

**BEFORE A PANEL OF INDEPENDENT HEARING COMMISSIONERS
AT WELLINGTON**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHEKE
O TE WHANGANUI-A-TARA**

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

IN THE MATTER of the hearing of submissions on Te Mahere ā-Rohei
Tūtohua the Wellington City Proposed District Plan

HEARING TOPIC **Stream 2 – Residential**

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

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MAY IT PLEASE THE COMMISSIONERS

1. INTRODUCTION

- 1.1 These submissions and the evidence to be called are presented on behalf of Kāinga Ora - Homes and Communities (**Kāinga Ora**) in relation to Te Mahere ā-Rohei Tūtohua the Wellington City Proposed District Plan (**PDP**) in relation to Hearing Stream 2 – Residential.
- 1.2 These submissions should be read together with the legal submissions presented by Kāinga Ora for Hearing Stream 1: Strategic Overview, which set out the Kāinga Ora statutory mandate and provided initial comments on the statutory assessment framework.
- 1.3 These legal submissions will:
- (a) Provide more detailed comment on the statutory assessment required, particularly in respect of qualifying matters;
 - (b) confirm any submission points that have been resolved to the satisfaction of Kāinga Ora by recommendations made in the section 42A report;
 - (c) identify and discuss issues arising from Kāinga Ora submission points that remain in contention following the council's section 42A report, including specific legal commentary on those issues; and
 - (d) introduce the Kāinga Ora witnesses for this hearing.

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

- 2.1 Kāinga Ora largely agrees with description of that framework set out in the section 32 and section 42A reports. However, when considering the core residential provisions of the PDP it is worth recalling the context for promulgation of the NPS-UD and the Amendment Act. Both have their origins in the Productivity Commissioner's report *Using land for Housing*.¹ That Report included findings that planning frameworks were overly restrictive on density, and that density controls were too blunt, having a negative impact on development capacity, affordability, and innovation. The Report also commented that planning rules and

¹ Productivity Commission *Using land for housing* (September 2015).

provisions lacked adequate underpinning analysis, resulting in unnecessary regulatory costs for housing developments. These observations align well with Kāinga Ora (and Housing NZ) experience over many years.

2.2 Policy 3 of the NPS-UD is directive. It requires district plans to enable building heights and density of urban form:

- (a) **As much as possible** in city centre zones to maximise the benefits of intensification;
- (b) **In all cases at least** six storeys and otherwise reflecting demand in metropolitan centre zones;
- (c) **At least** six storeys within **at least** a walkable catchment of rapid transit stops, and the edge of city and metropolitan centre zones;
- (d) That are **commensurate with the level of commercial activity and community services** within and adjacent to neighbourhood centre zones, local centre zones and town centre zones.

2.3 When applying Policy 3 there are some key observations relevant to the Hearing:

- (a) Six storeys is a minimum requirement, not a maximum threshold. At least six storeys must be enabled in walkable catchments from rapid transit stops and the edge of the city centre and metropolitan centre zones etc;
- (b) In Policy 3(c), six storey building heights are to be enabled at least within the referenced walkable catchments. Specifically, consideration should be given to enabling at least six storeys even beyond the boundary of walkable catchments, however those are determined.

2.4 Despite these clear directives, it appears most territorial authorities (including Wellington City) have taken a conservative approach and limited enabled intensification both to the bare minimum in respect of building heights and within rather than beyond walkable catchments, thereby inadequately give effect to the NPS-UD.

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

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

(b) that the planned urban built form in those RMA planning documents may have involved significant changes to an area, and those changes:

(i) may detract from amenity values appreciated by some people but improved amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types;

(ii) are not, of themselves, an adverse effect.

2.6 Established case law reminds us that the requirement to have particular regard to a matter "is an injunction to take the matter into account, recognising it as something important to the particular decision and therefore to be considered and carefully weighed in coming to a conclusion".² Policy 6, together with the broader Objective 4 therefore gives significant scope to decision-makers to prioritise the amenity values to be appreciated by communities that do not currently experience those values and by future generations, over existing levels of amenity.

2.7 The NPS-UD clearly instructs decision makers (such as this Panel) to pay close attention to the inevitable change in amenity values over time. The amenity values from the past will be overtaken by the amenity values of the planned, enabled and anticipated built urban form. This is a challenging perspective for the Hearing Panel, but it must be integrated fairly into the hearing process notwithstanding the immediacy and volume of submitter advocacy in support of the status quo.

Qualifying matters - intensification first, then consider limitations

2.8 Section 77G(1), introduced by the Amendment Act, imposes on territorial authorities a duty to incorporate the MDRS in "every relevant

² *Marlborough District Council v Southern Ocean Seafoods Ltd* [1995] NZRMA 220 at 228; approved in *New Zealand Transport Agency v Architectural Centre Inc* [2015] NZHC 1991 at [67]-[68].

residential zone", which is defined as meaning all residential zones (with some irrelevant exclusions). Section 77G(2) imposes a duty to give effect to the NPS-UD in "*every residential zone in an urban environment*".

- 2.9 The sole basis on which a territorial authority may reduce the application of the MDRS or the building heights and density of urban form required by Policy 3 of the NPS-UD is set out by Policy 4 of the NPS-UD and section 77I of the Amendment Act. A district plan may be less enabling than the MDRS and Policy 3 require *only to the extent necessary to accommodate* a qualifying matter.
- 2.10 In practice, a qualifying matter can only be applied to specific matters, including but not limited to:
- (a) A section 6 matter of national importance;
 - (b) A national policy statement or the New Zealand Coastal Policy Statement 2010;
 - (c) The safe or efficient operation of nationally significant infrastructure;
 - (d) Open space for public use;
 - (e) A designation or heritage order; and
 - (f) Any other matter that satisfies section 77L (i.e. after the completion of specific site-specific analysis).
- 2.11 The starting point is the MDRS and the Policy 3 requirements, and any reduction from that level must be to the least extent necessary to accommodate the qualifying matter.³ Any changes to the planning framework required by these documents may then be considered, but any such changes may only be imposed to the limited extent justifiable after meeting the statutory process requirements for considering those changes as summarised above.
- 2.12 Finally, the cost and benefits of any changes must be strictly assessed and quantified. It is not appropriate to determine that a qualifying matter exists and then apply a framework that ensures the maintenance of the status quo.

³ Section 77J(4)(b), Resource Management Act 1991.

What are the assessment requirements for qualifying matters?

2.13 The level of assessment required to justify a qualifying matter will depend upon the mechanism used to introduce that qualifying matter under the Amendment Act provisions. The table below shows the distinction between assessment requirements for existing qualifying matters⁴ and 'any other matter' qualifying matters.⁵

Existing Qualifying Matter	"Any other matter" Qualifying Matter
Section 32 evaluation	
AND	
<p>Section 77J evaluation</p> <ul style="list-style-type: none"> ○ <i>Section 77J(3)(a)(i)</i> – demonstrate why the territorial authority considers the area is subject to a QM; ○ <i>Section 77J(3)(a)(ii)</i> – demonstrate why the QM is incompatible with the MDRS or Policy 3 permitted development; ○ <i>Section 77J(3)(b)</i> – assess the impact that limiting development capacity, building height or density will have on the provision of development capacity; ○ <i>Section 77J(3)(c)</i> – assess the costs and broader impacts of imposing those limits; ○ <i>Section 77J(4)(b)</i> – describe how modifications to the MDRS are limited to only those modifications necessary to accommodate QM. 	
OR	AND
<p>Section 77K(a) evaluation</p> <ul style="list-style-type: none"> ○ <i>Section 77K(a)</i> – identify location where an existing QM applies; ○ <i>Section 77K(b)</i> – specify alternative density standards to apply; ○ <i>Section 77K(c)</i> – identify in section 32 report why territorial authority 	<p>Section 77L evaluation</p> <ul style="list-style-type: none"> ○ <i>Section 77L(a)</i> – identify the specific characteristics that makes the level of MDRS or Policy 3 development inappropriate in the area; ○ <i>Section 77L(b)</i> – justify why that characteristics make that level of

⁴ As defined by section 77K(3) of the RMA, which captures qualifying matters which captures matters under sections 77I(a) to 77I(i) of the RMA.

⁵ As defined by section 77I(j) of the RMA.

<p>considers 1 or more existing QM to apply;</p> <ul style="list-style-type: none"> ○ <i>Section 77K(d)</i> – describe in general terms for a typical site identified the level of development that would be prevented by accommodating the QM, compared to the MDRS and Policy 3 enabled development. 	<p>development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD;</p> <ul style="list-style-type: none"> ○ <i>Section 77L(c)(i)</i> – site-specific analysis that identifies the site to which the matter relates; ○ <i>Section 77L(c)(ii)</i> – site-specific analysis that evaluates the specific characteristics on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matters; and ○ <i>Section 77L(c)(iii)</i> – site-specific analysis that evaluates an appropriate range of options to achieve the greatest heights and densities permitted by the MDRS or Policy 3 while managing the specific characteristics.
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2.14 The table gives rise to the following key observations:

- (a) A section 32 assessment is required for both types of qualifying matter;
- (b) All assessments are coloured by the expectation that the MDRS and Policy 3 of the NPS-UD will be applied to a relevant residential zone;
- (c) A weighting exercise must be undertaken by Council for 'any other' qualifying matters as between the specific characteristics that have been identified and the national significance of urban development. The nature of the qualifying matter must be so significant that it essentially displaces the application of the MDRS and Policy 3 to their fullest extent;

- (d) A qualifying matter will amend the application of the MDRS and Policy 3, not the underlying zone. Further, the modifications to the MDRS and Policy 3 requirements should be limited to those necessary to accommodate the qualifying matter;
- (e) The level of assessment required for an 'any other matter' qualifying matter is significantly more onerous than the assessment required for an existing qualifying matter. This distinction in assessment requirements is appropriate given the types of matters listed in section 77I(a) to (i) and the rigour of assessment already undertaken in respect of those matters;
- (f) The Amendment Act does not provide any guidance on how granular the 'site-specific analysis' needs to be. However, given the potential impact that a qualifying matter has on the potential for urban development, it is reasonable to expect a substantially detailed assessment to occur on a single property 'site' basis. It is noted:
 - (i) The RMA does not define the term 'site';
 - (ii) The National Planning Standards does provide a definition for 'site'⁶ which is to apply in the context of district plans such as the PDP;
 - (iii) The NPS-UD applies the defined terms from the National Planning Standards;⁷
 - (iv) The PDP also applies the National Planning Standards definition of 'site';
 - (v) There is no case law that assists with understanding what 'site-specific analysis' requires in this context;
 - (vi) The use of the 'site' was intentional, particularly given all other assessments required for qualifying matters can be

⁶ Site (for district plans and the district plan components of combined plans) means:

- (a) An area of land comprised in a single record of title under the Land Transfer Act 2017; or
- (b) An area of land which comprises of two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or
- (c) The land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title under the Land Transfer Act 2017 could be issued without further consent of the Council; or
- (d) Despite paragraphs (a) to (c), in the case of land subdivided under the Unit Titles Act 1972 or the Unit Titles Act 2010 or a cross lease system, is the whole of the land subject to the unit development or cross lease.

⁷ Under clause 1.4(3) of the NPS-UD, terms defined in the National Planning Standard and used in the NPS-UD have the same meaning as the Standard, unless otherwise specified.

conducted on an 'area' basis.⁸ As a result, the assessment under section 77L(c) must be on a site by site basis, while all other assessments can be completed on a wider 'area' basis.

- (g) Both types of qualifying matters must demonstrate why the qualifying matter is **incompatible** with the MDRS or Policy 3 requirements. In contrast, section 77I(j) qualifying matters must go through further assessment to identify and then justify why the specific characteristics make MDRS or Policy 3-enabled development **inappropriate**; and
- (h) The identified and assessed 'any other matter' qualifying matters should not be used to maintain the status quo. Instead, there remains an expectation that intensification and greater density will be enabled to some extent, while **managing** (rather than maintaining or enhancing) the relevant specific characteristics giving rise to the qualifying matter. This expectation is consistent with the clear direction set out in Policy 6 of the NPS-UD and reiterated at paragraph 2.5 above.

2.15 Section 32 evaluations still underpin the whole assessment process that must be undertaken. It is important to note the following established principles:

- (a) Section 32 requires an examination of whether proposed provisions are the **most appropriate** way of achieving:
 - (i) the purposes of the Act;⁹ and
 - (ii) the relevant objectives.¹⁰

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

- (b) A section 32 assessment involves an "examination of the words used in the section, having regard not only to its context, but also the purposes of the Act";¹¹

⁸ See sections 77J(3)(a)(i); 77J(3)(a)(ii); 77K(1)(d); 77L(a); 77L(b).

⁹ Section 32(1)(a), Resource Management Act 1991.

¹⁰ Section 32(1)(b), Resource Management Act 1991.

¹¹ *Countdown Properties (Northlands) Limited v Dunedin City Council* [1994] NZRMA 145 at 162.

- (c) The tests in section 32 should be read in the context of Part 2 of the RMA, and, in particular, the enabling provisions of section 5(2).¹² Where there are inconsistencies among a plan's objectives and policies, these should be scrutinised "through the filter" of Part 2;¹³
- (d) When undertaking the section 32 evaluation, Council must ensure that the proposed plan gives effect to the relevant regional and national policy statements. This is a distinct, overriding obligation;¹⁴
- (e) When assessing whether a proposal meets the proposed objectives, "efficiency" is a broad, "value-laden" concept which has been understood by courts to mean "the allocation of (limited) resources to the uses for which society values them most";¹⁵ and
- (f) Economic effects (while useful) are neither the sole consideration nor the most important consideration when assessing the objectives.¹⁶ The *Geotherm Group* decision, which was affirmed in the High Court, outlines that "a section 32 analysis requires a wider exercise of judgment" beyond exclusively assessing economic effects.¹⁷

2.16 There are key provisions in the NPS-UD and the Amendment Act that shape what "efficient and effectiveness" means in the context of the implementation of the IPI, due to the directive, clear nature of these two documents:

- (a) Objective 3 of the NPS-UD, which requires district plans to enable more people to live in areas of an urban environment where specific features such as proximity to centres, existing or planned public transport and high demand for housing exist;
- (b) Objective 4 of the NPS-UD, which acknowledges that urban environments, including their amenity values, develop and

¹² *Port Otago Limited v Dunedin City Council* C4/2002, 22 January 2002 at [27].

¹³ *NZRPG Management Limited v Western Bay of Plenty District Council* EnvC A026/08, 29 February 2008 at [30].

¹⁴ *Royal Forest and Bird Protection Society of New Zealand Incorporated v Bay of Plenty Regional Council* [2017] NZHC 3080 at [73].

¹⁵ *Long Bay-Okura Great Park Society Inc v North Shore CC* ENC Auckland A078/08, 16 July 2008 at [287].

¹⁶ *Port Otago Limited v Dunedin City Council* C4/2002, 22 January 2002 at [27].

¹⁷ *Geotherm Group Limited v Waikato Regional Council* EnvC Auckland A151/06, 19 November 2006 at [48]; *Contact Energy v Waikato Regional Council* (2007) 14 ELRNZ 128 at [51] and [92].

change over time in response to diverse and changing needs of people, communities, and future generations;

- (c) Objective 6(c) of the NPS-UD, which requires local authority decisions on urban development to be responsive, particularly in relation to proposals that would supply significant development capacity;
- (d) Section 77G of the RMA, which imposes a mandatory requirement on local authorities to:
 - (i) apply the MDRS to all residential zones (subject to the appropriate application of qualifying matters);¹⁸
 - (ii) give effect to Policy 3 of the NPS-UD (for Tier 1 local authorities such as Wellington);¹⁹
 - (iii) include the objectives and policies set out in clause 6 of Schedule 3A,²⁰ and
- (e) Section 77H of the RMA, which clearly states the MDRS mandatory provisions in Schedule 3A are a baseline and can be amended to provide greater development.

3. SUBMISSIONS POINTS RESOLVED AND KĀINGA ORA CHANGES IN POSITION

- 3.1 A summary table of the Kāinga Ora submissions relevant to Hearing Stream 2 and the final Kāinga Ora position on those submission points is attached at **Appendix A**.
- 3.2 Kāinga Ora considers the following matters to be resolved following consideration of the section 42A report recommendations for this hearing stream:
 - (a) Proposed changes to the MRZ and HRZ Introduction sections, including the removal of reference to specific qualifying matters;
 - (b) Changes to HRZ-P4 that acknowledge that a "higher permitted threshold to support high density development" should be enabled in the HRZ;

¹⁸ Section 77G(1) of the RMA.

¹⁹ Section 77G(2) of the RMA.

²⁰ Section 77G(5) of the RMA

- (c) Proposed changes to HRZ-O1 confirming that the HDZ provides for neighbourhood planned urban built character "of at least six storey buildings" rather than including three storey buildings;
- (d) Proposed changes to MRZ-P6, HRZ-P6, MRZ-P7 and HRZ-P7 noting that higher density housing should be provided for where it is "able to be" adequately serviced;
- (e) The general requirement to permit three residential units in the HRZ where permitted heights and Height in Relation to Boundary controls are increased to form an improved planned urban built form; and
- (f) Rezoning Kilbirnie Bus Barns from MRZ to HRZ in accordance with the recommendations of Hearing Stream 1.

3.3 Kāinga Ora considers the following matters to be partially resolved and that further amendments are required, following consideration of the section 42A report recommendations:

- (a) HRZ Introduction section to also allow up to 12 storey development in area of high accessibility to key centres;
- (b) HRZ-O1 to also acknowledge it is appropriate to enable additional height in some locations; and
- (c) MRZ-P6, HRZ-P6, MRZ-P7 and HRZ-P7 to better reflect the difference between the outcomes between the HRZ and MRZ zones.

4. KĀINGA ORA SUBMISSION POINTS IN CONTENTION

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

- (a) Application of Qualifying Matters, specifically the application of character as a qualifying matter;
- (b) The use of precincts, including the proposed Character Precincts, Mt Victoria North Townscape Precinct and the proposed Sunrise Boulevard Precinct sought by Ara Poutama

Aotearoa, the Department of Corrections, and the provisions of the Oriental Bay Height Precinct;

- (c) Expansion of the HRZ and associated objectives and policies to reflect larger walkable catchments including areas up to:
 - (i) 10 minutes from the Kāpiti and Johnsonville Lines and the edge of the Tawa, Newtown, and Miramar Town Centres (as proposed by Kāinga Ora in Hearing Stream 1);
 - (ii) 20 minutes from the edge of the City Centre Zone;
- (d) Development standards and provisions to assist with greater intensification and density;
- (e) The role and status of Design Guides.

