADDRESS OF SUBMITTER 22 Harewood Grove, Pinehaven
UPPER HUTT 5019

AGENT ACTING FOR SUBMITTER (IF APPLICABLE) —

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE) —

CONTACT TELEPHONE 5284301 CONTACT EMAIL —

I could gain an advantage in trade competition through this submission (please tick one ☐): **yes** ☐ / **no**

Only answer this question if you ticked 'yes' above:

I **am** / **am not** (tick one ☐) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

it regards the proposed high buildings to be built in Upper Hutt City areas, which may shade residents homes.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

any high buildings definitely could not cast shadows on any citizens existing homes. Our warm sunny homes have been chosen, paid for - also rates paid for - and lived in many years (some 50 like ours). Shaded homes would create sick, depressed miserable cold homes. We all need to stay healthy & happy as possible.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

No Shadowing of Homes

Please make sure you choose wisely. There are many obvious suitable locations to build high buildings, CBD, near railway line spaces, next to green areas, river areas, industrial areas. Very high buildings could be built along the base of eastern hills from Rifle Range, north past CBD & further, casting no shadows on homes. Keep us warm & healthy - not depressed. (Shadows)

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I do wish to be heard in support of my submission.
 If required.
 I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I do wish to make a joint case.
 I do not wish to make a joint case.

Signature and date

JW Carey

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

JW Carey

DATE

27th Sept 2022



OFFICE USE ONLY

Submission number

67

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN
Planning for Growth - Intensification Planning Instrument (IPI)

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

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Details of submitter

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NAME OF SUBMITTER

ANTHONY CAREY

POSTAL ADDRESS OF SUBMITTER

22 HAREWOOD GROVE

PINEHAVEN, UPPER HUTT

509

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

5284301

CONTACT EMAIL

I could gain an advantage in trade competition through this submission (please tick one ☑): **yes** / **no**

Only answer this question if you ticked 'yes' above:

I **am** / **am not** (tick one ☑) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

THE BLIND EXCEPTANCE OF THE RMA (IPI) RECOMMENDATIONS TO COUNCIL WITH AMENDMENTS AND EXCLUSIONS TO THE PLAN WITHOUT CONSULTATION, INCLUDING ANY HIGH BUILDING IN EXISTING RESIDENTIAL AREAS.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

AS THE GATEWAY TO OUR CITY, THAT FERGUSON DRIVE FROM SILVERSTREAM BRIDGE TO THE CBD BE EXEMPT FROM THIS PLAN AS THE HISTORY AND CHARACTER IS SHOWN IN THIS AREA WITH ESTABLISHED HOUSES AND TREES WHICH WELCOME PEOPLE TO OUR CITY AND AMENITIES. THE COUNCIL LIMIT HIGH STORY BUILDING TO AREAS WHERE SHADOWING AND RESTRICTIONS TO SUNLIGHT WILL NOT OCCUR. THE EASTERN HILLS (WALLACEVILLE) WOULD BE IDEAL ALONG WITH LAND ALONG THE RAILWAY (GIMARION, MIRO STREET ETC) ALSO THE RIVER STOPBACK AREAS.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

THE COUNCIL REVIST THE PROPOSED PLAN RMA (IPI) AND REJECT ANY HIGH RESIDENTIAL BUILDING IF THEY ENCRUCH AND SHADOW OTHER PROPERTIES WHERE PEOPLE LIVE. PROVISION TO BE MADE THAT BUILDINGS MUST HAVE OFF STREET PARKING, AS AN EXAMPLE THE COMPLEX IN LOWER HUTT, HIGH STREET AT TAIRA HAS SHOWN WITH ANGLE PARKING OUT ON ROAD, WOULD BE IMPOSSIBLE ON THE LINES OF FERGUSON DRIVE. ETC.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I do wish to be heard in support of my submission.
 I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I do wish to make a joint case.
 I do not wish to make a joint case.

Signature and date



27th Sept 2022.

Signature of person making submission or person authorised to sign on behalf of person making submission:



OFFICE USE ONLY

Submission number

68

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN
Planning for Growth - Intensification Planning Instrument (IPI)

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

Deliver to: Upper Hutt Civic Centre, 838 – 842 Fergusson Drive, Upper Hutt 5019

Post to: Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

Scan and email to: planning@uhcc.govt.nz

Details of submitter

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NAME OF SUBMITTER

Louise Cleghorn

POSTAL ADDRESS OF SUBMITTER

27 King St. UPPER HUTT. 5018

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

027 55 55 162

CONTACT EMAIL

I could gain an advantage in trade competition through this submission (please tick one): **yes** / **no**

Only answer this question if you ticked 'yes' above:

I am / **am not** (tick one) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

- 3 dwellings / each residential site
- 6 storey housing

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

- Each house/site needs a garage to either park/charge their vehicle, and housing this close provides no space
- Not enough natural light, leading to poor mental health/higher violence/suicides etc.
- Not enough privacy: also could lead to claustrophobia
- Takes away the appeal of Upper Hutt
- Too much road traffic/usage

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

- Not enough health facilities for people @ present, let alone extras.

