

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
<b>Overview and General Matters</b>						
391.501 & 391.502	Commercial and mixed use Zones / General point on Commercial and mixed use Zones / General point on Commercial and mixed use Zones	Oppose. Kāinga Ora considers that the centres hierarchy should be reviewed to improve national and regional consistency and increase density and heights across the board.	Section 42A report rejects the submission and notes that Council elected not to take this approach and instead to apply a more simplified hierarchy that does not include a TCZ. While the TCZ is an option, there is no requirement for the Council to include this zone in the District Plan centres hierarchy. Section 42A report notes that the CMUZ provisions have been reviewed in their totality and amendments considered.	Kāinga Ora seeks that the intensification provisions in the Commercial (Centres) and Mixed-Use Zones are reviewed to improve national and regional consistency and increase density and heights across the board.	Ms Hayes' evidence discusses how time constraints have prevented consistency at a regional level.	Kāinga Ora maintains the position it stated following the 42A report.
391.503	Commercial and mixed use Zones / General point on Commercial and mixed use Zones / General point on Commercial and mixed use Zones	Oppose. Kāinga Ora sought that a Town Chapter is added to the Commercial and Mixed Use Zones classification.	Section 42A report rejects the submission and notes that the additional development potential available to each of these centres is limited (hazards; heritage etc) and the submission does not include any planning evaluation, technical, economic or urban design assessments.	Kāinga Ora seeks that a Town Centre chapter is added to the Commercial and Mixed Use Zones classification.	All expert evidence remains against its inclusion, citing duplication and added complication.	Kāinga Ora maintains the position it stated following the 42A report.
391.505	Commercial and mixed use Zones / General point on Commercial and mixed use Zones / General point on Commercial and mixed use Zones	Support in part. Kāinga Ora sought amendment so active frontage controls only apply where necessary, such as along principal roads/arterials and not necessarily along connecting streets.	Section 42A report accepts in part and notes that some matters will be addressed further in the zone-specific sections of the S42A report.		Council rebuttal evidence did add limits in certain areas.	Kāinga Ora takes the position that more widespread analysis needs to be taken across Wellington city to ensure appropriate application of active frontage controls in centres.
391.506	Commercial and mixed use Zones / General point on Commercial and mixed use Zones / General point on Commercial and mixed use Zone	Support in part. Kāinga Ora sought amendment to the gross floor area in the LCZ and NCZ because the Integrated Retail Activity gross floor areas of 20,000m2 do not reflect the scale of the Centres hierarchy anticipated in the NPSUD and the National Planning Standards.	Section 42A report accepts in part and assess these changes in the LCZ and NCZ reports.		Dr Lees discusses increasing GFA caps.	Kāinga Ora opposes this position and maintains that GFA needs to be amended to reflect the scale of the centres hierarchy anticipated.
391.20	Other / Other / Other	Support. Kāinga Ora sought addition of a new Town Centre Zone Chapter to include Miramar, Tawa, and Newtown because these centres provide a range of commercial, community, recreational and residential activities that service the needs of the immediate and neighbouring suburbs.	Section 42A report rejects the submission and does not recommend a new Town Centre Zone be added to the District Plan hierarchy of centres.	Kāinga Ora seeks that a Town Centre Chapter is added to the Proposed District Plan with: <a href="#">1. Town Centre Zone provisions in Appendix 2 of the submission</a> <a href="#">2. The Miramar commercial centre is zoned as a Town Centre Zone as sought in this submission and on the planning maps in Appendix 4</a> <a href="#">3. The Tawa commercial centre is zoned as a Town Centre Zone as sought in this submission and on the planning maps in Appendix 4</a> <a href="#">4. The Newtown commercial centre is zoned as a Town Centre Zone as sought in this submission and on the planning maps in Appendix 4</a> <a href="#">5. Any consequential updates to the Plan to account for the introduction of a Town Centre Zone.</a> <a href="#">6. Amendments to planning maps are made as shown in Appendix 4 of this submission</a>	Expert rebuttal rejects all submissions.	Kāinga Ora maintains the position it stated following the 42A report.

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				<a href="#">7. Any consequential updates to maps</a>		
391.30	Other / Other / Other	Support. Kāinga Ora sought addition of a new Town Centre Zone Chapter to include Miramar, Tawa, and Newtown because these centres provide a range of commercial, community, recreational and residential activities that service the needs of the immediate and neighbouring suburbs.	Section 42A report rejects the submission and does not recommend a new Town Centre Zone be added to the District Plan hierarchy of centres.	Kāinga Ora seeks that a Town Centre Chapter is added to the Proposed District Plan with: <a href="#">1. Town Centre Zone provisions in Appendix 2 of the submission</a> <a href="#">2. The Miramar commercial centre is zoned as a Town Centre Zone as sought in this submission and on the planning maps in Appendix 4</a> <a href="#">3. The Tawa commercial centre is zoned as a Town Centre Zone as sought in this submission and on the planning maps in Appendix 4</a> <a href="#">4. The Newtown commercial centre is zoned as a Town Centre Zone as sought in this submission and on the planning maps in Appendix 4</a> <a href="#">5. Any consequential updates to the Plan to account for the introduction of a Town Centre Zone.</a> <a href="#">6. Amendments to planning maps are made as shown in Appendix 4 of this submission</a> <a href="#">7. Any consequential updates to maps</a>	Expert rebuttal rejects all submissions.	Kāinga Ora maintains the position it stated following the 42A report.
391.15	Mapping / Mapping General / Mapping General	Kāinga Ora sought that zoning in the Proposed District Plan be amended according to the mapping proposed in Appendix 4.	Section 42A report rejects in part and notes that the retention of the notified zone boundaries will encourage the centres activities to occur within a more condensed area thereby establishing and maintaining more cohesive, accessible and viable centres. Section 42A report accepted some minor changes to boundaries in LCZ S42A (Part 3).		Expert rebuttal rejects all submissions.	Kāinga Ora maintains the position in its original submissions.
391.27 & 391.28	Mapping / Rezone / Rezone	Support. Kāinga Ora sought addition of a new Town Centre Zone Chapter to include Miramar, Tawa, and Newtown because these centres provide a range of commercial, community, recreational and residential activities that service the needs of the immediate and neighbouring suburbs.	Section 42A report rejects the submission and does not recommend a new Town Centre Zone be added to the District Plan hierarchy of centres	Kāinga Ora seeks that a Town Centre Chapter is added to the Proposed District Plan with: <a href="#">1. Town Centre Zone provisions in Appendix 2 of the submission</a> <a href="#">2. The Miramar commercial centre is zoned as a Town Centre Zone as sought in this submission and on the planning maps in Appendix 4</a> <a href="#">3. The Tawa commercial centre is zoned as a Town Centre Zone as sought in this submission and on the planning maps in Appendix 4</a> <a href="#">4. The Newtown commercial centre is zoned as a Town Centre Zone as sought in this submission and on the planning maps in Appendix 4</a>	Expert rebuttal rejects all submissions.	Kāinga Ora maintains the position it stated following the 42A report.

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				<p><u>5. Any consequential updates to the Plan to account for the introduction of a Town Centre Zone.</u></p> <p><u>6. Amendments to planning maps are made as shown in Appendix 4 of this submission</u></p> <p><u>7. Any consequential updates to maps</u></p>		

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391.665 & 391.666	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-P10	Support in part. Kāinga Ora sought amendment because MCZ-P10 is inconsistent with the current legislative framework; over height development should be assessed based on the potential or actual effects or the proposed infringement and all of these activities are anticipated by the zone.	Section 42A report rejects the submission.			<p>Kāinga Ora seeks the following:</p> <p><b>City outcomes contribution</b></p> <p><del>Encourage Require over height, large-scale residential, non-residential and comprehensive</del> development in the Metropolitan Centre Zone to deliver City Outcomes Contributions as detailed and scored in Appendix 16 the Centres and Mixed Use Design Guide guideline G107, including through at least two of the following outcomes either that contributes to positive outcomes including by:</p> <ol style="list-style-type: none"> <li><del>Positively</del> contributing to public space provision and the amenity of the site and surrounding area; and/or</li> <li><del>Enabling universal accessibility within buildings ease-of-access for people of all ages and mobility; and/or</del></li> <li><del>2. 3.</del> Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change resilience; and/or</li> <li><del>3. 4.</del> Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or</li> <li><del>4. 5.</del> Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure that it remains assisted housing for at least 25 years; and/or</li> <li><del>6. Enabling ease-of-access for people of all ages and mobility.</del></li> </ol>
391.529 & 391.530	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-P10	Oppose in part. Kāinga Ora opposed the requiring 'City Outcomes Contribution' in NCZ-P10 because it is inconsistent with the current legislative framework; over height development should be assessed based on the potential or actual effects or the proposed infringement, as provided for by the rule framework; and all of these activities	Section 42A report rejects the submission.			<p>Kāinga Ora seeks the following:</p> <p><b>City outcomes contribution</b></p> <p><del>Encourage Require over height, large-scale residential, non-residential and comprehensive</del> development in the Metropolitan Centre Zone to deliver City Outcomes Contributions as detailed and scored in Appendix 16 the Centres and Mixed Use Design Guide guideline G107, including through at least two of the following outcomes either that contributes to positive outcomes including by:</p> <ol style="list-style-type: none"> <li><del>Positively</del> contributing to public</li> </ol>

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		are anticipated by the zone.				<p>space provision and the amenity of the site and surrounding area; and/or</p> <p>2. <del>Enabling universal accessibility within buildings ease-of-access for people of all ages and mobility; and/or</del></p> <p>3. <del>2. 3.</del> Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change resilience; <del>and/or</del></p> <p>4. <del>3. 4.</del> Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; <del>and/or</del></p> <p>5. <del>4. 5.</del> Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure that it remains assisted housing for at least 25 years; <del>and/or</del></p> <p>6. <del>Enabling ease of access for people of all ages and mobility.</del></p>
<b>City Centre Zone</b>						
391.688 & 391.689	Commercial and mixed use Zones / City Centre Zone / General CCZ	Support in part. Kāinga Ora sought an amendment to change height controls to ensure that intensification is enabled in areas of high accessibility to commercial activity community services and public transport, and that height controls enable a transition of height and density within the urban built form from higher heights and densities in centres.	Section 42A report rejects the amendment and considers it inappropriate to add standards to CCZ-S1 that control heights within walking catchments of the City Centre Zone. This is because the appropriate place for height limits in these areas is within the relevant zone standards, not in the CCZ provision. Section 42A report supports the findings from HS1 and HS2 about the effect of the CCZ walkable catchment on those limits.	Kāinga Ora seeks amendment to City Centre Zone to add a height control of: i. 43m within a 400m walkable catchment of a City Centre Zone ii. 36m within a 400-1500m walkable catchment of a City Centre Zone	NO CHANGES	Kāinga Ora maintains the position it stated following the 42A report.
391.690 & 391.691	Commercial and mixed use Zones / City Centre Zone / General CCZ	Support in part. Kāinga Ora sought an amendment to delete "comprehensive development" from the introduction as there are no rules to implement this approach.	Section 42A report rejects the amendment and notes that while there is no associated standard for the term "comprehensive development", there are two policy links to CCZ-P9 and CCZ-P11.	Kāinga Ora seeks amendment to the introduction of City Centre Zones: In locations where rapid transit investment has been signalled measures have been included to enable opportunities for more intensive, <del>comprehensive</del> development to occur, particularly in areas within a walkable distance of planned rapid transit stops	In locations where rapid transit investment has been signalled measures have been included to enable opportunities for more intensive, comprehensive development to occur, particularly in areas within a walkable <del>distance</del> catchment of planned rapid transit stops.	Kāinga Ora maintains the position it stated following the 42A report.
FS89.40	Part 3 / Commercial and Mixed Use Zones /	Opposes the submission to add a setback of 5m from the rail corridor because a considerably	Section 42A accepts in part submission from KiwiRail that seeks building setbacks to address significant safety hazards	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES.	NO CHANGES.

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	City Centre Zone / New CCZ	reduced set back would provide adequate space for maintenance activities within sites adjacent to the rail network.	associated with the operational rail corridor. However, disagrees that a 5m setback is appropriate and considers 1.5m appropriate.			
391.692	Commercial and mixed use Zones / City Centre Zone / CCZ-O1	Supportive of CCZ-O1. Kāinga Ora sought for CCZ-O1 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES.	NO CHANGES.
391.693 & 391.694	Commercial and mixed use Zones / City Centre Zone / CCZ-O2	Support in part. Kāinga Ora sought amendment to clarify that the Central City Zone contains high density residential living rather than medium density housing.	Section 42A report accepts in part and notes that medium density in the CCZ is inefficient and that high density is the preference for the City's most intensified zone.	Kāinga Ora supports the approach taken in the section 42A report.	The City Centre Zone plays a significant role in accommodating residential, business and supporting community service growth, and has sufficient serviced development capacity <b>and additional infrastructure</b> to meet its short, medium and long term residential and business growth needs, including: 1. A <b>choice variety</b> of building type, size, affordability and distribution, including forms of <b>medium and</b> high-density housing; 2. Convenient access to active and public transport activity options; 3. Efficient, well integrated and strategic use of available development sites; and 4. Convenient access to a range of open space, including green space, and supporting commercial activity and community facility options.	NO CHANGES.
391.695	Commercial and mixed use Zones / City Centre Zone / CCZ-O3	Supportive of CCZ-O3. Kāinga Ora sought for CCZ-O3 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES.	NO CHANGES.
391.696	Commercial and mixed use Zones / City Centre Zone / CCZ-O4	Supportive of CCZ-O4. Kāinga Ora sought for CCZ-O4 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES.	NO CHANGES.
391.697 & 391.698	Commercial and mixed use Zones / City Centre Zone / CCZ-O5	Support in part. Kāinga Ora sought amendment to balance the need to contribute to the amenity of neighbouring residential areas while achieving anticipated built form in accordance with the NPS-UD.	Section 42A report accepts in part and believes that there still needs to be a balanced approach in the CCZ in enabling development capacity but also providing for on-site, adjacent, and public amenity as far as practicable.	Kāinga Ora supports the approach taken in the section 42A report.	Development in the City Centre Zone positively contributes to creating a high quality, well-functioning urban environment, including: 1. Reinforcing the City Centre Zone's distinctive sense of place; 2. Providing a quality and level of public and private amenity in the City Centre Zone that evolves and positively responds to anticipated growth and the diverse and changing needs of residents, businesses and visitors; 3. Maintaining and enhancing the amenity and safety of public space; 4. Contributing to the general amenity of neighbouring residential areas <b>while</b>	Kāinga Ora seeks the following wording in support of the intent of Anna Stevens' rebuttal evidence:  Development in the City Centre Zone positively contributes to creating a high quality, well-functioning urban environment, including: 1. Reinforcing the City Centre Zone's distinctive sense of place; 2. Providing a quality and level of public and private amenity in the City Centre Zone that evolves and positively responds to anticipated growth and the diverse and changing needs of residents, businesses and visitors;

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					<p><u>achieving the anticipated planned urban form of the City Centre Zone;</u></p> <p>5. Producing a resilient urban environment that effectively adapts and responds to natural hazard risks and the effects of climate change;</p> <p>6. Protecting current areas of open space, including green space, and providing greater choice of space for residents, workers and visitors to enjoy, recreate and shelter from the weather; and</p> <p>7. Acknowledging and sensitively responding to adjoining heritage buildings, heritage areas and areas and sites of significance to Māori</p>	<p>3. Maintaining and enhancing the amenity and safety of public space;</p> <p>4. Contributing to the general amenity of neighbouring residential areas <u>while achieving the anticipated planned plan-enabled urban form of the City Centre Zone;</u></p> <p>5. Producing a resilient urban environment that effectively adapts and responds to natural hazard risks and the effects of climate change;</p> <p>6. Protecting current areas of open space, including green space, and providing greater choice of space for residents, workers and visitors to enjoy, recreate and shelter from the weather; and</p> <p>7. Acknowledging and sensitively responding to adjoining heritage buildings, heritage areas and areas and sites of significance to Māori.</p>
391.699	Commercial and mixed use Zones / City Centre Zone / CCZ-O6	Supportive of CCZ-O6. Kāinga Ora sought for CCZ-O6 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES.	NO CHANGES
391.700 & 391.701	Commercial and mixed use Zones / City Centre Zone / CCZ-O7	Support in part. Kāinga Ora sought amendment to recognise that adverse effects do not include significant changes to an area anticipated by the planned urban built form in accordance with the NPS-UD.	Section 42A report rejects the amendment and considers that this change is inappropriate as it would effectively build a permitted baseline test into the policy, which arguably should remain at the discretion of the resource consent planner. I consider that this phrasing should not be used in the CCZ (or other zones) planning framework.	Kāinga Ora seeks amendment to CCZ-O7: Adverse effects of activities and development <u>beyond the planned urban built form anticipated</u> in the City Centre Zone are managed effectively both:	Adverse effects of activities and development in the City Centre Zone are managed effectively both: <ol style="list-style-type: none"> <li>1. Within the City Centre Zone; and</li> <li>2. At interfaces with: <ol style="list-style-type: none"> <li>a. Heritage buildings, heritage structures and heritage areas;</li> <li>b. Scheduled sites and areas of significance to Māori;</li> <li>c. Identified public spaces;</li> <li><del>d. Identified pedestrian streets;</del></li> <li>e. Residential Zoned areas;</li> <li>f. Open Space and Recreation Zoned areas; and</li> <li>g. The Waterfront Zone</li> </ol> </li> </ol>	Kāinga Ora maintains the position it stated following the 42A report.
391.702 & 391.703	Commercial and mixed use Zones / City Centre Zone / CCZ-P1	Support in part. Kāinga Ora sought amendment to recognise that residential activities are generally enabled and considers that Policy CCZ-P2 provides the specifics about activities that should be restricted, noting that this is residential activities at ground floor in areas of identified natural hazard risk.	Section 42A report accepts in part and agrees that the exception for natural hazard risk should be removed from CCZ-P1 as this is sufficiently provided for within the Natural Hazard and Coastal Hazard chapter's rule frameworks. However, section 42A report does not agree that the exception for active frontages and verandahs should be removed from CCZ-P1 and considers it is clearer that the exceptions to the enabled activities are outlined in CCZ-P1 as well as being listed as potentially incompatible activities in CCZ-P2.	Kāinga Ora supports the approach taken in the section 42A report.	Enable a range and diversity of activities that support the purpose <u>and ongoing viability</u> of the City Centre Zone and enhances its vibrancy and amenity, including: <ol style="list-style-type: none"> <li>1. Commercial activities;</li> <li>2. Residential activities, <u>except located</u>; a. <u>Above ground level</u>; or b. <u>At ground level</u> a) Along any street <u>not</u> subject to active frontage and/or verandah coverage requirements.; c. On any site subject to an identified natural hazard risk;</li> <li>3. Community facilities;</li> <li>4. Educational facilities;</li> <li>5. Arts, culture and entertainment activities;</li> </ol>	NO CHANGES.

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					6. Emergency service facilities; 7. Marae activities; 8. Community corrections activities; 9. Public transport activities; 10. Visitor accommodation; 11. Repair and maintenance service activities; and 12. Recreation activities.; <a href="#">13. Parliamentary activities;</a> <a href="#">14. Government activities; and</a> <a href="#">15. Civic activities</a>	
391.704 & 391.705	Commercial and mixed use Zones / City Centre Zone / CCZ-P2	Support in part. Kāinga Ora sought amendment to provide for ground floor residential activities that are not visible from streets and notes that identified hazard risk is addressed in the natural hazards chapter so does not need to be referenced here.	Section 42A report rejects the amendment and notes that the exclusions in CCZ-P1, CCZ-P2 and CCZ-R14 for residential activities which are incompatible are not just about visibility on the street edge. Section 42A report considers that there is sufficient alternative areas of the CCZ where residential activity at ground floor has been enabled and considered appropriate.	Kāinga Ora seeks amendment to CCZ-P2: Only allow activities that are potentially incompatible with the purpose of the City Centre Zone, where they will not have an adverse effect on its vitality, vibrancy and amenity. Potentially incompatible activities include: ... 5. Ground floor residential activities <a href="#">that are visible</a> on streets identified as requiring either an active frontage or verandah <del>coverage and sites subject to an identified hazard risk</del>	Only allow activities that are potentially incompatible with the purpose of the City Centre Zone, where they will not have an adverse effect on its vitality, vibrancy, <del>and</del> amenity, <a href="#">resilience and accessibility</a> . Potentially incompatible activities include: 1. Industrial activities; 2. Yard-based retail activities; 3. Carparking at ground level; 4. Demolition of buildings that results in the creation of vacant land; and 5. Ground floor residential activities on streets identified as requiring either an active frontage or verandah <del>coverage and sites subject to an identified hazard risk</del>	Kāinga Ora maintains the position it stated following the 42A report.
391.706	Commercial and mixed use Zones / City Centre Zone / CCZ-P3	Supportive of CCZ-P3. Kāinga Ora sought for CCZ-P3 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES.	NO CHANGES
391.707 & 391.708	Commercial and mixed use Zones / City Centre Zone / CCZ-P4	Support in part. Kāinga Ora sought amendment to recognise that tenures should not be managed through the District Plan and considers the focus should be on providing for the level of the activity and building form that is appropriate for a City Centre.	Section 42A report rejects the amendment and notes that CCZ-P4 seeks that a range of housing is supplied in the CCZ but is not prescriptive in that there is no implicit requirement to provide this range within each development. Section 42A report sees no reason why a range of tenures should not be available within the CCZ and notes that tenure has been included to ensure that the policy also focuses on a range of housing types and sizes for renters, giving renters sufficient choice rather than just those seeking to buy.	Kāinga Ora seeks amendment to CCZ-P4: Housing choice Enable high density, good quality residential development that: 1. Contributes towards accommodating anticipated growth in the city; and 2. <del>Offers Contributes to</del> a range of housing price, type, <del>and</del> size <del>and tenure</del> that is accessible to people of all ages, lifestyles, cultures, <a href="#">impairments</a> and abilities	1. Contributes towards accommodating anticipated growth in the city; and 2. <del>Offers Contributes to</del> a range of housing price, type, size and tenure that is accessible to people of all ages, lifestyles, cultures, <a href="#">impairments</a> and abilities.	Kāinga Ora seeks further minor amendments:  Enable high density, good quality residential development that: 1. Contributes towards accommodating anticipated growth in the city; and 2. <del>Offers Contributes to</del> a range of housing price, type, <del>and</del> size <del>and tenure</del> that is accessible to people of all ages, lifestyles, cultures, <a href="#">impairments</a> and abilities.
391.709	Commercial and mixed use Zones / City Centre Zone / CCZ-P5	Supportive of CCZ-P5. Kāinga Ora sought for CCZ-P5 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES.	NO CHANGES
391.710 & 391.711	Commercial and mixed use Zones /	Support in part. Kāinga Ora sought amendment to recognise that ground floor	Section 42A report accepts in part but does not consider the change to 'frontage' is appropriate as there is	Kāinga Ora seeks amendment to CCZ-P6: Adaptive use Encourage new development and redevelopment in the City Centre Zone	Encourage new development and redevelopment in the City Centre Zone that is sustainable, resilient and adaptable to	Kāinga Ora maintains the position it stated following the 42A report.