5. QUALIFYING MATTERS – APPLICATION OF CHARACTER QUALIFYING MATTER

- 5.1 The PDP has applied character as a qualifying matter to exempt identified character areas from the MDRS and Policy 3 of the NPS-UD intensification requirements. Kāinga Ora considers the Council's assessment of the identified character areas does not satisfy the assessment requirements set out in sections 77J and 77L of the RMA.
- 5.2 The key issue is the assessment Council undertook for the purpose of section 77L, which, as outlined above, requires a greater level of detailed assessment than the evaluation assessment required under section 77J.
- 5.3 The key flaws of the Council's section 77L assessment are set out in Ms Woodbridge's evidence. In summary:
 - (a) Section 77L(a) – There are two parts to this evaluation. Council satisfied the first component by providing a detailed assessment of the character areas which identified the particular contributing character values for each of the areas. However, the Council failed to complete the second part of the evaluation as it did not fully assess whether the potential effects of intensification (in accordance with the MDRS and Policy 3 of the NPS-UD) on those values would be inappropriate.

- (b) Section 77L(b) – It is expected that the types of characteristics that could justify a qualifying matter (and in particular, a qualifying matter that restricts all intensification and density requirements under the MDRS and Policy 3 of the NPS-UD), would need to be equal to or more significant than the national significance of urban development. However, having regard to the directive nature of Objectives 1, 3, 4 and 6 of the NPS-UD, the Council has not undertaken this weighting exercise.
- (c) Section 77L(c) – The Council has relied on the Boffa Miskell assessment which noted alignment of the proposed precinct provisions with the MDRS, but there is no mention of alignment with Policy 3 of the NPS. Further, the section 77L(c) assessment requires Council to consider:
 - (i) Whether a high density residential zone would be appropriate to balance the requirements of Objective 3 and Policy 3 of the NPS-UD; and
 - (ii) Whether there are alternative options for **managing** character, in recognition of Objective 4 and Policy 6 of the NPS-UD which require decision makers to acknowledge changing amenity values over time as a result of planned built form anticipated by the NPS-UD.

As outlined by Ms Woodbridge, these further assessments were not completed by the Council.

- 5.4 Section 77L sets a high threshold in order to justify a qualifying matter under section 77I(i) of the RMA and Kāinga Ora considers that it has not been met on a number of counts. On this basis, the character qualifying matter should be deleted from the PDP unless the Council is able to provide further information to satisfy the section 77L requirements.

6. THE USE OF PRECINCTS

- 6.1 Kāinga Ora sought that character be managed outside of the MRZ as an overlay rather than by the application of a precinct within the MRZ.
- 6.2 Given Council's failure to appropriately assess the character areas or provide adequate justification for the application of the character

qualifying matter, a strict application of Policy 3 of the NPS-UD appears to support the application of the HRZ to the Character Precinct area, the Mt Victoria North Townscape Precinct and the Oriental Bay Height Precinct areas.

- 6.3 Ms Woodbridge supports this position and considers the precincts from the MRZ should be deleted and replaced with the HRZ with the application of an appropriate overlay. However, for the Oriental Bay Height Precinct, Ms Woodbridge considers this should remain as a Precinct to control height, but still with the underlying zoning uplifted to HRZ to reflect the proximity to the City Centre.

7. EXPANSION OF WALKABLE CATCHMENTS

- 7.1 Kāinga Ora seeks an increased extent of the HRZ, which is opposed by the Council.
- 7.2 A detailed discussion on the application of walkable catchments was presented in the legal submissions and evidence for Kāinga Ora in Hearing Stream 1.
- 7.3 However, Mr Rae has provided updated mapping of the proposed HRZ expansion areas that result from application of the Kāinga Ora methodology for walkable catchments. These maps are provided at Appendix C of Mr Rae's evidence.
- 7.4 Mr Heale considers the expanded walkable catchments are the most appropriate way to achieve the objects of the PDP, the purpose of the RMA and the NPS-UD requirements, for a number of reasons, including:
- (a) the expanded HRZ will support the consolidation of residential growth and development;
 - (b) the provision of the HRZ within a walkable catchment of a RTS or a centre zone is more sustainable and feasible than in other areas, and is more likely to achieve the housing affordability objectives of the NPS-UD; and
 - (c) the application of the HRZ with an enabled consenting framework will provide a clear signal to the development market on where greater intensity and density is anticipated.

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

8.1 Kāinga Ora seeks a number of amendments across the residential development standards to support increased density and intensification, as outlined in detail by Mr Heale and Ms Woodbridge, with support from Mr Rae. These amendments are required to better enable the NPS-UD and Amendment Act across Wellington City:

- (a) Amendments to a number of policies to replace the phrase "amenity values" and "planned urban built form" to reflect Policy 6 of the NPS-UD;²¹
- (b) In the HRZ:
 - (i) Amendments to the relevant objects and policies (such as HRZ-O1; HRZ-O2 and HRZ-P2) to enable 6-12 storey development;
 - (ii) Deletion of HRZ-S16 and HRZ-S17 due to duplication with the matters of discretion in HRZ-R14;
 - (iii) Height in Relation to Boundary Controls (**HIRB**) HRZ-S3 – 19m + 60° within the first 21.5m of the site to incentivise and provide for intensification in the HRZ, with the 8m + 60° proposed by the Council to otherwise apply to all boundary setbacks further than 20m from the street.
- (c) In the MRZ:
 - (i) Building height of 11m in the MRZ, up to 18m within a walkable catchment of Local Centre Zones, as shown by the Height Variation Maps attached to Mr Rae's evidence;
 - (ii) Amendments to MRZ-O1 to outline that the MRZ neighbourhoods planned urban built character should not only include three storey development by also 'additional height and density in areas of high accessibility to public transport, commercial activities and community services';

²¹ MRZ-P1, MRZ-P7, MRZ-P15 and HRZ-P1, HRZ-P7; HRZ-P14. MRZ-R3, MRZ-R4, MRZ-R5, MRZ-R6, MRZ-R7, HRZ-R3, HRZ-R4, HRZ-R5, HRZ-R6, HRZ-R7.

- (iii) An increase in the starting position for the HIRB from 5 to 6 metres;
- (iv) An exclusion for front and side yards where no more than three residential units occupy the site (either to be retained in MRZ-R13 or included in MRZ-S4).

8.2 While the amendments to the development standards above are largely planning and urban design matters, they do affect whether the PDP is able to give effect to the NPS-UD and the Amendment Act. The HIRB controls provide a good example. As outlined by Mr Rae, HIRB is the main height-controlling provision to achieve taller buildings on existing narrow sites, rather than the height standard itself.²² While the PDP provides building heights that accord with the NPS-UD and the Amendment Act, the Council's proposed 4m + 60° HIRB for three dwellings or less, and 8m + 60° HIRB for more than three dwellings and retirement villages, will unreasonably restrict intensification. In contrast, Mr Rae considers the 19m + 60° HIRB with a 50% building coverage will result in a superior built form, and better alignment with the NPS-UD and Amendment Act requirements.

8.3 Following expert conferencing on 23 March 2023, Mr Rae and Dr Zamani have agreed that the 19m + 60° HIRB with a 50% building coverage is an appropriate method of enabling at least 6 storey buildings close to and aligned with the street boundary. Council has not provided an updated position at the date of these submissions.

9. DESIGN GUIDES

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

²² Statement of evidence for Nicholas Rae, 17 March 2023, paragraph 6.24.

- 9.2 The reporting officer did not agree with the Kāinga Ora approach as they consider the removal of Design Guides from a statutory context would lead to confusion and a complex transition.
- 9.3 Ms Woodbridge considers that in order to best achieve a high-quality urban environment, the outcomes should be clearly expressed directly within the provisions of the district plan – directly through amendments to the key policies, and then strengthened through matters of discretion within the relevant rules. This approach should only apply to critical outcomes that a Design Guide is seeking to achieve. The extent to which a proposal achieves those outcomes can be measured against the Design Guide itself, in reference to the relevant matters of discretion.
- 9.4 Ms Woodbridge also considers that a full district plan review represents a good opportunity to consider the appropriate form and functionality of the PDP, rather than focusing on the current operative plan.
- 9.5 As a result, Ms Woodbridge seeks amendments to a number of provisions.²³ Kāinga Ora supports Ms Woodbridge's analysis and considers this approach would give better effect to the RPS, particularly Policy 54 which requires the district plan to have particular regard to achieving the region's urban design principles.²⁴
- 9.6 Finally, by ensuring the key outcomes are articulated clearly in the policy and rule framework (rather than the Design Guide itself) the Design Guide can be updated and amended in accordance with best practice without the need to go through a Schedule 1 process. This appears to be a more efficient and effective way to address the matter.

10. EVIDENCE

- 10.1 Evidence by the following witnesses has been exchanged in support of submissions by Kāinga Ora for this hearing topic:
- (a) Brendon Liggett – Corporate evidence and Kāinga Ora representative;
 - (b) Matt Heale – planning (expansion of the HRZ and amendments to the associated objectives and policies to reflect larger

²³ MRZ-P6; MRZ-P7; HRZ-P6; HRZ-P7.

²⁴ See Appendix 2 of the RPS.

walkable catchments; design standards and provisions
amendments required to assist with greater intensification);

- (c) Victoria Woodbridge (qualifying matters; the use of precincts,
the role and status of design guides);
- (d) Nick Rae – urban design; and
- (e) Michael Cullen – economics.

Dated

2023

Jennifer Caldwell
Counsel for Kāinga Ora – Homes
and Communities

Submission Number	Plan	Plan Provision	Stance	Submission Summary	Submission	Kāinga Ora position following section 42A
391.314	Medium Density Residential Zone	Introduction	Oppose in part	<p>Kāinga Ora generally supports the introduction and in particular the provision of medium density housing to give effect to the NPS-UD and the Act, but oppose the introduction of Character Precincts and different provisions related to the construction of 4 or more residential units.</p> <p>Kāinga Ora opposes the introduction of Character Precincts, Mt Victoria North Townscape Precinct or Oriental Bay Precinct within the MRZ and in zone chapters. These precincts do not fulfil the matters of national importance as set out under section 6(f) and the requirements under section 77L and 77R of the RMA, and therefore do not meet the threshold to be applied as a qualifying matter to restrict height and density. Instead, Kāinga Ora seeks that a Character Overlay is introduced into District-wide matters.</p> <p>Consistent with the rest of its submission, Kāinga Ora seeks the deletion of the Multi-unit definition and rules associated with this definition, and seeks that 4 or more dwellings is not classified as a different activity as the potential or actual effects of residential development should not be distinguished between building 3 and 4 (or more) residential units.</p> <p>Kāinga Ora also seek an amendment of the introduction to make it clear that incompatible activities in the MRZ will be managed or discouraged in line with a Discretionary / Non-Complying activity status.</p>	<ol style="list-style-type: none"> 1. Kāinga Ora seeks the deletion of MRZ-PREC01, MRZ-PREC02 and MRZ-PREC03 Introductions in their entirety. 2. Kāinga Ora seeks amendments to the Introduction as follows: <p>The Medium Density Residential Zone comprises predominantly residential activities with a moderate concentration and bulk of buildings, such as detached, semi-detached and terraced housing, low-rise apartments and other compatible activities.....</p> <p>The Medium Density Residential Zone adopts the medium density residential standards from the RMA which allow for three residential units of up to three storeys on a site. Developments of four or more residential units are also encouraged through the policy framework and provided for through a resource consent process. Multi-unit housing of four or more units is also anticipated through a resource consent process subject to standards and design guidance.</p> <p>It is anticipated that the form, appearance and amenity of neighbourhoods within the Medium Density Residential Zone will change over time.</p> <p>There are parts of the Medium Density Residential Zone where the permitted development, height or density directed by the NPS-UD may be modified by qualifying matters. These include the following:</p> <ul style="list-style-type: none"> • Character precincts and the Mt Victoria North Townscape Precinct (refer to MRZ-PREC01 and MRZ-PREC02)..... <p>Incompatible non-residential activities are not anticipated managed or discouraged in this zone.</p> <p>Precincts within the Medium Density Residential Zone include Character Precincts, the Mt Victoria North Townscape Precinct, and the Oriental Bay Height Precinct.</p>	<p>Section 42A report did not accept position. Kāinga Ora still opposes the introduction of character precincts and maintains support for the amendment of the Introduction of the Medium Density Residential Zone chapter.</p>
391.325 and 391.326	Medium Density Residential Zone	MRZ-O1	Support in part	<p>Kāinga Ora generally supports the objective but seeks amendments (or addition of a new objective or policy) to provide for additional height in density in areas in the MRZ with high accessibility to public transport, commercial amenity and community services.</p>	<p>Amend MRZ-O1 as follows or alternatively add a new objective or policy to address the matters raised by the amendment.</p> <p>Purpose</p> <p>The Medium Density Residential Zone provides for predominantly residential activities and a variety of housing types and sizes that respond to:</p>	<p>Section 42A report does not support proposed amendments. Kāinga Ora still seeks amendment of MRZ-O1:</p> <p>Purpose</p> <p>The Medium Density Residential Zone provides for predominantly residential activities and a variety of housing types and sizes that respond to:</p> <ol style="list-style-type: none"> 1. Housing needs and demand; and

					1. Housing needs and demand; and 2. The neighbourhood's planned urban built character, including 3 storey buildings, <u>and additional height and density in areas of high accessibility to public transport, commercial amenity and community services.</u>	2. The neighbourhood's planned urban built character, including 3 storey buildings, <u>and additional height and density in areas of high accessibility to public transport, commercial amenity and community services.</u>
391.327	Medium Density Residential Zone	MRZ-O2	Support	Kāinga Ora generally supports the objective.	Retain as notified.	Retained as notified. No changes made in section 42A report.
391.328	Medium Density Residential Zone	MRZ-O3	Support	Kāinga Ora generally supports the objective.	Retain as notified.	Retained as notified. No changes made in section 42A report.
391.329	Medium Density Residential Zone	MRZ-PREC01-O1	Oppose	Consistent with the rest of the submission, Kāinga Ora seeks the deletion of Character Precincts and associated provisions from zone chapters and as a qualifying matter.	Delete MRZ-PREC01-O1	Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PREC01-O1 and seek to have it deleted.
391.330	Medium Density Residential Zone	MRZ-PREC02-O1	Oppose	Consistent with the rest of the submission, Kāinga Ora seeks the deletion of Character Precincts and associated provisions from zone chapters and as a qualifying matter.	Delete MRZ-PREC02-O1	Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PREC02-O1 and seek to have it deleted.
	Medium Density Residential Zone	MRZ-PREC03-O1	Oppose	Consistent with the rest of the submission, Kāinga Ora seeks the deletion of Character Precincts and associated provisions from zone chapters and as a qualifying matter.	Delete MRZ-PREC03-O1	Kāinga Ora seeks Precinct to apply to both MRZ and HRZ. Accepts objective.
391.332 and 391.333	Medium Density Residential Zone	MRZ-P1	Support in part	Kāinga Ora generally supports the policy, however, amendments are sought to the wording to better recognise the intent of the NPS-UD (particularly Policy 6) that recognises the planned urban built form and that change to existing amenity is not in itself an adverse effect.	Amend MRZ-P1 as follows: Enable residential activities and other activities that are compatible with the purpose of the Medium Density Residential Zone, while ensuring their scale and intensity is consistent with the <u>amenity values</u> anticipated <u>and planned built form of for</u> the Zone, including: 1. Home Business; 2. Boarding Houses; 3. Visitor Accommodation; 4. Supported Residential Care; 5. Childcare Services; and 6. Community Gardens.	Section 42A did not accept submission. Kāinga Ora still seeks amendments to MRZ-P1: Enable residential activities and other activities that are compatible with the purpose of the Medium Density Residential Zone, while ensuring their scale and intensity is consistent with the <u>amenity values</u> anticipated <u>and planned built form of for</u> the Zone, including: 1. Home Business; 2. Boarding Houses; 3. Visitor Accommodation; 4. Supported Residential Care; 5. Childcare Services; and 6. Community Gardens.
391.334 and 391.335	Medium Density Residential Zone	MRZ-P2	Support	Kāinga Ora generally supports the policy but seeks amendments (or addition of a new policy) to provide for additional height in density in areas in the MRZ with high accessibility to public transport, commercial amenity and community services.	Amend MRZ-P2 as follows or alternatively add a new policy to address the matters raised by the amendment. Housing supply and choice Enable a variety of housing typologies with a mix of densities within the zone, including 3-storey attached and detached dwellings, and low-rise apartments <u>up to 5 storeys in areas of in areas of high accessibility to public transport, commercial amenity and community services.</u>	Section 42A report does not support proposed amendments. Kāinga Ora still seeks amendments to MRZ-P2: Enable a variety of housing typologies with a mix of densities within the zone, including 3-storey attached and detached dwellings, and low-rise apartments <u>up to 5 storeys in areas of in areas of high accessibility to public transport, commercial amenity and community services.</u>