I seek the following decision from the local authority: ? schools ? shops ? parking for visitors.

- No subdivision below 350 m² per section, unless CBD.
- No ^{extra} housing in others' light - keep current regulations
- Provision for local medical centres - housing provided for doctors as needed + centres made available.
- Appropriate provision for other infrastructure e.g. shops/schools/additional visitor parking/roadway
- Higher provision for road repairs

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☐):

- Any questions, I'm happy to answer
- I do wish to be heard in support of my submission.
 I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☐):

- I do wish to make a joint case.
 I do not wish to make a joint case.

Signature and date



27/9/22

Signature of person making submission or person authorised to sign on behalf of person making submission:



OFFICE USE ONLY

Submission number

69

**PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN
Planning for Growth - Intensification Planning Instrument (IPI)**

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

Deliver to: Upper Hutt Civic Centre, 838 – 842 Fergusson Drive, Upper Hutt 5019

Post to: Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

Scan and email to: planning@uhcc.govt.nz

Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at planning@uhcc.govt.nz.

NAME OF SUBMITTER: RACE Inc (Racing at Awapuni and Trentham Combined Enterprises Incorporated)

POSTAL ADDRESS OF SUBMITTER: Wellington Racing Club, PO Box 47 024, Racecourse Road, Trentham, Upper Hutt 5143. Attention: Tim Savell

AGENT ACTING FOR SUBMITTER (IF APPLICABLE) ADDRESS

FOR SERVICE (IF DIFFERENT FROM ABOVE)

CEO@raceinc.co.nz

CONTACT TELEPHONE 027 238 8377 or 06 356 4960

CONTACT EMAIL CEO@raceinc.co.nz

I could gain an advantage in trade competition through this submission (please tick one): **yes** / **no**

Only answer this question if you ticked 'yes' above:

I am / **am not** (tick one) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

RACE Inc (Racing at Awapuni and Trentham Combined Enterprises Incorporated) hereby requests that:

1. the part of the Trentham Racecourse shown hatched on the attached aerial at Pt Lot 2 DP 527769 and Lot 4 DP 522882 be rezoned Mixed Use Zone in the Intensification Planning Instrument (IPI) Plan Change; and
2. that the Mixed Use Zone Plan Change provisions in the IPI Plan Change apply to the abovementioned and identified Pt Lot 2 DP 527769 and Lot 4 DP 522882.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

The reasons for RACE Inc's submission here-in are as set out in the attached Draft Plan Change 54 Feedback provided to Council via the attached email and letter dated 14 December 2021 from RACE Inc.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

1. the part of the Trentham Racecourse shown hatched on the attached aerial at Pt Lot 2 DP 527769 and Lot 4 DP 522882 be rezoned Mixed Use Zone in the Intensification Planning Instrument (IPI) Plan Change; and
2. that the Mixed Use Zone Plan Change provisions in the IPI Plan Change apply to the abovementioned and identified Pt Lot 2 DP 527769 and Lot 4 DP 522882.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I do wish to be heard in support of my submission.
- I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I do wish to make a joint case.
- I do not wish to make a joint case.

Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

A handwritten signature in blue ink, consisting of a stylized 'E' followed by a horizontal line and a loop.

DATE 10 October 2022

From: CEO
Sent: Tuesday, 14 December 2021 2:45 pm
To: planning@uhcc.govt.nz; emily.thomson@uhcc.govt.nz
Subject: District Plan Change 54 - Feedback

Hi there

Please find attached our feedback with regard to proposed District Plan Change 54.
Thanks for the opportunity.

Kind Regards,
Tim

RACE
INCORPORATED

Tim Savell | Chief Executive Officer
RACE Inc | Awapuni | Trentham
Mob: +64 27 238 8377 | Ph: 64 6 356 4940 | Fax: 64 6 354 2885
Email: ceo@raceinc.co.nz web: www.raceinc.co.nz

*NZ Bloodstock CD Racing Awards
& RACE Inc 20th Anniversary Celebrations*

SAVE THE DATE - FRIDAY 18 FEBRUARY 2022



14 December 2021

Upper Hutt City Council
838-842 Fergusson Drive
UPPER HUTT 5018

Dear Sir/Madam

PLAN CHANGE 54 FEEDBACK – MIXED USE ZONE

Relating to: Pt Lot 2 DP 527769 & Lot 4 DP 522882 at Trentham Racecourse, Racecourse Road, Trentham, Upper Hutt

Thank you for the opportunity to provide feedback on the proposed provisions and location for the new commercial and industrial chapters of the District Plan.

RACE Inc (Racing at Awapuni and Trentham Combined Enterprises Incorporated) hereby requests that the part of the Trentham Racecourse shown hatched on the attached aerial at Pt Lot 2 DP 527769 & Lot 4 DP 522882 be added to the Mixed Use Zone in Draft Plan Change 54.