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	City Centre Zone / CCZ-P6	residential activities may be appropriate where they are located at ground floor level but not fronting active streets. Considers not all hazards would restrict residential activities from locating at ground floor. In addition, considers the Natural Hazards chapter manages this issue.	no definition of 'frontage' and it could create ambiguity with implementation at the resource consent stage. Section 42A report notes that this policy is about enabling residential activity where these controls apply, as opposed to CCZ-P2 which notes residential activity along streets where these specific controls apply is considered potentially incompatible. An applicant can apply for a resource consent to do residential activity within these controls and the effects and risks of doing so gets assessed through the resource consent process. Section 42A report agrees to remove the text regarding the sites being free of any identified natural hazards.	that is sustainable, resilient and adaptable to change in use over time, including enabling: 1. Sufficient flexibility for ground floor space to be used and converted for a range of activities; and 2. Residential activities at ground floor level <del>along fronting</del> streets that are not subject to active frontage and/or verandah coverage requirements <del>and sites free of any identified natural hazard risk.</del>	change in use over time, including enabling: 1. Sufficient flexibility for ground floor space to be used and converted for a range of activities; and 2. Residential activities at ground floor level along streets that are not subject to active frontage and/or verandah coverage requirements <del>and sites free of any identified natural hazard risk.</del>	
391.712	Commercial and mixed use Zones / City Centre Zone / CCZ-P7	Supportive of CCZ-P7. Kāinga Ora sought for CCZ-P7 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES.	NO CHANGES
391.713	Commercial and mixed use Zones / City Centre Zone / CCZ-P8	Supportive of CCZ-P8. Kāinga Ora sought for CCZ-P8 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES.	NO CHANGES
391.714 & 391.715	Commercial and mixed use Zones / City Centre Zone / CCZ-P9	Support in part. Kāinga Ora sought amendment to: (a) The policy name to better reflect the intent of the policy and the subsequent wording, which seeks to manage new developments contribution to the city centre and streetscape; and (b) The policy wording to better recognise the CCZ rule setting and 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; and to simplify and clarify the neighbourhood and townscape outcomes that plan is seeking to manage	Section 42A report accepts in part and does not consider a change to the name of the policy is required. The existing title makes it clear that this policy is design focused, whereas the requested change does not. The proposed change in creates ambiguity, as it does not reference or allude to the intent of CCZ-P9 and reads more as a policy relating to the purpose of the zone than design outcomes. Section 42A report believes it is inappropriate to remove the reference to amenity and to remove the reference to "acts as catalyst for future change by reflecting". Section 42A report considers it appropriate to remove reference to "and sites free of any identified natural hazard risk".	Kāinga Ora seeks amendment to CCZ-P9: Quality design outcomes Require <u>significant</u> new development, and alterations and additions to existing development, at a site scale to positively contribute to the sense of place and distinctive form, quality and <u>amenity planned urban built form and function</u> of the City Centre Zone by: <del>1. Meeting the requirements of the Centres and Mixed Use Design Guide</del> 1. Recognising the benefits of well-designed, <u>comprehensive intensive</u> development, including the extent to which the development: a. <del>Acts as a catalyst for future change by reflecting Reflects</del> the nature and scale of the development <u>proposed enabled</u> within the zone <u>and in the vicinity</u> and responds to the evolving, more intensive identity of the <u>neighbourhood City Centre</u> ; b. Optimises the development capacity of the land, <u>particularly sites that are:</u> <del>i. Large; or</del> <del>ii. Narrow; or</del>	Require new development, and alterations and additions to existing development, at a site scale to positively contribute to the sense of place and distinctive form, quality and amenity of the City Centre Zone by: <u>1. Meeting the requirements of the Centres and Mixed Use Design Guide;</u> 21. Recognising the benefits of well-designed, comprehensive development, including the extent to which the development: a. <del>Acts as a catalyst for future change by reflecting Reflects</del> the nature and scale of the development <u>proposed enabled</u> within the zone <u>and in the vicinity</u> and responds to the evolving, more intensive identity of the neighbourhood; b. Optimises the development capacity of the land, <u>particularly including</u> sites that are: <u>large, narrow, vacant or ground level parking areas;</u> <del>i. Large; or</del> <del>ii. Narrow; or</del> <del>iii. Vacant; or</del> <del>iv. Ground level parking areas;</del>	Kāinga Ora seeks the following further amendments:  Require <u>significant</u> new development, and alterations and additions to existing development, at a site scale to positively contribute to the sense of place and distinctive form, quality and <u>amenity planned urban built form and function</u> of the City Centre Zone by: <del>1. Meeting the requirements of the Centres and Mixed Use Design Guide;</del> <u>24.</u> Recognising the benefits of well-designed, <u>comprehensive intensive</u> development, including the extent to which the development: a. <del>Acts as a catalyst for future change by reflecting Reflects</del> the nature and scale of the development <u>proposed enabled</u> within the zone <u>and in the vicinity</u> and responds to the evolving, more intensive identity of the <u>neighbourhood City Centre</u> ; b. Optimises the development capacity of the land, <u>particularly including sites that are: large, narrow, vacant or ground level parking areas;</u> <del>i. Large; or</del> <del>ii. Narrow; or</del>

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				<p><del>iii. Vacant; or</del> <del>iv. Ground level parking areas; ...</del></p> <p>2. Ensuring that development, where relevant:</p> <p>a. Responds to the site context, particularly where it is located adjacent to:</p> <p>i. A scheduled site of significance to Māori;</p> <p>ii. A heritage building, heritage structure or heritage area;</p> <p><del>iii. An identified character precinct; ...</del></p> <p>iv. A listed public space;</p> <p><del>v. Identified pedestrian streets;</del></p>	<p>c. Provides for the increased levels of residential accommodation anticipated; and</p> <p>d. Provides for a range of supporting business, open space and community facilities; and</p> <p><del>e. Is accessible for emergency service vehicle; and</del></p> <p>2. Ensuring that development, where relevant:</p> <p>a. Responds to the site context, particularly where it is located adjacent to:</p> <p>i. A scheduled site of significance to Māori;</p> <p>ii. A heritage building, heritage structure or heritage area;</p> <p>iii. An identified character precinct;</p> <p>iv. A listed public space;</p> <p><del>v. Identified pedestrian streets;</del></p> <p>vi. Residential zones;</p> <p>vii. Open space zones; and</p> <p>viii. The Waterfront Zone;</p> <p>b. Responds to the pedestrian scale of narrower streets;</p> <p>c. Responds to any identified significant natural hazard risks and climate change effects, including the strengthening and adaptive reuse of existing buildings;</p> <p>d. Provides a safe and comfortable pedestrian environment;</p> <p>e. Enhances the quality of the streetscape and the private/public interface;</p> <p>f. Integrates with existing and planned active and public transport activity movement networks, including planned rapid transit stops; and</p> <p>g. Allows sufficient flexibility for ground floor space to be converted to a range of activities, including residential along streets that are not subject to active frontage and/or verandah coverage requirements <del>and sites free of any identified natural hazard risk.</del></p>	<p><del>iii. Vacant; or</del> <del>iv. Ground level parking areas;</del></p> <p>c. Provides for the increased levels of residential accommodation anticipated; and</p> <p>d. Provides for a range of supporting business, open space and community facilities; and</p> <p><del>e. Is accessible for emergency service vehicle; and</del></p> <p>2. Ensuring that development, where relevant:</p> <p>a. Responds to the site context, particularly where it is located adjacent to:</p> <p>i. A scheduled site of significance to Māori;</p> <p>ii. A heritage building, heritage structure or heritage area;</p> <p>iii. An identified character precinct;</p> <p>iv. A listed public space;</p> <p><del>v. Identified pedestrian streets;</del></p> <p>vi. Residential zones;</p> <p>vii. Open space zones; and</p> <p>viii. The Waterfront Zone;</p> <p>b. Responds to the pedestrian scale of narrower streets;</p> <p>c. Responds to any identified significant natural hazard risks and climate change effects, including the strengthening and adaptive reuse of existing buildings;</p> <p>d. Provides a safe and comfortable pedestrian environment;</p> <p>e. Enhances the quality of the streetscape and the private/public interface;</p> <p>f. Integrates with existing and planned active and public transport activity movement networks, including planned rapid transit stops; and</p> <p>g. Allows sufficient flexibility for ground floor space to be converted to a range of activities, including residential along streets that are not subject to active frontage and/or verandah coverage requirements <del>and sites free of any identified natural hazard risk.</del></p>
391.716 & 391.717	Commercial and mixed use Zones / City Centre Zone / CCZ-P10	Support in part. Kāinga Ora sought amendment to clarify the extent of on-site amenity requirements and to remove communal outdoor space requirements as this is already covered by reference to outdoor space generally.	Section 42A report accepts in part to clarify the wording but does not recommend removing the reference to private or shared communal areas as this is a necessary policy hook back to CCZ-S10.	Kāinga Ora seeks amendments to CCZ-P10: Achieve a high standard of amenity for residential activities that reflects and responds to the evolving, higher density scale of development anticipated in the City Centre Zone, including:	Achieve a high standard of amenity for residential activities that reflects and responds to the evolving, higher density scale of development anticipated in the City Centre Zone, including:	Kainga Ora seeks the following further amendments:
				<p>1. Providing residents with access to an adequate outlook; <del>and</del></p> <p>2. Ensuring <u>convenient</u> access to <del>convenient outdoor space, including private and/or shared communal areas of</del> outdoor space;.</p> <p><del>3. Meeting the requirements of the Residential Design Guide, as relevant; and</del></p>	<p>1. Providing residents with access to an adequate outlook; <del>and</del></p> <p>2. Ensuring <u>convenient</u> access to <del>convenient outdoor space, including</del> private <u>and/or shared</u> communal areas of <u>outdoor space</u>;</p> <p><del>3. Meeting the requirements of the Residential Design Guide, as relevant; and</del></p>	<p>1. Providing residents with access to an adequate outlook; <del>and</del></p> <p>2. Ensuring <u>convenient</u> access to <del>convenient outdoor space, including</del> private <u>and/or shared</u> communal areas <u>of outdoor space</u>;</p>

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				<del>4. Providing residents with adequate internal living space.</del>	<u>4. Providing residents with adequate internal living space</u>	<u>3. Meeting the requirements of the Residential Design Guide, as relevant; and</u> <u>4. Providing residents with adequate internal living space.</u>
391.718 & 391.719	Commercial and mixed use Zones / City Centre Zone / CCZ-P11	Oppose in part. Kāinga Ora sought amendment to remove reference to "City Outcomes Contribution" because height development should be assessed based on the potential or actual effects or the proposed infringement, and all of these activities are anticipated by the zone.	Section 42A report accepts on part and notes that district plans are not bound only to consider the adverse effects of infringing particular rules. District plans are to include methods, other than rules, for implementing the policies for the district, which in turn implement the objectives for the district.	Kāinga Ora seeks amendment to CCZ-P11: City outcomes contribution <del>Require Encourage over height, large-scale residential, non-residential and comprehensive developments over CCZ-S4 height thresholds and under CCZ-S4 minimum building heights in the City Centre Zone to deliver City Outcomes Contributions as detailed and scored in Appendix 16 the Centres and Mixed Used Design guideline G107, including through either that contribute to positive outcomes including by:</del> <del>4. Positively contributing to public space provision and the amenity of the site and surrounding area; and/or</del> <del>2. Enabling ease of access for people of all ages and mobility/disability</del> <del>2-3. Incorporating a level of building performance that leads to reduced carbon emissions and increased climate-change earthquake resilience; and/or</del> <del>3. Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or</del> <del>4. Incorporating assisted housing into the development; and where this is provided legal instruments are required to ensure that it remains assisted housing for at least 25 years; and/or</del> <del>5. Enabling ease of access for people of all ages and mobility</del>	Require <del>over and under height, large-scale residential, non-residential and comprehensive developments over CCZ-S1 height thresholds and under CCZ-S4 minimum building heights</del> in the City Centre Zone to deliver City Outcomes Contributions as detailed and scored in <u>Appendix 16 the Centres and Mixed Use Design Guide guideline G107</u> , including through <u>at least two of the following outcomes either:</u> 1. Positively contributing to public space provision and the amenity of the site and surrounding area; and/or 2. <u>Enabling universal accessibility within buildings ease of access for people of all ages and mobility/disability; and/or</u> <del>2-3.</del> Incorporating a level of building performance that leads to reduced carbon emissions and increased <del>climate-change earthquake</del> resilience; and/or <del>3-4.</del> Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or 4. <u>5.</u> Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure that it remains assisted housing for at least 25 years.; and/or <del>5. Enabling ease of access for people of all ages and mobility.</del>	Kāinga Ora seeks the following further amendments:  <del>Require Encourage over and under height, large-scale residential, non-residential and comprehensive developments over CCZ-S4 height thresholds and under CCZ-S4 minimum building heights in the City Centre Zone to deliver City Outcomes Contributions as detailed and scored in Appendix 16 the Centres and Mixed Use Design Guide guideline G107, including through at least two of the following outcomes either that contributes to positive outcomes including by:</del> 1. <u>Positively contributing to public space provision and the amenity of the site and surrounding area; and/or</u> 2. <u>Enabling universal accessibility within buildings ease of access for people of all ages and mobility/disability; and/or</u> <del>2-3.</del> Incorporating a level of building performance that leads to reduced carbon emissions and increased <del>climate-change earthquake</del> resilience; and/or <del>3-4.</del> Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or <del>4-5.</del> Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure that it remains assisted housing for at least 25 years.; and/or <del>5. Enabling ease of access for people of all ages and mobility.</del>
391.720 & 391.721	Commercial and mixed use Zones / City Centre Zone / CCZ-P12	Support in part. Kāinga Ora sought amendment that reflect NPS-UD Policy 6.	Section 42A rejects the amendment and does not consider the change to be appropriate as this would effectively build a permitted baseline test into the policy, which arguably should remain at the discretion of a reporting resource consent planner.	Kāinga Ora seeks amendment to CCZ-P12: Recognise the evolving, higher density development context anticipated in the City Centre Zone, while managing any associated adverse effects <u>beyond those anticipated within the zone</u> including:	Recognise the evolving, higher density development context <u>anticipated enabled</u> in the City Centre Zone, while managing any associated adverse effects including: 1. The impacts of building dominance and the height and scale relationship; 2. Building mass effects, including the amount of light and outlook around buildings; and 3. The impacts on sunlight access to identified public space; and 4. The impacts of related construction activity on the transport network <u>and pedestrian linkages</u>	Kāinga Ora seeks the following alternative amendments:  Recognise the evolving, higher density development context <u>anticipated enabled</u> in the City Centre Zone, while managing any associated adverse effects <u>beyond those that the plan enables within the zone</u> including: 1. The impacts of building dominance and the height and scale relationship; 2. Building mass effects, including the amount of light and outlook around buildings; and 3. The impacts on sunlight access to identified public space; and

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						The impacts of related construction activity on the transport network <a href="#">and pedestrian linkages</a> .
	Commercial and mixed use Zones / City Centre Zone / CCZ-PX			Kāinga Ora seeks amendment to CCZ-PX: <a href="#">Retirement village</a> <a href="#">Provide for retirement villages where it can be demonstrated that the development:</a> <del>1. Meeting the requirements of the Residential Design Guide, as relevant;</del> <a href="#">2. Includes outdoor space that is sufficient to cater for the needs of the residents of the village;</a> <a href="#">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;</a> <a href="#">4. Is able to be adequately serviced by three waters infrastructure or can address any constraints on the site; and</a> <a href="#">5. Is of an intensity, scale and design that is consistent with the amenity values anticipated for the Zone.</a>	<a href="#">Provide for retirement villages where it can be demonstrated that the development:</a> <a href="#">1. Meetsing the requirements of the Residential Design Guide, as relevant;</a> <a href="#">2. Includes outdoor space that is sufficient to cater for the needs of the residents of the village;</a> <a href="#">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;</a> <a href="#">4. Is able to be adequately serviced by three waters infrastructure or can address any constraints on the site; and</a> <a href="#">5. Is of an intensity, scale and design that is consistent with the amenity values anticipated for the Zone.</a>	Kāinga Ora seeks the following further amendment:  <a href="#">Provide for retirement villages where it can be demonstrated that the development:</a> <del>1. Meetsing the requirements of the Residential Design Guide, as relevant;</del> <a href="#">2. Includes outdoor space that is sufficient to cater for the needs of the residents of the village;</a> <a href="#">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;</a> <a href="#">4. Is able to be adequately serviced by three waters infrastructure or can address any constraints on the site; and</a> <a href="#">Is of an intensity, scale and design that is consistent with the amenity values anticipated for the Zone.</a>  This position is reflected for all the centre zones in which this policy has been inserted: <ul style="list-style-type: none"> <li>• MCZ-PX</li> <li>• LCZ-PX</li> <li>• NCZ-PX</li> </ul> And in the TCZ proposed by Kāinga Ora: <ul style="list-style-type: none"> <li>• TCZ-PX</li> </ul>
391.722 & 391.723	Commercial and mixed use Zones / City Centre Zone / CCZ-R12	Support in part. Kāinga Ora sought amendment so active frontages are only applied to key roads; considers it is unclear why verandah coverage is an issue for residential development particularly when ground floor development is controlled on active frontages and non-residential activity frontages in accordance with LCZ-P4; reference to natural hazards is removed as it is considered these matters are controlled by Natural Hazard rules and the proposed wording is inconsistent with this	Section 42A report accepts in part and agrees to remove clause (iv) regarding residential activity at ground floor on any site contained within a Natural Hazard Overlay. Section 42A report disagrees that CCZ-R12 will apply in instances where verandah cover is required but the site is not an active frontage, and signifies that the District Plan seeks to enhance the vitality and vibrancy of centres by preventing residential activities in these locations	Kāinga Ora seeks amendment to CCZ-R12: Residential activities <a href="#">and Retirement Villages</a> 1. Activity status: Permitted 2. where: a. The activity is located: i. Above ground floor level; or ii. At ground floor level along any street edge not identified as an active frontage.; or iii. At ground level along any street not identified as requiring verandah coverage; <del>or</del> <del>iv. At ground level on any site contained within a Natural Hazard Overlay....</del>	Activity status: Permitted Where: a. The activity is located: i. Above ground floor level; or ii. At ground floor level along any street edge not identified as an active frontage; or iii. At ground level along any street not identified as requiring verandah coverage; <del>or</del> <del>iv. At ground level on any site contained within a Natural Hazard Overlay</del>	Kāinga Ora maintains the position it stated following the 42A report.  This position is reflected for all the centre zones in which the PX has been inserted: <ul style="list-style-type: none"> <li>• MCZ-R12</li> <li>• LCZ-R10</li> <li>• NCZ-R10</li> </ul> And in the TCZ proposed by Kāinga Ora: <ul style="list-style-type: none"> <li>• TCZ-R12</li> </ul>

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		approach as this encourages residential development in hazard overlay areas.				
391.724 & 391.725	Commercial and mixed use Zones / City Centre Zone / CCZ-R12	Support in part. Kāinga Ora sought amendment so the activity status for non-compliance is amended to Restricted Discretionary and appropriate matters of discretion are restricted to Policy 7 and 8 matters.	Section 42A report rejects the amendment and considers that Discretionary provides for sufficient consideration through the consent process to ensure that enabling residential activities where one or more of those controls applies is appropriate or note.	Kāinga Ora seeks amendment to CCZ-R12: 2. Activity status: <del>Discretionary Restricted</del> Discretionary where: a. Compliance with the requirements of CCZR12.1.a cannot be achieved. <u>Matters of Discretion are restricted to:</u> <u>1. The matters in CCZ-PXX, CCZ-P9 and CCZ-P10</u> b. Notification status: An application for resource consent made in respect of rule CCZ-R12.2.a is precluded from being <u>either</u> publicly <u>or limited</u> notified	Activity status: Discretionary Where: a. Compliance with the requirements of CCZ-R12.1. a cannot be achieved. Notification status: An application for resource consent made in respect of rule CCZ-R12.2.a is precluded from being <u>either publicly</u> or limited notified	Kāinga Ora seeks the following amendment: <u>CCZ-R12 Residential activities and Retirement Villages</u>
391.726	Commercial and mixed use Zones / City Centre Zone / CCZ-R18	Support in part. Kāinga Ora sought amendment to ensure that this rule will not have an unintended consequence of constraining staged developments.	Section 42A report rejects the amendment and does not recommend any changes to avoid potential unintended consequences of constraining staged development.	Kāinga Ora seeks amendment to CCZ-R18 as necessary to avoid potential unintended consequence of constraining staged development.	Activity status: Permitted Where: a. The demolition or removal of a building: i. Is required to avoid an imminent threat to life and/or property; or ii. Enables the creation of public space or private outdoor living space associated with the use of a building; or iii. Is required for the purposes of constructing a new building or adding to or altering an existing building that <u>is a permitted activity under CCZ-R19 or CCZ-R20, or that</u> has an approved resource consent or resource consent is being sought concurrently <del>under CCZ-R19.2, CCZ-R20.2 or CCZ-R20.3;</del> or b. The demolition or removal involves a structure, excluding any building	NO CHANGES
391.727 & 391.728	Commercial and mixed use Zones / City Centre Zone / CCZ-R19	Support in part. Kāinga Ora sought amendment to remove direct reference to the design guide and to instead articulate the urban design outcomes that are sought, and to remove reference to the “City Outcomes Contribution”.	Section 42A report rejects the amendment and considers it would only be appropriate for the Centres and Mixed-Use Design Guide be removed if it was referenced in the necessary policies to ensure the rules hook back to the design guides through the policies. Section 42A report considers it inappropriate to remove reference to CCZ-S10, CCZ-S11 and CCZ-S12 as resource consent applications for additions and alterations still need to provide for these mechanisms.	Kāinga Ora seeks amendment to CCZ-R19: 1. Activity status: Permitted where: ... <del>iii. Do not result in the creation of new residential units;</del> and 2. Activity status: Restricted Discretionary Matters of discretion are: 1. The matters in CCZ-P4, CCZ-P5, CCZ-P6, CCZ P7, CCZ-P8 CCZ-P9, CCZ-P10, <del>CCZ-P44</del> and CCZ-P12; 2. The extent and effect of non-compliance with <del>CCZ-S4</del> , CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S5, CCZ-S6, CCZ-S7, CCZ-S8, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12 and CCZ-S13, <u>CCZ-SX (Fences and standalone walls), CCZ-SX Page 18 (Boundary setback</u>	1. Activity status: Permitted Where: a. Any alterations or additions to a building or structure that: i. Do not alter the external appearance of the building or structure; or ii. Relate to a building frontage below verandah level, including entranceways and glazing and compliance with CCZ-S8 is achieved; or iii. Do not result in the creation of new residential units; and iv. Are not visible from public spaces; and v. Comply with standards <del>CCZ-S4</del> , CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S5, CCZ-S6, CCZ-S7, <del>and</del> CCZ-S8 <del>and CCZ-SX (Fences and standalone walls).</del>	Kāinga Ora seeks the following further amendments:  1. Activity status: <b>Permitted</b> Where: a. Any alterations or additions to a building or structure that: i. Do not alter the external appearance of the building or structure; or ii. Relate to a building frontage below verandah level, including entranceways and iii. glazing and compliance with CCZ-S8 is achieved; or <del>iv. Do not result in the creation of new residential units; and</del> v. Are not visible from public spaces; and

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
				<p><del>from a rail corridor) and CCZ-SX (Sites adjoining residential zones);</del></p> <p>3. Construction impacts on the transport network <del>and;</del></p> <p><del>4. The Centres and Mixed Use Design Guide, including guideline G107</del></p> <p><del>5. City Outcomes Contribution for any building that exceeds the maximum height requirement and either comprises 50 or more residential units or is a non-residential building; and</del></p> <p><del>6. The Residential Design Guide</del></p>	<p>2. Activity status: Restricted Discretionary Where:</p> <p>a. Compliance with any of the requirements of CCZ-R19.1 cannot be achieved. Matters of discretion are:</p> <p>1. The matters in CCZ-P4, CCZ-P5, CCZ-P6, CCZ-P7, CCZ-P8 CCZ-P9, CCZ-P10, <del>CCZ-P11</del> and CCZ-P12;</p> <p>2. The extent and effect of non-compliance with <del>CCZ-S4</del>, CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S5, CCZ-S6, CCZ-S7, CCZ-S8, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12 and CCZ-S13, <del>and CCZ-S13, CCZ-SX (Fences and standalone walls), CCZ-SX (Boundary setback from a rail corridor) and CCZ-SX (Sites adjoining residential zones); and</del></p> <p>3. Construction impacts on the transport network; and</p> <p><del>4. The Centres and Mixed Use Design Guide, including guideline G107—City Outcomes Contribution as required in Appendix 16 for any building that exceeds the maximum CCZ-S1 height threshold requirement or is under the minimum height limit, and either comprises 50 or more residential units or is a non-residential building; and</del></p> <p><del>5. The Residential Design Guide.</del></p> <p>Notification status: <del>An application for resource consent made in respect of rule CCZ-R19.2.a</del></p> <p><u>3. Activity status: Restricted Discretionary</u> <u>Where:</u> <u>a. The relevant City Outcome Contribution Height Threshold set out in CCZ-S1 is exceeded. Matters of discretion are:</u> <u>1. The matters in CCZ-P11; and</u> <u>2. The application and implementation of the City Outcome Contribution set out in Appendix 16.</u> <u>Notification status: An application for resource consent made in respect of rule CCZ- R19.3 is precluded from being either publicly or limited notified, except where the application does not give effect to CCZ-P11 City Outcomes Contribution.</u> <u>Notification status: An application for resource consent made in respect of rule CCZ-R19.3 that does not give effect to CCZ-P11 City Outcomes Contribution must be publicly notified</u></p>	<p>vi. Comply with standards <del>CCZ-S4</del>, CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S5, CCZ-S6, CCZ-S7, <del>and</del> CCZ-S8 <del>and CCZ-SX (Fences and standalone walls).</del></p> <p>2. Activity status: <b>Restricted Discretionary</b> Where:</p> <p>a. Compliance with any of the requirements of CCZ-R19.1 cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The matters in CCZ-P4, CCZ-P5, CCZ-P6, CCZ-P7, CCZ-P8 CCZ-P9, CCZ-P10, <del>CCZ-P11</del> and CCZ-P12;</p> <p>2. The extent and effect of non-compliance with <del>CCZ-S4</del>, CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S5, CCZ-S6, CCZ-S7, CCZ-S8, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12 and CCZ-S13, <del>and</del> CCZ-S13, <del>and</del> CCZ-S13, <del>CCZ-SX (Fences and standalone walls), CCZ-SX (Boundary setback from a rail corridor) and CCZ-SX (Sites adjoining residential zones); and</del></p> <p>3. Construction impacts on the transport network; <del>and</del></p> <p><del>4. The Centres and Mixed Use Design Guide, including guideline G107—City Outcomes Contribution as required in Appendix 16 for any building that exceeds the maximum CCZ-S1 height threshold requirement or is under the minimum height limit, and either comprises 50 or more residential units or is a non-residential building; and</del></p> <p><del>5. The Residential Design Guide.</del></p> <p>Notification status: <u>An application for resource consent made in respect of rule CCZ-R19.2.a that complies with all standards is precluded from being either publicly or limited notified.</u></p> <p>An application for resource consent made in respect of rule CCZ-R19.2.a which results in non-compliance with CCZ-S5, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12 and CCZ-S13 is precluded from being either publicly or limited notified.</p> <p>An application for resource consent made in respect of rule CCZ-R19.2.a which results in non-compliance with <del>CCZ-S4</del>, CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S6, CCZ-S7 and CCZ-S8 is precluded from being publicly notified.</p> <p><del>3. Activity status: <b>Restricted Discretionary</b></del> <del>Where:</del> <del>a. The relevant City Outcome Contribution Height Threshold set out in CCZ-S1 is exceeded.</del></p>