391.336 and 391.337	Medium Density Residential Zone	MRZ-P3	Support in part	<p>Kāinga Ora generally supports the policy but seeks an amendment of remove reference to tenure to recognise that tenures and cannot and should not be managed through the District Plan.</p>	<p>Amend MRZ-P3 as follows: Enable housing to be designed to meet the day-to-day needs of residents, and encourage a variety of housing types, and sizes and tenures to cater for people of all ages, lifestyles and abilities.</p>	<p>Section 42A report does not support proposed amendments. Kāinga Ora still seeks amendments to MRZ-P3:</p> <p>Enable housing to be designed to meet the day-to-day needs of residents, including by and encouraging-e a variety of housing types, and sizes and tenures to cater for people of all ages, lifestyles and abilities impairments.</p>
391.338	Medium Density Residential Zone	MRZ-P4	Support	<p>Kāinga Ora generally supports the policy.</p>	<p>Retain as notified.</p>	<p>Retained as notified. No changes made in section 42A report.</p>
391.339	Medium Density Residential Zone	MRZ-P5	Support	<p>Kāinga Ora generally supports the policy.</p>	<p>Retain as notified.</p>	<p>Retained as notified. No changes made in section 42A report.</p>
391.340 and 391.341	Medium Density Residential Zone	MRZ-P6	Oppose in part	<p>Kāinga Ora opposes this policy as proposed and seek the deletion of 'multi-unit housing' as a separate activity type from stand-alone houses or any other residential typology for the purposes of the zone rules and standards. Kāinga Ora considers that residential development should be considered on the basis of its effects and merits rather than specifically on typology or the scale/collective number of dwellings. Therefore, Kāinga Ora supports an amended policy that provides for residential activity beyond the permitted activity status and a framework that includes the outcome that the District Plan is seeking to achieve.</p> <p>Amendments are sought to the policy to allow reference to more than three residential units on a site as these are managed through a resource consent process.</p> <p>Amendments sought throughout the District Plan with the deletion of any references of 'multi-unit housing' in objectives, policies, rules, and standards.</p> <p>Kāinga Ora also seek amendments to this policy to remove direct reference to the design guide as design guides should be removed from the Plan and treated as a non-statutory tool outside of the District Plan. Amendments are therefore sought to articulate the urban design outcomes that are sought and to recognise changing amenity in accordance with the NPS-UD.</p> <p>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</p>	<p>Amend MRZ-P6 as follows:</p> <p><u>Multi-unit housing- Higher density residential development</u></p> <p>Provide for multi-unit housing more than three residential units per site where it can be demonstrated that the development:</p> <ol style="list-style-type: none"> Fulfills the intent of the Residential Design Guide; Achieves the following urban design outcomes: <ol style="list-style-type: none"> Provides an effective public private interface; The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood; Provides high quality buildings; Responds to the natural environment. Provides a minimum area of private or shared outdoor living space that is sufficient to cater for the needs of future occupants; Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development; and Is adequately able to be serviced by three waters infrastructure or can address any constraints on the site. <p><u>Note: Best practice urban design guidance is contained within Council's Design Guidelines.</u></p>	<p>Kāinga Ora seeks the following:</p> <p><u>Multi-unit housing- Higher density residential development</u></p> <p>Provide for multi-unit housing more than three residential units per site where it can be demonstrated that the development:</p> <ol style="list-style-type: none"> Fulfills the intent of the Residential Design Guide; Achieves the following urban design outcomes: <ol style="list-style-type: none"> Provides an effective public private interface; The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood; Provides high quality buildings; Responds to the natural environment. Provides a minimum area of private or shared outdoor living space that is sufficient to cater for the needs of future occupants; Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development; and Is adequately able to be serviced by three waters infrastructure or can address any constraints on the site. <p><u>Note: Best practice urban design guidance is contained within Council's Design Guidelines.</u></p>

				<p>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>Kāinga Ora seek the opportunity to review these guidelines if they are to remain a statutory document.</p>		
391.342 and 391.343	Medium Density Residential Zone	MRZ-P7	Support in part	<p>Kāinga Ora seek amendments to this policy to remove direct reference to the design guide as design guides should be removed from the Plan and treated as a non-statutory tool outside of the District Plan. Amendments are therefore sought to articulate the urban design outcomes that are sought and to recognise changing amenity in accordance with the NPSUD.</p> <p>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>Kāinga Ora seek the opportunity to review these guidelines if they are to remain a statutory document.</p>	<p>Amend MRZ-P7 as follows:</p> <p>Provide for retirement villages where it can be demonstrated that the development:</p> <ol style="list-style-type: none"> 1. Fulfills the intent of the Residential Design Guide; <u>Achieves the following urban design outcomes:</u> <ol style="list-style-type: none"> a. <u>Provides an effective public private interface;</u> b. <u>The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood;</u> c. <u>Provides high quality buildings.</u> d. <u>Responds to the natural environment.</u> 2. Includes outdoor space that is sufficient to cater for the needs of the residents of the village; 3. Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development; 4. Is adequately able to be serviced by three waters infrastructure or can address any constraints on the site; and 5. Is of an intensity, scale and design that is consistent with the amenity values anticipated <u>and planned built form</u> for the Zone. <p><u>Note: Best practice urban design guidance is contained within Council's Design Guidelines.</u></p>	<p>Kāinga Ora seeks the following:</p> <p>Provide for retirement villages where it can be demonstrated that the development:</p> <ol style="list-style-type: none"> 1. Fulfills the intent of the Residential Design Guide; <u>Achieves the following urban design outcomes:</u> <ol style="list-style-type: none"> a. <u>Provides an effective public private interface;</u> b. <u>The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood;</u> c. <u>Provides high quality buildings.</u> d. <u>Responds to the natural environment.</u> 2. Includes outdoor space that is sufficient to cater for the needs of the residents of the village; 3. Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development; 4. Is adequately able to be serviced by three waters infrastructure or can address any constraints on the site; and 5. Is of an intensity, scale and design that is consistent with the amenity values anticipated <u>and planned built form</u> for the Zone. <p><u>Note: Best practice urban design guidance is contained within Council's Design Guidelines.</u></p>
391.344	Medium Density Residential Zone	MRZ-P8	Support	Kāinga Ora generally supports the policy.	Retain as notified.	Retained as notified. No changes made in section 42A report.
391.347	Medium Density Residential Zone	MRZ-P10	Oppose	Kāinga Ora is opposed to any provision which may have the effect of applying blanket protections to non-indigenous vegetation and therefore seeks the deletion of this policy.	Delete MRZ-P10.	Section 42A report does not support proposed deletion. Kāinga Ora still seeks deletion of MRZ-P10
391.348 and 391.349	Medium Density Residential Zone	MRZ-P12	Support in part	Kāinga Ora generally supports the policy as proposed but seeks deletion of the reference to 'multi-unit housing' consistent with the rest of the submission.	<p>Amend MRZ-P12 as follows:</p> <p>Only allow multi-unit housing more than three residential units per site where it can be demonstrated that the local roading network has the capacity to accommodate any increase in traffic associated with the new development, and that the safety and efficiency of the roading network will be maintained.</p>	<p>Section 42A report does not support proposed amendments. Kāinga Ora still seeks amendments to MRZ-P12:</p> <p>Only allow multi-unit housing more than three residential units per site where it can be demonstrated that the local roading network has the capacity to accommodate any increase in traffic associated with the new development, and that the safety and efficiency of the roading network will be maintained.</p>

391.350 and 391.351	Medium Density Residential Zone	MRZ-P13	Support in part	Kāinga Ora generally supports this policy, but seeks deletion of Design Guides within the District Plan. Kāinga Ora considers Design Guides to be too broad to be used as an assessment matter. A limited range of design criteria should be utilised instead and the focus for assessment should be effects beyond those anticipated by the zone in accordance with Policy 6 of the NPSUD.	Amend MRZ-P13 by deleting reference to the Residential Design Guide and Papakāinga Design Guide and replace with the key design principles from these guides.	Section 42A report does not support proposed amendments. Kāinga Ora still seeks the following amendments: Facilitate the integrated development of the Tapu Te Ranga land in a manner that: <ol style="list-style-type: none"> 1. Identifies and appropriately addresses any geo-technical and contamination issues; 2. Incorporates planting and landscaping to provide visual screening and integrate development into the surrounding environment; and 3. Fulfills the intent of the Residential Design Guide and Papakāinga Design Guide where relevant and applicable; <u>Achieves the following urban design outcomes:</u> <ul style="list-style-type: none"> • <u>Provides an effective public private interface;</u> • <u>The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood;</u> • <u>Provides high quality buildings.</u> • <u>Responds to the natural environment.; and</u> 4. <u>Supports the long-term development aspirations for the site including Nohokāinga/Papakāinga, Marae, Urupā extension, Kāinga, and community buildings.</u>
391.352	Medium Density Residential Zone	MRZ-P14	Support	Kāinga Ora generally supports the policy.	Retain as notified.	Retained as notified. No changes made in section 42A report.
391.353 and 391.354	Medium Density Residential Zone	MRZ-P15	Support in part	Kāinga Ora support this policy in general but seeks amendments for the wording of the policy to clarify that servicing may change as a result of development. Changes are also sought to better recognise the intent of the NPS-UD (particularly Policy 6) that recognises the planned urban built form and that change to existing amenity is not in itself an adverse effect. Amendments sought.	Amend MRZ-P15 as follows: Only allow non-residential activities and buildings that: <ol style="list-style-type: none"> 1. Support the needs of local communities; 2. Are of an intensity, scale and design that is consistent with the amenity values anticipated <u>and planned built form</u> for the Zone; 3. Contribute positively to the urban environment and achieve attractive and safe streets; 4. Reduce reliance on travel by private motor vehicle; 5. Maintain the safety and efficiency of the transport network; and 6. Are <u>adequately able to be</u> serviced by three waters infrastructure or can address any constraints on the site. 	Kāinga Ora still seeks the following amendments: Only allow non-residential activities and buildings that: <ol style="list-style-type: none"> 1. Support the needs of local communities; 2. Are of an intensity, scale and design that is consistent with the amenity values anticipated <u>and planned built form</u> for the Zone; 3. Contribute positively to the urban environment and achieve attractive and safe streets; 4. Reduce reliance on travel by private motor vehicle; 5. Maintain the safety and efficiency of the transport network; and 6. Are <u>adequately able to be</u> serviced by three waters infrastructure or can address any constraints on the site. 7. <u>Are integrated into residential developments where possible</u>
391.355	Medium Density Residential Zone	MRZ-PREC01-P1	Oppose	Consistent with the rest of the submission, Kāinga Ora seeks the deletion of Character Precincts and associated provisions from zone chapters and as a qualifying matter.	Delete MRZ-PREC01-P1 to MRZ-PREC01-P5	Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PREC01-P1 and seek to have it deleted.

391.356	Medium Density Residential Zone	MRZ-PRECO1-P2				Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PRECO1-P2 and seek to have it deleted.
391.357	Medium Density Residential Zone	MRZ-PRECO1-P3				Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PRECO1-P3 and seek to have it deleted.
391.358.	Medium Density Residential Zone	MRZ-PRECO1-P4				Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PRECO1-P4 and seek to have it deleted.
391.359	Medium Density Residential Zone	MRZ-PRECO1-P5				Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PRECO1-P5 and seek to have it deleted.
391.360	Medium Density Residential Zone	MRZ-PRECO2-P1	Oppose	Consistent with the rest of the submission, Kāinga Ora seeks the deletion of Character Precincts and associated provisions from zone chapters and as a qualifying matter.	Delete MRZ-PRECO2-P1	Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PRECO2-P1 and seek to have it deleted.
391.361	Medium Density Residential Zone	MRZ-PRECO3-P1	Oppose	Consistent with the rest of the submission, Kāinga Ora seeks the deletion of Character Precincts and associated provisions from zone chapters and as a qualifying matter.	Delete MRZ-PRECO3-P1	Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PRECO3-P1 and seek to have it deleted.
391.362, 391.363, 391.364, and 391.365	Medium Density Residential Zone	MRZ-R2 Residential activities, ex retirement villages, supported residential care activities & boarding houses	Support in part	Kāinga Ora supports this rule in part but considers changes can be made to provide for better clarity in regard to the intention of the rule and notification preclusions.	Amend MRZ-R2 as follows: 1. Activity status: Permitted Where: a. No more than three residential units occupy the site; and, except in MRZ-PREC03 where there is no limit; b. <u>Compliance with the following standards is achieved:</u> i. <u>MRZ-S1;</u> ii. <u>MRZ-S3;</u> iii. <u>MRZ-S4 only in relation to the rear/side yard boundary setback;</u> iv. <u>MRZ-S5;</u> v. <u>MRZ-S7.</u> 2. <u>Activity Status: Restricted Discretionary</u> <u>Where compliance with MRZ-R1.a. cannot be achieved.</u> <u>Matters of discretion are:</u> 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</u>	Kāinga Ora accepts section 42A report position.

					<p><u>point of connection the infrastructure has the capacity to service the development.</u></p> <p>4. <u>The degree to which development delivers quality on-site amenity and occupant privacy that is appropriate for its scale; and</u></p> <p><u>Where compliance with MRZ-R1.b. cannot be achieved.</u></p> <p>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></p> <p><u>Notification status:</u></p> <p>1. <u>An application for resource consent which complies with MRZ-R1.a. but does not comply with MRZ-R1.b. is precluded from being publicly notified.</u></p> <p>2. <u>An application for resource consent made which does not comply with MRZ-R1.a. but complies with MRZ-R1.b. is precluded from being either publicly or limited notified.</u></p> <p>3. <u>An application for resource consent made which does not comply with MRZ-R1.a. and MRZ-R1.b. but complies with MRZ-S1 and MRZ-S5 is precluded from being either publicly notified.</u></p>	
391.366 and 391.367	Medium Density Residential Zone	MRZ-R3 Home business	Support in part	Kāinga Ora generally supports this rule and particularly supports the preclusion of public notification, but seeks amendments to recognise changing urban environments and amenity in accordance with the NPS-UD.	<p>Amend MRZ-R3 as follows:</p> <p>Matters of Discretion are:</p> <p>2. The extent to which the intensity and scale of the activity adversely impacts on the <u>planned urban built form amenity values</u> of nearby residential properties and the surrounding neighbourhood.</p>	<p>Section 42A report did not accept relief. Kāinga Ora still seeks:</p> <p>2. The extent to which the intensity and scale of the activity adversely impacts on the <u>planned urban built form amenity values</u> of nearby residential properties and the surrounding neighbourhood.</p>
391.368 and 391.369	Medium Density Residential Zone	MRZ-R4 Supported residential care activities	Support in part	Kāinga Ora generally supports this rule but seeks amendments to recognise changing urban environments and amenity in accordance with the NPS-UD, and to preclude both public and limited notification as the activity is residential in nature and anticipated within the zone.	<p>Amend MRZ-R4 as follows:</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 <u>planned urban built form amenity values</u> of nearby residential properties and the surrounding neighbourhood.</p> <p>Notification status:</p> <p>An application for resource consent made in respect of rule MRZ-R3.2 is precluded from being <u>either publicly or limited notified.</u></p>	<p>Section 42A report did not accept relief. Kāinga Ora still seeks:</p> <p>1. The extent to which the intensity and scale of the activity may adversely impact on the <u>planned urban built form amenity values</u> of nearby residential properties and the surrounding neighbourhood</p>
391.370 and 391.371	Medium Density Residential Zone	MRZ-R5 Boarding houses	Support in part	Kāinga Ora generally supports this rule but seeks amendments to recognise changing urban environments and amenity in accordance with the NPS-UD, and to preclude both public and limited notification as the activity is residential in nature and anticipated within the zone.	<p>Amend MRZ-R5 as follows:</p> <p>1. The extent to which the intensity and scale of the activity may adversely impact on the <u>planned urban built form amenity values</u> of nearby residential properties and the surrounding neighbourhood.</p>	<p>Section 42A report did not accept relief. Kāinga Ora still seeks:</p> <p>1. The extent to which the intensity and scale of the activity may adversely impact on the <u>planned urban built form amenity values</u> of nearby residential properties and the surrounding neighbourhood.</p>

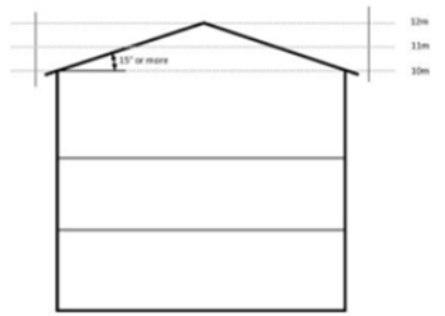

					Notification status: An application for resource consent made in respect of rule MRZ-R4.2 is precluded from being <u>either publicly or limited notified</u> .	
391.372 and 391.373	Medium Density Residential Zone	MRZ-R6 Visitor Accommodation	Support in part	Kāinga Ora generally supports this rule but seeks amendments to recognise changing urban environments and amenity in accordance with the NPS-UD.	Amend MRZ-R6 as follows: Matters of discretion are restricted to The extent to which the intensity and scale of the activity may adversely impact on the <u>planned urban built form amenity values</u> of nearby residential properties and the surrounding neighbourhood.	Section 42A report did not accept relief. Kāinga Ora seeks: Matters of discretion are restricted to The extent to which the intensity and scale of the activity may adversely impact on the <u>planned urban built form amenity values</u> of nearby residential properties and the surrounding neighbourhood.
391.374 and 391.375	Medium Density Residential Zone	MRZ-R7 Childcare services	Support in part	Kāinga Ora generally supports this rule but seeks amendments to recognise changing urban environments and amenity in accordance with the NPS-UD.	Amend MRZ-R& as follows: Matters of discretion are restricted to The extent to which the intensity and scale of the activity may adversely impact on the <u>planned urban built form amenity values</u> of nearby residential properties and the surrounding neighbourhood.	Section 42A report did not accept relief. Kāinga Ora seeks: Matters of discretion are restricted to The extent to which the intensity and scale of the activity may adversely impact on the <u>planned urban built form amenity values</u> of nearby residential properties and the surrounding neighbourhood
391.376	Medium Density Residential Zone	MRZ-R8 Retirement village	Support	Kāinga Ora generally supports this rule and particularly supports the preclusion of public notification.	Retain as notified.	Retained as notified. No changes made in section 42A report.
391.377	Medium Density Residential Zone	MRZ-R9 Community, health care, emergency & education facilities	Support	Kāinga Ora generally supports this rule and particularly supports the preclusion of public notification.	Retain as notified.	Kāinga Ora accepts section 42A position.
391.324	Medium Density Residential Zone	<u>NEW RULE</u>	Support	Kāinga Ora seeks a new rule to make heavy industry a Non-Complying activity which is consistent with other zone provisions and appropriate given the level of adverse effects which could be generated by heavy industrial activities. Consequential amendments to rule numbering will be required.	Add new rule as follows: <u>Industrial Activities</u> 1. <u>Activity status: Discretionary</u> <u>Where:</u> a. <u>The activity is not a heavy industrial activity.</u> 2. <u>Activity Status: Non-complying</u> <u>Where:</u> a. <u>Compliance with the requirements of MRZ-RX.1 cannot be achieved</u> <u>Notification status: An application for resource consent made in respect of rule MRZ-RX.2.a must be publicly notified.</u>	Kāinga Ora seeks: <u>Industrial Activities</u> 3. <u>Activity status: Discretionary</u> <u>Where:</u> b. <u>The activity is not a heavy industrial activity.</u> 4. <u>Activity Status: Non-complying</u> <u>Where:</u> b. <u>Compliance with the requirements of MRZ-RX.1 cannot be achieved</u> <u>Notification status: An application for resource consent made in respect of rule MRZ-RX.2.a must be publicly notified.</u>
391.378	Medium Density Residential Zone	MRZ-R11	Support	Kāinga Ora supports this rule.	Retain as notified.	Retained as notified. No changes made in section 42A report.