The Trentham Racecourse is zoned Special Activity in the operative Upper Hutt District Plan. The Special Activity Zone was applied to the site back in 2004 when the District Plan became operative. The Special Activity Zone provides for a range of Government functions on specific sites such as at the Trentham Military Camp, Rimutaka Prison, Police Dog Training Facility, and the former Central Institute of Technology, and for other site specific uses including the Trentham Racecourse.

Permitted Activities in the Special Activity Zone are limited and restrictive, and in respect of the Trentham Racecourse the only Permitted Activities that the zone provides for the Trentham Racecourse site are:

- SAZ-R7 Active and passive recreation and ancillary activities and buildings
- SAZ-RB Removal of a building from a site
- SAZ-R9 Minor Structures

Any activity other than the above at the Racecourse requires Resource Consent.

The effect of the above is that the Special Activity Zone does not provide for nor realise other commercial and development opportunities that could co-exist and complement the racecourse/horse racing on the site, and the restrictive nature of the Special Activity Zone provisions in respect of the racecourse do not enable the racecourse to utilize or develop the substantial physical resource of the site for a range of activities that would assist upgrade the racecourse facilities and other commercial opportunities which would ensure the on-going viability of the racecourse.

The provisions of the Special Activity Zone are no longer fit for purpose for the racecourse site to enable it to diversify the range of activities and pursue complementary development opportunities to provide for the sustainable management of the site which will add to the vitality and long term future of Trentham Racecourse.



AWAPUNI RACING CENTRE
PO BOX 52
RACECOURSE ROAD, AWAPUNI
PALMERSTON NORTH 4440

WELLINGTON RACING CLUB
PO BOX 47 024
RACECOURSE ROAD, TRENTHAM
UPPER HUTT 5143



The provisions of the Mixed Use Zone in Draft Plan Change 54 provide for a range of activities that would be appropriate to co-exist and add to the viability of Trentham Racecourse, and the rules and standards of the Mixed Use Zone are appropriate to manage and control the effects of the use of the site into the future.

If you require any further information or clarification with regard to the above, please do not hesitate to get in touch.

Yours Faithfully,



TIM SAVELL
Chief Executive Officer
RACE INC

Upper Hutt City Council Map



UHC, UHCC Spatial Team

Scale to A4
1:4,000

0 45 90 m

N

Date: 12/13/2021

Property Information

- Land Parcel
- Easement
- Title

Use of this data requires Upper Hutt City Council to be acknowledged as the data custodian and data owner respectively. Assets, water and drainage information is approximate and must not be used for detailed engineering design. Please contact Upper Hutt City Council if you require more detailed spatial information. Cadastral information derived from Land Information New Zealand, Crown Copyright Reserved. Property boundaries may not be survey-accurate, and can only be verified by a licensed cadastral surveyor. This map is drawn on the New Zealand Transverse Mercator projection, using New Zealand Geodetic Datum 2000.

Te Kaunihera o
Te Awa Kairangi ki Uta
Upper Hutt City Council



OFFICE USE ONLY

Submission number **70**

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN Planning for Growth - Intensification Planning Instrument (IPI)

The closing date for submissions is **Friday, 30 September 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Changes to the Upper Hutt City Council District Plan

Deliver to: Upper Hutt Civic Centre, 838 – 842 Fergusson Drive, Upper Hutt 5019

Post to: Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

Scan and email to: planning@uhcc.govt.nz

Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at planning@uhcc.govt.nz.

NAME OF SUBMITTER CDBI Ltd and CBD Land Ltd

POSTAL ADDRESS OF SUBMITTER PO Box 47 153, Trentham, Upper Hutt 5143

AGENT ACTING FOR SUBMITTER (IF APPLICABLE) ADDRESS

FOR SERVICE (IF DIFFERENT FROM ABOVE)

Brendan.hogan@gilliesgroup.co.nz

CONTACT TELEPHONE

CONTACT EMAIL brendan.hogan@gilliesgroup.co.nz

I could gain an advantage in trade competition through this submission (please tick one): **yes** / **no**

Only answer this question if you ticked 'yes' above:

I am / am not (tick one) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

CBDI Ltd and CBD Land Ltd being the owners of the South Pacific Business Park and Brewtown at Lots 1-3 DP 456184 and Lot 2 DP 452529 at Blenheim Street and Railway Avenue, support the rezoning of Lots 1-3 DP 456184 and Lot 2 DP 452529 to Mixed Use Zone in the Intensification Planning Instrument (IPI) Plan Change.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