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
						<p><u>Matters of discretion are:</u></p> <ol style="list-style-type: none"> <li><del>1. The matters in CCZ-P11; and</del></li> <li><del>2. The application and implementation of the City Outcome Contribution set out in Appendix 16.</del></li> </ol> <p><u>Notification status: An application for resource consent made in respect of rule CCZ-R19.3 is precluded from being either publicly or limited notified, except where the application does not give effect to CCZ-P11 City Outcomes Contribution.</u></p> <p><u>Notification status: An application for resource consent made in respect of rule CCZ-R19.3 that does not give effect to CCZ-P11 City Outcomes Contribution must be publicly notified.</u></p>
391.729 & 391.730	Commercial and mixed use Zones / City Centre Zone / CCZ-R20	Support in part. Kāinga Ora sought amendment to remove direct reference to the design guide and to instead articulate the urban design outcomes that are sought, and to remove reference to the “City Outcomes Contribution”	Section 42A report rejects the amendment and considers it would only be appropriate for the Centres and Mixed-Use Design Guide be removed if it was referenced in the necessary policies to ensure the rules hook back to the design guides through the policies. Section 42A report considers it inappropriate to remove reference to CCZ-S10, CCZ-S11 and CCZ-S12 as resource consent applications for additions and alterations still need to provide for these mechanisms.	<p>Kāinga Ora seeks amendment to CCZ-R20:</p> <p>1. Activity status: Restricted Discretionary Where:</p> <p>1. Compliance with any of the requirements of CCZ-R20.1, <del>excluding CCZ-S4</del>, cannot be achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>1. The matters in CCZ-P4, CCZ-P5, CCZ-P6, CCZ-P7, CCZ P8, CCZ-P9, CCZ-P10, <del>CCZ-P11</del> and CCZ-P12;</li> <li>2. The extent and effect of non-compliance with CCZ S1, CCZ-S2, CCZ-S3, CCZ-S5, CCZ-S6, CCZ-S7, CCZ S8, CCZ-S9, <del>CCZ-S10, CCZ-S11, CCZ-S12</del> and CCZ-S13, <del>CCZ-SX (Fences and standalone walls), CCZ-SX (Boundary setback from a rail corridor) and CCZ-SX (Sites adjoining residential zones);</del> <del>3. The Centres and Mixed-Use Design Guide, including guideline G107</del> <del>4. City Outcomes Contribution for any building that exceeds the maximum height requirement and either comprises 50 or more residential units or is a non-residential building;</del> <del>5. The Residential Design Guide</del></li> <li>5. The extent and effect of any identifiable site constraints; 6. The impacts of related construction activities on the transport network; and</li> <li>7. The availability and connection to existing or planned three waters infrastructure.</li> </ol>	<p>2. Activity status: Restricted Discretionary Where:</p> <p>a. Compliance with any of the requirements of CCZ-R20.1, excluding <del>CCZ-S1 and CCZ-S4</del>, cannot be achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>1. The matters in CCZ-P4, CCZ-P5, CCZ-P6, CCZ-P7, CCZ-P8, CCZ-P9, CCZ-P10, <del>CCZ-P11</del> and CCZ-P12;</li> <li>2. The extent and effect of non-compliance with <del>CCZ-S4</del>, CCZ-S2, CCZ-S3, CCZ-S5, CCZ-S6, CCZ-S7, CCZ-S8, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12, <del>and</del> CCZ-S13, <del>CCZ-SX (Fences and standalone walls), CCZ-SX (Boundary setback from a rail corridor) and CCZ-SX (Sites adjoining residential zones);</del> <del>3. The Centres and Mixed-Use Design Guide, including guideline G107 – City Outcomes Contribution as required in Appendix 16 for any building that exceeds the maximum CCZS1 height threshold requirement or is under the minimum height limit in CCZ-S4 and either comprises 50 or more residential units or is a non-residential building;</del> <del>4. The Residential Design Guide;</del></li> <li>5. The extent and effect of any identifiable site constraints;</li> <li>6. The impacts of related construction activities on the transport network; and</li> <li>7. The availability and connection to existing or planned three waters infrastructure.</li> </ol> <p>Notification status:</p>	<p>Kāinga Ora seeks the following further amendments:</p> <ol style="list-style-type: none"> <li>1. Activity status: <b>Permitted</b> Where: <ol style="list-style-type: none"> <li>a. It involves the construction of any new building or structure that: <ol style="list-style-type: none"> <li>i. Will have a gross floor area of 100m<sup>2</sup> or less; and</li> <li>ii. Will result in a building coverage of no more than 20 percent; and</li> </ol> </li> <li>b. Compliance with <del>CCZ-S4</del>, CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S5, CCZ-S6, CCZ-S7, CCZ-S8, CCZ-S9, CCZ-S10, <del>CCZ-S11</del>, CCZ-S12, <del>and</del> CCZ-S13, <del>CCZ-SX (Fences and standalone walls), CCZ-SX (Boundary setback from a rail corridor) and CCZ-SX (Sites adjoining residential zones);</del> <del>CCZ-SX (Sites adjoining residential zones);</del> is achieved.</li> </ol> </li> <li>2. Activity status: Restricted Discretionary Where: <ol style="list-style-type: none"> <li>a. Compliance with any of the requirements of CCZ-R20.1, excluding <del>CCZ-S1 and CCZ-S4</del>, cannot be achieved.</li> </ol> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>1. The matters in CCZ-P4, CCZ-P5, CCZ-P6, CCZ-P7, CCZ-P8, CCZ-P9, CCZ-P10, <del>CCZ-P11</del> and CCZ-P12;</li> <li>2. The extent and effect of non-compliance with <del>CCZ-S4</del>, CCZ-S2, CCZ-S3, CCZ-S5, CCZ-S6, CCZ-S7, CCZ-S8, CCZ-S9, <del>CCZ-S10, CCZ-S11, CCZ-S12, and</del> CCZ-S13.</li> </ol> </li> </ol>

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
					<p><u>An application for resource consent made in respect of rule CCZ-R20.2.a which complies with all standards is precluded from being either publicly or limited notified.</u></p> <p>An application for resource consent made in respect of rule R20.2.a which results in non-compliance with CCZ-S5, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12 and CCZ-S13 is precluded from being either publicly or limited notified.</p> <p>An application for resource consent made in respect of rule R20.2.a which results from non-compliance with <del>CCZ-S1</del>, CCZ-S2, CCZ-S3, CCZ-S6, CCZ-S7 and CCZ-S8 is precluded from being publicly notified</p> <p><u>3. Activity status: Restricted Discretionary Where:</u>  <u>a. The relevant City Outcome Contribution Height Threshold set out in CCZ-S1 is exceeded.</u>  <u>Matters of discretion are:</u>  <u>3. The matters in CCZ-P11; and</u>  <u>4. The application and implementation of the City Outcome Contribution set out in Appendix 16.</u>  <u>Notification status:</u>  <u>An application for resource consent made in respect of rule CCZ- R20.3 is precluded from being either publicly or limited notified, except where the application does not give effect to CCZ-P11 City Outcomes Contribution.</u>  <u>An application for resource consent made in respect of rule CCZ-R20.3 that does not give effect to CCZ-P11 City Outcomes Contribution must be publicly notified.</u></p> <p><del>4. 3. Activity status: Discretionary Where:</del>  <del>a. Compliance with the requirements of CCZ-S4 cannot be achieved. Notification status:</del>  <del>An application for resource consent made in respect of rule CCZ- R20.43 which results in non-compliance with CCZ-S4 is precluded from being either publicly or limited notified, except where the application does not give effect to CCZ-P11 City Outcomes Contribution.</del>  <del>An application for resource consent in respect of rule CCZ-R20.4 that does not give effect to CCZ-P11 City Outcomes Contribution must be publicly notified</del></p>	<p><u>CCZ-SX (Fences and standalone walls), CCZ-SX (Boundary setback from a rail corridor) and CCZ-SX (Sites adjoining residential zones);</u></p> <p><del>3. The Centres and Mixed-Use Design Guide, including guideline G107 – City Outcomes Contribution as required in Appendix 16 for any building that exceeds the maximum CCZ-S1 height threshold requirement or is under the minimum height limit in CCZ-S4 and either comprises 50 or more residential units or is a non-residential building;</del></p> <p><del>4. The Residential Design Guide;</del></p> <p>5. The extent and effect of any identifiable site constraints;</p> <p>6. The impacts of related construction activities on the transport network; and</p> <p>7. The availability and connection to existing or planned three waters infrastructure.</p> <p>Notification status:  <u>An application for resource consent made in respect of rule CCZ-R20.2.a which complies with all standards is precluded from being either publicly or limited notified.</u></p> <p>An application for resource consent made in respect of rule R20.2.a which results in non-compliance with CCZ-S5, CCZ-S9, CCZ-S10, CCZ-S11, CCZ-S12 and CCZ-S13 is precluded from being either publicly or limited notified.</p> <p>An application for resource consent made in respect of rule R20.2.a which results from non-compliance with <del>CCZ-S4</del>, CCZ-S2, CCZ-S3, CCZ-S6, CCZ-S7 and CCZ-S8 is precluded from being publicly notified.</p> <p><del>3. Activity status: Restricted Discretionary Where:</del>  <del>a. The relevant City Outcome Contribution Height Threshold set out in CCZ-S1 is exceeded.</del>  <del>Matters of discretion are:</del>  <del>1. The matters in CCZ-P11; and</del>  <del>2. The application and implementation of the City Outcome Contribution set out in Appendix 16.</del></p> <p><del>Notification status:</del>  <del>An application for resource consent made in respect of rule CCZ- R20.3 is precluded from being either publicly or limited notified, except where the application does not give effect to CCZ-P11 City Outcomes Contribution.</del></p>



Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal										
						<p><del>An application for resource consent made in respect of rule CCZ-R20.3 that does not give effect to CCZ-P11 City Outcomes Contribution must be publicly notified.</del></p> <p><del>4. 3. Activity status: Discretionary</del> Where: a. Compliance with the requirements of CCZ-S4 cannot be achieved.</p> <p>Notification status: An application for resource consent made in respect of rule CCZ- R20.43 which results in non-compliance with CCZ-S4 is precluded from being either publicly or limited notified, except where the application does not give effect to CCZ-P11 City Outcomes Contribution.</p> <p><del>An application for resource consent in respect of rule CCZ-R20.4 that does not give effect to CCZ-P11 City Outcomes Contribution must be publicly notified.</del></p>										
391.731 & 391.732	Commercial and mixed use Zones / City Centre Zone / CCZ-R21	Support in part. Kāinga Ora sought amendment to remove direct reference to the design guide and to instead articulate the urban design outcomes that are sought.	Section 42A report accepts in part and is of the opinion that reference to the RDG should rightly sit within CCZ-P10 instead of the rule framework. Section 42A report disagrees with the amendment to remove reference to CCZ-S10 and CCZ-SR2 because it is important that consideration is provided for providing adequate private or communal outdoor living space given the rule relates to conversion of a building for residential activities.	Kāinga Ora seeks amendment to CCZ-R21: <del>1. Activity status: Restricted Discretionary</del> Matters of discretion are: <del>1. The matters in CCZ-P1, CCZ-P4 and CCZ-P10;</del> <del>2. The extent of compliance with standards CCZ-S9, CCZ-S10 and CCZ-S13 and satisfaction of associated assessment criteria;</del> <del>3. The relevant guidance contained within the Residential Design Guide;</del> <del>4. The availability and connection to existing or planned three waters infrastructure.</del> Notification status: <del>An application for resource consent made in respect of rule CCZ-R21.1 is precluded from being either publicly or limited notified</del>	1. Activity status: Restricted Discretionary Matters of discretion are: 1. The matters in CCZ-P1, CCZ-P4 and CCZ-P10; 2. The extent of compliance with standards CCZ-S9, CCZ-S10 and CCZ-S13 and satisfaction of associated assessment criteria; <del>3. The relevant guidance contained within the Residential Design Guide;</del> 4. 3. The availability and connection to existing or planned three waters infrastructure. Notification status: An application for resource consent made in respect of rule CCZ-R21.1 is precluded from being either publicly or limited notified	NO CHANGES.										
391.733 & 391.734	Commercial and mixed use Zones / City Centre Zone / CCZ-S1	Oppose in part. Kāinga Ora sought amendment so the building heights are simplified and considers the Central Wellington City and the City Centre Zone should provide for unlimited building heights to encourage intensification and development.	Section 42A report accepts in part and recommends an unlimited height in CCZ, but heights above identified threshold of City Outcomes Contribution must be complied with. Section 42A introduces 1.8m fence height standard.	Kāinga Ora supports the approach taken in the section 42A report.	<del>Maximum height City Outcomes Contribution Height Threshold</del> 1. <del>There are no maximum heights for buildings and structures in the City Centre Zone.</del> 2. <del>Above The following maximum height limits thresholds the City Outcomes Contribution Height Thresholds must be complied with</del> (measured above ground level unless otherwise specified): <table border="1" data-bbox="1795 1717 2261 1927"> <thead> <tr> <th>Location</th> <th>Limit Height Threshold</th> </tr> </thead> <tbody> <tr> <td>Height Control Area 1 – Thorndon Quay</td> <td>35.4m</td> </tr> <tr> <td>Height Control Area 2 – Waterloo Quay section</td> <td>50m</td> </tr> </tbody> </table>	Location	Limit Height Threshold	Height Control Area 1 – Thorndon Quay	35.4m	Height Control Area 2 – Waterloo Quay section	50m	Kāinga Ora seeks the following amendments: <del>Maximum height City Outcomes Contribution Height Threshold</del> 1. <del>There are no maximum heights for buildings and structures in the City Centre Zone.</del> 2. <del>Above Tthe following maximum height limits thresholds the City Outcomes Contribution Height Thresholds must be complied with (measured above ground level unless otherwise specified):-</del> <table border="1" data-bbox="2309 1822 2804 1890"> <thead> <tr> <th>Location</th> <th>Limit Height threshold</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Location	Limit Height threshold		
Location	Limit Height Threshold															
Height Control Area 1 – Thorndon Quay	35.4m															
Height Control Area 2 – Waterloo Quay section	50m															
Location	Limit Height threshold															

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391.735	Commercial and mixed use Zones / City Centre Zone / CCZ-S8	Kāinga Ora sought amendment so active frontage controls only apply where necessary, along principal	Section 42A report rejects the amendment but agrees that CCZ-S8 active frontage control should only apply where necessary. Section 42A report is of htre view	Kāinga Ora seeks amendments to CCZ-S8: 1. Any new building or addition to an existing building adjoining an identified street with an active frontage control must:	1. Any new building or addition to an existing building <u>adjoining facing</u> an identified street with an active frontage control must:	Kāinga Ora seeks the following further amendments: 1. Any new building or addition to an existing building <u>adjoining facing</u> an identified																																				

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		roads/arterials and along any street edge rather than buildings on the whole site where an active frontage applies, and considers active frontage controls on streets and buildings where these matters do not apply should be deleted.	that the mapped extent and wording of CCZ-S8 make it clear where the CCZ provision applies.	<p>a. Be built up to the street edge on all street boundaries <u>with an identified active frontage control</u> and along the full width of the site bordering <u>any the</u> street boundary, <u>excluding vehicle and pedestrian access</u>;</p> <p>b. Provide a minimum of 60% of <u>continuous</u> display windows or transparent glazing along the width of the ground floor building frontage; and</p> <p>c. Locate the principal public entrance on the front boundary. Except that: This does not apply to any heritage building identified in SCHED1-heritage buildings <u>or service stations</u>; and</p> <p>2. Any ground level <u>façade of new building</u> or addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that:</p> <p>a. Is more than 4 metres wide;</p> <p>b. Extends from a height of 1m above ground level to a maximum height of 2.5m; and</p> <p>c. Any roller shutter doors (<u>except to car parking and service areas</u>), security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent.</p> <p>Assessment criteria where the standard is infringed:</p> <p>1. The extent to which:</p> <p>a. Any non-compliance is required for on-site functional needs or operational needs;</p> <p>b. The building frontage is designed and located to create a strong visual alignment with adjoining buildings or otherwise enhances the streetscape; and</p> <p>c. <u>An acceptable level of passive surveillance is maintained</u> between the interior of the building and the street <u>is provided</u>.</p>	<p>a. Be built up to the street edge <u>at ground floor level along at least 90% of the full width of the site that borders the street(s) on all street boundaries with an the identified active frontage control and of the full width of the site bordering any street boundary, excluding vehicle and pedestrian access</u>;</p> <p>b. Provide a minimum of 60% of continuous display windows or transparent glazing along the width of the ground floor building frontage; and</p> <p>c. Locate the principal public entrance on the front boundary.</p> <p>Except that: This does not apply to any heritage building identified in SCHED1-heritage buildings <u>or service stations</u>; and</p> <p>2. Any ground level addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that:</p> <p>a. Is more than 4 metres wide;</p> <p>b. Extends from a height of 1m above ground level to a maximum height of 2.5m; and</p> <p>c. Any roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent</p> <p>Assessment criteria where the standard is infringed:</p> <p>1. The extent to which:</p> <p>a. Any non-compliance is required for on-site functional needs or operational needs;</p> <p>b. The building frontage is designed and located to create a strong visual alignment with adjoining buildings <u>or otherwise enhances the streetscape</u>; and</p> <p>c. An acceptable level of passive surveillance is maintained between the interior of the building and the street</p>	<p>street <u>on a site</u>-with an active frontage control must:</p> <p>a. Be built up to the street edge <u>at ground floor level along at least 90% of the full width of the site that borders the street(s) on all street boundaries with an the identified active frontage control and of the full width of the site bordering any street boundary, excluding vehicle and pedestrian access</u>;</p> <p>b. Provide a minimum of 60% of <u>continuous</u> display windows or transparent glazing along the width of the ground floor building frontage; and</p> <p>c. Locate the principal public entrance on the front boundary.</p> <p>Except that: This does not apply to any heritage building identified in SCHED1-heritage buildings <u>or service stations</u>; and</p> <p>2. Any ground level <u>façade of new building or</u> addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that:</p> <p>a. Is more than 4 metres wide;</p> <p>b. Extends from a height of 1m above ground level to a maximum height of 2.5m; and</p> <p>c. 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391.736 & 391.737	Commercial and mixed use Zones / City Centre Zone / CCZ-S9	Support in part. Kāinga Ora sought amendment to remove the minimum standard for 2+ bedroom units to enable greater design flexibility.	Section 42A report rejects the amendment and does not consider that compelling evidence or s32AA assessment has been provided by the submitter for a reduction in minimum unit sizes.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES.	NO CHANGES
391.738	Commercial and mixed use Zones /	Oppose. Kāinga Ora sought the deletion of	Section 42A report rejects the amendment and notes that half of	Kāinga Ora supports the approach taken in the section 42A report.		NO CHANGES

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence			Kāinga Ora position following Council rebuttal
					Living space type	Minimum area	Minimum dimension	
	City Centre Zone / CCZ-S10	CCZ-S10 in its entirety and considers the City Centre to be a zone where it may be appropriate to develop residential units without outdoor living space given the access to public spaces and facilities.	the apartments had only a single aspect; most apartments do not have private outdoor space and; for those that do have private outdoor spaces, this space is usually less than 10m2.					
					Private			
					i. Studio unit and 1-bedroom unit	5m2	1.8m	
					ii 2+ bedroom unit	8m2	1.8m	
					Communal			
					For every 5 4-15 units	<del>1064m2</del> per unit	8m	
					For each additional unit about 15 units	2m2	-	
					Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space			
391.739	Commercial and mixed use Zones / City Centre Zone / CCZ-S11	Oppose. Kāinga Ora sought the deletion of CCZ-S11 in its entirety and considers it a constraint on design flexibility.	Section 42A report rejects the amendment and notes that testing of sites demonstrates that these rules along with the building depth and building separation rules, effectively allow the development to achieve the privacy separation requirements. The intent of the standard is to enhance solar access and the potential for outlook/privacy to be created for residents on-site and those in adjacent developments.	Kāinga Ora seeks the deletion of CCZ-S11 (Minimum building separation distance) in its entirety.	NO CHANGES.			Kāinga Ora maintains the position it stated following the 42A report.
391.740	Commercial and mixed use Zones / City Centre Zone / CCZ-S12	Oppose. Kāinga Ora sought the deletion of CCZ-S12 in its entirety and considers it a constraint on design flexibility.	Section 42A report rejects the amendment and notes that maximum building depth will encourage buildings to be placed at the front of sites and prevent long buildings into the site and facing adjoining properties	Kāinga Ora seeks the deletion of CCZ-S12 (Minimum building separation distance) in its entirety.	Any new building, <u>or part of a new building</u> , or additions to existing building, <u>used for residential activities</u> , must not result in the continuous depth of any external side wall being greater than 25m, as shown in Diagram 19 below			Kāinga Ora maintains the position it stated following the 42A report.
391.741	Commercial and mixed use Zones / City Centre Zone / CCZ-S13	Oppose. Kāinga Ora sought the deletion of CCZ-S13 in its entirety and considers it sets a standard that may not be possible to meet for dwellings that would otherwise provide a decent standard of living.	Section 42A report rejects the amendment and considers CCZ-S13 fundamental to allow for outlook space for residents.	Kāinga Ora seeks the deletion of CCZ-S13 (Minimum building separation distance) in its entirety.	NO CHANGES.			Kāinga Ora maintains the position it stated following the 42A report.
391.33	Interpretation Subpart / Definitions / COMPREHENSIVE DEVELOPMENT	Oppose. Kāinga Ora sought the deletion of the definition provided for "Comprehensive Development."	Section 42A report rejects the amendment and considers there is merit in retaining the definition because it is referenced in the introduction to CCZ; CCZ-P9; CCZ-	Kāinga Ora seeks to delete the definition of 'Comprehensive Development'.	NO CHANGES.			Kāinga Ora maintains the position it stated following the 42A report.

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
			P11 and across CMUZ and Three Waters chapter.			
391.11	Whole PDP / Whole PDP / Whole PDP	Oppose. Kāinga Ora sought the deletion of references to "Comprehensive Development" throughout the PDP.	Section 42A report rejects the amendment and considers there is merit in retaining the definition because it is referenced in the introduction to CCZ; CCZ-P9; CCZ-P11 and across CMUZ and Three Waters chapter.	Kāinga Ora seeks to delete the references to 'Comprehensive Development' throughout the PDP.	NO CHANGES.	Kāinga Ora maintains the position it stated following the 42A report.
391.25	Mapping / Mapping General / Mapping General	Oppose. Kāinga Ora sought to delete any mapping references to height limits in the CCZ and considers the Central Wellington City and the City Centre Zone should provide for unlimited building heights to encourage intensification and development and height should not be limited in the City Centre.	Section 42A report rejects the amendment and considers it inappropriate to add standards to CCZ-S1 that control height limits within walking catchments because this is directing a height limit for other zones outside the CCZ. The appropriate place for height limits in these areas is within the relevant zone standards, not in the CCZ provisions.	Kāinga Ora seeks to delete any mapping references to height limits in the CCZ.	NO CHANGES.	Kāinga Ora maintains the position it stated following the 42A report.
FS89.96	General / Mapping / Rezone / Rezone	Oppose. Kāinga Ora opposed the submission from Mt Victoria Historical Society to rezone the CCZ east of Cambridge Terrace to MRZ.	Section 42A report accepts the further submission because the CCZ boundary has not changed from the Operative Plan. Section 42A report does not consider that compelling evidence or s32AA assessment has been provided by submitters to support any change in zoning.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES.	Kāinga Ora maintains the position it stated following the 42A report.
391.457 & 391.458	Residential Zones / High Density Residential Zone / HRZ-P13	Oppose. Kāinga Ora sought amendment to encourage positive outcomes for development in the HRZ.	Section 42A report rejects the amendment and considers that the changes are simply moving the City Outcomes Contribution method from the Design Guides to CCZ-S1 and the recommended Appendix 16. Section 42A report notes that HRZ-P13 control is a variation to an existing ODP control design excellence and needs to be retained as it provides a method to ensure density is done well.	Kāinga Ora seeks amendment to HRZ-P13: <del>Require over height, large scale residential Encourage</del> development in the High Density Residential Zone to contribute to positive outcomes <del>deliver City Outcomes Contributions as detailed and scored in the Residential Design Guide</del> , including <del>through either:</del> 1. Positively contributing to public space provision and the amenity of the site and surrounding area; and/or 2. Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change resilience; and/or 3. Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or <del>4. Incorporating assisted housing into the development, and where this is provided legal instruments are required to ensure that</del>	Renumbered to HRZ-P12.	Kāinga Ora maintains the position it stated following the 42A report.