391.379	Medium Density Residential Zone	MRZ-R12	Support	Kāinga Ora supports this rule.	Retain as notified.	Retained as notified. No changes made in section 42A report.
391.380 and 391.381	Medium Density Residential Zone	MRZ-R13	Support in part	<p>Kāinga Ora generally supports this rule although an amendment is sought to the rule title to allow the rule to apply to all buildings not just those associated with no more than three residential units on a site.</p> <p>A further amendment is sought to delete reference to MRZ-P10 which is opposed.</p>	<p>Amend MRZ-R13 as follows:</p> <p>Construction, addition or alteration of buildings and structures where no more than three residential units occupy the site.</p> <p>1. Activity Status: Permitted</p> <p>Where:</p> <p>a. There are no more than three residential units on a site; and</p> <p>b. Compliance with the following standards is achieved:</p> <ul style="list-style-type: none"> I. MRZ-S1; II. MRZ-S3; III. MRZ-S4 only in relation to the rear yard boundary setback; IV. MRZ-S5; V. MRZ-S6; VI. MRZ-S7; VII. MRZ-S8; VIII. MRZ-S9; and IX. MRZ-S10. <p>2. Activity status Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of MRZ-R13.1.a and MRZ-R13.1.b cannot be <u>are not</u> achieved.</p> <p>Matters of Discretion are:</p> <ul style="list-style-type: none"> 2. The matters in MRZ-P2, MRZ-P3, MRZ-P4, MRZ-P5, MRZ-P8, MRZ-P9, MRZ-P10 and MRZ-P11; <u>and</u> 3. <u>Where compliance with MRZ-R13.1.a is not achieved, the matters in MRZ-P6.</u> <p>Notification status:</p> <p>An application for resource consent made in respect of rule MRZ-R13.2.a which results from non-compliance with MRZ-S1, MRZ-S3, MRZ-S4 or MRZ-S5 is precluded from being publicly notified.</p>	<p>Section 42A report did not accept relief. Kāinga Ora seeks:</p> <p>Construction, addition or alteration of buildings and structures where no more than three residential units occupy the site.</p> <p>1. Activity Status: Permitted</p> <p>Where:</p> <p>c. There are no more than three residential units on a site; and</p> <p>d. Compliance with the following standards is achieved:</p> <ul style="list-style-type: none"> X. MRZ-S1; XI. MRZ-S3; XII. MRZ-S4 only in relation to the rear yard boundary setback; XIII. MRZ-S5; XIV. MRZ-S6; XV. MRZ-S7; XVI. MRZ-S8; XVII. MRZ-S9; and XVIII. MRZ-S10. <p>3. Activity status Restricted Discretionary</p> <p>Where:</p> <p>b. Compliance with any of the requirements of MRZ-R13.1.a and MRZ-R13.1.b cannot be <u>are not</u> achieved.</p> <p>Matters of Discretion are:</p> <ul style="list-style-type: none"> 4. The matters in MRZ-P2, MRZ-P3, MRZ-P4, MRZ-P5, MRZ-P8, MRZ-P9, MRZ-P10 and MRZ-P11; <u>and</u> 5. <u>Where compliance with MRZ-R13.1.a is not achieved, the matters in MRZ-P6.</u> <p>Notification status:</p> <p>An application for resource consent made in respect of rule MRZ-R13.2.a which results from non-compliance with MRZ-S1, MRZ-S3, MRZ-S4 or MRZ-S5 is precluded from being publicly notified.</p>

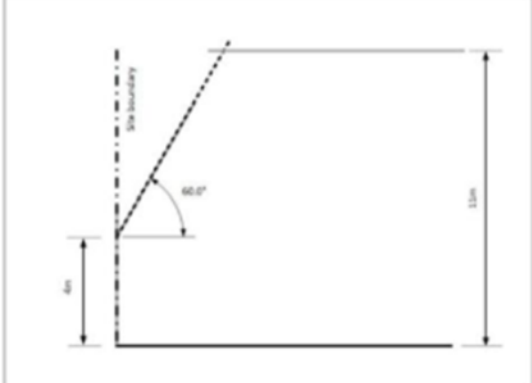
					An application for resource consent made in respect of rule MRZ-R13.2.a which results from non-compliance with MRZ-S6, MRZ-S7, MRZ-S8, MRZ-S9 or MRZ-S10 is precluded from being either publicly or limited notified.	An application for resource consent made in respect of rule MRZ-R13.2.a which results from non-compliance with MRZ-S6, MRZ-S7, MRZ-S8, MRZ-S9 or MRZ-S10 is precluded from being either publicly or limited notified.
391.382 and 391.383	Medium Density Residential Zone	MRZ-R14	Support in part	<p>Kāinga Ora supports this rule in part, particularly the preclusion of public notification.</p> <p>Kāinga Ora seek amendments to preclude limited notification for developments that comply with the relevant standards.</p> <p>Kāinga Ora opposes the including of multi-unit housing as this can be managed through MRZ-R13 in accordance with the amendments sought to that rule.</p>	<p>Amend MRZ-R14 as follows:</p> <p>MRZ-R14 Construction of buildings for multi-unit housing or a retirement village</p> <p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>1. The extent and effect of non-compliance with any of the follow standards as specified in the associated assessment criteria for any infringed standard:</p> <ul style="list-style-type: none"> i. MRZ-S2; ii. MRZ-S3; iii. MRZ-S4; iv. MRZ-S5; v. MRZ-S12 for multi-unit housing only; vi. MRZ-S13 for multi-unit housing only; vii. MRZ-S14 for multi-unit housing only; <p>2. The matters in MRZ-P2, MRZ-P3, MRZ-P5, MRZ-P6, MRZ-P7, MRZ-P8, MRZ-P10 and MRZ-P11</p> <p>Notification status:</p> <p>An application for resource consent made in respect of rule MRZ-R14 is precluded from being publicly notified.</p> <p><u>An application for resource consent made in respect of rule MRZ-R14 that complies with the relevant standards is precluded from public and limited notification.</u></p>	<p>Kāinga Ora seeks:</p> <p>MRZ-R14 Construction of buildings for multi-unit housing or a retirement village</p> <p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>2. The extent and effect of non-compliance with any of the follow standards as specified in the associated assessment criteria for any infringed standard:</p> <ul style="list-style-type: none"> i. MRZ-S2; ii. MRZ-S3; iii. MRZ-S4; iv. MRZ-S5; v. MRZ-S12 for multi-unit housing only; vi. MRZ-S13 for multi-unit housing only; vii. MRZ-S14 for multi-unit housing only; <p>3. The matters in MRZ-P2, MRZ-P3, MRZ-P5, MRZ-P6, (for multi-housing unit only), MRZ-P7 (for retirement villages only), MRZ-P8, MRZ-P10 and MRZ-P11</p> <p>Notification status:</p> <p>An application for resource consent made in respect of rule MRZ-R14 is precluded from being publicly notified.</p> <p><u>An application for resource consent made in respect of rule MRZ-R14 that complies with the relevant standards is precluded from public and limited notification.</u></p> <p><u>An application for resource consent made in respect of rule MRZ-R14.1 that complies with all relevant standards is also precluded from being limited notified.</u></p> <p><u>An application for resource consent made in respect of rule MRZ-R14.1 that complies with MRZ-S2, MRZ-S3, MRZ-S4, and MRZ-S5, but does not comply with all other relevant standards is also precluded from being limited notified.</u></p>
391.384	Medium Density Residential Zone	MRZ-R16	Support	Kāinga Ora supports this rule.	Retain as notified.	Kāinga Ora accepts section 42A report position.
391.385 and 391.386	Medium Density Residential Zone	MRZ-R17	Support in part	<p>Kāinga Ora supports this rule in part, particularly the preclusion of public notification.</p> <p>Kāinga Ora seeks amendment of remove reference to policies which are opposed and reference to multi-unit housing.</p>	<p>Amend MRZ-R17 as follows:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>Compliance with the following standards is achieved:</p> <ul style="list-style-type: none"> i. MRZ-S2; 	<p>Kāinga Ora seeks:</p> <p>3. Activity status: Permitted</p> <p>Where:</p> <p>Compliance with the following standards is achieved:</p> <ul style="list-style-type: none"> ix. MRZ-S2;

					<ul style="list-style-type: none"> ii. MRZ-S3; iii. MRZ-S4; iv. MRZ-S5; v. MRZ-S6; <u>and</u> vi. MRZ-S12; vii. MRZ-S13; and viii. MRZ-S14. <p>2. Activity Status: Restricted Discretionary Where:</p> <p>a. Compliance is not achieved with any of the requirements of MRZ-R17.1.a cannot be achieved.</p> <p>Matters of Discretion are:</p> <ul style="list-style-type: none"> 1. The extent and effect on non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard; 2. The matters in MRZ-P9, MRZ-P10; MRZ-P11 and MRZ-P15; and <p>The matters in MRZ-P6, MRZ-P7 and HMMRZ-P8 for additions and alterations to multi-unit housing or a retirement village.</p>	<ul style="list-style-type: none"> x. MRZ-S3; xi. MRZ-S4; xii. MRZ-S5; xiii. MRZ-S6; <u>and</u> xiv. MRZ-S12; xv. MRZ-S13; and xvi. MRZ-S14. <p>4. Activity Status: Restricted Discretionary Where:</p> <p>a. Compliance is not achieved with any of the requirements of MRZ-R17.1.a cannot be achieved.</p> <p>Matters of Discretion are:</p> <ul style="list-style-type: none"> 6. The extent and effect on non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard; 7. The matters in MRZ-P9, MRZ-P10; MRZ-P11 and MRZ-P15; and 8. The matters in MRZ-P6, MRZ-P7 and HMMRZ-P8 for additions and alterations to multi-unit housing or a retirement village. <p>Notification status:</p> <p>An application for resource consent made in respect of rule MRZ-R17.2.a is precluded from being publicly notified.</p> <p>An application for resource consent made in respect of rule MRZ-R17.2.a and complies with standards MRZ-S2 and MRZ-S3 is precluded from being limited or publicly notified</p>
391.387.	Medium Density Residential Zone	MRZ-PREC01-R1	Oppose	Consistent with the rest of the submission, Kāinga Ora seeks the deletion of Character Precincts and associated provisions from zone chapters and as a qualifying matter.	Delete all MRZ-PREC01-R1 to MRZ-PREC01-R7	Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PREC01-R1 and seek to have it deleted.
391.388.	Medium Density Residential Zone	MRZ-PREC01-R2				Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PREC01-R2 and seek to have it deleted.
391.389.	Medium Density Residential Zone	MRZ-PREC01-R3				Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PREC01-R3 and seek to have it deleted.
391.390.	Medium Density Residential Zone	MRZ-PREC01-R4				Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PREC01-R4 and seek to have it deleted.
391.391.	Medium Density Residential	MRZ-PREC01-R5				Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PREC01-R5 and seek to have it deleted.

	Zone					
391.392.	Medium Density Residential Zone	MRZ-PREC01-R6				Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PREC01-R6 and seek to have it deleted.
391.393.	Medium Density Residential Zone	MRZ-PREC01-R7				Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PREC01-R7 and seek to have it deleted.
391.394.	Medium Density Residential Zone	MRZ-PREC02-R1	Oppose	Consistent with the rest of the submission, Kāinga Ora seeks the deletion of Character Precincts and associated provisions from zone chapters and as a qualifying matter.	Delete all MRZ-PREC02-R1 to MRZ-PREC02-R5	Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PREC02-R1 and seek to have it deleted.
391.395.	Medium Density Residential Zone	MRZ-PREC02-R2				Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PREC02-R2 and seek to have it deleted.
391.396.	Medium Density Residential Zone	MRZ-PREC02-R3				Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PREC02-R3 and seek to have it deleted.
391.397	Medium Density Residential Zone	MRZ-PREC02-R4				Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PREC02-R4 and seek to have it deleted.
391.398	Medium Density Residential Zone	MRZ-PREC02-R5				Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PREC02-R5 and seek to have it deleted.
391.399	Medium Density Residential Zone	MRZ-PREC03-R1				Oppose
391.400	Medium Density Residential Zone	MRZ-PREC03-R2	Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PREC03-R2 and seek to have it deleted.			
391.401	Medium Density Residential Zone	MRZ-PREC03-R3	Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PREC03-R3 and seek to have it deleted.			
391.402	Medium Density Residential Zone	MRZ-PREC03-R4	Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PREC03-R4 and seek to have it deleted.			
391.403	Medium Density Residential Zone	MRZ-PREC03-R5	Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PREC03-R5 and seek to have it deleted.			
391.404	Medium Density Residential Zone	MRZ-PREC03-R6	Section 42A report does not support proposed deletion. Kāinga Ora maintains opposition to MRZ-PREC03-R6 and seek to have it deleted.			

	Zone					seek to have it deleted.
391.405 and 391.406	Medium Density Residential Zone	MRZ-S1	Support in part	<p>Kāinga Ora generally support this standard and acknowledges the standard is taken from the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. However, amendments are sought to allow this standard to apply to all residential units regardless of how many are on a site and to be more enabling for residential units located within close proximity to train stations and local centres.</p> <p>Consistent with the rest of the submission, Kāinga Ora seeks the deletion of Character Precincts and associated provisions from zone chapters and as a qualifying matter.</p>	<p>Amend MRZ-S1 as follows:</p> <p>Building height control 4:</p> <p>1. Where no more than three residential units occupy the site; or</p> <p>2. For the construction, addition or alteration of any buildings or structures in a Character Precinct or Mount Victoria North Townscape Precinct.</p> <p>1. Buildings and structures must not exceed 11 metres in height above ground level, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed the heights above by 1 metre, where the entire roof slopes 15° or more, as shown in Diagram 1 below:</p> <p><u>Except where:</u></p> <p>2. <u>In areas identified as having a height control of 18m in the planning maps, the height must not exceed 18 metres above ground level except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed the heights above by 1 metre, where the entire roof slopes 15° or more, as shown in Diagram 1 below:</u></p> 	<p>Section 42A did not accept proposed amendments. Kāinga Ora seeks:</p> <p>Building height control 4:</p> <p>3. Where no more than three residential units occupy the site; or</p> <p>4. For the construction, addition or alteration of any buildings or structures in a Character Precinct or Mount Victoria North Townscape Precinct.</p> <p>1. Buildings and structures must not exceed 11 metres in height above ground level, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed the heights above by 1 metre, where the entire roof slopes 15° or more, as shown in Diagram 1 below:</p> <p><u>Except where:</u></p> <p>2. <u>In areas identified as having a height control of 18m in the planning maps, the height must not exceed 18 metres above ground level except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed the heights above by 1 metre, where the entire roof slopes 15° or more, as shown in Diagram 1 below:</u></p> 
391.407	Medium Density Residential Zone	MRZ-S2	Oppose	<p>Kāinga Ora opposes the provision of two separate height standards and seeks an amendment of MRZ-S1 to allow that standard to cover all areas and provide for greater height limits in areas with high accessibility to public transport, commercial amenity and community services.</p>	<p>Amend MRZ-S1</p> <p>Delete MRZ-S2</p>	<p>Section 42A did not accept Kāinga Ora relief.</p> <p>Amend MRZ-S1:</p> <p>Building height control 4:</p> <p>1. Where no more than three residential units occupy the site; or</p> <p>2. For the construction, addition or alteration of any buildings or structures in a Character Precinct or Mount</p>

						<p>Victoria North Townscape Precinct.</p> <p>2. Buildings and structures must not exceed 11 metres in height above ground level, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed the heights above by 1 metre, where the entire roof slopes 15° or more, as shown in Diagram 1 below:</p> <p><u>Except where:</u></p> <p>3. <u>In areas identified as having a height control of 18m in the planning maps, the height must not exceed 18 metres above ground level except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed the heights above by 1 metre, where the entire roof slopes 15° or more, as shown in Diagram 1 below:</u></p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> a) Fences or standalone walls. b) <u>Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; and</u> c) <u>Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m measured vertically.</u> <p>Delete MRZ-S2.</p>
391.408 and 391.409	Medium Density Residential Zone	MRZ-S3	Support in part	Kāinga Ora generally supports this standard but seeks an amendment of recognise the amended height limits sought through the amendment of MRZ-S1 and ensure development is suitably enabled. An amendment is also sought to remove reference to MRZ-S2 which is opposed.	<p>Amend MRZ-S3 as follows:</p> <p>Height in relation to boundary</p> <p>1. For any site where MRSZ-S1 or MRZ-S2.1.a applies: no part of any building or structure may project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown in diagram 2 below:</p>	<p>Section 42A did not accept proposed amendments. Kāinga Ora seeks:</p> <p>Height in relation to boundary</p> <p>3. For any site where MRSZ-S1 or MRZ-S2.1.a applies: no part of any building or structure may project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown in diagram 2 below:</p>

					 <p>2. For any site where MRZ-S2.1.b MRZ-S1.2 applies: no part of any building or structure may project beyond a 60° recession plane measured from a point 5.6 metres vertically above ground level along all boundaries; and</p>	
391.410	Medium Density Residential Zone	MRZ-S4(rear)	Support	Kāinga Ora supports this standard.	Retain as notified.	Kāinga Ora accepts section 42A position.
391.411	Medium Density Residential Zone	MRZ-S5	Support	Kāinga Ora supports this standard.	Retain as notified.	Kāinga Ora accepts section 42A position.
391.412 and 391.413	Medium Density Residential Zone	MRZ-S6	Support in part	<p>Kāinga Ora acknowledges that this standard is directly taken from the MDRS, however seek that the standard is more enabling. MRZ-S13 for multi-unit housing is a more enabling outdoor living space requirement which is considered appropriate for all residential units as it provides sufficient onsite space and amenity.</p> <p>Amendments are sought to replace MRZ-S6 with MRZ-S13 and delete reference to multi-unit housing and retirement villages.</p>	Delete the entire standard, including the exclusion for multi-unit housing and retirement villages and replace with MRZ-S13 which should then be deleted.	Section 42A did not accept proposed amendments. Kāinga Ora seeks deletion of MRZ-S6 and seeks to have it replaced with MRZ-S13.
391.414 and 391.415		MRZ-S7	Support in part	<p>Kāinga Ora acknowledges that this standard is directly taken from the MDRS, however, the standard could be made more enabling. MRZ-S14 for multi-unit housing is a more enabling provision which provides sufficient outlook space and is considered to be appropriate for all residential units regardless of the number on a site.</p> <p>Amendments are sought to replace MRZ-S7 with MRZ-S14 and delete reference to multi-unit housing and retirement villages.</p>	Delete the entire standard, including the exclusion for multi-unit housing and retirement villages and replace with MRZ-S14 which should then be deleted.	Section 42A did not accept proposed amendments. Kāinga Ora seeks deletion of MRZ-S7 and seeks to have it replaced with MRZ-S14.
391.416.	Medium Density Residential Zone	MRZ-S8	Support	Kāinga Ora supports this standard.	Retain as notified.	Retained as notified. No changes made in section 42A report.
391.417	Medium Density Residential	MRZ-S9	Support	Kāinga Ora supports this standard.	Retain as notified.	Retained as notified. No changes made in section 42A report.