The South Pacific Business Park and Brewtown at Lots 1-3 DP 456184 and Lot 2 DP 452529 at Blenheim Street and Railway Avenue have been transformed and refurbished by CBDI Ltd and CBD Land Ltd since the time that the former South Pacific Tyre Factory closed and the site became defunct and vacant. The land owner has transformed the site into a mixed use precinct containing a wide range of recreation, hospitality, craft breweries, business activities, and consented medium density residential development to be implemented (Maidstone Quarter). The IPI Plan Change appropriately recognizes that the site has transitioned from its former heavy industrial use to a mixed use precinct at the edge of the Upper Hutt CBD. The land owner supports the IPI Plan Change rezoning to Mixed Use Zone as this zoning reflects the now established wide range of mixed use activities that occur at the site, and the Mixed Use Zone provisions will ensure the sustainable management of this centrally located site which is highly accessible to public transport (commuter rail and bus services) and the City Centre. The land owner considers that the Mixed Use Zone provisions in the Plan Change are appropriate to manage and control the use of the site into the future as a mixed use site.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

To uphold the IPI Plan Change provisions on page 343 that rezones the South Pacific Business Park and Brewtown at Lots 1-3 DP 456184 and Lot 2 DP 452529 (the former South Pacific Tyres site) at Blenheim Street and Railway Avenue from GIZ – General Industrial Zone to Mixed Use Zone.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box

I do wish to be heard in support of my submission.

I do not wish to be heard in support of my submission.

I do wish to make a joint case.

I do not wish to make a joint case.

Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

B. Hoan (agent) for CBDI Ltd and
CBD Land Ltd

DATE 10 October 2022



OFFICE USE ONLY

Submission number

71

PROPOSED PLAN CHANGES TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN Planning for Growth - Intensification Planning Instrument (IPI)

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To Upper Hutt City Council

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NAME OF SUBMITTER The Heretaunga Company Ltd and The Heretaunga Company No.2 Ltd

POSTAL ADDRESS OF SUBMITTER PO Box 47 153, Trentham, Upper Hutt 5143

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

Brendan Hogan, Gillies Group, PO Box 47 153,

Trentham, Upper Hutt 5143

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

brendan.hogan@gilliesgroup.co.nz

CONTACT TELEPHONE

CONTACT EMAIL brendan.hogan@gilliesgroup.co.nz

I could gain an advantage in trade competition through this submission (please tick one): **yes** / **no**

Only answer this question if you ticked 'yes' above:

I am / am not (tick one) directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

The Heretaunga Company Ltd and The Heretaunga Company No.2 Ltd, being the owners of the New Zealand Campus of Innovation and Sport (NZCIS) and Sports Hub, hereby requests that:

1. the New Zealand Campus of Innovation and Sport and Sports Hub at Lot 100 DP 544244 and Lot 1 DP 544244 be rezoned Mixed Use Zone in the Intensification Planning Instrument (IPI) Plan Change; and
2. that the Mixed Use Zone Plan Change provisions in the IPI Plan Change apply to the New Zealand Campus of Innovation and Sport and Sports Hub at Lot 100 DP 544244 and Lot 1 DP 544244.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

The reasons for The Heretaunga Company Ltd and The Heretaunga Company No.2 Ltd submission here-in are as set out in the yellow highlighted portion of the attached Draft Plan Change 54 Feedback provided to Council via the attached email and Feedback Letter dated 16 December 2021.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

1. the New Zealand Campus of Innovation and Sport and Sports Hub at Lot 100 DP 544244 and Lot 1 DP 544244 be rezoned Mixed Use Zone in the Intensification Planning Instrument (IPI) Plan Change; and
2. that the Mixed Use Zone Plan Change provisions in the IPI Plan Change apply to the New Zealand Campus of Innovation and Sport and Sports Hub at Lot 100 DP 544244 and Lot 1 DP 544244.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box

I do wish to be heard in support of my submission.

I do not wish to be heard in support of my submission.

I do wish to make a joint case.

I do not wish to make a joint case.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box

Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

*B. Hoan - (agent) for The Heretaunga
Company Ltd, and
The Heretaunga Company No. 2 Ltd.*

DATE 10 October 2022

Brendan Hogan

From: Brendan Hogan
Sent: Thursday, 16 December 2021 9:13 am
To: 'planning@uhcc.govt.nz'; Emily Thomson
Subject: Draft Plan Change 54 - Gillies Group & The Heretaunga Company Feedback
Attachments: Draft Plan Change 54 - Gillies Group & The Heretaunga Company Feedback.pdf

Hi Planning & Emily

Please find attached feedback from Gillies Group and request from The Heretaunga Company Ltd for the New Zealand Campus of Innovation & Sport & Sports Hub site to be added to the Mixed Use Zone in Plan Change 54.

Don't hesitate to contact us if you have any queries.

Kind regards, Brendan

Brendan Hogan

Principal Planner
Gillies Group

5 gibbons street
upper hutt
wellington
new zealand

m 021 029 58532
e brendan.hogan@gilliesgroup.co.nz

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Any views expressed in this message or its attachments are not necessarily the views or opinions of Gillies Group. The recipient should check this email and any attachments for the presence of viruses. Gillies Group accepts no liability for any damage caused by any virus transmitted by this email.