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
				<del>it remains assisted housing for at least 25 years; and/or</del> 54. Enabling ease of access for people of all ages and mobility.		
<b>DEV1 - Kilbirnie Bus Barns</b>						
391.743 & 391.744	Development Area / Development Area Kilbirnie Bus Barns / General DEV1	Support in part. Kāinga Ora sought amendments to rezone Medium Density Residential Zone to High Density Residential Development to align our outcomes sought in the overarching submission.	Section 42A report rejects the submission and does not recommend changes to underlying zones.	Seeks consequential amendments for all rules to reflect the High Density Residential Development rules.		Seeks consequential amendments for all rules to reflect the High Density Residential Development rules.
FS89.50	Development Area / Development Area Kilbirnie Bus Barns / DEV1-R1	Support in part. Kāinga Ora supported the submission from Bus Barn Limited to amend DEV-R1 so references to "are not visible from public space" are deleted from the policy.	Section 42A report rejects the further submission.		<p>2. Activity status: Restricted Discretionary Where:</p> <p>a. Compliance with any of the requirements of DEV1-R1.1 cannot be achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>The matters in DEV1-P1, MCZ-P6, MCZ-P7, MCZ-P8 and MCZ-P9;</li> <li>The extent and effect of non-compliance with MCZ-S1, MCZ-S2, MCZ-S3, MCZ-S4, MCZ-S5, MCZ-S6, MCZ-S7, MCZ-S8, MCZ-S9, MCZ-S10 and MCZ-S11; <del>and</del></li> <li><del>The Centres and Mixed-Use Design Guide, including guideline G107 - City Outcomes Contribution as required in Appendix 16 for any building that exceeds the MCZ-S1 height threshold requirement and is under the minimum height and either comprises 25 or more residential units or is a non-residential building;</del></li> <li><del>3. The Residential Design Guide;</del> <ol style="list-style-type: none"> <li>The extent and effect of any identifiable site constraints;</li> <li>Construction impacts on the transport network;</li> <li>The extent of compliance with the Kilbirnie Bus Barns Development Plan; and</li> <li>The availability and connection to existing or planned three waters infrastructure.</li> </ol> </li> </ol> <p>Notification status: An application for resource consent made in respect of rule MCZ-R20.2 that complies with MCZ-S3, MCZ-S7, MCZ-S8, MCZ-S9, MCZ-S10 and MCZS11 is precluded from being either publicly or limited notified.</p> <p>An application for resource consent made in respect of rule MCZ-R20.2 that results</p>	<p>2. Activity status: Restricted Discretionary Where:</p> <p>b. Compliance with any of the requirements of DEV1-R1.1 cannot be achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>The matters in DEV1-P1, MCZ-P6, MCZ-P7, MCZ-P8 and MCZ-P9;</li> <li>The extent and effect of non-compliance with MCZ-S1, MCZ-S2, MCZ-S3, MCZ-S4, MCZ-S5, MCZ-S6, MCZ-S7, MCZ-S8, MCZ-S9, MCZ-S10 and MCZ-S11; <del>and</del></li> <li><del>The Centres and Mixed-Use Design Guide, including guideline G107 - City Outcomes Contribution as required in Appendix 16 for any building that exceeds the MCZ-S1 height threshold requirement and is under the minimum height and either comprises 25 or more residential units or is a non-residential building;</del></li> <li><del>3. The Residential Design Guide;</del> <ol style="list-style-type: none"> <li>The extent and effect of any identifiable site constraints;</li> <li>Construction impacts on the transport network;</li> <li>The extent of compliance with the Kilbirnie Bus Barns Development Plan; and</li> <li>The availability and connection to existing or planned three waters infrastructure.</li> </ol> </li> </ol> <p>Notification status: An application for resource consent made in respect of rule MCZ-R20.2 that complies with MCZ-S3, MCZ-S7, MCZ-S8, MCZ-S9, MCZ-S10 and MCZS11 is precluded from being either publicly or limited notified.</p> <p>An application for resource consent made in respect of rule MCZ-R20.2 that results from</p>

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					<p>from non-compliance with MCZ-S1, MCZ-S2, MCZ-S4, MCZ-S5 and MCZ-S6 is precluded from being publicly notified.</p> <p><del>3. Activity status: Restricted Discretionary</del> <del>Where:</del> <del>a. The relevant City Outcome Contribution maximum height requirement set out in MCZ-S1 is exceeded.</del></p> <p><del>Matters of discretion are:</del> <del>1. The matters in MCZ-P10; and</del> <del>2. The application and implementation of the City Outcome Contribution set out in Appendix 16.</del></p> <p><del>Notification status:</del> <del>An application for resource consent made in respect of rule DEV1-R1.3 is precluded from being either publicly or limited notified, except where the application does not give effect to MCZ-P10 City Outcomes Contribution.</del></p> <p><del>An application for resource consent made in respect of rule DEV1-R1.3 that does not give effect to MCZ-P10 City Outcomes Contribution must be publicly notified.</del></p>	<p>non-compliance with MCZ-S1, MCZ-S2, MCZ-S4, MCZ-S5 and MCZ-S6 is precluded from being publicly notified.</p> <p><del>3. Activity status: Restricted Discretionary</del> <del>Where:</del> <del>b. The relevant City Outcome Contribution maximum height requirement set out in MCZ-S1 is exceeded.</del></p> <p><del>Matters of discretion are:</del> <del>1. The matters in MCZ-P10; and</del> <del>2. The application and implementation of the City Outcome Contribution set out in Appendix 16.</del></p> <p><del>Notification status:</del> <del>An application for resource consent made in respect of rule DEV1-R1.3 is precluded from being either publicly or limited notified, except where the application does not give effect to MCZ-P10 City Outcomes Contribution.</del></p> <p><del>An application for resource consent made in respect of rule DEV1-R1.3 that does not give effect to MCZ-P10 City Outcomes Contribution must be publicly notified.</del></p>
<b>Metropolitan City Centres</b>						
391.646 & 391.647	Commercial and mixed use Zones / Metropolitan Centre Zone / General MCZ	Support in part. Kāinga Ora sought amendment to the Metropolitan Centre Zone chapter to add a height control of 29m within 400m walkable catchment of a Metropolitan Centre Zone to ensure that the NPS-UD and Housing Supply Act are effectively and efficiently implemented.	Section 42A report accepts in part but rejects the height control.	Addressed in HS2.		
391.648 & 391.649	Commercial and mixed use Zones / Metropolitan Centre Zone / General MCZ	Support in part. Kāinga Ora sought amendment to the introduction text in the Metropolitan Centre Zone to better reflect density and design outcomes anticipated in the NPS-UD.	Section 42A report accepts in part but rejects the recommended amendment to substantial height limits, high quality building design and amenity values and design in the centres.	Kāinga Ora supports the approach taken in the section 42A report.	<p>The Johnsonville and Kilbirnie metropolitan centres will play a critical role in accommodating forecast population growth and have significant development/redevelopment potential. To support and encourage intensification, the Metropolitan Centre Zone provides <del>an opportunity for substantial building heights to be realised</del><del>substantial height limits.</del></p> <p>Given the significant development potential in the Metropolitan Centre Zones, comprehensive development and the integrated and coordinated development of larger sites is required to act as a catalyst</p>	<p>Kāinga Ora seeks the following further amendments:</p> <p>The Johnsonville and Kilbirnie metropolitan centres will play a critical role in accommodating forecast population growth and have significant development/redevelopment potential. To support and encourage intensification, the Metropolitan Centre Zone provides <del>an opportunity for substantial building heights to be realised</del><del>substantial height limits.</del> Given the significant development potential in the Metropolitan Centre Zones, comprehensive</p>

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					<p>for positive change and demonstrate density done well.</p> <p>High quality building design is a focus for these centres. The transition to more intensive use in metropolitan centres will result in significant changes to existing amenity values and design in the centres and their surrounds. Redevelopment will be supported by a range of measures to promote good design and environmental outcomes and address amenity issues. Accordingly, most building activities will require a resource consent and an assessment against the Centres and Mixed Use Design Guide.</p> <p>There is an identified need for significant residential intensification within and around the Metropolitan Centres. <del>These centres are subject to the intensification policies 3 (b) and (c) of the National Policy Statement on Urban Development 2020 (NPS-UD).</del> Accordingly, residential activity is permitted above ground floor within the centres and the High Density Residential Zone has been applied within a walkable catchment of the edge of these centres. The <del>cumulative</del> risk from natural hazards in Kilbirnie is that the intensification of this area has been tempered as a qualifying matter under Subpart 6, clause 3.32 of the NPS-UD has been addressed by applying the natural hazards overlay.</p> <p>To support a mix of activities within the Zone, activities that have off-site effects, such as industrial activities and different retail formats, will need to be managed. There is however a desire for larger scale retail to locate in centres, where these are of an appropriate form and scale, rather than at out-of-centre locations, to support the vitality <del>and viability</del> of centres.</p>	<p>development and the integrated and coordinated development of larger sites is required to act as a catalyst for positive change and demonstrate density done well.</p> <p><del>High-quality building design Achieving well designed buildings</del> is a focus for these centres. The transition to more intensive use in metropolitan centres will result in significant changes to existing amenity values and design in the centres and their surrounds. Redevelopment will be supported by a range of measures to promote good design and environmental outcomes and address amenity issues. Accordingly, most building activities will require a resource consent <del>and an assessment against the Centres and Mixed Use Design Guide.</del></p> <p>There is an identified need for significant residential intensification within and around the Metropolitan Centres. <del>These centres are subject to the intensification policies 3 (b) and (c) of the National Policy Statement on Urban Development 2020 (NPS-UD).</del> Accordingly, residential activity is permitted above ground floor within the centres and the High Density Residential Zone has been applied within a walkable catchment of the edge of these centres. The <del>cumulative</del> risk from natural hazards in Kilbirnie is that the intensification of this area has been tempered as a qualifying matter under Subpart 6, clause 3.32 of the NPS-UD has been addressed by applying the natural hazards overlay.</p> <p>To support a mix of activities within the Zone, activities that have off-site effects, such as industrial activities and different retail formats, will need to be managed. There is however a desire for larger scale retail to locate in centres, where these are of an appropriate form and scale, rather than at out-of-centre locations, to support the vitality <del>and viability</del> of centres.</p>
FS89.39	Part 3 / Commercial and Mixed Use Zones / Metropolitan Zone / New MCZ	Oppose. Kāinga Ora opposed the submission from KiwiRail to add a new standard to boundary setback of 5m from the rail corridor for all buildings and structures.	Section 42A report accepts the further submission to oppose the relief sought by KiwiRail.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES.	NO CHANGES



Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
391.650	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-O1	Supportive of MCZ-O1. Kāinga Ora sought for MCZ-O1 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES.	NO CHANGES
391.651	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-O2	Supportive of MCZ-O2. Kāinga Ora sought for MCZ-O2 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	The Metropolitan Centre Zone plays a significant role in accommodating growth and has sufficient serviced, resilient development capacity <b>and additional infrastructure</b> to meet commercial and residential growth needs	Kāinga Ora maintains the position it stated following the 42A report.
391.652	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-O3	Support in part. Kāinga Ora sought amendment to better reflect the density and design outcomes necessary to reflect the centre's location in the Centres hierarchy and the NPS-UD.	Section 42A report rejects the amendment and disagrees with the relief sought because the District Plan should enable a mix of housing options to suit the needs of different residents. Section 42A report notes that while it is important to create high quality streetscape/townscape environments, the centre as a whole should provide a high level of amenity for people who live, work and recreate within it	Kāinga Ora seeks amendment to MCZ-O3: <del>Medium and h</del> High density mixed-use development is achieved that positively contributes to a good quality, well-functioning urban environment that reflects the changing urban form supporting high and amenity values of <b>streets and public places in</b> the Metropolitan Centres Zone	NO CHANGES.	Kāinga Ora maintains the position it stated following the 42A report.
391.653	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-O4	Support in part. Kāinga Ora sought amendment to better reflect the centre's location in the Centres hierarchy and NPS-UD outcomes.	Section 42A report rejects the amendment and considers it unnecessary given the existing wording of the objective already articulates the purpose of the zone.	Kāinga Ora supports the approach taken in the section 42A report.	Activities will be of an appropriate scale and type to enhance the vibrancy <b>and viability</b> of Metropolitan Centres, <b>support walkable neighbourhoods</b> and reflect their sub-regional purpose.	NO CHANGES
FS89.84	Part 3 / Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-P1	Oppose. Kāinga Ora opposed the relief sought by McDonalds to delete " that does not undermine the ongoing viability and vibrancy of the Local Centre Zone and Metropolitan Centre Zone and primacy of the City Centre Zone" from MCZ-P11.	Section 42A report rejects the further submission and accepts the original submission from McDonalds.	Kāinga Ora seeks amendment to MCZ-P1: Provide for the use and development of the Metropolitan Centre Zone to meet the City's needs for housing, business activities and community facilities, including: 1. A variety of building types, sizes, <del>tenures, affordability</del> and distribution of a scale and intensity <del>that does not undermine the ongoing viability, vibrancy and primacy of the City Centre Zone</del> <b>supports the purpose of the zone;</b> 2. <del>A mix of medium and h</del> High-density housing;	Provide for the use and development of the Metropolitan Centre Zone to meet the City's needs for housing, business activities and community facilities, including: 1. A variety of building types, sizes, tenures, affordability and distribution of a scale and intensity that <del>does not undermine the ongoing viability, vibrancy and primacy of the City Centre Zone</del> <b>supports the purpose of the zone;</b> 2. A mix of medium and high-density housing; 3. Convenient access to active transport and public transport options; 4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces.	Kāinga Ora maintains the position it stated following the 42A report.
391.654	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-P1	Support in part. Kāinga Ora sought amendment to recognise the range of housing densities enabled in the zone and to clarify	Section 42A report rejects the amendment and notes that medium density development is an acceptable and anticipated form of development in the MCZ.	Kāinga Ora seeks amendment to MCZ-P1: Provide for the use and development of the Metropolitan Centre Zone to meet the City's needs for housing, business activities and community facilities, including:	Provide for the use and development of the Metropolitan Centre Zone to meet the City's needs for housing, business activities and community facilities, including:	Kāinga Ora maintains the position it stated following the 42A report.

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
		the intent of the metropolitan zone is to enable significant intensification and height.		1. A variety of building types, sizes, <del>tenures, affordability</del> and distribution of a scale and intensity <del>that does not undermine the ongoing viability, vibrancy and primacy of the City Centre Zone supports the purpose of the zone;</del> 2. <del>A mix of medium and high-density</del> high-density housing;	1. A variety of building types, sizes, tenures, affordability and distribution of a scale and intensity that <del>does not undermine the ongoing viability, vibrancy and primacy of the City Centre Zone</del> supports the purpose of the zone; 2. A mix of medium and high-density housing; 3. Convenient access to active transport and public transport options; 4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces.	
FS89.59	Part 3 / Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-P1	Oppose. Kāinga Ora opposed the amendment from Foodstuffs to delete "does not undermine the ongoing viability, vibrancy and primacy of the City Centre Zone" from MCZ-P1.1.	Section 42A report rejects the further submission and accepts the original submission from Foodstuffs.	Kāinga Ora seeks amendment to MCZ-P1: Provide for the use and development of the Metropolitan Centre Zone to meet the City's needs for housing, business activities and community facilities, including: 1. A variety of building types, sizes, <del>tenures, affordability</del> and distribution of a scale and intensity <del>that does not undermine the ongoing viability, vibrancy and primacy of the City Centre Zone supports the purpose of the zone;</del> 2. <del>A mix of medium and high-density</del> high-density housing;	Provide for the use and development of the Metropolitan Centre Zone to meet the City's needs for housing, business activities and community facilities, including: 1. A variety of building types, sizes, tenures, affordability and distribution of a scale and intensity that <del>does not undermine the ongoing viability, vibrancy and primacy of the City Centre Zone</del> supports the purpose of the zone; 2. A mix of medium and high-density housing; 3. Convenient access to active transport and public transport options; 4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces.	Kāinga Ora maintains the position it stated following the 42A report.
391.655	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-P2	Supportive of MCZ-P2. Kāinga Ora sought for MCZ-P2 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES.	NO CHANGES
391.656	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-P5	Supportive of MCZ-P5. Kāinga Ora sought for MCZ-P5 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES.	NO CHANGES
391.657 & 391.658	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-P6	Support in part. Kāinga Ora sought amendment to recognise the range of housing densities potentially enabled in the zone and to clarify the intent of the metropolitan zone is to enable significant intensification and height.	Section 42A report rejects the amendment and notes that no planning or section 32AA evaluations have been provided in support of this submission. Section 42A report notes that the District Plan zoning framework is designed to provide different housing typologies in different locations throughout the city.	Kāinga Ora seeks amendment to MCZ-P6: Enable <del>medium and</del> high-density residential development that: 1. Contributes towards accommodating anticipated growth in the City; and 2. Offers a range of housing price, type, <del>and size and tenure</del> that is accessible to people of all ages, lifestyles, cultures, <del>impairments</del> and abilities.	Enable medium and high-density residential development that: 1. Contributes towards accommodating anticipated growth in the City; and 2. Offers a range of housing price, type, size and tenure that is accessible to people of all ages, lifestyles, cultures, <del>impairments</del> and abilities.	Kāinga Ora maintains the position it stated following the 42A report.

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
391.659 & 391.660	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-P7	Support in part. Kāinga Ora sought amendment to better reflect the intent of the policy and to better recognise the MCZ rule setting and the intent of the NPS-UD that recognises the planned urban built form that change to existing amenity is not in itself an adverse effect.	Section 42A report accepts in part and notes that changes to MCZ-P7.1.a are an improvement on the current wording. Section 42A report rejects changes to the name of the policy as the existing title signifies that this policy is designed focused and does not support the requested changes to MCZ-P7.1.b. because the purpose of listing the specific types of sites is to enable comprehensive development within the zone.	Kāinga Ora seeks amendment to MCZ-P7: Quality design outcomes— <del>neighbourhood and townscape</del> <u>Centres outcomes</u> Require new development, and alterations and additions to existing development at a site scale, to positively contribute to the sense of place, quality and <u>planned urban built form and function amenity</u> of the Metropolitan Centre Zone by: <del>1. Meeting the requirements of the Centres and Mixed Use Design Guide as relevant;</del> 2. Recognising the benefits of well-designed, comprehensive, development, including the extent to which the development: a. <del>Acts as a positive catalyst for future change by reflecting</del> <u>Reflects</u> the nature and scale of the development <u>proposed enabled</u> within the zone <u>and in the vicinity</u> , and responds to the evolving, more intensive identity of the centre; b. Optimises the development capacity of land, <del>particularly sites that are: i. Large; or ii. Narrow; or iii. Vacant; or iv. Ground level parking areas;</del>	Require new development, and alterations and additions to existing development at a site scale, to positively contribute to the sense of place, quality and amenity of the Metropolitan Centre Zone by: <del>1. Meeting the requirements of the Centres and Mixed Use Design Guide as relevant;</del> <del>2. 4. Recognising the benefits of well-designed, comprehensive, development, including the extent to which the development:</del> a. <del>Acts as a positive catalyst for future change by reflecting</del> <u>Reflects</u> the nature and scale of the development <u>proposed enabled</u> within the zone <u>and in the vicinity</u> , and responds to the evolving, more intensive identity of the centre; b. Optimises the development capacity of the land, <u>particularly including</u> sites that are: <u>large, narrow, vacant or ground level parking areas; i. Large; or ii. Narrow; or iii. Vacant; or iv. Ground level parking areas;</u> c. Provides for the increased levels of residential accommodation enabled in this zone; and d. Provides for a range of supporting business, open space and community facilities; <del>e. Is accessible for emergency service vehicles.</del> <del>3. 2. Ensuring that the development, where relevant: a. Responds to the site context, particularly where it is located adjacent to:</del> i. A scheduled site of significance to tangata whenua or other Māori; ii. A heritage building, heritage structure or heritage area; iii. Residential zoned areas; iv. Open space zoned areas; b. Provides a safe and comfortable pedestrian environment; c. Enhances the quality of the streetscape and public / private interface; d. Integrates with existing and planned active and public transport movement networks; and e. Allows sufficient flexibility for ground floor space to be converted for a range of activities, including residential.	Kāinga Ora seeks the following further amendments:  Require new development, and alterations and additions to existing development at a site scale, to positively contribute to the sense of place, quality and <u>amenity planned urban built form and function</u> of the Metropolitan Centre Zone by: <del>1. Meeting the requirements of the Centres and Mixed Use Design Guide as relevant;</del> <del>2. 4. Recognising the benefits of well-designed, comprehensive, development, including the extent to which the development:</del> a. <del>Acts as a positive catalyst for future change by reflecting</del> <u>Reflects</u> the nature and scale of the development <u>proposed enabled</u> within the zone <u>and in the vicinity</u> , and responds to the evolving, more intensive identity of the centre; b. Optimises the development capacity of the land, <u>particularly including sites that are: large, narrow, vacant or ground level parking areas;</u> <del>i. Large; or</del> <del>ii. Narrow; or</del> <del>iii. Vacant; or</del> <del>iv. Ground level parking areas;</del> c. Provides for the increased levels of residential accommodation enabled in this zone; and d. Provides for a range of supporting business, open space and community facilities; <del>e. Is accessible for emergency service vehicles.</del> <del>3. 2. Ensuring that the development, where relevant:</del> a. Responds to the site context, particularly where it is located adjacent to: i. A scheduled site of significance to tangata whenua or other Māori; ii. A heritage building, heritage structure or heritage area; iii. Residential zoned areas; iv. Open space zoned areas; b. Provides a safe and comfortable pedestrian environment; c. Enhances the quality of the streetscape and public / private interface; d. Integrates with existing and planned active and public transport movement networks; and e. Allows sufficient flexibility for ground floor space to be converted for a range of activities, including residential.