	Zone													
391.420 and 391.421	Medium Density Residential Zone	MRZ-S12 Minimum residential unit size for multi-unit housing	Support in part	Kāinga Ora supports this standard in part, but seeks smaller floor areas for studio units and for simplicity, a minimum floor area for 1 or bedrooms.	Amend MRZ-S12 as follows: Residential units, including any dual key unit, must meet the following minimum sizes:	Kāinga Ora accepts section 42A position.								
					<table border="1"> <thead> <tr> <th>Residential Unit Type</th> <th>Minimum Net Floor Area</th> </tr> </thead> <tbody> <tr> <td>a. Studio Unit</td> <td>35m² 30m²</td> </tr> <tr> <td>b. 1 <u>or more</u> bedroom(s) unit</td> <td>40m²</td> </tr> <tr> <td>c. 2+ bedroom unit</td> <td>55m²</td> </tr> </tbody> </table>	Residential Unit Type	Minimum Net Floor Area	a. Studio Unit	35m² 30m ²	b. 1 <u>or more</u> bedroom(s) unit	40m ²	c. 2+ bedroom unit	55m ²	
Residential Unit Type	Minimum Net Floor Area													
a. Studio Unit	35m² 30m ²													
b. 1 <u>or more</u> bedroom(s) unit	40m ²													
c. 2+ bedroom unit	55m ²													
391.413		MRZ-S13 Outdoor living space for multi-unit housing	Oppose	Kāinga Ora seeks that this standard replace MRZ-S6 as the level of outdoor living area proposed by this standard is appropriate for all sites not just sites developed with more than 3 residential units.	Replace MRZ-S6 with MRZ-S13	Section 42A did not accept proposed amendments. Kāinga Ora seeks deletion of MRZ-S6 and seeks to have it replaced with MRZ-S13.								
391.415		MRZ-S14 Outlook space for multi-unit housing	Oppose	Kāinga Ora seeks that this standard replace MRZ-S6 as the level of outlook space proposed by this standard is appropriate for all sites not just sites developed with more than 3 residential units.	Replace MRZ-S7 with MRZ-S14	Section 42A did not accept proposed amendments. Kāinga Ora seeks deletion of MRZ-S7 and seeks to have it replaced with MRZ-S14.								
391.424	Medium Density Residential Zone	MRZ-PREC01-S1 Fences & standalone walls	Oppose	As noted above, Kāinga Ora does not support the Character Precincts and seeks that these standards are deleted.	Delete MRZ-PREC01-S1 and MRZ-PREC01-S2	Section 42A did not accept proposed amendments. Kāinga Ora seeks deletion of MRZ-PREC01-S1.								
391.425	Medium Density Residential Zone	MRZ-PREC01-S2 Maximum height of an accessory building				Section 42A did not accept proposed amendments. Kāinga Ora seeks deletion of MRZ-PREC01-S2.								
391.426	Medium Density Residential Zone	MRZ-PREC03-S1	Oppose	As noted above Kāinga Ora does not support the Oriental Bay Precinct and seeks that these standards are deleted.	Delete MRZ-PREC03-S1 - MRZ-PREC03-S6	Section 42A did not accept proposed amendments. Kāinga Ora seeks deletion of MRZ-PREC03-S1.								
391.427	Medium Density Residential Zone	MRZ-PREC03-S2				Section 42A did not accept proposed amendments. Kāinga Ora seeks deletion of MRZ-PREC03-S2.								
391.428	Medium Density Residential Zone	MRZ-PREC03-S3				Section 42A did not accept proposed amendments. Kāinga Ora seeks deletion of MRZ-PREC03-S3.								
391.429	Medium Density Residential Zone	MRZ-PREC03-S4				Section 42A did not accept proposed amendments. Kāinga Ora seeks deletion of MRZ-PREC03-S4.								
391.430	Medium Density Residential Zone	MRZ-PREC03-S5				Section 42A did not accept proposed amendments. Kāinga Ora seeks deletion of MRZ-PREC03-S5.								

391.431	Medium Density Residential Zone	MRZ-PREC03-S6				Section 42A did not accept proposed amendments. Kāinga Ora seeks deletion of MRZ-PREC03-S6.
PART 3 – ZONES – RESIDENTIAL– HIGH DENSITY RESIDENTIAL ZONE						
391.433 and 391.434	High Density Residential Zone	Introduction and Mapping	Support in Part	<p>Kāinga Ora generally supports the introduction of the High Density Residential Zone in the Proposed District Plan, but seeks amendments consistent with the spatial extent and heights sought by Kāinga Ora in this submission.</p> <p>Kāinga Ora seeks additional spatial application of the HRZs across the urban environment, including at least:</p> <ul style="list-style-type: none"> • 15-20min/1500m from the edge of the City Centre Zone (CCZ) • 10min/800m from the edge of Metro Centre Zone (MCZ) and from existing and planned rapid transit stops (including the Johnsonville Line) • 10 min/800m from Town Centre Zones (TCZ) <p>Kāinga Ora further seeks that additional height and density is provided for within a walkable catchment of centres to enable more intensification in areas of high accessibility to key centres, including:</p> <ul style="list-style-type: none"> - At least 12 storeys within a 400m walkable catchment of the CCZ and at least 8 storeys within a 800m walkable catchment - At least 10 storeys within a 400m walkable catchment of the MCZ - At least 8 storeys within a 400m walkable catchment of TCZ. <p>See Appendix 4 for proposed spatial application.</p>	<ol style="list-style-type: none"> 1. Kāinga Ora seeks the spatial application of the HRZ across the urban environment, including at least: <ul style="list-style-type: none"> • 15-20min/1500m from the edge of the City Centre Zone (CCZ) • 10min/800m from the edge of Metro Centre Zone (MCZ) and from existing and planned rapid transit stops (including the Johnsonville Line) • 10 min/800m from Town Centre Zones (TCZ) 2. Kāinga Ora seeks that additional height and density is provided for within a walkable catchment of centres to enable more intensification in areas of high accessibility to key centres, including: <ul style="list-style-type: none"> - At least 12 storeys within a 400m walkable catchment of the CCZ and at least 8 storeys within a 800m walkable catchment - At least 10 storeys within a 400m walkable catchment of the MCZ - At least 8 storeys within a 400m walkable catchment of TCZ. 3. Accept all changes proposed to the planning maps in Appendix 4. 4. Amend Introduction as follows: <p>The High Density Residential Zone encompasses areas of the city located near to the <u>City Centre Zone, Johnsonville Metropolitan Centre Zones, Town Centre Zones,</u> and <u>Kenepuru and Tawa</u> railway stations. These areas are used predominantly for residential activities with a high concentration and bulk of buildings and other compatible activities.</p> <p>....</p> <p>The High Density Residential Zone provides for a range of housing types at a greater density and scale than the <u>Medium Density Residential Zone</u>. It gives effect to the requirements of the RMA <u>to provide for well functioning urban environments</u> by allowing for <u>three intensive development residential units of</u> up to <u>6 storeys in all areas of the HRZ and up to 12 storeys in areas of high accessibility to key centres, three storeys on a site, and also by enabling multi-unit housing of up to six through a resource consent process subject to standards and design guidance.</u></p> 	<p>Kāinga Ora seeks:</p> <p>The High Density Residential Zone encompasses areas of the city located near to the City Centre Zone, <u>Johnsonville</u>, Metropolitan Centre Zones, and <u>Kenepuru and Tawa</u> railway stations. These areas are used predominantly for residential activities with a high concentration and bulk of buildings and other compatible activities.</p> <p>...</p> <p>The High Density Residential Zone provides for a range of housing types at a greater density and scale than the Medium Density Residential Zone. It gives effect to the requirements of the RMA to <u>provide for well functioning urban environments</u> by allowing for <u>intensive development three residential units of</u> up to <u>three 6 storeys in all areas of the HRZ up to 12 storeys in areas of high accessibility to key centres, storeys on a site, and also by enabling multi-unit housing of up to at least six storeys through a resource consent process subject to standards and design guidance</u></p>

391.435	High Density Residential Zone	HRZ-O1	Support in part	Kāinga Ora generally supports the objective but seeks amendments to better reflect the density necessary to achieve a well-functioning urban environment anticipated by the NPS-UD and RMA. While this objective comes largely from the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (see objective 2), these objectives are mandatory for Medium Density Residential Areas. Therefore, this objective should be adapted to reflect the higher density of the HRZ and to better achieve objective 1 of the RMAA 2021.	Amend HRZ-O1: Purpose The High Density Residential Zone provides for predominantly residential activities and a variety of housing types and sizes that respond to: 1. Housing needs and demand; and 2. The neighbourhood's planned urban built character <u>proximate to Centres and Rapid Transit Stops</u> , including <u>3-12</u> storey buildings.	Kāinga Ora seeks: Purpose The High Density Residential Zone provides for predominantly residential activities and a variety of housing types and sizes that respond to: 1. Housing needs and demand; and 2. The neighbourhood's planned urban built character, <u>proximate to Centres and Rapid Transit Stops</u> , including <u>6-12 storey buildings</u> . <u>Of at least including 3-6 storey buildings.</u>
391.438	High Density Residential Zone	HRZ-O2	Support in part	Kāinga Ora generally supports the objective subject to amendments to better reflect density outcomes anticipated in the HRZ as outlined above.	Amend HRZ-O2: Efficient use of land Land within the High Density Residential Zone is used efficiently for residential development that: 1. Increases housing supply and choice; 2. <u>Is May-be of</u> a greater density and scale than the <u>Medium Density Residential Zone</u> ; and 3. Contributes positively to a more intensive high-density urban living environment	Kāinga Ora seeks: Efficient use of land Land within the High Density Residential Zone is used efficiently for residential development that: 1. Increases housing supply and choice; 2. <u>Is May-be of</u> a greater density and scale than the <u>Medium Density Residential Zone</u> ; and 3. Contributes positively to a more intensive high-density urban living environment
391.439 and 391.440	High Density Residential Zone	HRZ-P1 Enabled Activities	Support in part	Kāinga Ora generally supports the policy, however, amendments are sought to the wording to better recognise the intent of the NPS-UD (particularly Policy 6) that recognises the planned urban built form and that change to existing amenity is not in itself an adverse effect. Amendments sought.	Amend HRZ-P1: Enable residential activities and other activities that are compatible with the purpose of the High Density Residential Zone, while ensuring their scale and intensity is consistent with the <u>amenity values</u> anticipated <u>and planned built form of</u> for the Zone, including: 1. Home Business; 2. Boarding Houses; 3. Visitor Accommodation; 4. Supported Residential Care; 5. Childcare Services; and 6. Community Gardens.	Kāinga Ora seeks: Enable residential activities and other activities that are compatible with the purpose of the High Density Residential Zone, while ensuring their scale and intensity is consistent with the <u>amenity values</u> anticipated <u>and planned built form of</u> for the Zone, including: 1. Home Business; 2. Boarding Houses; 3. Visitor Accommodation; 4. Supported Residential Care; 5. Childcare Services; and 6. Community Gardens.
391.441 and 391.442	High Density Residential Zone	HRZ-P2 Housing Supply and Choice	Support in part	Kāinga Ora supports this policy subject to amendments to provide for a density appropriate for a High Density Zone in a Tier 1 Council area.	Amend HRZ-P2: Housing supply and choice Enable a variety of housing typologies with a mix of densities within the zone, including <u>6-3</u> -storey <u>attached and detached dwellings</u> , <u>low-rise</u> apartments, and residential buildings of up to <u>6-12</u> storeys in height <u>located close to higher order centres</u> .	Kāinga Ora seeks: Housing supply and choice Enable a variety of housing typologies with a mix of densities within the zone, including <u>6-3</u> -storey <u>attached and detached dwellings</u> , <u>low-rise</u> apartments, and residential buildings of up to <u>6-12</u> storeys in height <u>located close to higher order centres</u> .
391.443 and 391.444	High Density Residential Zone	HRZ- P3 Housing Needs	Support in part	Kāinga Ora generally supports the policy but seeks an amendment of remove reference to tenure to recognise that tenures cannot and should not be managed through the District Plan.	Amend HRZ-P3: Housing needs Enable housing to be designed to meet the day-to-day needs of residents, and encourage a variety of housing types <u>and</u> sizes <u>and tenures</u> to cater for people of all ages, lifestyles and abilities	Kāinga Ora seeks: Housing needs Enable housing to be designed to meet the day-to-day needs of residents, and encourage a variety of housing types <u>and</u> sizes <u>and tenures</u> to cater for people of all ages, lifestyles and abilities
391.445	High Density	HRZ-P4	Support	Kāinga Ora supports this policy.	Retain as notified.	Retained as notified. No changes made in section 42A

	Residential Zone	Medium Density Residential Standards				report.
391.446	High Density Residential Zone	HRZ-P5 Development not meeting permitted activity status	Support	Kāinga Ora supports this policy.	Retain as notified.	Retained as notified. No changes made in section 42A report.
391.448	High Density Residential Zone	HRZ – P6 Multi-Unit Housing	Support in part	<p>Kāinga Ora seeks deletion of ‘multi-unit housing’ as a separate activity type from stand-alone houses or any other residential typology for the purposes of the zone rules and standards. Kāinga Ora considers that residential development should be considered on the basis of its effects and merits rather than specifically on typology or the scale/collective number of dwellings.</p> <p>Amendments are sought to the policy to allow reference to more than three residential units on a site as these are managed through a resource consent process.</p> <p>Amendments sought throughout the District Plan with the deletion of any references of ‘multi-unit housing’ in objectives, policies, rules, and standards.</p>	<p>Amend HRZ-P6:</p> <p><u>Multi-unit housing- Higher density residential development</u></p> <p>Provide for <u>multi-unit housing more than six residential units per site</u> where it can be demonstrated that the development:</p> <ol style="list-style-type: none"> 1. <u>Fulfills the intent of the Residential Design Guide; Achieves the following urban design outcomes:</u> <ol style="list-style-type: none"> a. <u>Provides an effective public private interface;</u> b. <u>The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood;</u> c. <u>Provides high quality buildings;</u> d. <u>Responds to the natural environment.</u> 2. Provides a minimum area of private or shared outdoor living space that is sufficient to cater for the needs of future occupants; 3. Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development; and 4. Is <u>adequately able to be</u> serviced by three waters infrastructure or can address any <u>water</u> constraints on the site. 	<p>Kāinga Ora seeks:</p> <p><u>Multi-unit housing— Higher density residential development</u></p> <p>Provide for <u>multi-unit housing high density residential development</u> where it can be demonstrated that the development:</p> <ol style="list-style-type: none"> 1. <u>Fulfills the intent of the Residential Design Guide; Achieves the following urban design outcomes:</u> <ol style="list-style-type: none"> a. <u>Provides an effective public private interface;</u> b. <u>The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood;</u> c. <u>Provides high quality buildings;</u> d. <u>Responds to the natural environment.</u> 2. Provides a minimum area of private or shared outdoor living space that is sufficient to cater for the needs of future occupants; 3. Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development; and 4. Is <u>able to be</u> adequately serviced by three waters infrastructure or can address any <u>water</u> constraints on the site; <u>and</u> 5. <u>Is located within:</u> <ol style="list-style-type: none"> a. <u>10 minutes’ walk from the rapid transit stops of the Kapiti and Johnsonville Lines, the Ngauranga Rail Station, the edge of the Tawa, Newtown, and Miramar Town Centre Zones, and the Johnsonville Metropolitan Centre Zone and Kilbirnie Metropolitan Centre Zone; or</u> b. <u>20 minutes’ walk from the edge of the Wellington City Centre Zone.</u>
391.449 and 391.450	High Density Residential	HRZ-P7 Retirement	Support in part	Kāinga Ora seek amendments to this policy to remove direct reference to the design guide and instead articulate the urban design outcomes that	Amend HRZ-P7 as follows: Retirement villages	Kāinga Ora seeks: Retirement villages