Feedback
Draft Plan Change 54
Commercial & Industrial Chapters Review

Name: Gillies Group
Address: PO Box 47 153, Upper Hutt 5143
(Attention: Brendan Hogan)
E-mail: brendan.hogan@gilliesgroup.co.nz

Gillies Group supports the proposed Zones, Objectives, Policies and Rules of Draft Plan Change 54 subject to the following requested amendment and additions:

1. MIXED USE ZONE

1.1 NEW ZEALAND CAMPUS OF INNOVATION & SPORT (NZCIS)

Lot 100 DP 544244 & Lot 1 DP 544244, Somme Road, Trentham, Upper Hutt

Request:

The Heretaunga Company Ltd and The Heretaunga Company No.2 Ltd, being the owners of the NZCIS and Sports Hub, hereby requests that the NZCIS and Sports Hub at Lot 100 DP 544244 and Lot 1 DP 544244 be added to the Mixed Use Zone in Draft Plan Change 54.

Reason:

The NZCIS & Sports Hub are zoned Special Activity in the operative Upper Hutt District Plan. The Special Activity Zone was applied to the site back in 2004 when the District Plan became operative, at which time the site was then owned by the Government and operated by the now defunct Central Institute of Technology (CIT) for tertiary education. Central Government closed the CIT and the campus and facilities sat vacant for years until 2015 when the Government sold the land and campus facilities to The Heretaunga Company.

The Heretaunga Company has upgraded and re-purposed the campus buildings, facilities and sports fields into the NZCIS and Sports Hub, a premier sports facility for excellence in sports training and education, and leased the substantial office space of the campus buildings to Government Departments and a range of other commercial and science tenants. The former student Halls of Residence have been upgraded and converted into short term residential accommodation.

The Special Activity Zone is no longer fit for purpose for the now existing established use and development of the NZCIS and Sports Hub because the only

Permitted Activities in the Special Activity Zone on the site of the NZCIS in the operative District Plan are:

SAZ-R3 Activities relating to educational functions on the site of the New Zealand International Campus (former Central Institute of Technology)

and

SAZ-R7 Active and passive recreation and ancillary activities and buildings

The effect of the above is that in the Special Activity Zone under the operative District Plan, any activity or development on the NZCIS and Sports Hub site other than educational functions and active or passive recreation requires a resource consent application. Now that the site is no longer utilized for the former CIT/NZ International Campus, the Special Activity Zone provisions no longer reflect the now established use and development of the NZCIS and Sports Hub site, and the provisions of the Special Activity Zone are no longer fit for purpose for this site.

The provisions of the Mixed Use Zone in Draft Plan Change 54 are an accurate reflection of the range of activities and development that is now established and existing at the NZCIS and Sports Hub site, and the rules and standards of the Draft Mixed Use Zone are appropriate to manage and control the use of the site into the future.

2. CITY CENTRE ZONE

2.1 CCZ-R12 ERECTION, CONSTRUCTION & DEVELOPMENT OF ADDITIONS TO EXISTING BUILDINGS

Request:

That CCZ-R12 be deleted.

Reason:

CCZ-R12 controls additions to existing buildings in the City Centre. Under CCZ-R12 an addition to an existing building will only be a Permitted Activity where the gross floor area (GFA) of the addition does not exceed 5% of the GFA of the existing building. Additions that exceed 5% GFA default to either a Restricted Discretionary Activity under CCZ-R12.2 or a Discretionary Activity under CCZ-R12.3

Gillies Group queries what adverse environmental effects in the City Centre does CCZ-R12 seek to control? Under the National Policy Statement-Urban Development (NPS-UD) mandatory off-street car parking requirements are to be removed from District Plans, and on this basis CCZ-R12 will not be able to serve to regulate provision or exemption from the supply of off-street car parking for building additions. Building standards are controlled by the Building Act, good urban design outcomes will be achieved with adherence to the design standards in the *Town & City Centre Design Guide* of the Plan Change, and amenity effects are controlled by the City Centre Zone standards (where adjoining a Residential Zone, Open Space and Recreation Zone there are standards relating to *Height in Relation to Boundary, Setback, Fences & Standalone Walls*; and there are also standards relating to *Active Frontages, Location of Residential Units, Noise & ventilation, Service Areas, Outdoor Storage Areas and Parking Areas*. The City Centre Zone also requires that high density residential development be consistent with the *Town & City Centre Design Guide*. For the above reasons Gillies Group considers there are no planning, urban design or resource management reasons to restrict the GFA of additions to buildings in the City Centre Zone

2.2 TOWN & CITY CENTRE DESIGN GUIDE

Request:

That the *Town & City Centre Design Guide* be included in the public notification of Plan Change 54.

Reason:

It will be necessary that the *Town & City Centre Design Guide* is included in the public notification of Plan Change 54 in order for the public to fully understand the anticipated amenity outcomes and standard of development provided for by the Plan Change, to understand the likely costs of new development and redevelopment provided for by the Plan Change, and to compare the design standards with experience of examples of other best practice urban design outcomes, in order to be able to provide informed submissions.