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
391.661 & 391.662	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-P8	Support in part. Kāinga Ora sought amendment to clarify the extent of on-site amenity requirements.	Section 42A report accepts in part and notes that further amendment would clarify that there is no requirement to provide both private and communal outdoor space, rather communal outdoor space is to be provided if private space is not.	Kāinga Ora seeks amendments to MCZ-P8: Achieve a good standard of amenity for residential activities in the Metropolitan Centre Zone by: 1. Providing residents with access to adequate outlook; and 2. Ensuring <del>convineint</del> <u>convenient</u> access to <del>convenient outdoor space</del> , including private <del>and/or shared</del> communal areas of outdoor space; <del>3. Meeting the requirements of the Residential Design Guide, as relevant; and</del> <u>4. Providing residents with adequate internal living space</u>	Achieve a good standard of amenity for residential activities in the Metropolitan Centre Zone by: 1. Providing residents with access to adequate outlook; and 2. Ensuring <del>convineint</del> <u>convenient outdoor space, including private and/or shared</u> communal areas <u>of outdoor space</u> ; <u>3. Meeting the requirements of the Residential Design Guide, as relevant; and</u> <u>4. Providing residents with adequate internal living space.</u>	Kāinga Ora maintains the position it stated following the 42A report.
391.663 & 391.664	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-P9	Support in part. Kāinga Ora sought amendment to specify "adjoining properties" for the minimisation of adverse effects and clarifying that effects are those beyond those anticipated in the plan in accordance with Policy 6 NPSUD.	Section 42A report accepts in part and disagrees that the policy should only allow for consideration of effects 'beyond what is anticipated in the zone'. Caselaw has established that the word 'anticipated' can be taken to mean 'permitted' and recommends against adding this phrase into the PDP planning framework as sets an expectation of a 'permitted baseline'.	Kāinga Ora seeks amendment to MCZ-P9: Recognise the evolving, higher density development context anticipated in the Metropolitan Centre Zone, while managing any associated adverse effects <u>beyond those anticipated within the zone</u> , include 1. Shading, privacy, bulk and dominance effects on adjacent sites; and 2. The impact of construction on the transport network <u>and pedestrian linkages.</u>	Recognise the evolving, higher density development context <del>anticipated</del> <u>enabled</u> in the Metropolitan Centre Zone, while managing any associated adverse effects including: 1. Shading, privacy, bulk and dominance effects on adjacent sites; and 2. The impact of construction on the transport network <u>and pedestrian linkages.</u>	Kāinga Ora seeks the following wording in support of the intent of Anna Stevens' rebuttal evidence: Achieve a good standard of amenity for residential activities in the Metropolitan Centre Zone by: 1. Providing residents with access to adequate outlook; and 2. Ensuring <del>convineint</del> <u>convenient outdoor space, including private and/or shared</u> communal areas <u>of outdoor space</u> ; <del>3. Meeting the requirements of the Residential Design Guide, as relevant; and</del> <u>4. Providing residents with adequate internal living space.</u>
391.665 & 391.666	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-P10	Support in part. Kāinga Ora sought amendment to remove reference to 'City Outcomes Contribution' because it is inconsistent with the current legislative framework; over height development should be assessed based on the potential or actual effects or the proposed infringement as provided for by the rule framework and all these activities are anticipated by the zone, and this policy has the potential to disincentivise intensified development.	Section 42A report rejects the submission and notes that the City Outcomes Contribution needs to be retained as it provides a method which aims to ensure 'density is done well'. It ensures that tall buildings and buildings under the City Centre Zone minimum building height provide beneficial public and private outcomes to contribute to well-functioning urban environments.	Kāinga Ora seeks amendment to MCZ-P10: <del>Require Encourage</del> <u>Encourage</u> over height, <del>large-scale residential, non-residential and comprehensive</del> <u>large-scale residential, non-residential and comprehensive</u> development in the Metropolitan Centre Zone <del>that contribute to positive outcomes including by to deliver City Outcomes Contributions as detailed and scored in Appendix 16 the Centres and Mixed-Use Design Guide guideline G107, including through either:</del> 1. <del>Positively</del> <u>Contribute</u> to public space provision and the amenity of the site and surrounding area; and/or <u>2. Enabling ease of access for people of all ages and mobility; and/or</u> <u>2. 3. Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change resilience; and/or</u> <u>3. 4. Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or</u>	Require over height, <del>large-scale residential, non-residential and comprehensive</del> <u>large-scale residential, non-residential and comprehensive</u> development in the Metropolitan Centre Zone to deliver City Outcomes Contributions as detailed and scored in <del>Appendix 16 the Centres and Mixed-Use Design Guide guideline G107, including through at least two of the following outcomes either:</del> 1. Positively contributing to public space provision and the amenity of the site and surrounding area; and/or <u>2. Enabling universal accessibility within buildings ease of access for people of all ages and mobility; and/or</u> <del>3. 2. 3.</del> <u>3. Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change resilience; and/or</u> <del>4. 3. 4.</del> <u>4. Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or</u>	Kāinga Ora seeks the following further amendments: <del>Encourage Require over height, large-scale residential, non-residential and comprehensive</del> <u>Encourage</u> <del>development in the Metropolitan Centre Zone to deliver City Outcomes Contributions as detailed and scored in Appendix 16 the Centres and Mixed-Use Design Guide guideline G107, including through at least two of the following outcomes either that contributes to positive outcomes including by:</del> 6. <del>Positively</del> <u>Contribute</u> to public space provision and the amenity of the site and surrounding area; and/or 7. <u>Enabling universal accessibility within buildings ease of access for people of all ages and mobility; and/or</u> 8. <del>2. 3.</del> <u>3. Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change resilience; and/or</u> 9. <del>3. 4.</del> <u>4. Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or</u>

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				<p><del>5. 4. 5. Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure that it remains assisted housing for at least 25 years; and/or.</del></p> <p><del>6. Enabling ease of access for people of all ages and mobility</del></p>	<p><del>5. 4. 5. Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure that it remains assisted housing for at least 25 years.; and/or</del></p> <p><del>6. Enabling ease of access for people of all ages and mobility.</del></p>	<p><del>10. 4. 5. Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure that it remains assisted housing for at least 25 years.; and/or</del></p> <p><del>11. Enabling ease of access for people of all ages and mobility.</del></p>
391.667 & 391.668	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-R12	Support in part. Kāinga Ora sought amendment to delete reference to verandah control and natural hazards as these matters are not relevant to the location of residential activities or addressed in other rules.	Section 42A report accepts in part and agrees with the deletion of MCZ-R12.1.v. Section 42A report disagrees that deletion of MCZ-R12.1.iv. is necessary because it will apply in instances where verandah cover is required but the site is not otherwise an active or non-residential frontage, and signifies that the District Plan seeks to enhance the vitality and vibrancy of centres by preventing residential activities in these locations.	<p>Kāinga Ora seeks amendment to MCZ-R12:</p> <p>1. Activity status: Permitted Where:</p> <p>a. The activity is located:</p> <p>i. Above ground floor level;</p> <p>ii. At ground floor level along any street edge not identified as an active frontage;</p> <p>iii. At ground floor level along any street edge not identified as a non-residential activity frontage;</p> <p><del>iv. At ground level along any street not identified as requiring verandah coverage; or</del></p> <p><del>v. At ground level on any site contained within a Natural Hazard Overlay</del></p> <p>2. Activity status: <u>Restricted</u> Discretionary Where:</p> <p>a. Compliance with the requirements of MCZ-R12.1 cannot be achieved.</p> <p><u>Matters of Discretion are restricted to:</u></p> <p><u>1. The matters in MCZ-PXX, MCZ-P7 and MCZ – P8</u> Notification status: An application for resource consent made in respect of rule MCZ-R12.2.a is precluded from being <u>limited and</u> publicly notified.</p>	<p>Activity status: Permitted Where:</p> <p>a. The activity is located:</p> <p>i. Above ground floor level;</p> <p>ii. At ground floor level along any street edge not identified as an active frontage;</p> <p>iii. At ground floor level along any street edge not identified as a non-residential activity frontage;</p> <p>iv. At ground level along any street not identified as requiring verandah coverage.;</p> <p><del>or</del></p> <p><del>v. At ground level on any site contained within a Natural Hazard Overlay</del></p> <p>2. Activity status: Discretionary Where:</p> <p>a. Compliance with the requirements of MCZ-R12.1 cannot be achieved.</p> <p>Notification status: An application for resource consent made in respect of rule MCZ-R12.2.a is precluded from being <u>limited and</u> publicly notified.</p>	<p>Kāinga Ora seeks the following amendment:</p> <p><u>MCZ-R12 Residential activities and Retirement Villages</u></p>
	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-R13			<p>Kāinga Ora seeks amendment to MCZ-R13:</p> <p><u>1. Activity status: Permitted Where:</u></p> <p><u>a. The total gross floor area does not exceed XX,000m2 .</u></p> <p><u>Activity status: Restricted Discretionary Where:</u></p> <p><u>a. Compliance with the requirements of MCZ-R13.1 cannot be achieved.</u></p> <p><u>Matters of discretion are:</u></p> <p><u>1. The matters in MCZ-P1, MCZ-P2, MCZ-P3, and MCZ-P4;</u></p> <p><u>2. The cumulative effect of the development on:</u></p> <p><u>a. The ongoing viability and vibrancy of the City Centre Zone and Golden Mile;</u></p> <p><u>b. a. The safety and efficiency of the transport network, including providing for a range of transport modes;</u></p> <p><u>c. b. The hierarchy of roads, travel demand or vehicle use; and</u></p> <p><u>3. The compatibility with other activities provided for in the Zone.</u></p> <p><u>Council will not apply a permitted baseline assessment when considering the effects of</u></p>	<p>1. Activity status: Permitted <del>Where:</del></p> <p><del>a. The total gross floor area does not exceed 20,000m2</del></p> <p><del>2. Activity status: Restricted Discretionary Where:</del></p> <p><del>a. Compliance with the requirements of MCZ-R13.1 cannot be achieved.</del></p> <p><del>Matters of discretion are:</del></p> <p><del>1. The matters in MCZ-P1, MCZ-P2, MCZ-P3, and MCZ-P4;</del></p> <p><del>2. The cumulative effect of the development on:</del></p> <p><del>a. The ongoing viability and vibrancy of the City Centre Zone and Golden Mile;</del></p> <p><del>b. a. The safety and efficiency of the transport network, including providing for a range of transport modes;</del></p> <p><del>c. b. The hierarchy of roads, travel demand or vehicle use; and</del></p> <p><del>3. The compatibility with other activities provided for in the Zone.</del></p> <p><del>Council will not apply a permitted baseline assessment when considering the effects</del></p>	<p>Kāinga Ora maintains the position it stated following the 42A report.</p>

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
				<del>integrated retail activities that cannot comply with MCZ-R13.1.a.</del>	<del>of integrated retail activities that cannot comply with MCZ-R13.1.a</del>	
391.699	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-R18	Supportive of MCZ-R18. Kāinga Ora sought for MCZ-R18 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES
391.670 & 391.671	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-R19	Support in part. Kāinga Ora sought amendment to ensure that this rule will not have unintended consequences of constraining staged developments.	Section 42A report rejects the amendment and disagrees that the Discretionary activity status would have the unintended consequence of constraining staged development. Section 42A report notes that the rule seeks to prevent demolition that results in land being retained in an undeveloped state, and if staged development is desired, it can be addressed under MCZ-R20.	Kāinga Ora supports the approach taken in the section 42A report.	1. Activity status: Permitted Where: a. The demolition or removal of a building: i. Is required to avoid an imminent threat to life and/or property; or ii. Enables the creation of public space <del>or private outdoor living space associated with the use of a building</del> ; or iii. Is required for the purposes of constructing a new building or structure, or adding to or altering an existing building or structure, <del>that is a permitted activity under MCZ-R20 or DEV-R1, or that</del> has an approved resource consent, or resource consent is being sought concurrently <del>under MCZ-R20.2, or for the Kilbirnie Bus Barns Development Area, DEV-R1.2</del> ; or b. The building or structure for demolition or removal is not on a site that has an active frontage or non-residential activity frontage; or c. The demolition or removal involves a structure, excluding any building.	NO CHANGES
391.672 & 391.673	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-R20	Support in part. Kāinga Ora sought amendment to remove direct reference to the design guide and to "tion". Kāinga Ora also sought amendment to remove residential units from the rule.	Section 42A accepts in part and agrees to remove references to the design guide to avoid unnecessary repetition but disagrees with the inclusion of design outcomes. Section 42A report disagrees that residential activities should be removed from the rule because it provides an opportunity for the Council to assess the effects of any building constructed for residential purposes.	Kāinga Ora seeks to amend MCZ-R20.2: 1. Activity status: Permitted Where: a. Any alterations or additions to a building or structure that: i. Do not alter the external appearance of the building or structure; or ii. Relate to a building frontage below verandah level, including entranceways and glazing and compliance with MCZ-S5 is achieved; or iii. Do not result in the creation of new residential units; and iv. Are not visible from public spaces; and v. Comply with standards MCZ-S1, MCZ-S2, MCZ-S3, MCZ-S4, MCZ-S5, and MCZ-S6 and MCZ-SX (Boundary setback from rail corridor); and ... 2. Activity status: Restricted Discretionary where: a. compliance with any of the requirements of <del>MCZ-R19.4 MCZ-R20.1</del> cannot be achieved.	1. Activity status: Permitted Where: a. Any alterations or additions to a building or structure that: i. Do not alter the external appearance of the building or structure; or ii. Relate to a building frontage below verandah level, including entranceways and glazing and compliance with MCZ-S5 is achieved; or iii. Do not result in the creation of new residential units; and iv. Are not visible from public spaces; and v. Comply with standards <del>MCZ-S4, MCZ-S2, MCZ-S3, MCZ-S4, MCZ-S5, and MCZ-S6 and MCZ-SX (Boundary setback from rail corridor)</del> ; and b. The construction of any building or structure: i. Is not located on a site with an active frontage or non-residential activity frontage; or ii. Is not visible from public space; and	Kāinga Ora seeks the following further amendments: 2. Activity status: Restricted Discretionary Where: a. compliance with any of the requirements of <del>MCZ-R19.4 MCZ-R20.1</del> cannot be achieved.  Matters of discretion are: 1. The matters in MCZ-P6, MCZ-P7, MCZ-P8, <del>and MCZ-P9 and MCZ-P10</del> ; 2. The extent and effect of non-compliance with MCZ-S1, MCZ-S2, MCZ-S3, MCZ-S4, MCZ-S5, MCZ-S6, MCZ-S7, MCZ-S8, MCZ-S9, <del>MCZ-S10, and MCZ-S11 and MCZ-SX (Boundary setback from rail corridor)</del> ; 3. <del>City Outcomes Contribution for The Centres and Mixed-Use Design Guide, including guideline G107 – City Outcomes Contribution as required in Appendix 16 for any building that exceeds the maximum height requirement and either comprises 25 or more residential units or is a non-residential building</del> ; 4. <del>The Residential Design Guide</del> ;

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
				<p>Matters of discretion are:</p> <p>1. The matters in MCZ-P6, MCZ-P7, MCZ-P8 and MCZ-P9 and MCZ-P10;</p> <p>2. The extent and effect of non-compliance with MCZ-S1, MCZ-S2, MCZ-S3, MCZ-S4, MCZ-S5, MCZ-S6, MCZ-S7, MCZ-S8, MCZ-S9, MCZ-S10 and MCZ-S11 and MCZ-SX (boundary setback from rail corridor)</p> <p><del>3. The Centres and Mixed Use Design Guide, including guideline G107 – City Outcomes Contribution for any building that exceeds the maximum height requirement and either comprises 25 or more residential units or is a non-residential building;</del></p> <p>4. The Residential Design Guide;</p> <p>5. The extent and effect of any identifiable site constraints;</p> <p>6. Construction impacts on the transport network; and</p> <p>7. The availability and connection to existing or planned three waters infrastructure</p> <p><u>An application for resource consent made in respect of rule MCZ-R20.2.a that complies with all standards is precluded from being either publicly or limited notified</u></p>	<p>iii. Will have a gross floor area of less than 100m<sup>2</sup> ; and</p> <p>iv. Will result in a total coverage (together with other buildings) of no more than 20 percent of the site; and</p> <p>v. <del>Will</del> <b>Comply</b> with standards MCZ-S1, MCZ-S2, MCZ-S3, MCZ-S4, MCZ-S5, and MCZ-S6 and MCZ-SX (Boundary setback from rail corridor); and</p> <p>vi. Does not involve the construction of a new building for residential activities.</p> <p>2. Activity status: Restricted Discretionary Where:</p> <p>a. compliance with any of the requirements of <del>MCZ-R19.4</del> <b>MCZ-R20.1</b> cannot be achieved. Matters of discretion are:</p> <p>1. The matters in MCZ-P6, MCZ-P7, MCZ-P8 and MCZ-P9;</p> <p>2. The extent and effect of non-compliance with MCZ-S1, MCZ-S2, MCZ-S3, MCZ-S4, MCZ-S5, MCZ-S6, MCZ-S7, MCZ-S8, MCZ-S9, MCZ-S10, and MCZ-S11 and MCZ-SX (Boundary setback from rail corridor);</p> <p><del>3. City Outcomes Contribution for The Centres and Mixed Use Design Guide, including guideline G107 – City Outcomes Contribution as required in Appendix 16 for any building that exceeds the maximum height requirement and either comprises 25 or more residential units or is a non-residential building;</del></p> <p>4. The Residential Design Guide;</p> <p>5. <del>3. 4.</del> The extent and effect of any identifiable site constraints;</p> <p>4. <del>4. 5.</del> Construction impacts on the transport network; and</p> <p>5. <del>5. 6.</del> The availability and connection to existing or planned three waters infrastructure.</p> <p>Notification status: <u>An application for resource consent made in respect of rule MCZ-R20.2.a that complies with all standards is precluded from being either publicly or limited notified.</u></p> <p><b>Notification status:</b> An application for resource consent made in respect of rule MCZ-R20.2 which complies with MCZ-S3, MCZ-S7, MCZ-S8, MCZ-S9, MCZ-S10 and MCZ-S11 is precluded from being either publicly or limited notified.</p> <p><del>3. Activity status: Restricted Discretionary</del> <del>Where:</del></p> <p><del>b. The relevant City Outcome Contribution maximum height requirement set out in MCZ-S1 is exceeded.</del></p> <p><del>Matters of discretion are:</del></p> <p><del>3. The matters in MCZ-P10; and</del></p> <p><del>4. The application and implementation of the City Outcome Contribution set out in Appendix 16.</del></p> <p><del>Notification status:</del> <del>An application for resource consent made in respect of rule MCZ-R20.3 is precluded from being either publicly or limited notified, except where the application does not give effect to MCZ-P10 City Outcomes Contribution.</del></p> <p><del>An application for resource consent made in respect of rule MCZ-R20.3 that does not give effect to MCZ-P10 City Outcomes Contribution must be publicly notified.</del></p> <p><b>Notification status:</b> An application for resource consent made in respect of rule MCZ-R20.2 which results from non-compliance with MCZ-S1, MCZ-S2, MCZ-S4, MCZ-S5 and MCZ-S6 is precluded from being publicly notified.</p>	<p>5. <del>3. 4.</del> The extent and effect of any identifiable site constraints;</p> <p>4. <del>4. 5.</del> Construction impacts on the transport network; and</p> <p>5. <del>5. 6.</del> The availability and connection to existing or planned three waters infrastructure.</p> <p>Notification status: <u>An application for resource consent made in respect of rule MCZ-R20.2.a that complies with all standards is precluded from being either publicly or limited notified.</u></p> <p><b>Notification status:</b> An application for resource consent made in respect of rule MCZ-R20.2 which complies with MCZ-S3, MCZ-S7, MCZ-S8, MCZ-S9, MCZ-S10 and MCZ-S11 is precluded from being either publicly or limited notified.</p> <p><b>Notification status:</b> An application for resource consent made in respect of rule MCZ-R20.2 which results from non-compliance with MCZ-S1, MCZ-S2, MCZ-S4, MCZ-S5 and MCZ-S6 is precluded from being publicly notified.</p> <p><del>3. Activity status: Restricted Discretionary</del> <del>Where:</del></p> <p><del>b. The relevant City Outcome Contribution maximum height requirement set out in MCZ-S1 is exceeded.</del></p> <p><del>Matters of discretion are:</del></p> <p><del>3. The matters in MCZ-P10; and</del></p> <p><del>4. The application and implementation of the City Outcome Contribution set out in Appendix 16.</del></p> <p><del>Notification status:</del> <del>An application for resource consent made in respect of rule MCZ-R20.3 is precluded from being either publicly or limited notified, except where the application does not give effect to MCZ-P10 City Outcomes Contribution.</del></p> <p><del>An application for resource consent made in respect of rule MCZ-R20.3 that does not give effect to MCZ-P10 City Outcomes Contribution must be publicly notified.</del></p>

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
					<p>compliance with MCZ-S1, MCZ-S2, MCZ-S4, MCZ-S5 and MCZ-S6 is precluded from being publicly notified</p> <p><u>3. Activity status: Restricted Discretionary</u>  <u>Where:</u>  <u>a. The relevant City Outcome Contribution maximum height requirement set out in MCZ-S1 is exceeded.</u>  <u>Matters of discretion are:</u>  <u>1. The matters in MCZ-P10; and</u>  <u>2. The application and implementation of the City Outcome Contribution set out in Appendix 16</u>  <u>Notification status: An application for resource consent made in respect of rule MCZ- R20.3 is precluded from being either publicly or limited notified, except where the application does not give effect to MCZ-P10 City Outcomes Contribution.</u>  <u>An application for resource consent made in respect of rule MCZ- R20.3 that does not give effect to MCZ-P10 City Outcomes Contribution must be publicly notified.</u></p>	
391.674 & 391.675	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-R21	Supports in part. Kāinga Ora sought amendment to remove direct reference to the design guide and to instead articulate urban design outcomes that are sought.	Section 42A report accepts in part and agrees with removing reference to the residential design guide but disagrees with the addition of specific design outcomes to the rule as these do not relate to residential amenity, which is the purpose of matter of discretion in MCZ-R20.	Kāinga Ora seeks deletion of MCZ-R21 in its entirety.	<p>1. Activity status: Restricted Discretionary  Matters of discretion are:  1. The matters in MCZ-P1, MCZ-P3, MCZ-S6 and MCZ-P8;  2. The extent of compliance with standards MCZ-S7, MCZ-S8 and MCZ-S9 and satisfaction of associated assessment criteria; <u>and</u>  <del>3. The Residential Design Guide</del>; and  <del>4. 3.</del> The availability and connection to existing or planned three waters infrastructure.  Notification status: An application for resource consent made in respect of rule MCZ-R21.1 is precluded from being either publicly or limited notified.</p>	NO CHANGES
391.676 & 391.677	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-S1	Oppose. Kāinga Ora sought amendment to provide for building heights of 15 storeys (55 metres) to enable greater development capacity and is appropriate given the identification of the Metropolitan Centres as significant subregional centres. Kāinga Ora considered that amendments are required	Section 42A report rejects the amendment and disagrees with the request for a 55 metre height maximum because the PDP enables more than enough realisable housing and business capacity in Wellington to meet demand. Section 42A report notes that 1.8m fence height standard is applied across all zones and is considered a suitable height to achieve security and privacy while preventing an expanse of blank walls when viewed from the street.	<p>Kāinga Ora seeks amendments to MCZ-S1:  1. The following maximum height limits above ground level must be complied with:  <u>Buildings and structures must not exceed a maximum height of 55m above ground level.</u>  <u>Location</u>  <u>Limit</u>  <u>Height control area 1</u>  <u>Johnsonville 35m</u>  <u>Height control 2</u>  <u>Kilbirnie (except as below) 27m</u>  <u>Height control area 3</u>  <u>Kilbirnie, north of Rongotai Road 15m</u></p>	NO CHANGES	Kāinga Ora maintains the position it stated following the 42A report.



Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
		to enable fence heights of up to 2 metres.		2. Fences and standalone walls must not exceed a maximum height of 1.8 metres (measured above ground level) <u>on front boundaries and 2.0m on side and rear boundaries.</u>		
391.678 & 391.679	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-S4	Support in part. Kāinga Ora sought amendment to achieve consistency with any recommended changes to the height in relation to boundary rules and height for the residential zones.	Section 42A report rejects the amendment and notes that the nature of these amendments has not been clearly outlined, and there are no compelling reasons for the change.	Kāinga Ora seeks amendments to MCZ-S4 to align with changes sought to MCZ-S1 and MCZ-S2. No part of any building or structure may project beyond the relevant recession plane <u>standards of an adjoining boundary in the MRZ, HRZ or Open Space Zone shown below:</u>	NO CHANGES	Kāinga Ora maintains the position it stated following the 42A report.
391.680	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-S6	Support in part. Kāinga Ora sought amendment so that active frontage controls only apply where necessary such as along principal roads or street edge buildings.	Section 42A report accepts the submission and agrees that active frontage controls should only apply where necessary as reflected in the name of the standard which only applies to an "identified street with an active frontage".	Kāinga Ora seeks amendments to MCZ-S6: 1. Any new building or addition to an existing building adjoining an identified street with an active frontage must: a. Be built up to the street edge on all street boundaries <u>with an identified active frontage control</u> and along the full width of the site bordering any street boundary, <u>excluding vehicle and pedestrian access;</u> b. Provide a minimum of 60% of <del>continuous</del> display windows or transparent glazing along the width of the ground floor building frontage; and c. Locate the principal public entrance on the front boundary; <del>Except that this does not apply to service stations.</del> 2. Any ground level <u>façade of a new building</u> addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that: a. Is more than 3 metres wide; and b. Extends from a height of 1m above ground level to a maximum height of 2.5m; 3. Any roller shutter doors ( <u>except to car parking and service areas</u> ), security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent; and 4. Any new building or addition to an existing building on a site with a non-residential activity frontage control must: a. Be built up to the street edge on all street boundaries and along the full width of the site bordering any street boundary; and b. Locate the principal public entrance on the front boundary.  Assessment criteria where the standard is infringed: 1. The extent to which:	1. Any new building or addition to an existing building <u>adjoining facing</u> an identified street with an active frontage must: a. Be built up to the street edge on all street boundaries <u>with an identified active frontage control at ground floor level and along at least 90% of</u> the full width of the site bordering any street boundary, <u>excluding vehicle and pedestrian access;</u> b. Provide a minimum of 60% of continuous display windows or transparent glazing along the width of the ground floor building frontage; and c. Locate the principal public entrance on the front boundary; <u>Except that this does not apply to service stations</u> 2. Any ground level addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that: a. Is more than 3 metres wide; and b. Extends from a height of 1m above ground level to a maximum height of 2.5m; 3. Any roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent; and 4. Any new building or addition to an existing building on a site with a non-residential activity frontage control must: a. Be built up to the street edge on all street boundaries and along the full width of the site bordering any street boundary; and b. Locate the principal public entrance on the front boundary.  Assessment criteria where the standard is infringed:	Kāinga Ora seeks the following further changes: 1. Any new building or addition to an existing building <u>adjoining facing an identified street on a site</u> with an active frontage must: a. Be built up to the street edge on all street boundaries <u>with an identified active frontage control at ground floor level</u> and along <u>at least 90% of</u> the full width of the site bordering any street boundary, <u>excluding vehicle and pedestrian access;</u> b. Provide a minimum of 60% of <del>continuous</del> display windows or transparent glazing along the width of the ground floor building frontage; and c. Locate the principal public entrance on the front boundary; <u>Except that this does not apply to service stations.</u> 2. Any ground level addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that: a. Is more than 3 metres wide; and b. Extends from a height of 1m above ground level to a maximum height of 2.5m; 3. Any roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent; and 4. Any new building or addition to an existing building on a site with a non-residential activity frontage control must: a. Be built up to the street edge on all street boundaries and along the full width of the site bordering any street boundary; and b. Locate the principal public entrance on the front boundary.