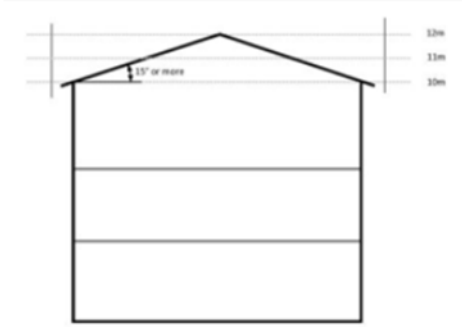
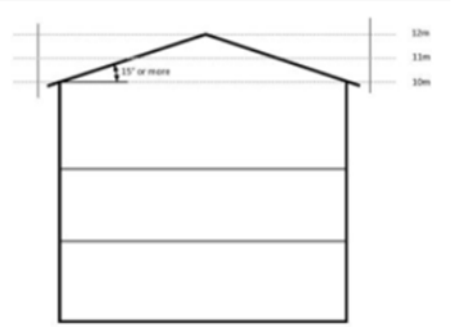
	Zone	Villages		are sought and to recognise changing amenity in accordance with the NPSUD. Amendments sought.	Provide for retirement villages where it can be demonstrated that the development: 1. Fulfills the intent of the Residential Design Guide; <u>Achieves the following urban design outcomes:</u> a. <u>Provides an effective public private interface;</u> b. <u>The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood;</u> c. <u>Provides high quality buildings.</u> d. <u>Responds to the natural environment.</u> 2. Includes outdoor space that is sufficient to cater for the needs of the residents of the village; 3. Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development; 4. Is <u>adequately able to be</u> serviced by three waters infrastructure or can address any constraints on the site; and 5. Is of an intensity, scale and design that is consistent with the amenity values anticipated <u>and planned built form</u> for the Zone.	Provide for retirement villages where it can be demonstrated that the development: 1. Fulfills the intent of the Residential Design Guide; <u>Achieves the following urban design outcomes:</u> a. <u>Provides an effective public private interface;</u> b. <u>The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood;</u> c. <u>Provides high quality buildings;</u> d. <u>Responds to the natural environment.;</u> 2. Includes outdoor space that is sufficient to cater for the needs of the residents of the village; 3. Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development; 4. Is <u>able to be</u> adequately serviced by three waters infrastructure or can address any constraints on the site; and 5. Is of an intensity, scale and design that is consistent with the amenity values anticipated <u>and planned built form</u> for the Zone.
391.451	High Density Residential Zone	HRZ-P8 Residential buildings and Structures	Support	Kāinga Ora generally supports the policy.	Retain as notified.	Retained as notified. No changes made in section 42A report.
391.454	High Density Residential Zone	HRZ-P10 Vegetation and Landscaping	Support	Kāinga Ora generally supports the policy.	Retain as notified.	Retained as notified. No changes made in section 42A report.
391.455	High Density Residential Zone	HRZ-P11 Attractive and safe streets and public open spaces	Support	Kāinga Ora generally supports the policy.	Retain as notified.	Retained as notified. No changes made in section 42A report.
391.456	High Density Residential Zone	HRZ-P12 Community Gardens, urban agriculture and waste minimisation	Support	Kāinga Ora generally supports the policy.	Retain as notified.	Retained as notified. No changes made in section 42A report.
391.459	High Density Residential Zone	HRZ-P14 Non-residential activities and buildings	Support	Kāinga Ora generally supports the policy.	Retain as notified.	Kāinga Ora seeks: Non-residential activities and buildings Only a Allow non-residential activities and buildings that: 1. Support the needs of local communities; 2. Are of an intensity, scale and design that is consistent with the amenity values anticipated <u>and</u>

						<p><u>planned urban environment for of</u> the Zone;</p> <ol style="list-style-type: none"> 3. Contribute positively to the urban environment and achieve attractive and safe streets; 4. Reduce reliance on travel by private motor vehicle; 5. Maintain the safety and efficiency of the transport network; and 6. Are <u>able to be</u> adequately serviced by three waters infrastructure or can address any constraints on the site.; <u>and</u> 7. <u>Are integrated into residential developments where appropriate.</u>
391.460 and 391.461	High Density Residential Zone	HRZ-R2 Residential activities, excluding retirement villages, supported residential care activities and boarding houses	Support in part	Kāinga Ora supports this rule in part but considers changes can be made to provide for better clarity in regard to the intention of the rule and notification preclusions and allow for a higher permitted activity threshold to allow for up to 6 dwellings within the HDRZ.	<p>Amend HRZ-R2:</p> <ol style="list-style-type: none"> 1. Activity status: Permitted Where: <ol style="list-style-type: none"> a. No more than <u>six three</u> residential units occupy the site; b. <u>Compliance with the following standards is achieved:</u> <ol style="list-style-type: none"> i. <u>HRZ-S1;</u> ii. <u>HRZ-S3;</u> iii. <u>HRZ-S4 only in relation to the rear/side yard boundary setback;</u> iv. <u>HRZ-S5;</u> v. <u>HRZ-S7.</u> 2. <u>Activity Status: Restricted Discretionary</u> <p><u>Where compliance with HRZ-R1.a. cannot be achieved.</u></p> <p><u>Matters of discretion are:</u></p> <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 development delivers quality on-site amenity and occupant privacy that is appropriate for its scale.</u> <p><u>Where compliance with HRZ-1.b. cannot be achieved.</u></p> <ol style="list-style-type: none"> 1. <u>The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard.</u> <p><u>Notification status:</u></p> <ol style="list-style-type: none"> 1. <u>An application for resource consent which complies with HRZ-R1.a. but does not comply with MRZ-R1.b. is precluded from being publicly notified.</u> 2. <u>An application for resource consent made which does not comply with HRZ-R1.a. but complies with HRZ-R1.b. is precluded from being either publicly or</u> 	<p>Kāinga Ora seeks:</p> <ol style="list-style-type: none"> 1. Activity status: Permitted Where: <ol style="list-style-type: none"> a. No more than <u>six three</u> residential units occupy the site; c. <u>Compliance with the following standards is achieved:</u> <ol style="list-style-type: none"> i. <u>HRZ-S1;</u> ii. <u>HRZ-S3;</u> iii. <u>HRZ-S4 only in relation to the rear/side yard boundary setback;</u> iv. <u>HRZ-S5;</u> v. <u>HRZ-S7.</u> 3. <u>Activity Status: Restricted Discretionary</u> <p><u>Where compliance with HRZ-R1.a. cannot be achieved.</u></p> <p><u>Matters of discretion are:</u></p> <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 development delivers quality on-site amenity and occupant privacy that is appropriate for its scale.</u> <p><u>Where compliance with HRZ-1.b. cannot be achieved.</u></p> <ol style="list-style-type: none"> 1. <u>The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard.</u> <p><u>Notification status:</u></p> <ol style="list-style-type: none"> 1. <u>An application for resource consent which complies with HRZ-R1.a. but does not comply with MRZ-R1.b. is precluded from being publicly notified.</u> 2. <u>An application for resource consent made which does not comply with HRZ-R1.a. but complies with HRZ-R1.b. is precluded from being either publicly or</u>

					<p><u>limited notified.</u></p> <p>3. <u>An application for resource consent made which does not comply with HRZ-R1.a. and HRZ-R1.b. but complies with HRZ-S1 and HRZ-S5 is precluded from being either publicly notified.</u></p>	<p><u>limited notified.</u></p> <p>3. <u>An application for resource consent made which does not comply with HRZ-R1.a. and HRZ-R1.b. but complies with HRZ-S1 and HRZ-S5 is precluded from being either publicly notified.</u></p>
391.462 and 391.463	High Density Residential Zone	HRZ-R3 Home Business	Support in part	<p>Kāinga Ora generally supports this rule and particularly supports the preclusion of public notification. Amendments are sought to recognise changing urban environments and amenity in accordance with the NPSUD.</p>	<p>Amend HRZ-R3:</p> <p>Matters of Discretion are:</p> <p>2. The extent to which the intensity and scale of the activity adversely impacts on the <u>planned urban built form amenity values</u> of nearby residential properties and the surrounding neighbourhood.</p>	<p>Kāinga Ora seeks:</p> <p>Matters of discretion are:</p> <p>2. The extent to which the intensity and scale of the activity adversely impacts on the <u>amenity values of anticipated urban environment experienced by</u> nearby residential properties and the surrounding neighbourhood.</p>
391.464 and 391.465	High Density Residential Zone	HRZ-R9	Support in Part	<p>Kāinga Ora generally supports this rule and particularly supports the preclusion of public notification. Amendments are sought to recognise changing urban environments and amenity in accordance with the NPSUD. Small scale commercial activities, such as cafes, convenience stores, and hairdressers, provide amenity to residents in a walkable urban setting and increase the vibrancy of an area. Operating thresholds have been incorporated to ensure such activities do not detract from the underlying residential environment.</p>	<p>Amend HRZ-R9:</p> <p>HRZ-R9 – Community facility, health care facility, emergency facility, education facility (excluding childcare services) <u>and Commercial activities</u></p> <p>1. Activity status: Restricted Discretionary</p> <p><u>Where commercial activities:</u></p> <p><u>a. Are limited to the ground floor tenancy of an apartment building;</u></p> <p><u>b. Have a gross floor area that does not exceed 200m2</u></p> <p><u>c. Have hours of operation between:</u></p> <p><u>i. 7.00am and 9.00pm Monday to Friday; and</u></p> <p><u>ii. 8.00am and 7.00pm Saturday, Sunday and public holidays.</u></p> <p>Matters of discretion are:</p> <p>1. The matters in HRZ-P14.</p> <p>Notification status: An application for resource consent made in respect of rule HRZ-R9.1 is precluded from being publicly notified.</p>	<p>Kāinga Ora seeks:</p> <p>HRZ-R9 – Community facility, health care facility, emergency facility, education facility (excluding childcare services) <u>and Commercial activities</u></p> <p>1. Activity status: Restricted Discretionary</p> <p><u>Where commercial activities:</u></p> <p><u>d. Are limited to the ground floor tenancy of an apartment building;</u></p> <p><u>e. Have a gross floor area that does not exceed 200m2</u></p> <p><u>f. Have hours of operation between:</u></p> <p><u>iii. 7.00am and 9.00pm Monday to Friday; and</u></p> <p><u>iv. 8.00am and 7.00pm Saturday, Sunday and public holidays.</u></p> <p>Matters of discretion are:</p> <p>1. The matters in HRZ-P14.</p> <p>Notification status: An application for resource consent made in respect of rule HRZ-R9.1 is precluded from being publicly notified.</p>
391.466 and 391.467	High Density Residential Zone	HRZ-R13	Support in part	<p>Kāinga Ora generally supports this rule although an amendment is sought to the rule title to allow the rule to apply to all buildings not just those associated with no more than three residential units on a site.</p> <p>The permitted standard should also be expanded to six residential units as the HDZ should provide for a greater number of dwellings than the MRZ given that a greater intensity of dwellings are anticipated in this Zone.</p> <p>A further amendment is sought to delete reference to HRZ-P10.</p>	<p>Amend HRZ-R13:</p> <p>Construction, addition or alteration of buildings and structures <u>where no more than three residential units occupy the site.</u></p> <p>1. Activity Status: Permitted</p> <p>Where:</p> <p><u>a. There are no more than six residential units on a site; and</u></p> <p><u>b. Compliance with the following standards is achieved:</u></p> <p>I. HRZ-S1;</p> <p>II. HRZ-S3;</p>	<p>Kāinga Ora seeks:</p> <p>Construction, addition or alteration of buildings and structures where no more than three residential units occupy the site.</p> <p>1. Activity Status: Permitted</p> <p>Where:</p> <p><u>a. Compliance with the following standards is achieved:</u></p> <p>X. HRZ-S1;</p> <p>XI. HRZ-S3;</p> <p>XII. <u>HRZ-S4 only in relation to the rear yard boundary setback;</u></p>

				<p>III. HRZ-S4 only in relation to the rear yard boundary setback;</p> <p>IV. HRZ-S5;</p> <p>V. HRZ-S6;</p> <p>VI. HRZ-S7;</p> <p>VII. HRZ-S8;</p> <p>VIII. HRZ-S9; and</p> <p>IX. HRZ-S10.</p> <p>4. Activity status Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of HRZ-R13.1.a and HRZ-R13.1.b cannot be <u>are not</u> achieved.</p> <p>Matters of Discretion are:</p> <ol style="list-style-type: none"> The matters in HRZ-P2, HRZ-P3, HRZ-P4, HRZ-P5, HRZ-P8, HRZ-P9, HRZ-P40 and HRZ-P11; <u>and</u> <u>Where compliance with HRZ-R13.1.a is not achieved the matters in HRZ-P6.</u> <p>Notification status:</p> <p>An application for resource consent made in respect of rule HRZ-R13.2.a which results from non-compliance with HRZ-S1, HRZ-S3, HRZ-S4 or HRZ-S5 is precluded from being publicly notified.</p> <p>An application for resource consent made in respect of rule HRZ-R13.2.a which results from non-compliance with HRZ-S6, HRZ-S7, HRZ-S8, HRZ-S9 or HRZ-S10 is precluded from being either publicly or limited notified.</p>	<p>XIII. HRZ-S5;</p> <p>XIV. HRZ-S6;</p> <p>XV. HRZ-S7;</p> <p>XVI. HRZ-S8; <u>and</u></p> <p>XVII. HRZ-S9; and</p> <p>XVIII. <u>HRZ-S10.</u></p> <p>5. Activity status Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of HRZ-R13.1.a and HRZ-R13.1.b cannot be <u>are not</u> achieved.</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; The matters in HRZ-P2, HRZ-P3, HRZ-P4, HRZ-P5, HRZ-P8, HRZ-P9, HRZ-P40 and HRZ-P11; <u>and</u> <u>The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above, or over the rail corridor.</u> <p>Notification status:</p> <p>An application for resource consent made in respect of rule HRZ-R13.2.a which results from non-compliance with HRZ-S1, HRZ-S3, HRZ-S4 or HRZ-S5 is precluded from being publicly notified.</p> <p>An application for resource consent made in respect of rule HRZ-R13.2.a which results from non-compliance with HRZ-S6, HRZ-S7, HRZ-S8, HRZ-S9 or HRZ-S10 is precluded from being either publicly or limited notified.</p>	
391.468 and 391.469	High Density Residential Zone	HRZ-R14	Support in part	<p>Kāinga Ora supports this rule in part, particularly the preclusion of public notification.</p> <p>Kāinga Ora seek amendments to preclude limited notification for developments that comply with the relevant standards.</p> <p>Kāinga Ora opposes the including of multi-unit housing as this can be managed through HRZ-R13 in accordance with the amendments sought to that rule.</p>	<p>Amend HRZ-R14 as follows, and consequential renumbering will be required:</p> <p>HRZ-R14 Construction of buildings for multi-unit housing or a retirement village</p> <ol style="list-style-type: none"> Activity status: Restricted Discretionary <p>Matters of discretion are:</p> <ol style="list-style-type: none"> The extent and effect of non-compliance with any of the follow standards as specified in the associated assessment criteria for any infringed standard: <ol style="list-style-type: none"> HRZ-S2; HRZ-S3; HRZ-S12 for multi-unit housing only; HRZ-S13 for multi-unit housing only; HRZ-S14 for multi-unit housing only; HRZ-S15; HRZ-S16; and 	<p>Kāinga Ora seeks:</p> <p>HRZ-R14 Construction of buildings for multi-unit housing or a retirement village</p> <ol style="list-style-type: none"> Activity status: Restricted Discretionary <p>Matters of discretion are:</p> <ol style="list-style-type: none"> The extent and effect of non-compliance with any of the follow standards as specified in the associated assessment criteria for any infringed standard: <ol style="list-style-type: none"> HRZ-S2; HRZ-S3; HRZ-S12 for multi-unit housing only; HRZ-S13 for multi-unit housing only; HRZ-S14 for multi-unit housing only; HRZ-S15; HRZ-S16; and

					<p>viii. HRZ-s17</p> <p>2. The matters in HRZ-P2, HRZ-P3, HRZ-P5, HRZ-P6, HRZ-P7, HRZ-P8, HRZ-P10 and HRZ-P11</p> <p>3. The matters in HRZ-P13 where the development comprises 25 or more residential units; or exceeds the maximum height by 25% or more.</p> <p>Notification status:</p> <p>An application for resource consent made in respect of rule MRZ-R14.1 is precluded from being publicly notified.</p> <p><u>An application for resource consent made in respect of rule MRZ-R14 that complies with the relevant standards is precluded from public and limited notification.</u></p>	<p>viii. HRZ-s17</p> <p>2. The matters in HRZ-P2, HRZ-P3, HRZ-P5, HRZ-P6, (for multi-unit housing only) HRZ-P7 (for retirement villages only) HRZ-P8, HRZ-P910 and HRZ-P10.</p> <p>3. The matters in HRZ-P13 where the development comprises 25 or more residential units; or exceeds the maximum height by 25% or more.</p> <p>Notification status:</p> <p>An application for resource consent made in respect of rule MRZ-R14.1 is precluded from being publicly notified.</p> <p><u>An application for resource consent made in respect of rule HRZ-R14.1 that complies with all relevant standards is also precluded from being limited notified.</u></p> <p><u>An application for resource consent made in respect of rule HRZ-R14.1 that complies with HRZ-S2, HRZS3.1, and HRZ-S4, but does not comply with one or more of the other relevant standards is also precluded from being limited notified.</u></p>
391.470	High Density Residential Zone	HRZ-R16	Support	Kāinga Ora supports this rule.	Retain as notified.	Retained as notified. No changes made in section 42A report.
391.471 and 391.472	High Density Residential Zone	HRZ-R17	Support in part	<p>Kāinga Ora supports this rule in part, particularly the preclusion of public notification.</p> <p>Kāinga Ora seeks amendment of remove reference to policies which are opposed and reference to residential units, multi-unit housing and retirement villages.</p>	<p>Amend HRZ-R17 as follows, and consequential renumbering will be required:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance with the following standards is achieved:</p> <p>i. HRZ-S1</p> <p>ii. HRZ-S2;</p> <p>iii. HRZ-S3;</p> <p>iv. HRZ-S4;</p> <p>v. HRZ-S5;</p> <p>vi. HRZ-S10;</p> <p>vii. HRZ-S12;</p> <p>viii. HRZ-S13;</p> <p>ix. HRZ-S14;</p> <p>x. HRZ-s15;</p> <p>xi. HRZ-S16; and</p> <p>xii. HRZ-s17.</p> <p>5. Activity Status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance <u>is not achieved</u> with any of the requirements of HRZ-R17.1.a cannot be achieved.</p> <p>Matters of Discretion are:</p>	Section 42A made amendments. Kāinga Ora supports the amendments.