TE RŪNANGA O
TOA RANGATIRA

Ā UPANE KA UPANE WHITI TE RA

Emily Thomson
Planning Policy Manager
Upper Hutt City Council
838-842 Fergusson Drive
Upper Hutt Central, Upper Hutt 5018

18 Oketopa 2022

Tēnā koe Emily,

Submission: UHCC Draft Intensification Planning Instrument (IPI)

1. The purpose of this letter is to provide you with a formal submission from Te Rūnanga o Toa Rangatira (Rūnanga) on behalf of Ngāti Toa Rangatira (Ngāti Toa) on the Intensification Planning Instrument (IPI) giving effect to the National Policy Statement for Urban Development (NPS-UD).
2. The Rūnanga notes that your team took a collaborative, partnership approach with this process despite the unreasonable deadlines imposed to give effect to Central Government policies required of you. We would like to acknowledge the inclusion of a Papakāinga chapter that our teams crafted in the IPI. We do support the provisions of this Chapter and commend on the efforts of Council kaimahi that made this happen.
3. Before I get to the details of Rūnanga's submission on the Upper Hutt City IPI, I would like to reiterate some of the fundamental points we made in our Statement Letter dated 14th July 2022. These will focus on the:
 - Risks of not having essential overlays protected in the District Plan,
 - Unsubstantiated evidence behind mandatory NPS-UD requirements,
 - Iwi engagement requirements under the Resource Management Act (RMA, the Act) Section 4A,

4. Essential overlays required by law:

We understand that while Upper Hutt City Council is undertaking a Plan Change to give effect to intensification planning instrument (IPI) right now, they are seeking to review the Operative District Plan and its certain chapters such as Sites and Areas of Significance to Māori (SASMs) next year or so. The IPI Plan Change process will open the doors for developers, however in the absence of important overlays such as, SASMs and Significant Natural Areas (SNAs) that also have Tangata Whenua values, the Plan will be inadequate to provide necessary protection for these overlays. These overlays are qualifying matters. In the absence of such overlays, it is unclear how the Plan will deal with an overlay that does not exist when the IPI provisions take effect.

5. Lack of Evidence and unintended consequences:

Whilst we are cognisant that the IPI changes are done to give effect to a higher order government document urgently, we are concerned that the urgency of giving effect to the IPI create unintended consequences which is not necessarily backed by evidence and analysis; this will be exacerbated by the fact that the fast-track process will remove further appeal rights. The Ngāti Toa rohe spans across some twenty councils in the country, in which with nine of them we deal with frequently and are fortunate enough to be involved in the IPI changes. Our experience evaluating these changes in the District Plans showed that the NPS-UD requirements did not pass rigorous analytical tests and critical thinking. They lack serious assessment of regulatory impacts.

6. Iwi engagement requirements under the Section 4A of the RMA:

'Further pre-notification requirements concerning iwi authorities' requires that iwi and Mana Whenua are given reasonable, adequate time, and opportunity to comment, consider the draft proposals and are able to give advice on the Plan Change Variations. The speed in which Council is forced to undertake IPI changes in order to comply with central government deadlines means that iwi have not been provided with reasonable and adequate time required by the legislation.

7. I will now proceed to our chapter specific submission points.

Chapter	Specific provision	Position	Reason for submission	Decisions requested
HRZ-High Density Residential Zone	HRZ-O1 Well-functioning urban environments	Oppose	A well-functioning urban environment should be able to provide for 'environmental' wellbeing as the cultural wellbeing encompasses environmental wellbeing.	Re-craft the objective HRZ-O1 to reflect environmental wellbeing in the drafting.

Chapter	Specific provision	Position	Reason for submission	Decisions requested
HRZ -High Density Residential Zone	HRZ-O2 Housing Variety	Oppose	This objective does not specify iwi housing aspirations in that it does not necessarily include or exclude Papakāinga. Objective HRZ-O2 (b) also may be interpreted as impediment for Papakāinga proposals.	Reword the objective to expand and specify Housing Variety also includes Papakāinga and that the clause (b) is not supposed to limit Tangata Whenua's right to Papakāinga and cannot be held as a reason for proposing Papakāinga,.
HRZ – High Density Residential Zone	HRZ-O3 Hydraulic Neutrality	Support with amendments	It is positive to see this objective trying to incorporate hydraulic neutrality into High Density development. Developments should not only be hydraulically neutral but also should provide 'hydraulic positivity' if they can. This means that they are able to show how they improve the environment.	Reword the objective to reflect that we expect high density developments do not just do the bare minimum (neutrality) but aspire to achieve best practice to ensure they create hydraulic positivity in the catchment and improve the quality of the environment.
HRZ – High Density Residential Zone	HRZ-P1	Oppose	Since the Upper Hutt Operative District Plan does not contain detailed information regarding the relationship Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga, it will be hard to capture how qualifying matters will apply.	Identify sites and areas of significance and the boundaries of qualifying matter in this regard.
HRZ-High Density Residential Zone	HRZ-P3	Oppose	We are unsure whether the day-to-day needs of residents can be interpreted by developers to be a tiny shoe box. This	Reword the policy to put some substance around the day-to-day and reword to expand on the wellbeing as