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal																											
				a. Any non-compliance is required for on-site functional needs or operational needs; b. The building frontage is designed and located to create a strong visual alignment with adjoining buildings <u>or otherwise enhances the streetscape</u> ; and c. <del>An acceptable level of passive surveillance is maintained</del> between the interior of the building and the street <u>is provided</u> .	1. The extent to which: a. Any non-compliance is required for on-site functional needs or operational needs; b. The building frontage is designed and located to create a strong visual alignment with adjoining buildings <u>or otherwise enhances the streetscape</u> ; and c. An acceptable level of passive surveillance is maintained between the interior of the building and the street.	Assessment criteria where the standard is infringed: 1. The extent to which: a. Any non-compliance is required for on-site functional needs or operational needs; b. The building frontage is designed and located to create a strong visual alignment with adjoining buildings <u>or otherwise enhances the streetscape</u> ; and c. <del>An acceptable level of passive surveillance is maintained</del> between the interior of the building and the street <u>is provided</u>																											
FD391.681 & 391.682	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-S7	Support in part. Kāinga Ora sought amendment to remove the minimum standard for 2+ bedroom units to enable greater design flexibility.	Section 42A report rejects the amendment and relies on evidence from Dr Zamani who notes that minimum unit size standards are necessary to ensure that high density residential environment is designed to a high quality.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES																											
391.683 & 391.684	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-S8	Support in part. Kāinga Ora sought amendment to clarify that communal outdoor living space is not required but can be provided as an alternative to private outdoor living space or to remove the requirement to provide communal outdoor living space.	Section 42A report accepts in part and agrees that changes can be made for clarity. Section 42A report notes that the intent is that either of these options is available to a developer or a combination of the two.	Kāinga Ora supports the approach taken in the section 42A report.	<table border="1"> <thead> <tr> <th>Living space type</th> <th>Minimum area</th> <th>Minimum dimension</th> </tr> </thead> <tbody> <tr> <td colspan="3">Private</td> </tr> <tr> <td>Studio unit and 1-bedroom unit</td> <td>5m<sup>2</sup></td> <td>1.8m</td> </tr> <tr> <td>2+ bedroom unit</td> <td>8m<sup>2</sup></td> <td>1.8m</td> </tr> <tr> <td colspan="3">Communal</td> </tr> <tr> <td>For every <del>4-15</del> units</td> <td><del>4064</del>m<sup>2</sup></td> <td>8m</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td>For each additional unit above 15 units</td> <td>2m<sup>2</sup></td> <td>-</td> </tr> <tr> <td colspan="3"><u>Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space.</u></td> </tr> </tbody> </table>	Living space type	Minimum area	Minimum dimension	Private			Studio unit and 1-bedroom unit	5m <sup>2</sup>	1.8m	2+ bedroom unit	8m <sup>2</sup>	1.8m	Communal			For every <del>4-15</del> units	<del>4064</del> m <sup>2</sup>	8m				For each additional unit above 15 units	2m <sup>2</sup>	-	<u>Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space.</u>			NO CHANGES
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391.685	Commercial and mixed use Zones / Metropolitan Centre Zone / MCZ-S9	Oppose. Kāinga Ora sought deletion of MCZ-S9 because it sets a standard that may not be possible to meet for dwellings that would otherwise provide a decent standard of living.	Section 42A report rejects the submission and notes that G7 of the Building Code requires "habitable spaces to have adequate windows for natural light and visual awareness of the outside environment to safeguard against illness, and loss of amenity due to isolation".	Kāinga Ora seeks deletion of MCZ-S9 in its entirety.	NO CHANGES	Kāinga Ora maintains the position it stated following the 42A report.																											
391.686 & 391.687	Commercial and mixed use Zones /	Oppose. Kāinga Ora sought deletion of MCZ-	Section 42A report rejects the submission and notes that the	Kāinga Ora seeks deletion of MCZ-S10 in its entirety.	NO CHANGES	Kāinga Ora maintains the position it stated following the 42A report.																											

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
	Metropolitan Centre Zone / MCZ-S10	S10 because it constrains design flexibility and it is not clear what positive outcome it achieves.	primary purpose of the standard is to provide a level privacy to occupants of buildings within a site. Section 42A accepts that there may be alternative design options available to achieve the outcomes sought by this standard but these can be assessed on their merits through the resource consent application process.			
<b>Local Centre Zone</b>						
391.558	Commercial and mixed use Zones / Local Centre Zone / General LCZ	Support in part. Kāinga Ora sought amendment to classify Miramar, Tawa and Newtown Local Centre Zones as Town Centre Zones.	Section 42A report rejects the submission.	Kāinga Ora seeks classification of Miramar, Tawa and Newtown Local Centre Zones to Town Centre Zones.	NO CHANGES	Kāinga Ora maintains the position it stated following the 42A report.
391.559 & 391.560	Commercial and mixed use Zones / Local Centre Zone / General LCZ	Support in part. Kāinga Ora sought amendment to include a Town Centre category to the hierarchy of Centres to include Karori, Miramar, Tawa and Newtown and considered that it is unclear why the High Density Residential Zone only applies to "most" centres so this should be amended to include all local centres to help support their core functions.	Section 42A report rejects the submission and recommends the existing CMUZ hierarchy is retained in the District Plan without the addition of a new TCZ.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES
391.561	Commercial and mixed use Zones / Local Centre Zone / New LCZ	Kāinga Ora sought inclusion of a new rule to allow for the conversion of buildings, or parts of buildings for residential activities as a permitted activity.	Section 42A report rejects the submission for the reasons stated in the MCZ report.	Kāinga Ora seeks amendment to Local Centres Zone chapter: <u>1. Activity status: Permitted where:</u> <u>a. The conversion of Buildings, or parts of buildings for Residential activities:</u> <u>i. Do not alter the external appearance of the building or structure; and</u> ii. Complies with LCZ-S7, LCZ-S8 and LCZ-S9.	NO CHANGES	NO CHANGES
FS89.37	Part 3 / Commercial and Mixed Use Zones / Local Centre Zone / New LCZ	Kāinga Ora opposed the original submission from KiwiRail Holdings to add a new standard for a 5m setback from a rail corridor boundary.	Section 42A report accepts in part the original submission and rejects Kāinga Ora further submission.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES.	NO CHANGES
391.562 & 391.563	Commercial and mixed use Zones / Local Centre Zone / LCZ-O1	Support in part. Kāinga Ora sought amendment to reflect the place of Local Centres under Town Centres in the Centres hierarchy.	Section 42 A report rejects the submission.	Kāinga Ora seeks amendment to LCZ-O1: The Local Centre Zone meets the needs of communities, businesses and residents in the surrounding residential catchment <del>and neighbouring suburbs</del> in a manner that supports the City's compact urban growth	NO CHANGES	Kāinga Ora maintains the position it stated following the 42A report.

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
				objectives and its role and function in the City's hierarchy of centres		
391.564	Commercial and mixed use Zones / Local Centre Zone / LCZ-O2	Supportive of LCZ-O2. Kāinga Ora sought for LCZ-O2 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	The Local Centre Zone has an important role in accommodating growth and has sufficient serviced, resilient development capacity and <b>additional infrastructure</b> to meet residential and commercial growth needs.	Kāinga Ora maintains the position it stated following the 42A report.
391.565 & 391.566	Commercial and mixed use Zones / Local Centre Zone / LCZ-O3	Support in part. Kāinga Ora sought amendment to recognise the range of housing densities potentially enabled in the zone.	Section 42A report accepts the amendment and agrees that the PDP intends for the LCZ to accommodate both medium and high density mixed use development, and encourages higher density.	Kāinga Ora supports the approach taken in the section 42A report.	Medium <b>to high</b> density mixed-use development is achieved that positively contributes to creating a high quality, well-functioning urban environment that reflects the changing urban form and amenity values of the Local Centres and their surrounding residential areas.	Kāinga Ora maintains the position it stated following the 42A report.
391.567	Commercial and mixed use Zones / Local Centre Zone / LCZ-O4	Supportive of LCZ-O4. Kāinga Ora sought for LCZ-O4 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	Activities will be of an appropriate scale and type to enhance the vibrancy <b>and viability</b> of Local Centres, <b>support walkable neighbourhoods</b> and support their local purpose.	Kāinga Ora maintains the position it stated following the 42A report.
FS89.83	Part 3 / Commercial and mixed use Zones / Local Centre Zone / LCZ-P1	Oppose. Kāinga Ora opposed the submission from McDonalds to amend LCZ-P1.1 because the scale and primacy of centres is critical in achieving a well-functioning urban environment and intensification outcomes.	Section 42A report rejects the original submission and accepts in part Kāinga Ora further submission.	Kāinga Ora seeks amendment to LCZ-P1: Provide for the use and development of the Local Centre Zone to meet the City's needs for housing, business activities and community facilities, including: 1. A variety of building types, sizes, <b>tenures</b> , affordability and distribution of a scale and intensity that does not undermine the <b>viability and</b> vibrancy of the <b>Town Centre Zone</b> , the Metropolitan Centre Zone and the primacy of the City Centre Zone; 2. Forms of medium <b>to high</b> density housing; 3. Convenient access to active, public transport and rapid transit options; 4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces.	Provide for the use and development of the Local Centre Zone to meet the City's needs for housing, business activities and community facilities, including: 1. A variety of building types, sizes, tenures, affordability and distribution of a scale and intensity that does not undermine the <b>viability and</b> vibrancy of the Metropolitan Centre Zone and the primacy of the City Centre Zone; 2. Forms of medium <b>to high</b> density housing; 3. Convenient access to active, public transport and rapid transit options; 4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces.	Kāinga Ora maintains the position it stated following the 42A report.
391.568 & 391.569	Commercial and mixed use Zones / Local Centre Zone / LCZ-P1	Support in part. Kāinga Ora sought amendment to recognise the range of housing densities potentially enabled in the zone; to clarify that intent of the Local Centre Zone is to enable significant intensification and height and recognise the place of Local Centres under Town Centres in the Centres hierarchy.	Section 42A report accepts in part and agrees that 'to high' is added because high density development will generally be enabled in the LCZ particularly where a 22 metre height limit applies. Section 42A report does not see the need to remove 'convenient' from the policy because all PDP centres zoned LCZ are considered to have convenient access to public and other transport options.	Kāinga Ora seeks amendment to LCZ-P1: Provide for the use and development of the Local Centre Zone to meet the City's needs for housing, business activities and community facilities, including: 1. A variety of building types, sizes, <b>tenures</b> , <b>affordability</b> and distribution of a scale and intensity that does not undermine the viability and vibrancy of <b>the Town Centre Zone</b> , the Metropolitan Centre Zone and the primacy of the City Centre Zone; 2. Forms of medium <b>to high</b> density housing; 3. Convenient access to active, public transport and rapid transit options;	Provide for the use and development of the Local Centre Zone to meet the City's needs for housing, business activities and community facilities, including: 1. A variety of building types, sizes, tenures, affordability and distribution of a scale and intensity that does not undermine the <b>viability and</b> vibrancy of the Metropolitan Centre Zone and the primacy of the City Centre Zone; 2. Forms of medium <b>to high</b> density housing; 3. Convenient access to active, public transport and rapid transit options;	Kāinga Ora maintains the position it stated following the 42A report.

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
				4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces.	4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces	
FS89.58	Part 3 / Commercial and mixed use Zones / Local Centre Zone / LCZP1	Oppose. Kāinga Ora opposes the original submission from Foodstuffs to remove 'does not undermine the viability and vibrancy of the Metropolitan Centre Zone and the primacy of the City Centre Zone' from LCZ-P1 and considered that the scale and primacy of Centres is critical in achieving a well-functioning urban environment and intensification outcomes.	Section 42A report rejects the original submission and accepts in part Kāinga Ora further submission.	Kāinga Ora seeks amendment to LCZ-P1: Provide for the use and development of the Local Centre Zone to meet the City's needs for housing, business activities and community facilities, including: 1. A variety of building types, sizes, <del>tenures,</del> <del>affordability</del> and distribution of a scale and intensity that does not undermine the viability and vibrancy of <u>the Town Centre Zone</u> , the Metropolitan Centre Zone and the primacy of the City Centre Zone; 2. Forms of medium <u>to high</u> density housing; 3. Convenient access to active, public transport and rapid transit options; 4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces.	Provide for the use and development of the Local Centre Zone to meet the City's needs for housing, business activities and community facilities, including: 1. A variety of building types, sizes, tenures, affordability and distribution of a scale and intensity that does not undermine the <del>viability and</del> vibrancy of the Metropolitan Centre Zone and the primacy of the City Centre Zone; 2. Forms of medium <u>to high</u> density housing; 3. Convenient access to active, public transport and rapid transit options; 4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces	Kāinga Ora maintains the position it stated following the 42A report.
391.570	Commercial and mixed use Zones / Local Centre Zone / LCZ-P2	Supportive of LCZ-P2. Kāinga Ora sought for LCZ-P2 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES
391.571	Commercial and mixed use Zones / Local Centre Zone / LCZ-P3	Supportive of LCZ-P3. Kāinga Ora sought for LCZ-P3 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	Manage the location and scale of commercial activities which could result in cumulative adverse effects on the <del>viability and</del> vibrancy of centres, the retention and establishment of a mix of activities within the Local Centre Zone, and the function of the transport network.	Kāinga Ora maintains the position it stated following the 42A report.
391.572	Commercial and mixed use Zones / Local Centre Zone / LCZ-P4	Supportive of LCZ-P4. Kāinga Ora sought for LCZ-P4 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES
391.573	Commercial and mixed use Zones / Local Centre Zone / LCZ-P5	Supportive of LCZ-P5. Kāinga Ora sought for LCZ-P5 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES
391.574 & 391.575	Commercial and mixed use Zones / Local Centre Zone / LCZ-P6	Support in part. Kāinga Ora sought amendment to recognise the range of housing densities potentially enabled in the zone and to clarify that intent of the Local Centre Zone is to enable significant intensification and height and therefore medium to high density housing is the appropriate	Section 42A report rejects the submission and notes that medium density housing is appropriate in the LCZ.	Kāinga Ora seeks amendment of LCZ-P6: Enable medium <u>to high</u> density residential development that: 1. Contributes towards accommodating anticipated growth in the City; and 2. Offers a range of housing price, type, <del>and</del> size <del>and tenure</del> that is accessible to people of all ages, lifestyles, cultures and abilities	Enable medium density residential development that: 1. Contributes towards accommodating anticipated growth in the City; and 2. Offers a range of housing price, type, size and tenure that is accessible to people of all ages, lifestyles, cultures, <u>impairments</u> and abilities	Kāinga Ora seeks the following further amendments:  Enable medium <u>to high</u> density residential development that: 1. Contributes towards accommodating anticipated growth in the City; and 2. Offers a range of housing price, type, <u>and</u> size <del>and tenure</del> that is accessible to people of all ages, lifestyles, cultures, <u>impairments</u> and abilities.

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
		scale of development to encourage within the Local Centre.				
391.576 & 391.577	Commercial and mixed use Zones / Local Centre Zone / LCZ-P7	Support in part. Kāinga Ora sought amendment to the policy name to better reflect the intent of the policy and the policy wording to better recognise the MCZ rule setting and the intent of the NPS-UD that recognises the planned urban built form.	Section 42A report accepts in part and agrees that wording in LCZ-P7.a. can be clarified. Section 42A report does not consider that a change to the name of the policy is required because the existing title signifies that this policy is designed focused whereas the requested change does not.	Kāinga Ora seeks amendment of LCZ-P7: Require new development, and alterations and additions to existing development at a site scale, to positively contribute to the sense of place, quality and <u>planned urban built form and function amenity</u> of the Local Centre Zone by: <del>1. Meeting the requirements of the Centres and Mixed Use Design Guide as relevant;</del> 2. Recognising the benefits of well-designed, comprehensive development, including the extent to which the development: a. <u>Acts as a positive catalyst for future change by reflecting</u> Reflects the nature and scale of the development <u>proposed-enabled</u> within the zone <u>and in the vicinity</u> and responds to the evolving, more intensive identity of the <u>neighbourhood centre</u> ; b. Optimises the development capacity of land, <del>particularly sites that are: i. Large; or ii. Narrow; or iii. Vacant; or iv. Ground level parking areas;</del> c. Provides for the increased levels of residential accommodation enabled in this zone; and d. Provides for a range of supporting business, open space and community facilities; and <u>e. Is accessible for emergency service vehicles.</u> 3. Ensuring that the development, where relevant: f. Responds to the site context, particularly where it is located adjacent to: i. A scheduled site of significance to tangata whenua or other Māori; ii. Heritage buildings, heritage structures and heritage areas; <del>iii. An identified character precinct;</del> iv. Residential zoned areas; v. Open space zoned areas; g. Provides a safe and comfortable pedestrian environment; h. Enhances the quality of the streetscape and public / private interface; i. Integrates with existing and planned active and public transport movement networks, including planned rapid transit stops; and j. Allows sufficient flexibility for ground floor space to be converted for a range of activities, including residential	Require new development, and alterations and additions to existing development at a site scale, to positively contribute to the sense of place, quality and amenity of the Local Centre Zone by: <u>1. Meeting the requirements of the Centres and Mixed Use Design Guide as relevant;</u> 2. 1. Recognising the benefits of well-designed, comprehensive development, including the extent to which the development: a. <del>Acts as a positive catalyst for future change by reflecting</del> Reflects the nature and scale of the development <u>proposed-enabled</u> within the zone <u>and in the vicinity</u> and responds to the evolving, more intensive identity of the neighbourhood; b. Optimises the development capacity of land, <del>particularly sites that are: i. Large; or ii. Narrow; or iii. Vacant; or iv. Ground level parking areas;</del> c. Provides for the increased levels of residential accommodation enabled in this zone; and d. Provides for a range of supporting business, open space and community facilities; and <u>e. Is accessible for emergency service vehicles.</u> <del>3. 2.</del> Ensuring that the development, where relevant: a. Responds to the site context, particularly where it is located adjacent to: i. A scheduled site of significance to tangata whenua or other Māori; ii. Heritage buildings, heritage structures and heritage areas; iii. An identified character precinct; iv. Residential zoned areas; v. Open space zoned areas; b. Provides a safe and comfortable pedestrian environment; c. Enhances the quality of the streetscape and public / private interface; d. Integrates with existing and planned active and public transport movement networks, including planned rapid transit stops; and e. Allows sufficient flexibility for ground floor space to be converted for a range of activities, including residential.	Kāinga Ora seeks the following further developments: Require new development, and alterations and additions to existing development at a site scale, to positively contribute to the sense of place, quality and amenity of the Local Centre Zone by: <u>1. Meeting the requirements of the Centres and Mixed Use Design Guide as relevant;</u> <del>2. 4.</del> Recognising the benefits of well-designed, comprehensive development, including the extent to which the development: a. <del>Acts as a positive catalyst for future change by reflecting</del> Reflects the nature and scale of the development <u>proposed-enabled</u> within the zone <del>and in the vicinity</del> and responds to the evolving, more intensive identity of the <u>neighbourhood centre</u> ; b. Optimises the development capacity of land, <del>particularly sites that are: i. Large; or ii. Narrow; or iii. Vacant; or iv. Ground level parking areas;</del> c. Provides for the increased levels of residential accommodation enabled in this zone; and d. Provides for a range of supporting business, open space and community facilities; <del>and</del> <u>e. Is accessible for emergency service vehicles.</u> <del>3. 2.</del> Ensuring that the development, where relevant: a. Responds to the site context, particularly where it is located adjacent to: i. A scheduled site of significance to tangata whenua or other Māori; ii. Heritage buildings, heritage structures and heritage areas; <del>iii. An identified character precinct;</del> iv. Residential zoned areas; v. Open space zoned areas; b. Provides a safe and comfortable pedestrian environment; c. Enhances the quality of the streetscape and public / private interface; d. Integrates with existing and planned active and public transport movement networks, including planned rapid transit stops; and

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
						e. Allows sufficient flexibility for ground floor space to be converted for a range of activities, including residential.
391.578 & 391.579	Commercial and mixed use Zones / Local Centre Zone / LCZ-P8	Support in part. Kāinga Ora sought amendment to clarify the extent of on-site amenity requirements and to remove communal outdoor space and outlook requirements as this is already covered by reference to outdoor space generally.	Section 42A report accepts in part and removes reference to outdoor space but retains reference to outlook requirements.	Kāinga Ora seeks amendment of LCZ-P8: Achieve a good standard of amenity for residential activities in the Local Centre Zone by <u>ensuring access to convenient outdoor space</u> : <del>1. Providing residents with access to adequate outlook; and</del> <del>2. Ensuring convenient access to convenient outdoor space, including private and/or shared communal areas of outdoor space;</del> <del>3. Meeting the requirements of the Residential Design Guide as relevant; and</del> <del>4. Providing residents with adequate internal living space.</del>	Achieve a good standard of amenity for residential activities in the Local Centre Zone by: 1. Providing residents with access to adequate outlook; and 2. Ensuring <u>convenient</u> access to <u>convenient outdoor space, including</u> private and/or shared communal areas of outdoor space; <u>3. Meeting the requirements of the Residential Design Guide as relevant; and</u> <u>4. Providing residents with adequate internal living space</u>	Kāinga Ora maintains the position it stated following the 42A report.
391.580 & 391.581	Commercial and mixed use Zones / Local Centre Zone / LCZ-P9	Support in part. Kāinga Ora sought amendment to specify that adverse effects that need consideration are those beyond what is anticipated in the zone, consistent with the proposed zone framework and in accordance with NPS-UD.	Section 42A report rejects the submission and disagrees that the policy should only allow for consideration of effects 'beyond what is anticipated in the zone' as this would effectively build a permitted baseline test into the policy.	Kāinga Ora seeks amendment of LCZ-P9: Recognise the evolving, higher density development context <u>enabled</u> in the Local Centres Zone, while managing any associated adverse effects <u>beyond those anticipated within the zone</u> , including: 1. Shading, privacy, bulk and dominance effects on adjacent sites; and 2. The impact of construction on the transport network <u>and pedestrian linkages</u> .	Recognise the evolving, higher density development context <u>anticipated enabled</u> in the Local Centres Zone, while managing any associated adverse effects including: 1. Shading, privacy, bulk and dominance effects on adjacent sites; and 2. The impact of construction on the transport network <u>and pedestrian linkages</u> .	Kāinga Ora seeks the following further amendments: Recognise the evolving, higher density development context <u>anticipated enabled</u> in the Local Centres Zone, while managing any associated adverse effects <u>beyond those that the plan enables within the Zone</u> including: 1. Shading, privacy, bulk and dominance effects on adjacent sites; and 2. The impact of construction on the transport network <u>and pedestrian linkages</u> .
391.582 & 391.583	Commercial and mixed use Zones / Local Centre Zone / LCZ-P10	Oppose. Kāinga Ora sought deletion of 'City Outcomes Contribution' because all of these activities are anticipated by the zone and this policy has the potential to disincentivise intensified development; over height development should be assessed on the potential or actual effects as provided by the rule framework and there is no definition of large-scale residential which creates ambiguity within the plan.	Section 42A report rejects the submission and disagrees with the submission to remove the City Outcomes Contribution mechanism because this control is a variation to an existing ODP control 'design excellence'.	Kāinga Ora seeks amendment of LCZ-P10: <del>Require over height, large-scale residential, non-residential and comprehensive Encourage development in the Local Centre Zone to contribute to positive outcomes by deliver City Outcomes Contributions as detailed and scored in the Centres and Mixed-Use Design Guide guideline G107, including through either:</del> 1. <del>Positively</del> contributing to public space provision and the amenity of the site and surrounding area; and/or <u>2. Enabling ease of access for people of all ages and mobility and/or</u> 3. Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change resilience; and/or 4. Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or <del>4. Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure</del>	Require over height, <del>large-scale residential, non-residential and comprehensive</del> development in the Local Centre Zone to deliver City Outcomes Contributions as detailed and scored in <u>Appendix 16 the Centres and Mixed-Use Design Guide guideline G107</u> , including through <u>at least two of the following outcomes either:</u> 1. Positively contributing to public space provision and the amenity of the site and surrounding area; <del>and/or</del> 2. <u>Enabling universal accessibility within buildings ease of access for people of all ages and mobility; and/or</u> <del>2-3.</del> Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change resilience; <del>and/or</del> <del>3-4.</del> Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; <del>and/or</del> 4. <u>5.</u> Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure	Kāinga Ora seeks the following further amendments: <u>Require Encourage over height, large-scale residential, non-residential and comprehensive development in the Local Centre Zone to deliver City Outcomes Contributions as detailed and scored in Appendix 16 the Centres and Mixed-Use Design Guide guideline G107, including through at least two of the following outcomes either that contributes to positive outcomes including by:</u> 1. <u>Positively</u> contributing to public space provision and the amenity of the site and surrounding area; <del>and/or</del> 2. <u>Enabling universal accessibility within buildings ease of access for people of all ages and mobility; and/or</u> <del>2-3.</del> Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change resilience; <del>and/or</del> <del>3-4.</del> Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; <del>and/or</del>