					<ol style="list-style-type: none"> 1. The extent and effect on non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard; 2. The matters in HRZ-P9, HRZ-P10; HRZ-P11 and HRZ-P14; and 3. The matters in HRZ-P6, HRZ-P7 and HRZ-P8 for additions and alterations to multi-unit housing or a retirement village. 	
391.473 and 391.474	High Density Residential Zone	HRZ-S1	Support in part	<p>Kāinga Ora generally support this standard and acknowledges the standard is taken from the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. However, amendments are sought to allow this standard to apply to all residential units regardless of how many are on a site and to be more enabling for residential units located within close proximity to train stations and local centres.</p> <p>These amendments align with the NPS-UD Policy 3 which enables building heights and density of urban form to realise as much development capacity as possible, particularly within walkable distances of existing and planned rapid transit stops and amenities such as local centres. Similarly, heights should be adjusted to 35 meters where the following criteria are broadly met to recognise the higher level of these centres in the Centres hierarchy given their broader function and characteristics.</p> <p>Expand the High Density Residential Zone and heights as follows:</p> <ul style="list-style-type: none"> • 43m (12 Storeys) within 400m of edge of the CCZ and 36m (10 Storeys) within 400m to 1500m from the edge of the CCZ • 36m (10 Storeys) within 800m of the MCZ • 29m (8 Storeys) within 800m of the TCZ. <p>In accordance with Appendix 4 Attached.</p>	<p>Amend HRZ-S1 as follows, and refer to maps on proposed changes sought by Kāinga Ora:</p> <p>Building height control 1:Where no more than three residential units occupy the site; or</p> <ol style="list-style-type: none"> 1. Buildings and structures <u>must meet the following requirements:</u> <ol style="list-style-type: none"> a. <u>not exceed 22 24 metres in height above ground level, except that:</u> <ol style="list-style-type: none"> i. <u>This can be extended to 43m where Buildings and Structures are located within 400m of the CCZ; and</u> ii. <u>This can be extended to 36m where Buildings and Structures are located between 400m-800m of the CCZ or 400m of the MCZ; and</u> iii. <u>This can be extended to 29m where Buildings and Structures are located within 400m from Miramar Town Centre and 50m adjoining the Tawa MUZ extension, within 400m of the Tawa Town Centre Zone and 36m within 400m of the Newtown Town Centre Zone; and</u> b. <u>In all cases</u> 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed the heights above by 1 metre, where the entire roof slopes 15° or more, as shown in Diagram 1 below: <p><u>Except where:</u></p>  	<p>Section 42A did not accept proposed amendments. Kāinga Ora seeks:</p> <p>Building height control 1:Where no more than three residential units occupy the site; or</p> <ol style="list-style-type: none"> 2. Buildings and structures <u>must meet the following requirements:</u> <ol style="list-style-type: none"> a. <u>not exceed 22 24 metres in height above ground level, except that:</u> <ol style="list-style-type: none"> iv. <u>This can be extended to 43m where Buildings and Structures are located within 400m of the CCZ; and</u> v. <u>This can be extended to 36m where Buildings and Structures are located between 400m-800m of the CCZ or 400m of the MCZ; and</u> vi. <u>This can be extended to 29m where Buildings and Structures are located within 400m from Miramar Town Centre and 50m adjoining the Tawa MUZ extension, within 400m of the Tawa Town Centre Zone and 36m within 400m of the Newtown Town Centre Zone; and</u> c. <u>In all cases</u> 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed the heights above by 1 metre, where the entire roof slopes 15° or more, as shown in Diagram 1 below: <p><u>Except where:</u></p> 

					<p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. Fences or standalone walls; b. <u>Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; and</u> c. <u>Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g., finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m.</u> <p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. Streetscape and visual amenity effects; 2. Dominance, privacy and shading effects on adjoining sites; 3. Effects on the function and associated amenity values of any adjacent open space zone; and <u>4. Wind effects</u> 	<p>This standard does not apply to:</p> <ul style="list-style-type: none"> d. Fences or standalone walls; e. <u>Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; and</u> f. <u>Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g., finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m.</u> <p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 4. Streetscape and visual amenity effects; 5. Dominance, privacy and shading effects on adjoining sites; <p>Effects on the function and associated amenity values of any adjacent open space zone; and</p> <p><u>4. Wind effects</u></p>
391.475	High Density Residential Zone	HRZ-S2	Oppose	Kāinga Ora does not support the provision of two entirely separate height standards seeks an amendment of HRZ-S1 to allow that standard to cover all areas and provide for greater height limits close to train stations and centres.	Delete HRZ-S2	Section 42A did not accept proposed amendments. Kāinga Ora seeks deletion of HRZ-S2.
391.476 and 391.477	High Density Residential Zone	HRZ-S3	Support in Part	Kāinga Ora supports this standard in general subject to amendments being made to reflect the relevant height control as amended above and to achieve improved regional alignment and enable appropriate levels of intensification in the HRZ.	<p>Amend HRZ-S3:</p> <ul style="list-style-type: none"> 1. For any site where HRZ-S1 applies: no 1. No part of any building or structure may project beyond a 60° recession plane measured from a point 194 metres vertically above ground level along all boundaries within 21.5m from the frontage, as shown in Diagram 6 below; 2. For any site where HRZ-S2.2 applies: no part of any building or structure may project beyond a 60° recession plane measured from a point 8 metres vertically above ground level along all boundaries <u>except where (1) above is applicable, and</u> except where (3) or (4) below is applicable; 3. For any site where HRZ-S2 applies: no part of any building or structure may project beyond a 60° recession plane measured from a point <u>5 6</u> metres vertically above ground level along any boundary that adjoins a site in: <ul style="list-style-type: none"> i. The Medium Density Residential Zone; or ii. The Wellington Town Belt Zone; or iii. Any Heritage Area; or iv. Any site containing a Heritage Building; or Any site occupied by a school;..... 	<p>Kāinga Ora seeks:</p> <ul style="list-style-type: none"> 1. For any site where HRZ-S1 applies: no 1. No part of any building or structure may project beyond a 60° recession plane measured from a point 194 metres vertically above ground level along all boundaries within 21.5m from the frontage, as shown in Diagram 6 below; 2. For any site where HRZ-S2.2 applies: no part of any building or structure may project beyond a 60° recession plane measured from a point 8 metres vertically above ground level along all boundaries <u>except where (1) above is applicable, and</u> except where (3) or (4) below is applicable; 3. For any site where HRZ-S2 applies: no part of any building or structure may project beyond a 60° recession plane measured from a point <u>5 6</u> metres vertically above ground level along any boundary that adjoins a site in: <ul style="list-style-type: none"> i. The Medium Density Residential Zone; or ii. The Wellington Town Belt Zone; or iii. Any Heritage Area; or iv. Any site containing a Heritage Building; or Any site occupied by a school;.....
391.478 and 391.479	High Density Residential Zone	HRZ-S4	Support in part	Kāinga Ora supports this standard subject to removal of reference to Multi-Unit housing.	<p>Amend as HRZ-S4:</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. Site boundaries where there is an existing common 	<p>Kāinga Ora seeks:</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. Site boundaries where there is an existing common

					<ul style="list-style-type: none"> wall between 2 buildings on adjacent sites or where a common wall is proposed; b. Fences or standalone walls; c. Multi-unit housing where there are more than six residential units; and d. Retirement villages. 	<ul style="list-style-type: none"> wall between 2 buildings on adjacent sites or where a common wall is proposed; b. Fences or standalone walls; c. Multi-unit housing where there are more than six residential units; and d. Retirement villages.
391.480 and 391.481	High Density Residential Zone	HRZ-S5	Support in part	Kāinga Ora supports this standard subject to removal of reference to Multi-Unit housing.	<p>Amend HRZ-S5:</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. Multi-unit housing where there are more than six residential units; and b. Retirement villages. 	<p>Kāinga Ora seeks:</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. Multi-unit housing where there are more than six residential units; and b. Retirement villages.
391.482	High Density Residential Zone	HRZ-S6	Support in Part	<p>Kāinga Ora acknowledges that this standard is directly taken from the MDRS, however, the standard could be made more enabling. HRZ-S13 for multi-unit housing is a more enabling outdoor living space requirement which is considered appropriate for all residential units as it provides sufficient onsite space and amenity.</p> <p>Amendments are sought to replace HRZ-S6 with HRZ-S13 and delete reference to multi-unit housing and retirement villages.</p>	Delete the entire standard, including the exclusion for multi-unit housing and retirement villages and replace with HRZ-S13 as amended below which should then be deleted.	Section 42A report did not accept relief. Kāinga Ora seeks amendments to HRZ-S6.
391.484 and 391.485	High Density Residential Zone	HRZ-S7	Support in part	<p>Kāinga Ora acknowledges that this standard is directly taken from the MDRS, however, the standard could be made more enabling. HRZ-S14 for multi-unit housing is a more enabling provision which provides sufficient outlook space and is considered to be appropriate for all residential units regardless of the number on a site.</p> <p>Amendments are sought to replace MRZ-S7 with MRZ-S14 and delete reference to multi-unit housing and retirement villages.</p>	Delete the entire standard, including the exclusion for multi-unit housing and retirement villages and replace with MRZ-S14 as amended which should then be deleted.	Section 42A report does not accept relief. Kāinga Ora seeks for deletion of HRZ-S7 with replacement with MRZ-S14.
391.486 and 391.487	High Density Residential Zone	HRZ-S8	Support in part	Kāinga Ora supports this standard subject to removal of reference to Multi-Unit housing.	<p>Amend HRZ-S8:</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> i. Multi-unit housing where there are more than six residential units; and ii. Retirement villages 	<p>Kāinga Ora seeks:</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> i. Multi-unit housing where there are more than six residential units; and ii. Retirement villages
391.488	High Density Residential Zone	HRZ-S9	Support in part	Kāinga Ora supports this standard subject to removal of reference to Multi-Unit housing.	<p>Amend HRZ-S9:</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> i. Multi-unit housing where there are more than six residential units; and ii. Retirement villages 	<p>Kāinga Ora seeks:</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> i. Multi-unit housing where there are more than six residential units; and ii. Retirement villages

391.491 and 391.492	High Density Residential Zone	HRZ-S12 Minimum residential unit size for multi-unit housing	Support in part	Kāinga Ora supports this standard in part, but seeks smaller floor areas for studio units and for simplicity, a minimum floor area for 1 or bedrooms.	Amend HRZ-S12 as follows: Residential units, including any dual key unit, must meet the following minimum sizes: <table border="1"> <tr> <th>Residential Unit Type</th> <th>Minimum Net Floor Area</th> </tr> <tr> <td>a. Studio Unit</td> <td>35m² 30m²</td> </tr> <tr> <td>b. 1 <u>or more</u> bedroom(s) unit</td> <td>40m²</td> </tr> <tr> <td>c. 2+ bedroom unit</td> <td>55m²</td> </tr> </table>	Residential Unit Type	Minimum Net Floor Area	a. Studio Unit	35m² 30m ²	b. 1 <u>or more</u> bedroom(s) unit	40m ²	c. 2+ bedroom unit	55m ²	Kāinga Ora seeks: Residential units, including any dual key unit, must meet the following minimum sizes: <table border="1"> <tr> <th>Residential Unit Type</th> <th>Minimum Net Floor Area</th> </tr> <tr> <td>a. Studio Unit</td> <td>35m² 30m²</td> </tr> <tr> <td>b. 1 <u>or more</u> bedroom(s) unit</td> <td>40m²</td> </tr> <tr> <td>c. 2+ bedroom unit</td> <td>55m²</td> </tr> </table>	Residential Unit Type	Minimum Net Floor Area	a. Studio Unit	35m² 30m ²	b. 1 <u>or more</u> bedroom(s) unit	40m ²	c. 2+ bedroom unit	55m ²
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391.493	High Density Residential Zone	HRZ-S13	Oppose	Kāinga Ora seeks that this standard replace HRZ-S6 as the level of outdoor living area proposed by this standard is appropriate for all sites not just sites developed with more than 3 residential units.	Amend title as follows and Replace HRZ-S6 with HRZ-S13 and delete HRZ-S13 Outdoor living space for multi-unit housing	Kāinga Ora seeks Amend title as follows and Replace HRZ-S6 with HRZ-S13 and delete HRZ-S13 Outdoor living space for multi-unit housing																
391.495 and 391.496	High Density Residential Zone	HRZ-S14	Oppose	Kāinga Ora seeks that this standard replace HRZ-S7 as the level of outlook space proposed by this standard is appropriate for all sites not just sites developed with more than 3 residential units.	Amend title as follows and replace HRZ-S7 with HRZ-S14 and delete HRZ-S14 Outlook space for multi-unit housing	Kāinga Ora seeks: Amend title as follows and replace HRZ-S7 with HRZ-S14 and delete HRZ-S14 Outlook space for multi-unit housing																
391.497 and 391.498	High Density Residential Zone	HRZ-S15	Support in part	Kāinga Ora supports this standard. However, reference to multi-unit housing should be deleted as this concept is not supported.	Amend as follows: Minimum privacy separation to a boundary for multi-unit housing more than six residential units or a retirement village	Kāinga Ora seeks: Minimum privacy separation to a boundary for multi-unit housing more than six residential units or a retirement village																
391.499	High Density Residential Zone	HRZ-S16	Oppose	Kāinga Ora opposes this standard as Building for multi-unit housing (more than six units) is a Restricted Discretionary activity so this matter can be considered as part of that consent process, so this standard is unnecessary.	Delete standard	Section 42A report did not accept relief. Kāinga Ora seeks amendments to HRZ-S16 .																
391.500	High Density Residential Zone	HRZ-S17	Oppose	Kāinga Ora opposes this standard as Building for multi-unit housing (more than six units) is a Restricted Discretionary activity so this matter can be considered as part of that consent process, so this standard is unnecessary.	Delete standard	Section 42A report did not accept relief. Kāinga Ora seeks amendments to HRZ-S17.																

FURTHER SUBMISSIONS

Further Submission Number	Original submitter	Original submitter number	Plan Provision	Further submission point	Kāinga Ora position following section 42A report.
FS89.46	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.106	Part 3 / Residential Zones / General point on Residential Zones / General point on Residential Zones	Kāinga Ora opposes the relief sought due to potential impacts on the scale of residential intensification.	Section 42A report accepts Kāinga Ora further submission. Section 42A report rejects the submission from Fuel Companies to amend the Residential Zones to ensure that larger-scale and higher-density residential developments are designed to managed reverse sensitivity where there is an interface with a commercial or Mixed-use Zone, or with lawfully established non-residential activities
FS89.8	Ara Poutama	240.16	Part 3 / Residential Zones /	Kāinga Ora opposes the deletion of this	Section 42A report accepts Kāinga Ora further submission. Section 42A report rejects the submission from Ara Poutama

	Aotearoa the Department of Corrections		High Density Residential Zone / General HRZ	definition as it is uncertain how the deletion of the definition would affect existing activities that fall within this definition.	Aotearoa the Department of Corrections to remove references to "supported residential care activity" in the High Density Residential zone.
FS89.106	Wellington City Council	266.142	Part 3 / Residential Zones / Medium Density Residential Zone / General HRZ	Kāinga Ora opposes this submission, noting that inundation areas are managed by other rules so therefore do not necessarily need to be included as qualifying matters.	Section 42A report accepts Kāinga Ora further submission. Section 42A report rejects the submission from Wellington City Council to amend the introduction to High Density Residential zone to include reference to inundation areas as a qualifying matter.
FS89.93	Lower Kelburn Neighbourhood Group	356.12	Part 3 / Residential Zones / High Density Residential Zone / General HRZ	Kāinga Ora opposes this submission and its impacts on the supply of a variety of housing choices and typologies in Wellington.	Section 42A report accepts Kāinga Ora further submission. Section 42A report rejects the submission from Lower Kelburn Neighbourhood Group to include character as a qualifying matter in High Density Residential Zones.
FS89.154	Z Energy Limited	361.18	Part 3 / Residential Zones / High Density Residential Zone / General HRZ	Kāinga Ora opposes the decision sought relating to recognition of reverse sensitivity in policies and matters of discretion due to potential impacts on residential intensification.	Section 42A report accepts Kāinga Ora further submission. Section 42A report rejects the submission from Z Energy Limited (?) to amend High Density Residential zone to require consideration of reverse sensitivity effects.
FS89.21	Waka Kotahi – NZ Transport Agency	370.323	Part 3 / Residential Zones / High Density Residential Zone / General HRZ	Kāinga Ora supports the enabling of higher densities within the High Density residential zone and greater building heights, to the extent consistent with Kāinga Ora primary submission. Kāinga Ora supports subsequent and associated submission points from Waka Kotahi in respect of increased density and greater building heights.	Section 42A report rejects Kāinga Ora further submission. Section 42A report rejects the submission from Waka Kotahi to amend High Density residential zone to enable higher densities to better align with the NPS-UD. Kāinga Ora maintains support for the enabling of higher densities within the High Density residential zone and greater building heights, but to the extent that it is consistent with Kāinga Ora primary submission.
FS89.28	KiwiRail Holdings Limited	408.120	Part 3 / Residential Zones / High Density Residential Zone / General HRZ	Kāinga Ora opposes changes to provisions and rules relating to the rail corridor as a qualifying matter in KiwiRail's submission.	Section 42A report accepts Kāinga Ora further submission. Section 42A report rejects the submission from KiwiRail Holdings Limited to amend the introduction to High Density Residential Zone introduction to include "railway corridor (building set back from rail boundary)".
FS89.156	Z Energy Limited	361.19	Part 3 / Residential Zones / High Density Residential Zone / HRZP6	Opposes - Kāinga Ora opposes the decision sought relating to recognition of reverse sensitivity in matters of discretion due to potential impacts on residential intensification.	Section 42A report accepts Kāinga Ora further submission. Section 42A report rejects the submission from Z Energy Limited to amend HRZ-P6 to include "5. Manages reverse sensitivity effects on existing lawfully established non-residential activities."
FS89.49	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.138	Part 3 / Residential Zones / High Density Residential Zone / HRZ – P6	Kāinga Ora opposes the relief sought due to potential impacts on the scale of residential intensification.	Section 42A report accepts Kāinga Ora further submission. Section 42A report rejects the submission from Fuel Companies to amend HRZ-P6 to include "5. Manages reverse sensitivity effects on existing lawfully established non-residential activities."
FS89.34	KiwiRail Holdings Limited	408.121	Part 3 / Residential Zones / High Density Residential Zone / HRZ-R13	Opposes relief sought as considerably reduced set back would provide adequate space for maintenance activities within sites adjacent to the rail network. In doing so, it will continue to protect the safe, efficient, and effective operation of the rail infrastructure while balancing the cost on landowners	Section 42A report rejects Kāinga Ora further submission. Section 42A report accepts in part the submission from KiwiRail Holdings Limited to amend HRZ-R13. It now reads: HRZ-R13 (Construction, addition or alteration of buildings and structures where no more than three residential units occupy the site) 1. Activity status: Permitted Where: a. Compliance with the following standards is achieved: i. HRZ-S1;