			does not enable wellbeing nor is it the right answer to housing issues, although it might meet someone's day-to-day needs.	it speaks to day-to-day needs also.
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Chapter	Specific provision	Position	Reason for submission	Decisions requested
HRZ- High Density Residential Zone	HRZ-P4	Oppose	This Policy is fundamentally against the logic of the RMA. How can we generically produce a policy that blanketly accepts to cater for activities that are not permitted.	Delete current wording and insert: <i>Provide for developments that achieve high-quality design and environmental objectives.</i>
HRZ-High Density Residential Zone	HRZ-P8	Support with amendments	We support the intent and strength of the Policy. We suggest adding, the said development proposals also add to the hydraulic positivity.	Retain current wording and add 'hydraulic positivity' to wording.
NCZ- Neighbourhood Centre Zone	Introduction to chapter	Support with amendments	The purpose of introducing this Chapter is clear and understood. However, there is not any consideration of how iwi and Māori of Upper Hutt conceives the NCZ. These commercial aspirations or how the NCZ would look and feel from Tangata Whenua perspective should be reflected in the introduction.	Rephrase the introduction to reflect the visibility of Tangata Whenua in the Neighbourhood Centre Zone, as well as how they see commercial spaces to reflect their economic aspirations.
NCZ- Neighbourhood Centre Zone	NCZ-O1 Purpose of the Neighbourhood Centre Zone	Support with amendments	As per our comments on the introduction section of the NCZ, the purpose of this Zone should elevate the Kaitiakitanga and Manaakitanga role Tangata Whenua	Recraft the Objective to reflect the purpose of the NCZ is also to increase the visibility of Tangata Whenua and ensure Tangata Whenua's kaitiakitanga role

			has over the Zone / Tākiwa.	over the whenua is spelled out.
NCZ-Neighbourhood Centre Zone	NCZ-O3 Managing effects at the Zone Interface	Support with amendments	It is not possible to gauge the scope and level of adverse effects, 'having minimal adverse effects' may be subjective. Has this been left to consent planners' discretion? Amenity values can include taonga and cultural values. Since these are not available at this point in time and not mapped in this whenua, it is hard for consent planners to execute judgement on this.	Caveat the proposition in the Objective to say: <i>have no adverse effects if the site's amenity values are embedded with cultural values and are taonga to Tangata Whenua.</i>
NCZ-Neighbourhood Centre Zone	NCZ-O4 Hydraulic neutrality	Support with amendments	We support the intent of the Objective. We believe any development in this zone should also contribute to the hydraulic positivity.	Recraft the objective to include hydraulic positivity.
NCZ-Neighbourhood Centre Zone	NCZ-R3 Demolition	Oppose	We are concerned that in the absence of SASMs being identified and mapped, it is not ideal we are permitting demolition activities. This rule needs to caveat a potential overlay of SASMs or any other Tangata Whenua value, as qualifying matter.	Add wording to ensure, demolition as permitted activity does not negatively impact or have unintended consequences for SASMs or any other Tangata Whenua value on site.
NCZ-Neighbourhood Centre Zone	NCZ-S2 Height in relation to boundary NCZ-S3 Setback	Oppose	We are concerned these standards may not be able to address the sensitivities for SASMs, since no such overlay exists, we do not know how height in relation to boundary and setbacks are taking	Include provisions where Tangata Whenua values apply that these standards need to have more space and less or no additional height.

			Tangata Whenua sensitivities into account.	
LCZ-Local Centre Zone	Local Centre Zone introduction, LCZ-O1, LCZ-O3, LCZ-O4 and LCZ-R3, LCZ-S2 and LCZ-S3	As above	As above	As above
MUZ- Mixed Use Zone	Mixed Use Centre zone introduction, MUZ-O1, MUZ-O3, MUZ-O4 and MUZ-R3, MUZ-S2 and MUZ-S3	As above	As above	As above
TCZ- Town Centre Zone	Town Centre Zone introduction, TCZ-O1, TCZ-O3, TCZ-O4, TCZ-R3, TCZ-S2 and TCZ-S3	As above	As above	As above
CCZ-City Centre Zone	City Centre Zone introduction / Background, CCZ-O1, CCZ-O3, CCZ-O4, CCZ-S2 and CCZ-S4 and CCZ-R12	As above	As above	As above
CCZ-City Centre Zone	Deletion Matters of Discretion	Oppose	We are concerned matters of discretion such as infrastructure, cumulative effects are deleted but also matters significant to Tangata Whenua is not included in this list.	These need to be retained in the Plan to give signal to developers that a consent application can be vetoed on the basis of cumulative effects, lack of infrastructure and most importantly whether there are any Tangata Whenua values are breached.
New Medium and High-Density Design Guide	Introduce new Medium and High-Density Design Guide	Support with amendments	The contents of these design guides do not reflect that they have been produced with Tangata Whenua. Tangata Whenua also will wish to use / refer to their own design guide when and if such iwi-produced design guide is available. There is not any	Review these design guides with Tangata Whenua to ensure Design Guides address Tangata Whenua principles and values and amend appropriate parts of the Plan to reflect Tangata Whenua may want to use their own design guide when and if such guidance is available.