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
				<del>remains assisted housing for at least 25 years; and/or</del> <del>54. Enabling ease of access for people of all ages and mobility</del>	that it remains assisted housing for at least 25 years.; and/or <del>5. Enabling ease of access for people of all ages and mobility.</del>	<del>4. Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure that it remains assisted housing for at least 25 years.; and/or</del> <del>5. Enabling ease of access for people of all ages and mobility.</del>
391.584 & 391.585	Commercial and mixed use Zones / Local Centre Zone / LCZ-R1	Support in part. Kāinga Ora sought amendment to change the activity status from discretionary to restricted discretionary for non-compliance activities and rules related to verandah coverage are removed as it is considered that residential activities should be provided for where verandah coverage is required.	Section 42A report accepts in part to amend the notification clause as it relates to the activity, noting that the PDPO seeks to enable residential activity within the LCZ. Section 42A report disagrees with the amendments to delete LCZ-R10.1.iv and to amend the activity status from discretionary to restricted discretionary. This is because the discretionary activity status signifies that residential activities are discouraged along active or non-residential frontages and encourages developers to design for the CMUZ context.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES.	NO CHANGES
391.586	Commercial and mixed use Zones / Local Centre Zone / LCZ-R11	Support in part. Kāinga Ora sought amendment to reduce the integrated retail activity gross floor area in LCZ-R11 to better reflect their lower order of Local Centres in the Centres hierarchy.	Section 42A report rejects the submission and considers the 20,000m2 provided under the notified rule will enable a significantly sized integrated retail activity.	Kāinga Ora seeks amendment to LCZ-R11: 1. Activity status: Permitted where: a. The total gross floor area does not exceed <del>2XX</del> 0,000m2.	1. Activity status: Permitted Where: a. The total gross floor area does not exceed 20,000m <sup>2</sup> .  1. Activity status: Restricted Discretionary Where: a. Compliance with the requirements of LCZ-R11.1 cannot be achieved.  Matters of discretion are: 1. The matters in LCZ-P1, LCZ-P2, LCZ-P3, and LCZ-P4; 2. The cumulative effect of the development on: a. The <del>viability and</del> vitality of the City Centre Zone <del>and Golden Mile</del> ; b. The safety and efficiency of the transport network, including providing for a range of transport modes; c. The hierarchy of roads, travel demand or vehicle use; and 3. The compatibility with other activities provided for in the zone.  <del>Council will not apply a permitted baseline assessment when considering the effects of integrated retail activities that cannot comply with LCZ-R11.1.a.</del>	Kāinga Ora maintains the position it stated following the 42A report.
391.587 & 391.588	Commercial and mixed use Zones / Local Centre Zone / LCZ-R11	Support in part. Kāinga Ora sought review of integrated retail activity to provide an appropriate	Section 42A report rejects the submission and notes it would be unlikely to have individual sites with an area of 20,000m2 in most LCZ and as such, any such activities	Kāinga Ora seeks amendment to LCZ-R11: 1. Activity status: Permitted where: a. The total gross floor area does not exceed <del>2XX</del> 0,000m2.	2. Activity status: Permitted Where: a. The total gross floor area does not exceed 20,000m <sup>2</sup> .	Kāinga Ora maintains the position it stated following the 42A report.



Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
		retail hierarchy to match the Centres hierarchy.	would likely be in a multi-level building.		<p>2. Activity status: Restricted Discretionary Where:</p> <p>a. Compliance with the requirements of LCZ-R11.1 cannot be achieved.</p> <p>Matters of discretion are:</p> <p>4. The matters in LCZ-P1, LCZ-P2, LCZ-P3, and LCZ-P4;</p> <p>5. The cumulative effect of the development on:</p> <p>a. The <del>viability and</del> vitality of the City Centre Zone <del>and Golden Mile</del>;</p> <p>b. The safety and efficiency of the transport network, including providing for a range of transport modes;</p> <p>c. The hierarchy of roads, travel demand or vehicle use; and</p> <p>6. The compatibility with other activities provided for in the zone.</p> <p><del>Council will not apply a permitted baseline assessment when considering the effects of integrated retail activities that cannot comply with LCZ-R11.1.a.-</del></p>	
391.589	Commercial and mixed use Zones / Local Centre Zone / LCZ-R13	Supportive of LCZ-R13. Kāinga Ora sought for LCZ-R13 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	<p>1. Activity status: Permitted Where:</p> <p>a. The activity involves:</p> <p>i. Provision of carparks not visible at street edge along an active frontage or nonresidential activity frontage;</p> <p>ii. Provision of carparks above ground floor level;</p> <p>iii. Provision of carparks below ground floor level;</p> <p>iv. Provision of parking spaces for people with disabilities; or</p> <p>v. Provision of ground floor level carparks that form part of a building specifically constructed and used for carparking purposes. ;<del>or</del></p> <p><u>vi. Provision of carparks on a road.</u></p>	Kāinga Ora maintains the position it stated following the 42A report.
391.590	Commercial and mixed use Zones / Local Centre Zone / LCZ-R16	Supportive of LCZ-R16. Kāinga Ora sought for LCZ-R16 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES.	NO CHANGES
391.591 & 391.592	Commercial and mixed use Zones / Local Centre Zone / LCZ-R17	Support in part. Kāinga Ora sought amendment to ensure the rule only applies to active and non-residential activity frontages.	Section 42A report rejects the submission and disagrees that the discretionary activity status would have unintended consequence of constraining staged development.	Kāinga Ora supports the approach taken in the section 42A report.	<p>1. Activity status: Permitted Where:</p> <p>a. The demolition or removal of a building:</p> <p>i. Is required to avoid a threat to life and/or property;</p> <p>ii. Enables the creation of public space <del>or private outdoor living space associated with the use of a building;</del></p> <p>iii. Is required for the purposes of constructing a new building or structure, or adding to or altering an existing building or</p>	Kāinga Ora maintains the position it stated following the 42A report.

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
					structure, that <u>is a permitted activity under LCZ-R18</u> , or that has an approved resource consent, or resource consent is being sought concurrently <del>under LCZ-R18.2</del> ; or b. The building or structure for demolition or removal is not on a site that has an active frontage or non-residential activity frontage; or c. The demolition or removal involves a structure, excluding any building.	
391.593 & 391.594	Commercial and mixed use Zones / Local Centre Zone / LCZ-R18	Support in part. Kāinga Ora sought amendment to remove direct reference to the design guides and to instead rely on the urban designs; to remove reference to the 'City Outcomes Contribution'	Section 42A report accepts in part and relies on the same reasoning from MCZ section 42A report.	<p>Kāinga Ora seeks amendment of LCZ-R18 Activity status: Permitted Where:</p> <p>a. Any alterations or additions to a building or structure:</p> <p>i. Do not alter the external appearance of the building or structure; or</p> <p>ii. Relate to a building frontage below verandah level, including entranceways and glazing and compliance with LCZ-S5; or</p> <p><del>iii. Do not result in the creation of new residential units; and</del></p> <p>iv. Are not visible from public spaces; and v. Comply with effects standards LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4, LCZ-S5, and LCZ-S6., <u>and LCZ-SX (Boundary setback from a rail corridor).</u></p> <p>Activity status: Restricted Discretionary Where:</p> <p>a. Compliance with any of the requirements of LCZ-R18.1 cannot be achieved. Matters of discretion are:</p> <p>1. The matters in LCZ-P6, LCZ-P7, LCZ-P8, LCZ-P9 and LCZ-P10;</p> <p>2. The extent and effect of non-compliance with LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4, LCZ-S5, LCZ-S6, LCZ-S7, LCZ-S8, LCZ-S9, <del>LCZ-S10, and LCZ-S11</del> <u>and LCZ-SX (Boundary setback from a rail corridor);</u></p> <p><del>3. City Outcomes Contribution as required in Appendix 16 The Centres and Mixed Use Design Guide, including guideline G107— City Outcomes Contribution for any building that exceeds the maximum height requirement and either comprises 25 or more residential units or is a non-residential building;</del></p> <p><del>4. The Residential Design Guide;</del></p> <p><del>4. 3. The extent and effect of any identifiable site constraints;</del></p> <p><del>5. 4. Construction impacts on the transport network; and</del></p>	<p>1. Activity status: Permitted Where:</p> <p>a. Any alterations or additions to a building or structure:</p> <p>i. Do not alter the external appearance of the building or structure; or</p> <p>ii. Relate to a building frontage below verandah level, including entranceways and glazing and compliance with LCZ-S5; or</p> <p>iii. Do not result in the creation of new residential units; and</p> <p>iv. Are not visible from public spaces; and v. Comply with effects standards LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4, LCZ-S5, <del>and LCZ-S6., and LCZ-SX (Boundary setback from a rail corridor).</del></p> <p>b. The construction of any building or structure:</p> <p>i. Is not located on a site with an active frontage or non-residential activity frontage; or</p> <p>ii. Is not visible from a public space; and</p> <p>iii. Will have a gross floor area of less than 100m<sup>2</sup>; and</p> <p>iv. Will result in a total coverage (together with other buildings) of no more than 20 percent of the site; and</p> <p>v. Comply with effects standards LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4, LCZ-S5 and LCZ-S6; and <del>LCZ-SX (Boundary setback from a rail corridor); and</del></p> <p>vi. Does not involve the construction of a new building for residential activities</p> <p>2. Activity status: Restricted Discretionary Where:</p> <p>a. Compliance with any of the requirements of LCZ-R18.1 cannot be achieved. Matters of discretion are:</p> <p>1. The matters in LCZ-P6, LCZ-P7, LCZ-P8, <del>and LCZ-P9 and LCZ-P10;</del></p>	<p>Kāinga Ora seeks the following further amendments:</p> <p>1. Activity status: <b>Permitted</b> Where:</p> <p>a. Any alterations or additions to a building or structure:</p> <p>i. Do not alter the external appearance of the building or structure; or</p> <p>ii. Relate to a building frontage below verandah level, including entranceways and glazing and compliance with LCZ-S5; or</p> <p><del>iii. Do not result in the creation of new residential units; and</del></p> <p>iv. Are not visible from public spaces; and v. Comply with effects standards LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4, LCZ-S5, <del>and LCZ-S6., and LCZ-SX (Boundary setback from a rail corridor).</del></p> <p>b. The construction of any building or structure:</p> <p>i. Is not located on a site with an active frontage or non-residential activity frontage; or</p> <p>ii. Is not visible from a public space; and</p> <p>iii. Will have a gross floor area of less than 100m<sup>2</sup>; and</p> <p>iv. Will result in a total coverage (together with other buildings) of no more than 20 percent of the site; and</p> <p>v. Comply with effects standards LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4, LCZ-S5 and LCZ-S6; and <u>LCZ-SX (Boundary setback from a rail corridor); and</u></p> <p>vi. Does not involve the construction of a new building for residential activities</p> <p><del>3. Activity status: Restricted Discretionary Where:</del></p> <p><del>a. The relevant City Outcome Contribution maximum height requirement set out in LCZ-S1 is exceeded.</del></p> <p><del>Matters of discretion are:</del></p> <p><del>1. The matters in LCZ-P10; and</del></p>

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
					<p>2. The extent and effect of non-compliance with LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4, LCZ-S5, LCZ-S6, LCZ-S7, LCZ-S8, LCZ-S9, LCZ-S10, <del>and LCZ-S11 and LCZ-SX (Boundary setback from a rail corridor); and</del> <del>3. City Outcomes Contribution as required in Appendix 16 The Centres and Mixed-Use Design Guide, including guideline G107 – City Outcomes Contribution for any building that exceeds the maximum height requirement and either comprises 25 or more residential units or is a non-residential building;</del> <del>4. The Residential Design Guide;</del></p> <p>4. <del>3.</del> The extent and effect of any identifiable site constraints;</p> <p>5. <del>4.</del> Construction impacts on the transport network; and</p> <p>6. <del>5.</del> The availability and connection to existing or planned three waters infrastructure.</p> <p>Notification status:  <u>An application for resource consent made in respect of rule LCZ-R18.2.a that complies with all standards is precluded from being either publicly or limited notified.</u></p> <p>An application for resource consent made in respect of rule LCZ-R18.2.a that complies with LCZ-S3, LCZ-S7, LCZ-S8, LCZ-S9, LCZ-S10 and LCZ-S11 is precluded from being either publicly or limited notified.</p> <p>An application for resource consent made in respect of rule LCZ-R18.2.a that results from noncompliance with LCZ-S1, LCZ-S2, LCZ-S4, LCZ-S5 and LCZ-S6 is precluded from being publicly notified.</p> <p><u>3. Activity status: Restricted Discretionary Where:</u>  <u>a. The relevant City Outcome Contribution maximum height requirement set out in LCZ-S1 is exceeded. Matters of discretion are:</u>  <u>1. The matters in LCZ-P10; and</u>  <u>2. The application and implementation of the City Outcome Contribution set out in Appendix 16.</u></p> <p>Notification status: <u>An application for resource consent made in respect of rule LCZ-R18.3 is precluded from being either publicly or limited notified, except where the application does not give effect to LCZ-P10 City Outcomes Contribution.</u></p>	<p><del>2. The application and implementation of the City Outcome Contribution set out in Appendix 16.</del></p> <p>Notification status:  <u>An application for resource consent made in respect of rule LCZ-R18.3 is precluded from being either publicly or limited notified, except where the application does not give effect to LCZ-P10 City Outcomes Contribution.</u></p> <p><u>An application for resource consent made in respect of rule LCZ-R18.3 that does not give effect to LCZ-P10 City Outcomes Contribution must be publicly notified.</u></p>

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal										
					<a href="#">An application for resource consent made in respect of rule LCZ-R18.3 that does not give effect to LCZ-P10 City Outcomes Contribution must be publicly notified.</a>											
391.595 & 391.596	Commercial and mixed use Zones / Local Centre Zone / LCZ-R19	Support in part. Kāinga Ora sought amendment to remove direct reference to the design guide as the matters in the relevant policies include those matters articulated through the design guides.	Section 42A report accepts in part and agrees to remove the reference to design guidelines from the rule, but does not consider it necessary to include design outcomes as a matter of discretion to be considered.	Kāinga Ora seeks deletion of LCZ-R19 in its entirety.	<p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>The matters in LCZ-P1, LCZ-P3, LCZ-P6 and LCZ-P8;</li> <li>The extent of compliance with standards LCZ-S7, LCZ-P8 and LCZ-S9 and satisfaction of associated assessment criteria; <a href="#">and</a></li> <li><del>The Residential Design Guide; and</del></li> <li><a href="#">3.</a> The availability and connection to existing or planned three waters infrastructure.</li> </ol> <p>Notification status: An application for resource consent made in respect of rule LCZ-R19.1 is precluded from being either publicly or limited notified.</p>	NO CHANGES										
391.597 & 391.598	Commercial and mixed use Zones / Local Centre Zone / LCZ-S1	Support in part. Kāinga Ora sought amendment to enable six storey development in local centres noting that Newtown, Miramar and Tawa should be reclassified as Town Centres.	<p>Section 42A report accepts in part and recommends a new Height Control Area 4 is added at LCZ-S1 to provide further differentiation between the heights at different LCZ but does not recommend to rezone Newtown, Miramar and Tawa.</p> <p>HC Area 1 (Island Bay, Hataitai) 12m            HC Area 2 (Karori, Kelburn, Khandallah, Newtown Local Centre Heritage Area) 18m            HC Area 3 (Brooklyn, Churton Park) 22m            HC Area 4 (Newtown, Tawa) 27m</p>	<p>Kāinga Ora seeks amendment to LCZ-S1:</p> <ol style="list-style-type: none"> <li>The following maximum height limits above ground level must be complied with:               <ul style="list-style-type: none"> <li><a href="#">Buildings and structures must not exceed a maximum height of 22m above ground level.</a></li> <li><del>Location Limit</del></li> <li><del>Height Control Area 4</del></li> <li><del>Newtown Local Centre Heritage Area</del></li> <li><del>Island Bay Local Centre Heritage Area 12 metres</del></li> <li><del>Local Centre Heritage Area</del></li> <li><del>Height Control Area 2</del></li> <li><del>Karori 18 metres</del></li> <li><del>Height Control Area 3</del></li> <li><del>Brooklyn</del></li> <li><del>Churton Park</del></li> <li><del>Crofton Downs</del></li> <li><del>Island Bay</del></li> <li><del>Kelburn</del></li> <li><del>Khandallah 22 metres</del></li> <li><del>Linden</del></li> <li><del>Miramar</del></li> <li><del>Newlands</del></li> <li><del>Hataitai</del></li> <li><del>Newtown</del></li> <li><del>Tawa</del></li> </ul> </li> <li>Fences and standalone walls must not exceed a maximum height of 1.8 metres (measured above ground level) <a href="#">on front boundaries and 2.0m on rear and side boundaries</a></li> </ol>	<table border="1"> <thead> <tr> <th>Location</th> <th>Limit</th> </tr> </thead> <tbody> <tr> <td>Height Control Area 1 <del>Newtown Local Centre Heritage Area</del> Island Bay Local Centre Heritage Area Hataitai Local Centre Heritage Area</td> <td>12 metres</td> </tr> <tr> <td>Height Control Area 2 Karori <del>Kelburn</del> <del>Khandallah</del> <del>Newtown Local Centre Heritage Area</del></td> <td>18 metres</td> </tr> <tr> <td>Brooklyn Churton Park Crofton Downs Island Bay <del>Kelburn-Khandallah</del> Linden Hataitai Miramar Newlands <del>Newtown-Tawa</del></td> <td>22 metres</td> </tr> <tr> <td><del>Height Control Area 4</del> <del>Newtown Tawa</del></td> <td><a href="#">27 metres</a></td> </tr> </tbody> </table>	Location	Limit	Height Control Area 1 <del>Newtown Local Centre Heritage Area</del> Island Bay Local Centre Heritage Area Hataitai Local Centre Heritage Area	12 metres	Height Control Area 2 Karori <del>Kelburn</del> <del>Khandallah</del> <del>Newtown Local Centre Heritage Area</del>	18 metres	Brooklyn Churton Park Crofton Downs Island Bay <del>Kelburn-Khandallah</del> Linden Hataitai Miramar Newlands <del>Newtown-Tawa</del>	22 metres	<del>Height Control Area 4</del> <del>Newtown Tawa</del>	<a href="#">27 metres</a>	Kāinga Ora maintains the position it stated following the 42A report.
Location	Limit															
Height Control Area 1 <del>Newtown Local Centre Heritage Area</del> Island Bay Local Centre Heritage Area Hataitai Local Centre Heritage Area	12 metres															
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391.599	Commercial and mixed use Zones / Local Centre Zone / LCZ-S2	Supportive of LCZ-S2. Kāinga Ora sought for LCZ-S2 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	1. A minimum height of 7m is required for: a. New buildings <del>or structures</del> ; and b. Additions to the frontages of existing buildings and structures. <u>This standard does not apply to:</u> <u>1. Accessory buildings, ancillary to the primary activity on the site.</u> <u>2. Any building or structure that is unable to be occupied by people.</u>	NO CHANGES										
391.600	Commercial and mixed use Zones / Local Centre Zone / LCZ-S3	Supportive of LCZ-S3. Kāinga Ora sought for LCZ-S3 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES										
391.601 & 391.602	Commercial and mixed use Zones / Local Centre Zone / LCZ-S4	Support in part. Kāinga Ora sought amendment to achieve consistency with any recommended changes to the height in relation to boundary rules and height for the residential zones.	Section 42A report rejects the submission and notes that the nature of these amendments has not been outlined in their submission and there are no compelling reasons for the change.	<p>Kāinga Ora seeks amendment to LCZ-S4:</p> <p>1. <u>No part of any building or structure may project beyond the relevant recession plane standards of an adjoining boundary in the MRZ, HRZ, or Open Space Zone, shown below:</u></p> <table border="1"> <thead> <tr> <th>Location</th> <th>Recession plane</th> </tr> </thead> <tbody> <tr> <td>Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps</td> <td>60° measured from a height of 4m vertically above ground level</td> </tr> <tr> <td>Boundary adjoining any site within the MRZ with a height limit of 14m identified on the District Plan Maps</td> <td>60° measured from a height of 5m vertically above ground level</td> </tr> <tr> <td>Boundary adjoining any site within the HRZ</td> <td>60° measured from a height of 8m vertically above ground level</td> </tr> <tr> <td>Boundary adjoining any site within an Open Space Zone</td> <td>60° measured from a height of 5m vertically above ground level</td> </tr> </tbody> </table> <p><del>These standards do not apply to:</del>  a. <del>A boundary with a road;</del>  b. <del>Internal boundaries;</del>  c. <del>Solar power and heating components attached to a building provided these do not exceed the height in relation to boundary by more than 500mm; and</del>  <del>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</del></p>	Location	Recession plane	Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps	60° measured from a height of 4m vertically above ground level	Boundary adjoining any site within the MRZ with a height limit of 14m identified on the District Plan Maps	60° measured from a height of 5m vertically above ground level	Boundary adjoining any site within the HRZ	60° measured from a height of 8m vertically above ground level	Boundary adjoining any site within an Open Space Zone	60° measured from a height of 5m vertically above ground level	NO CHANGES	Kāinga Ora maintains the position it stated following the 42A report.
Location	Recession plane															
Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps	60° measured from a height of 4m vertically above ground level															
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Boundary adjoining any site within the HRZ	60° measured from a height of 8m vertically above ground level															
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Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
				<del>exceed the height in relation to boundary by more than 3m measured vertically.</del>		
391.603	Commercial and mixed use Zones / Local Centre Zone / LCZ-S6	Support in part. Kāinga Ora sought amendment so that active frontage controls only apply where necessary, such as along principal roads and street edge buildings.	Section 42A report rejects the submission and notes that active frontage controls only applies to 'an identified street with an active frontage' and/or a 'non-residential frontage' so no change is required.	<p>Kāinga Ora seeks amendment to LCZ-S6: Any new building or addition to an existing building adjoining an identified street with an active frontage must:</p> <ol style="list-style-type: none"> <li>Be built up to the street edge on all street boundaries <del>with an identified active frontage control</del> and along the full width of the site bordering any street boundary, <del>excluding vehicle and pedestrian access;</del></li> <li>Provide a minimum of 60% of <del>continuous</del> display windows or transparent glazing along the width of the ground floor building frontage; and</li> <li>Locate the principal public entrance on the front boundary.</li> </ol> <p>2. Any ground level <del>façade of a new building or</del> addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that:</p> <ol style="list-style-type: none"> <li>Is more than 3 metres wide; and</li> <li>Extends from a height of 1m above ground level to a maximum height of 2.5m;</li> </ol> <p>3. Any roller shutter doors (<del>except to car parking and service areas</del>), security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent; and</p> <p>4. Any new building or addition to an existing building on a site with a non-residential activity frontage control must:</p> <ol style="list-style-type: none"> <li>Be built up to the street edge on all street boundaries and along the full width of the site bordering any street boundary; and</li> <li>Locate the principal public entrance on the front boundary.</li> </ol> <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>The extent to which: <ol style="list-style-type: none"> <li>Any non-compliance is required for on-site functional needs or operational needs;</li> <li>The building frontage is designed and located to create a strong visual alignment with adjoining buildings <del>or otherwise enhances the streetscape;</del> and</li> <li><del>An acceptable level of passive surveillance is maintained</del> between the interior of the building and the street <del>is provided</del></li> </ol> </li> </ol>	<p>1. Any new building or addition to an existing building <del>adjoining facing</del> an identified street with an active frontage must:</p> <ol style="list-style-type: none"> <li>Be built up to the street edge on all street boundaries <del>with an identified active frontage control at ground floor level and along at least 90% of</del> the full width of the site bordering any street boundary, <del>excluding vehicle and pedestrian access;</del></li> <li>Provide a minimum of 60% of continuous display windows or transparent glazing along the width of the ground floor building frontage; and</li> <li>Locate the principal public entrance on the front boundary.</li> </ol> <p><del>Except that this does not apply to service stations.</del></p> <p>2. Any ground level addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that:</p> <ol style="list-style-type: none"> <li>Is more than 3 metres wide; and</li> <li>Extends from a height of 1m above ground level to a maximum height of 2.5m;</li> </ol> <p>3. Any roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent; and</p> <p>4. Any new building or addition to an existing building on a site with a non-residential activity frontage control must:</p> <ol style="list-style-type: none"> <li>Be built up to the street edge on all street boundaries and along the full width of the site bordering any street boundary; and</li> <li>Locate the principal public entrance on the front boundary.</li> </ol> <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>The extent to which: <ol style="list-style-type: none"> <li>Any non-compliance is required for on-site functional needs or operational needs;</li> <li>The building frontage is designed and located to create a strong visual alignment with adjoining buildings <del>or otherwise enhances the streetscape;</del> and</li> <li>An acceptable level of passive surveillance is maintained between the interior of the building and the street.</li> </ol> </li> </ol>	<p>Kāinga Ora seeks the following further submissions:</p> <ol style="list-style-type: none"> <li>Any new building or addition to an existing building <del>adjoining facing an identified street on a site</del> with an active frontage must: <ol style="list-style-type: none"> <li>Be built up to the street edge on all street boundaries <del>with an identified active frontage control at ground floor level and along at least 90% of</del> the full width of the site bordering any street boundary, <del>excluding vehicle and pedestrian access;</del></li> <li>Provide a minimum of 60% of <del>continuous</del> display windows or transparent glazing along the width of the ground floor building frontage; and</li> <li>Locate the principal public entrance on the front boundary.</li> </ol> <p><del>Except that this does not apply to service stations.</del></p> <li>Any ground level addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that: <ol style="list-style-type: none"> <li>Is more than 3 metres wide; and</li> <li>Extends from a height of 1m above ground level to a maximum height of 2.5m;</li> </ol> </li> <li>Any roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent; and</li> <li>Any new building or addition to an existing building on a site with a non-residential activity frontage control must: <ol style="list-style-type: none"> <li>Be built up to the street edge on all street boundaries and along the full width of the site bordering any street boundary; and</li> <li>Locate the principal public entrance on the front boundary.</li> </ol> </li> </li></ol> <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>The extent to which: <ol style="list-style-type: none"> <li>Any non-compliance is required for on-site functional needs or operational needs;</li> <li>The building frontage is designed and located to create a strong visual alignment with adjoining buildings <del>or otherwise enhances the streetscape;</del> and</li> <li><del>An acceptable level of</del> passive surveillance <del>is maintained</del> between the</li> </ol> </li> </ol>