				<p>ii. HRZ-S3;</p> <p>iii. HRZ-S4 only in relation to the rear yard boundary setbacks;</p> <p>iv. ...</p> <p>(...)</p> <p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of HRZ-R13.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard; and</p> <p>2. The matters in HRZ-P2, HRZ-P3, HRZ-P4, HRZ-P5, HRZ-P8, HRZ-P9, HRZ-P10 and HRZ-P11.; and</p> <p>3. The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.</p> <p>Kāinga Ora to maintain opposition to relief sought.</p>
FS89.35	KiwiRail Holdings Limited	408.122	Part 3 / Residential Zones / High Density Residential Zone / HRZ-R13	<p>Opposes relief sought as considerably reduced set back would provide adequate space for maintenance activities within sites adjacent to the rail network. In doing so, it will continue to protect the safe, efficient, and effective operation of the rail infrastructure while balancing the cost on landowners</p> <p>Section 42A report rejects Kāinga Ora further submission. Section 42A report accepts in part the submission from KiwiRail Holdings Limited to amend HRZ-R13. It now reads:</p> <p>HRZ-R13 (Construction, addition or alteration of buildings and structures where no more than three residential units occupy the site)</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance with the following standards is achieved:</p> <p>i. HRZ-S1;</p> <p>ii. HRZ-S3;</p> <p>iii. HRZ-S4 only in relation to the rear yard boundary setbacks;</p> <p>iv. ...</p> <p>(...)</p> <p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of HRZ-R13.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard; and</p> <p>2. The matters in HRZ-P2, HRZ-P3, HRZ-P4, HRZ-P5, HRZ-P8, HRZ-P9, HRZ-P10 and HRZ-P11.; and</p> <p>3. The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.</p> <p>Kāinga Ora to maintain opposition to relief sought.</p>
FS89.98	Mt Victoria Residents'	342.19	General / Mapping / Rezone /	<p>Kāinga Ora opposes submission as this will impact on the supply of a variety of housing</p> <p>This submission was addressed in the Hearing Stream 1 Report and therefore not discussed here.</p>

	Association		Rezone	choices and typologies in Wellington	
FS89.105	Wellington City Council	266.131	Part 3 / Residential Zones / Medium Density Residential Zone / General MRZ	Kāinga Ora opposes submission as inundation areas are managed by other rules so therefore do not necessarily need to be included as qualifying matters.	Section 42A report rejects Kāinga Ora further submission. Section 42A report accepts in part the submission from Wellington City Council to amend paragraph 6 of the Medium Density Residential Zone Introduction. It now reads: "(Para 4)... It is anticipated that the form, appearance and amenity of neighbourhoods within the Medium Density Residential Zone will change over time to enable a variety of housing types with a mix of densities. " Section 42A report recommends that the plan include a definition of 'Qualifying Matter' taken directly from the Act. If the hearing Panel accept this recommendation, then report recommends that the list of qualifying matters is deleted from the introduction to ensure alignment throughout the plan. If the hearing panel do not accept this recommendation, report agrees with the submission point [266.131] as it clarifies that inundation areas are also to be treated as a qualifying matter. Kāinga Ora to maintain opposition to the inclusion of inundation areas.
FS89.90	Lower Kelburn Neighbourhood Group	356.6	Part 3 / Residential Zones / Medium Density Residential Zone / General MRZ	Kāinga Ora opposes submission as this will impact on the supply of a variety of housing choices and typologies in Wellington.	Section 42A report accepts Kāinga Ora further submission. Section 42A report rejects the submission from Lower Kelburn Neighbourhood Group to rezone Lower Kelburn from High Density Residential Zone to Medium Density Residential Zone.
FS89.153	Z Energy Limited	361.16	Part 3 / Residential Zones / Medium Density Residential Zone / General MRZ	Kāinga Ora opposes submission relating to recognition of reverse sensitivity in policies and matters of discretion in order to maximise residential intensification.	Section 42A report accepts in part Kāinga Ora further submission. Section 42A report rejects the submission from Z Energy Limited to amend MRZ-P6 to require consideration of reverse sensitivity effects.
FS89.47	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.108	Part 3 / Residential Zones / Medium Density Residential Zone / General MRZ	Kāinga Ora opposes submission sought due to potential impacts on scale of residential intensification.	Section 42A report accepts in part Kāinga Ora further submission. Section 42A report rejects the submission from the Fuel Companies to require consideration of reverse sensitivity effects. Section 42A report considers that that reverse sensitivity effects will be appropriately managed by the noise and other related chapters.
FS89.36	KiwiRail Holdings Limited	408.123	Part 3 / Residential Zones / High Density Residential Zone HRZ-S4	Kāinga Ora opposes submission relief relating to 5m setback, as a considerably reduced set back would provide adequate space for maintenance activities within sites adjacent to the rail network. I	Section 42A report rejects Kāinga Ora further submission. Section 42A report notes that this has been adequately addressed in the Stream 1 s42A report. However, report agrees that a building setback from rail corridor boundary may be appropriate, with submissions seeking amendments to building setback standards considered in detail in subsequent sections of this report. Kāinga Ora to maintain opposition to relief sought.
FS89.27	KiwiRail Holdings Limited	408.116	Part 3 / Residential Zones / Medium Density Residential Zone / General MRZ	Kāinga Ora opposes submission seeking changes to provisions and rules relating to the rail corridor as a qualifying matter in KiwiRail's submission.	Section 42A report accepts in part Kāinga Ora further submission. Section 42A report rejects the submission from KiwiRail Holdings Limited to include "Railway corridor (building setback from rail boundary); (refer to MRZ-S4" in the MRZ Introduction.
FS89.155	Z Energy Limited	361.17	Part 3 / Residential Zones / High Density Residential Zone MRZP6	Kāinga Ora opposes submission relating to recognition of reverse sensitivity in matters of discretion due to potential impacts on residential intensification.	Section 42A report accepts Kāinga Ora further submission. Section 42A report rejects the submission from Z Energy Limited to amend MRZ-P6 to include "5. Manages reverse sensitivity effects on existing lawfully established non-residential activities."
FS89.48	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.118	Part 3 / Residential Zones / Medium Density Residential Zone / MRZ – P6	Kāinga Ora opposes submission due to potential impacts on the scale of residential intensification.	Section 42A report accepts Kāinga Ora further submission. Section 42A report rejects the submission from the Fuel Companies to amend MRZ-P6 to include "5. Manages reverse sensitivity effects on existing lawfully established non-residential activities."
FS89.32	KiwiRail Holdings	408.118	Part 3 / Residential Zones / Medium Density Residential	Kāinga Ora opposes submission - considerably reduced set back would	Section 42A report rejects Kāinga Ora further submission. Section 42A report accepts in part the submission from KiwiRail Holdings Limited to amend MRZ-R13 to add a new matter of discretion where the requested yard setback from

	Limited		Zone / MRZ-R13	provide adequate space for maintenance activities within sites adjacent to the rail network. In doing so, it will continue to protect the safe, efficient, and effective operation of the rail infrastructure while balancing the cost on landowners	<p>the railway corridor of 5m is breached. It now reads:</p> <p>MRZ-R13: Construction, addition or alteration of buildings and structures where no more than three residential units occupy the site.</p> <p>c. Activity status: Permitted</p> <p>Where:</p> <p>3. Compliance with the following standards is achieved:</p> <ol style="list-style-type: none"> 1. MRZ-S1; 2. MRZ-S3; 3. MRZ-S4 only in relation to the rear yard boundary setback; 4. MRZ-S5; 5. MRZ-S6; 6. MRZ-S7; 7. MRZ-S8; 8. MRZ-S9; and 9. MRZ-S10. <p>d. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>5. Compliance with any of the requirements of MRZ-R13.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <p>viii. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard; and</p> <p>ix. The matters in MRZ-P2, MRZ-P3, MRZ-P4, MRZ-P5, MRZ-P8, MRZ-P9, MRZ-P10 and MRZ-P11; and</p> <p>x. The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.</p> <p>Section 42A report agrees with Kiwirail Holdings Ltd to add a new matter of discretion, as outlined above. This is recommended only if the panel accepts the recommendation under MRZ-S4 to apply a 1.5m setback from the rail corridor.</p>
FS89.107	Wellington City Council	266.133	Part 3 / Residential Zones / Medium Density Residential Zone / MRZR14	Kāinga Ora opposes submission as other standards should also be precluded from notification. Standards 7 to 11 largely relate to impacts internal to sites, such as outlook space and permeable surfaces, so should also be considered for notification preclusion	<p>Section 42A report rejects Kāinga Ora further submission. Section 42A report accepts in part the submission from Wellington City Council to amend the notification clause of MRZ-R14. It now reads:</p> <p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>vi. The extent and effect of non-compliance with any of the following standards as specified in the associated assessment criteria for any infringed standard:</p> <ol style="list-style-type: none"> a. MRZ-S2; b. MRZ-S3; c. MRZ-S4; d. MRZ-S5;

				<p>e. MRZ-S12 for multi-unit housing only;</p> <p>f. MRZ-S13 for multi-unit housing only; and</p> <p>g. MRZ-S14 for multi-unit housing only; and</p> <p>vii. <u>For multi-unit housing</u>, the the matters in MRZ-P2, MRZ-P3, MRZ-P5, MRZ-P6, MRZ-P7, MRZ-P8, MRZ-P10 and MRZ-P11.</p> <p>viii. <u>For retirement villages</u>:</p> <p><u>a. The effects of the retirement village on the safety of adjacent streets or public open spaces;</u></p> <p><u>b. The extent to which articulation, modulation and materiality addresses adverse visual dominance effects associated with building length;</u></p> <p><u>c. The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;</u></p> <p><u>d. When assessing the matters in 1(i) – (iv), and 3(i) – (iii), consider:</u></p> <p><u>i. The need to provide for efficient use of larger sites; and</u></p> <p><u>ii. The functional and operational needs of the retirement village.</u></p> <p><u>e. 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>Notification status: An application for resource consent made in respect of rule MRZ-R14.1 is precluded from being publicly notified.</p> <p><u>An application for resource consent for a retirement village where compliance is achieved with MRZ-S2, MRZ-S3, MRZ-S4 and MRZ-S5 is precluded from being limited notified.</u></p> <p>Kāinga Ora to maintain opposition to the amendment.</p>	
FS89.151	Wellington International Airport Limited	406.496	Part 3 General / Part 3 General / Part 3 General	Kāinga Ora opposes this submission as prohibiting activities is excessive and does not consider options for well-functioning urban environments when there may be opportunities to mitigate effects.	This submission was not addressed in the section 42A report and will be addressed in a later hearing.
FS89.99	Mt Cook Mobilised	331.10	Part 3 / Residential Zones / General point on Residential Zones / General point on Residential Zones	Kāinga Ora opposes this submission.	This point will be addressed in Hearing Stream 4.
FS89.158	Royal Forest and Bird Protection Society of New Zealand Incorporated	345.384	Part 3 / Residential Zones / General point on Residential Zones / General point on Residential Zones	Kāinga Ora opposes amendments as this may impact on residential intensification outcomes.	This point will be addressed in Hearing Stream 8.
FS89.152	Wellington International Airport Limited	406.497	Part 3 / Residential Zones / General point on Residential Zones / General point on Residential Zones	Kāinga Ora opposes the submission on the basis that adverse effects from noise can be appropriately managed and the concept of reverse sensitivity is not supported.	This point will be addressed in Hearing Stream 7.
FS89.80	Historic Places Wellington	182.19	Part 3 / Residential Zones / Medium Density Residential Zone / General MRZ	Kāinga Ora is concerned about the potential loss in intensification opportunities if the proposed relief is granted.	Section 42A report accepts Kāinga Ora further submission. Section 42A report rejects the submission from Historic Places Wellington to require a resource consent to demolish a building built before 1930 to the same extent as the operative District Plan.

FS89.87	Paihikara Ki Pōneke Cycle Wellington	302.35	Part 3 / Residential Zones / Medium Density Residential Zone / General MRZ	Kāinga Ora supports this submission and associated submissions to the extent that they align with Kāinga Ora primary submission.	Section 42A report accepts in part Kāinga Ora further submission. Section 42A report accepts in part the submission from Paihikara Ki Pōneke Cycle Wellington to apply special character qualifying matter to the Medium Density Residential Zone only where there has been a rigorous, site-specific analysis and only to areas with a high concentration of character.
FS89.19	Waka Kotahi – NZ Transport Agency	370.261	Part 3 / Residential zones / Medium Density Residential Zone / General MRZ	Kāinga Ora supports the decision requested, to the extent it is consistent with Kāinga Ora primary submission. Kāinga Ora supports subsequent and associated submission points from Waka Kotahi which relate to the character precincts being overlays and further assessment to weigh the benefits of character protection against the wider opportunity costs of development limitations in key areas.	Section 42A report rejects Kainga Ora further submissions supporting the original submission. Kainga Ora position from its primary submissions remains that character precincts and related provisions should be deleted from the zone chapters as qualifying matters entirely.
FS89.20	Waka Kotahi – NZ Transport Agency	370.261	Part 3 / Residential zones / Medium Density Residential Zone / General MRZ	Kāinga Ora does not support for the inclusion of any design controls related to special character to be inserted into the District Plan.	Section 42A report rejects Kainga Ora further submissions opposing the original submission. Kainga Ora position from its primary submissions remains that character precincts and related provisions should be deleted from the zone chapters as qualifying matters entirely.
FS89.81	Historic Places Wellington	182.26	Part 3 / Residential Zones / Medium Density Residential Zone / General MRZ – PREC01	Kāinga Ora is concerned about the potential loss in intensification opportunities if the proposed relief is granted	Section 42A report rejects Kainga Ora further submissions opposing the original submission. Kainga Ora position from its primary submissions remains that character precincts and related provisions should be deleted from the zone chapters as qualifying matters entirely.
FS89.100	Mt Cook Mobilised	331.12	Part 3 / Residential Zones / Medium Density Residential Zone / General MRZ- PREC01	Kāinga Ora opposes this submission and its impacts on the supply of a variety of housing choices and typologies in Wellington.	Section 42A report accepts in part Kainga Ora further submission opposing the original submission in part. Kainga Ora position from its primary submissions remains that the extension of the character precinct in the original submission should be disallowed entirely.
FS89.91	Lower Kelburn Neighbourhood Group	356.7	Part 3 / Residential Zones / Medium Density Residential Zone / General MRZ- PREC01	Kāinga Ora opposes this submission and its impacts on the supply of a variety of housing choices and typologies in Wellington.	Section 42A report accepts in part Kainga Ora further submission opposing the original submission in part. Kainga Ora position from its primary submissions remains that the extension of the character precinct in the original submission should be disallowed entirely.
FS89.92	Lower Kelburn Neighbourhood Group	356.8	Part 3 / Residential Zones / Medium Density Residential Zone / General MRZ- PREC01	Kāinga Ora opposes this submission and its impacts on the supply of a variety of housing choices and typologies in Wellington.	Section 42A accepts the Kāinga Ora submission in part. It accepted that Wesley Road is not included in the Character Precinct, as it is "not presently identified as a pre-1930's character area".
FS89.25	Transpower New Zealand Limited	315.182	Part 3 / Residential Zones / Medium Density Residential Zone / MRZ-O2	Kāinga Ora opposes the amendment which seeks to introduce 'avoid' into an objective that seeks to enable urban development.	Section 42A accepts Kāinga Ora submission that "adding an 'avoid' into an enabling objective is inappropriate as avoid is typically used to align with a discretionary activity status, or higher, which MRZ-O2 is not intended to align with."
FS89.33	KiwiRail Holdings Limited	408.119	Part 3 / Residential Zones / Medium Density Residential Zone / MRZ-S4	Kāinga Ora opposes the relief sought; a considerably reduced set back would provide adequate space for maintenance activities within sites adjacent to the rail network. In doing so, it will continue to protect the safe, efficient, and effective operation of the rail infrastructure while balancing the cost on landowners.	Section 42A report rejects Kāinga Ora submission and agrees with KiwiRail that requiring a setback from a railway corridor is a sensible outcome to ensure that buildings and structures can be accessed and maintained without needing to access or use the railway corridor. Kāinga Ora to maintain opposition to relief sought.
FS89.101	Mt Cook Mobilised	331.14	Part 3 / Residential Zones / High Density Residential Zone / General HRZ	Kāinga Ora opposes this submission as this not consistent with the outcomes sought by the NPSUD.	This submission was addressed in the Hearing Stream 1 Report and therefore not discussed here.
FS89.94	Lower Kelburn Neighbourhood	356.13	Part 3 / Residential Zones / High Density Residential	Kāinga Ora opposes this submission and its impacts on the supply of a variety of	This submission was addressed in the Hearing Stream 1 Report and therefore not discussed here.

	Group		Zone / General HRZ	housing choices and typologies in Wellington.	
FS89.9	Ara Poutama Aotearoa the Department of Corrections	240.17	Part 3 / Residential Zones / High Density Residential Zone / General HRZ	Kāinga Ora opposes the deletion of this definition as it is uncertain how the deletion of the definition would affect existing activities that fall within this definition.	Section 42A report accepts submission to retain HRZ-P1 (Enabled activities) as notified and rejected Kāinga Ora submission as the as the reference to amenity values is not intended to provide any policy basis for consideration of existing amenity values present in the zone. Kāinga Ora to maintain opposition to relief sought.
FS89.102	Mt Cook Mobilised	331.17	Part 3 / Residential Zones / High Density Residential Zone / HRZS2	Kāinga Ora opposes this submission and its impacts on the supply of a variety of housing choices and typologies in Wellington.	Section 42A report accepted Kāinga Ora submission and rejected the Mt Cook Mobilised submission.
FS89.10	Ara Poutama Aotearoa the Department of Corrections	240.21	Part 3 / Residential Zones / Large Lot Residential Zone / General LLRZ	Kāinga Ora opposes the deletion of this definition as it is uncertain how the deletion of the definition would affect existing activities that fall within this definition.	Section 42A report accepted Kāinga Ora submission and rejected Ara Poutama's submission on the basis that the definition "supported residential care activity" has been addressed in Hearing Stream 1, with changes made. No further assessment is required with respect to the matters raised in submission [240.21] and [FS89.11].
FS89.11	Ara Poutama Aotearoa the Department of Corrections	240.22	Part 3 / Residential Zones / Large Lot Residential Zone / General LLRZ	Kāinga Ora opposes the deletion of this definition as it is uncertain how the deletion of the definition would affect existing activities that fall within this definition.	Section 42A report accepts the submission to retain LLRZ-P1 (Residential activities) as notified. Kāinga Ora to maintain opposition to relief sought.
FS89.12	Ara Poutama Aotearoa the Department of Corrections	240.23	Part 3 / Residential Zones / Large Lot Residential Zone / General LLRZ	Kāinga Ora opposes the deletion of this definition as it is uncertain how the deletion of the definition would affect existing activities that fall within this definition.	Section 42A report accepts the submission to retain LLRZ-P1 (Residential activities) as notified. Kāinga Ora to maintain opposition to relief sought.