			reference to such concept either.	
Whole Plan	Not Applicable	Support with amendments	The plan addresses climate change in relation to urban development however, this could be covered in more depth.	Include more in-depth provisions for climate resilience and adaptation to climate change.
Network Utilities	NU-P9	Support	It is encouraging to see that this policy ensures that network utilities do not have adverse effects on the environment and applies a different activity status for more vulnerable zones.	Retain proposed change.
Renewable Energy Generation	REG-R9	Support with amendments	This rule does not consider matters of significance to Māori such as ancestral land and wāhi tapu.	This rule to be recrafted to include matters of significance to Māori.
Renewable Energy Generation	Whole Chapter	Support with amendments	Considering the positive progress that renewable energy generation could create for mitigating and adapting to climate change, this chapter lacks referring to it adequately.	Inclusion of an objective or policy for renewable energy generation to enable mitigation and adaptation to climate change.
Ecosystems and Indigenous Biodiversity	Whole Chapter	Support with amendments	This chapter should consider mana whenua values for ecosystem and indigenous biodiversity, as well as support mana whenua partnership in decision making for indigenous biodiversity.	Include matters recognising mana whenua values for indigenous biodiversity, support the involvement of mana whenua in decision making, enable cultural activities and recognise the role of mana whenua as kaitiaki.
General Subdivision Provisions that Apply in All Zones	SUB-GEN-I2	Support	It is encouraging to see that this provision ensures that subdivision does not adversely affect significant natural landforms, areas of significant	Retain proposed change.

			indigenous natural vegetation or significant habitats of indigenous fauna.	
Papakāinga	Whole Chapter	Support	The inclusion of the papakāinga chapter in the District Plan is more enabling for these specific developments and supports the housing needs of mana whenua who wish to develop on and connect with their ancestral whenua in this District. The inclusion of this chapter also supports tino rangatiratanga and the expression of Māori culture and traditions in housing.	Retain proposed change.
General Residential Zone and High-Density Residential Zone	GRZ-P1B and HRZ-P1	Support with amendments	It is encouraging to see provisions which recognise matters of significance such as Māori relationships with ancestral land, water, wāhi tapu, taonga and sites of significance. However, given that sites of significance for Māori are not currently identified in the plan, they are not fully protected from development.	Identify sites of significance to Māori in the plan.
General Residential Zone	Precinct 1 – Indigenous Biodiversity Qualifying Matter Precinct	Support with amendments	Throughout the objectives and policies in this chapter we believe that the use of the word 'encourage', regarding protecting indigenous biodiversity reduces the likelihood that urgent and appropriate action will be taken to	Objectives and policies in this chapter to use stronger wording and language. For example, Objective GRZ-PREC1-O1 would be more effective if it were reworded to say: <i>'Indigenous biological diversity values within the Indigenous</i>

			protect indigenous biodiversity. We would like to see active protection of indigenous biodiversity in the plan.	<i>Biodiversity Qualifying Matter Precinct are maintained and protected.</i> GRZ-PREC1-P1 could be reworded to say: <i>'Areas of significant indigenous vegetation and significant habitats of indigenous fauna are maintained and protected from the potential adverse effects of medium density residential development.'</i> Therefore, objectives and policies in the plan should protect indigenous biodiversity from subdivision and development.
General Residential Zone	Precinct 1 – Indigenous Biodiversity Qualifying Matter Precinct	Support with amendments	This chapter should give more consideration to mana whenua values and our ability to practice cultural activities such as customary harvest and sustainability.	Inclusion of mana whenua values for indigenous biodiversity and enable cultural activities.

8. The Rūnanga would like to see their concerns above to be addressed and outlined by the Council as to how these risks will be managed in a tangible and visible way but also with a reasonable timeline that allows an adequate response from the Rūnanga.
9. Te Rūnanga is keen to work with yourself and Council planning officers to clarify the issues, co-design the process, and how the Plan Change variation will be implemented. We are happy to partake any hui and wānanga that is related to this matter. If you need any clarification or have had any questions, please liaise directly with our Rūnanga Planner, Onur Oktem-Lewis.

Aku mihi,

Naomi Solomon

Pou Toa Matarau
Te Rūnanga o Toa Rangatira

SUBMISSION 73

From: [Jacqui Hargreaves](#)
To: [UHCC Planning](#)
Date: Friday, 30 September 2022 4:59:52 pm

I say no to this. We do not have the enough schools,green spaces, roading, water, storm water

We will be turning this area into a urban slum in the future year. We will have social problems with people having to live on top of one another. We should be standing up to the government and say **NO THIS NOT HAPPENING**

Jacqui Hargreaves