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal																								
						interior of the building and the street <a href="#">is provided.</a>																								
391.604 & 391.605	Commercial and mixed use Zones / Local Centre Zone / LCZ-S7	Support in part. Kāinga Ora sought amendment to remove the minimum standard for 2+ bedroom units to enable greater design flexibility and decrease the minimum floor area for studio units.	Section 42A report rejects the amendment for the same reasons as noted in MCZ report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES																								
391.606 & 391.607	Commercial and mixed use Zones / Local Centre Zone / LCZ-S8	Support in part. Kāinga Ora sought amendment to clarify that communal outdoor living space is not required but can be provided as an alternative to private outdoor living space or to remove the requirement to provide communal outdoor living space.	Section 42A report rejects the amendment for the same reasons noted in MCZ report.	Kāinga Ora supports the approach taken in the section 42A report.	<table border="1"> <thead> <tr> <th>Living space type</th> <th>Minimum area</th> <th>Minimum dimension</th> </tr> </thead> <tbody> <tr> <td colspan="3">Private</td> </tr> <tr> <td>Studio unit and 1 bedroom unit</td> <td>5m<sup>2</sup></td> <td>1.8m</td> </tr> <tr> <td>2+ bedroom unit</td> <td>8m<sup>2</sup></td> <td>1.8m</td> </tr> <tr> <td colspan="3">Communal</td> </tr> <tr> <td>For every 5 4- 15 units</td> <td><del>1064</del>m<sup>2</sup></td> <td>8m</td> </tr> <tr> <td>For each additional unit above 15 units</td> <td>2m<sup>2</sup></td> <td>-</td> </tr> <tr> <td colspan="3">Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space</td> </tr> </tbody> </table>	Living space type	Minimum area	Minimum dimension	Private			Studio unit and 1 bedroom unit	5m <sup>2</sup>	1.8m	2+ bedroom unit	8m <sup>2</sup>	1.8m	Communal			For every 5 4- 15 units	<del>1064</del> m <sup>2</sup>	8m	For each additional unit above 15 units	2m <sup>2</sup>	-	Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space			Kāinga Ora maintains the position it stated following the 42A report.
Living space type	Minimum area	Minimum dimension																												
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391.608	Commercial and mixed use Zones / Local Centre Zone / LCZ-S9	Oppose. Kāinga Ora sought deletion of LCZ-S9 as it sets a standard that may not be possible to meet for dwellings that would otherwise provide a decent standard of living.	Section 42A report rejects the submission for the same reasons noted in the MCZ report.	Kāinga Ora seeks deletion of LCZ-S9 in its entirety.	NO CHANGES	Kāinga Ora maintains the position it stated following the 42A report.																								
391.609	Commercial and mixed use Zones / Local Centre Zone / LCZ-S10	Oppose. Kāinga Ora sought deletion of LCZ-S10 as it constrains design flexibility, and it is not clear what positive outcome it achieves.	Section 42A report rejects the submission for the same reasons noted in the MCZ report.	Kāinga Ora seeks deletion of LCZ-S10 in its entirety.	NO CHANGES	Kāinga Ora maintains the position it stated following the 42A report.																								
391.610	Commercial and mixed use Zones / Local Centre Zone / LCZ-S11	Oppose. Kāinga Ora sought deletion of LCZ-S11 as it constrains design flexibility, and it is not clear what positive outcome it achieves.	Section 42A report rejects the submission for the same reasons noted in the MCZ report.	Kāinga Ora seeks deletion of LCZ-S11 in its entirety.	1.Any new building, <a href="#">or part of a new building</a> , or additions to existing buildings, <a href="#">used for residential activities</a> , must not result in the continuous depth of any external side wall being greater than 25m, as shown in Diagram 14 below.	Kāinga Ora maintains the position it stated following the 42A report.																								

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
					Assessment criteria where the standard is infringed: 1. The extent to which the design mitigates the effect of a long features building elevations; and 2. Dominance, privacy and shading effects on adjoining sites.	
391.14	Mapping / Mapping General / Mapping General	Support in part. Kāinga Ora sought amendment to expand the spatial extent of Local Centres in Miramar, Tawa and Newtown and other Centre Zones to support the plan-enabled residential intensification surrounding them and to support a well-functioning urban environment.	Section 42A report rejects the submission and does not consider that a blanket extension to the spatial extent of the LCZ is required as sufficient development potential is enabled within the existing centre boundaries.			Kāinga Ora maintains the position it stated following the 42A report.
391.26	Mapping / Rezone / Rezone	Support in part. Kāinga Ora sought amendment to classify Local Centres in Miramar, Tawa and Newtown as Town Centre Zones for their role and function within Wellington City.	Section 42A report rejects the submission and recommends that the existing CMUZ hierarchy is retained in the District Plan, without the addition of a new TCZ.			Kāinga Ora maintains the position it stated following the 42A report.
FS89.60 & FS89.61	General / Mapping / Mapping General / Mapping General	Oppose. Kāinga Ora sought to align with its primary submission which requests that Newtown is classified as a Town Centre.	Section 42A report rejects the submission.			Kāinga Ora maintains the position it stated following the 42A report.
<b>Neighbourhood Centre Zone</b>						
391.507 & 391.508	Commercial and mixed use Zones / Neighbourhood Centre Zone / General NCZ	Support in part. Kāinga Ora sought amendment to remove references to Design Guides as they are too broad to be used as an assessment matter.	Section 42A report rejects the submission and disagrees that the phrase 'issues that are not anticipated in the zone' implies a permitted baseline that may or may not be included in the rule framework. Section 42A notes that the Council will seek to retain the Design Guides in some form so the reference to the CMUDG is appropriate.	Kāinga Ora seeks amendment to the Introduction of the Neighbourhood Centre Zone Chapter: High quality building design is a focus for the Neighbourhood Centres Zone. The transition to more intensive use in some neighbourhood centres will result in changes to existing amenity values in the centres and their surrounds. Consequently, redevelopment will be supported by a range of measures to promote good design and environmental outcomes, and address amenity issues <u>that are not anticipated in the zone</u> . Accordingly, most building activities will require a resource consent and an	NO CHANGES	Kāinga Ora maintains the position it stated following the 42A report.



Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
				assessment against the <del>Centres and Mixed Use Design Guide</del> key design criteria. To enable intensification around existing neighbourhood centres, some of these will have increased building heights.		
391.509	Commercial and mixed use Zones / Neighbourhood Centre Zone / New NCZ	Kāinga Ora sought to introduce a new rule to allow for the construction of, or additions and alterations to residential buildings and structures as a permitted activity.	Section 42A report rejects the submission and notes that NCZ-R10 relates to residential activities whereas NCZ-R18 relates to buildings. Where the residential activity is above ground floor it is permitted within the building.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES
391.510	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-O1	Supportive of NCZ-O1. Kāinga Ora sought for NCZ-O1 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES
391.511	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-O2	Supportive of NCZ-O2. Kāinga Ora sought for NCZ-O2 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	The Neighbourhood Centre Zone has sufficient serviced, resilient development capacity <del>and additional infrastructure</del> to meet residential and commercial growth needs.	Kāinga Ora maintains the position it stated following the 42A report.
391.512 & 391.513	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-O3	Support in part. Kāinga Ora sought amendment to recognise the range of housing densities potentially enabled in the zone.	Section 42A report accepts the amendment.	Kāinga Ora supports the approach taken in the section 42A report.	Medium <del>to high</del> density mixed-use development is achieved that positively contributes to creating a good quality, well-functioning urban environment that reflects the changing urban form and amenity values of the Neighbourhood Centres and their surrounding residential areas.	Kāinga Ora maintains the position it stated following the 42A report.
391.514	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-O4	Supportive of NCZ-O4. Kāinga Ora sought for NCZ-O4 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	Activities will be of an appropriate scale and type to enhance the vibrancy <del>and viability</del> of Neighbourhood Centres, <del>support walkable neighbourhoods</del> and support their neighbourhood purpose.	Kāinga Ora maintains the position it stated following the 42A report.
FS89.82	Part 3 / Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-P1	Oppose. Kāinga Ora opposed the original submission from McDonalds to remove "that does not undermine the ongoing viability and vibrancy of the Local Centre Zone and Metropolitan Centre Zone and primacy of the City Centre Zone" from NCZ-P1.	Section 42A report rejects the original submission and accepts the further submission.	Kāinga Ora seeks amendment to NCZ-P1: 1. A variety of building types, sizes, <del>tenures, affordability</del> and distribution of a scale and intensity that does not undermine the <del>ongoing viability</del> and vibrancy of the Local Centre Zone and Metropolitan Centre Zone and primacy of the City Centre Zone; 2. A mix of medium <del>to high</del> density housing; 3. Convenient access to active, public transport and rapid transit options; 4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces.	Provide for the use and development of the Neighbourhood Centre Zone to meet the City's needs for housing, business activities and community facilities, including: 1. A variety of building types, sizes, tenures, affordability and distribution of a scale and intensity that does not undermine the <del>ongoing viability</del> and vibrancy of the Local Centre Zone and Metropolitan Centre Zone and primacy of the City Centre Zone; 2. A mix of medium <del>to high</del> density housing; 3. Convenient access to active, public transport and rapid transit options; 4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces.	Kāinga Ora seeks the following minor amendments: Provide for the use and development of the Neighbourhood Centre Zone to meet the City's needs for housing, business activities and community facilities, including: 1. A variety of building types, sizes, <del>tenures, affordability</del> and distribution of a scale and intensity that does not undermine the <del>ongoing viability and</del> vibrancy of the Local Centre Zone and Metropolitan Centre Zone and primacy of the City Centre Zone; 2. A mix of medium <del>to high</del> density housing; 3. Convenient access to active, public transport and rapid transit options; 4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces.

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
391.515 & 391.516	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-P1	Support in part. Kāinga Ora sought amendment to recognise that tenures and affordability cannot and should not be managed through the District Plan	Section 42A report accepts in part to include 'to high density housing' but rejects amendment to remove 'tenures, affordability' from NCZ-P1.	Kāinga Ora seeks amendment to NCZ-P1: 1. A variety of building types, sizes, <del>tenures, affordability</del> and distribution of a scale and intensity that does not undermine the <del>ongoing viability</del> and vibrancy of the Local Centre Zone and Metropolitan Centre Zone and primacy of the City Centre Zone; 2. A mix of medium <u>to high</u> density housing; 3. Convenient access to active, public transport and rapid transit options; 4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces.	Provide for the use and development of the Neighbourhood Centre Zone to meet the City's needs for housing, business activities and community facilities, including: 1. A variety of building types, sizes, tenures, affordability and distribution of a scale and intensity that does not undermine the <del>ongoing viability</del> and vibrancy of the Local Centre Zone and Metropolitan Centre Zone and primacy of the City Centre Zone; 2. A mix of medium <u>to high</u> density housing; 3. Convenient access to active, public transport and rapid transit options; 4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces.	Kāinga Ora seeks the following minor amendments: Provide for the use and development of the Neighbourhood Centre Zone to meet the City's needs for housing, business activities and community facilities, including: 1. A variety of building types, sizes, <del>tenures, affordability</del> and distribution of a scale and intensity that does not undermine the <del>ongoing viability and</del> vibrancy of the Local Centre Zone and Metropolitan Centre Zone and primacy of the City Centre Zone; 2. A mix of medium <u>to high</u> density housing; 3. Convenient access to active, public transport and rapid transit options; 4. Efficient, well integrated and strategic use of available development sites; and Convenient access to a range of open spaces.
FS89.57	Part 3 / Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-P1	Oppose. Kāinga Ora opposed the original submission from Foodstuffs to delete 'does not undermine the ongoing viability and vibrancy of the Local Centre Zone and Metropolitan Centre Zone and primacy of the City Centre Zone' from NCZ-P1.	Section 42A report rejects the original submission and accepts the further submission.	Kāinga Ora seeks amendment to NCZ-P1: 1. A variety of building types, sizes, <del>tenures, affordability</del> and distribution of a scale and intensity that does not undermine the <del>ongoing viability</del> and vibrancy of the Local Centre Zone and Metropolitan Centre Zone and primacy of the City Centre Zone; 2. A mix of medium <u>to high</u> density housing; 3. Convenient access to active, public transport and rapid transit options; 4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces.	Provide for the use and development of the Neighbourhood Centre Zone to meet the City's needs for housing, business activities and community facilities, including: 1. A variety of building types, sizes, tenures, affordability and distribution of a scale and intensity that does not undermine the <del>ongoing viability</del> and vibrancy of the Local Centre Zone and Metropolitan Centre Zone and primacy of the City Centre Zone; 2. A mix of medium <u>to high</u> density housing; 3. Convenient access to active, public transport and rapid transit options; 4. Efficient, well integrated and strategic use of available development sites; and 5. Convenient access to a range of open spaces.	Kāinga Ora seeks the following minor amendments: Provide for the use and development of the Neighbourhood Centre Zone to meet the City's needs for housing, business activities and community facilities, including: 1. A variety of building types, sizes, <del>tenures, affordability</del> and distribution of a scale and intensity that does not undermine the <del>ongoing viability and</del> vibrancy of the Local Centre Zone and Metropolitan Centre Zone and primacy of the City Centre Zone; 2. A mix of medium <u>to high</u> density housing; 3. Convenient access to active, public transport and rapid transit options; 4. Efficient, well integrated and strategic use of available development sites; and Convenient access to a range of open spaces.
391.517	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-P2	Supportive of NCZ-P2. Kāinga Ora sought for NCZ-P2 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES
391.518	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-P3	Supportive of NCZ-P3. Kāinga Ora sought for NCZ-P3 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	Manage the location and scale of commercial activities which could result in cumulative adverse effects on the <del>viability and</del> vibrancy of centres, the retention and establishment of a mix of activities within the Neighbourhood Centre Zone, and the function of the transport network.	Kāinga Ora maintains the position it stated following the 42A report.
391.519	Commercial and mixed use Zones / Neighbourhood	Supportive of NCZ-P4. Kāinga Ora sought for NCZ-P4 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
	Centre Zone / NCZ-P4					
391.520	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-P5	Supportive of NCZ-P5. Kāinga Ora sought for NCZ-P5 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES
391.521 & 391.522	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-P6	Support in part. Kāinga Ora sought amendment to recognise the range of housing densities potentially enabled in the zone and to recognise that tenures and affordability cannot and should not be managed through the District Plan and to clarify that intent of the Neighbourhood Centre Zone is to enable intensification and height therefore medium to high density is the appropriate scale of development to encourage.	Section 42A report accepts in part and agrees that high density housing is appropriate in the NCZ, particularly in centres with a 22 metre building height. Section 42A report does not see why a range of tenures should not be available within the NCZ.	Kāinga Ora seeks amendment to NCZ-P6: Enable medium <u>to high</u> density residential development that: 1. Contributes towards accommodating anticipated growth in the City; and 2. Offers a range of housing price, type, <u>and size and tenure</u> that is accessible to people of all ages, lifestyles, cultures, <u>impairments</u> and abilities.	Enable medium <u>to high</u> density residential development that: 1. Contributes towards accommodating anticipated growth in the City; and 2. Offers a range of housing price, type, size and tenure that is accessible to people of all ages, lifestyles, cultures, <u>impairments</u> and abilities	Kāinga Ora maintains the position it stated following the 42A report.
391.523 & 391.524	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-P7	Support in part. Kāinga Ora sought amendment to the policy name to better reflect the intent of the policy and to the policy wording to better recognise the NCZ rule setting and the intent of the NPS-UD that recognises the planned urban built form.	Section 42A report accepts in part and agrees that the wording of LCZ-P7.1.a. and LCZP7.1.b can be improved. Section 42A report rejects the change in name.	Kāinga Ora seeks amendment to NCZ-P7: Require new development, and alterations and additions to existing development at a site scale, to positively contribute to the sense of place, quality and <u>planned urban built form amenity</u> of the Neighbourhood Centre Zone by: <del>1. Meeting the requirements of the Centres and Mixed Use Design Guide as relevant;</del> <u>2. 1. Recognising the benefits of well-designed, comprehensive development, including the extent to which the development:</u> a. <u>Acts as a positive catalyst for future change by reflecting</u> Reflects the nature and scale of the development <u>proposed enabled</u> within the zone <u>and in the vicinity</u> , and responds to the evolving, more intensive identity of the neighbourhood; b. Optimises the development capacity of land., <u>particularly sites that are: i. Large; or ii. Narrow; or iii. Vacant; or iv. Ground level parking areas;</u> c. Provides for the increased levels of residential accommodation enabled in this zone; and	Require new development, and alterations and additions to existing development at a site scale, to positively contribute to the sense of place, quality and amenity of the Neighbourhood Centre Zone by: <u>1. Meeting the requirements of the Centres and Mixed Use Design Guide as relevant;</u> <del>2. 1.</del> Recognising the benefits of well-designed, comprehensive development, including the extent to which the development: a. <del>Acts as a positive catalyst for future change by reflecting</del> Reflects the nature and scale of the development proposed <u>enabled</u> within the zone <u>and in the vicinity</u> , and responds to the evolving, more intensive identity of the neighbourhood; b. Optimises the development capacity of land., <u>particularly sites that are: i. Large; or ii. Narrow; or iii. Vacant; or iv. Ground level parking areas;</u> c. Provides for the increased levels of residential accommodation enabled in this zone; and d. Provides for a range of supporting business, open space and community facilities;	Kāinga Ora maintains the position it stated following the 42A report.

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
				<p>d. Provides for a range of supporting business, open space and community facilities;</p> <p><u>e. Is accessible for emergency service vehicles.</u></p> <p><del>3. 2.</del> Ensuring that the development, where relevant: a. Responds to the site context, particularly where it is located adjacent to:</p> <p>i. A scheduled site of significance to tangata whenua or other Māori; or</p> <p>ii. Heritage buildings, heritage structures and heritage areas; or</p> <p><del>i. An identified character precinct; or</del></p> <p>ii. Residential zoned areas; or</p> <p>iii. Open space and recreation zoned areas;</p> <p>k. Provides a safe and comfortable pedestrian environment;</p> <p>l. Enhances the quality of the streetscape and public / private interface;</p> <p>m. Integrates with existing and planned active and public transport movement networks, including planned rapid transit stops; and</p> <p>n. Allows sufficient flexibility for ground floor space to be converted for a range of activities, including residential.</p>	<p><u>e. Is accessible for emergency service vehicles.</u></p> <p>3. <del>2.</del> Ensuring that the development, where relevant:</p> <p>a. Responds to the site context, particularly where it is located adjacent to: i. A scheduled site of significance to tangata whenua or other Māori; or</p> <p>ii. Heritage buildings, heritage structures and heritage areas; or</p> <p>iii. An identified character precinct; or</p> <p>iv. Residential zoned areas; or</p> <p>v. Open space and recreation zoned areas;</p> <p>b. Provides a safe and comfortable pedestrian environment;</p> <p>c. Enhances the quality of the streetscape and public / private interface</p> <p>d. Integrates with existing and planned active and public transport movement networks, including planned rapid transit stops; and</p> <p>e. Allows sufficient flexibility for ground floor space to be converted for a range of activities, including residential.</p>	
391.525 & 391.526	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-P8	Support in part. Kāinga Ora sought amendment to clarify the extent of on-site amenity requirements and to remove communal outdoor space requirements as this is already covered by reference to outdoor space generally.	Section 42A report accepts in part and proposes changes to the wording to improve clarity. Section 42A report notes that there is no requirement to provide both private and communal outdoor space, rather communal outdoor space should be provided in private space is not.	<p>Kāinga Ora seeks amendment to NCZ-P8: Achieve a good standard of amenity for residential activities in the Neighbourhood Centre Zone by <u>ensuring access to convenient outdoor space:</u></p> <p><del>1. Providing residents with access to adequate outlook; and</del></p> <p><del>2. Ensuring convenient access to convenient outdoor space, including private and/or shared communal areas of outdoor space;</del></p> <p><del>3. Meeting the requirements of the Residential Design Guide as relevant; and</del></p> <p><del>4. Providing residents with adequate internal living space</del></p>	<p>Achieve a good standard of amenity for residential activities in the Neighbourhood Centre Zone by:</p> <p>1. Providing residents with access to adequate outlook; and</p> <p>2. Ensuring <u>convenient</u> access <del>to convenient outdoor space</del>, including private and/or shared communal areas <u>of outdoor space</u>;</p> <p><u>3. Meeting the requirements of the Residential Design Guide as relevant; and</u></p> <p><u>4. Providing residents with adequate internal living space</u></p>	Kāinga Ora maintains the position it stated following the 42A report.
391.527 & 391.528	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-P9	Support in part. Kāinga Ora sought amendment to specify that adverse effects that need consideration are those beyond what is anticipated in the zone, consistent with the proposed zone framework and in accordance with Policy 6 of the NPS-UD.	Section 42A report rejects the submission and disagrees that the policy should only allow for consideration of effects 'beyond what is anticipated in the zone' as this would effectively build a permitted baseline test into the policy.	<p>Kāinga Ora seeks amendment to NCZ-P9: Recognise the evolving, higher density development context enabled in the Neighbourhood Centres Zone, while managing any associated adverse effects <u>beyond those anticipated within the zone</u>, including:</p> <p>1. Shading, privacy, bulk and dominance effects on adjacent sites; and</p> <p>2. The impact of construction on the transport network <u>and pedestrian linkages.</u></p>	<p>Recognise the evolving, higher density development context <u>anticipated enabled</u> in the Neighbourhood Centre Zone, while managing any associated adverse effects including:</p> <p>1. Shading, privacy, bulk and dominance effects on adjacent sites; and</p> <p>2. The impact of construction on the transport network and pedestrian linkages</p>	Kāinga Ora maintains the position it stated following the 42A report.

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
391.529 & 391.530	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-P10	Support in part. Kāinga Ora sought amendment xx.	Section 42A report rejects the submission and recommends that changes to the City Outcomes Contribution policy are carried down to NCZ-P10.	<p><del>Require Encourage over height, large-scale residential, non-residential and comprehensive</del> development in the Neighbourhood Centre Zone <u>that contribute to positive outcomes including by to deliver City Outcomes Contributions as detailed and scored in Appendix 16 the Centres and Mixed Use Design Guide guideline G107, including through either:</u></p> <ol style="list-style-type: none"> <li>1. Positively contributing to public space provision and the amenity of the site and surrounding area; and/or</li> <li><u>2. Enabling ease of access for people of all ages and mobility; and/or</u></li> <li>3. <del>2.</del> Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change resilience; and/or</li> <li>4. <del>3.</del> Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or</li> <li><del>5. 4. Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure that it remains assisted housing for at least 25 years.; and/or</del></li> <li><u>6. Enabling ease of access for people of all ages and mobility.</u></li> </ol>	<p>Require over height, <del>large-scale residential, non-residential and comprehensive</del> development in the Neighbourhood Centre Zone to deliver City Outcomes Contributions as detailed and scored in <del>Appendix 16 the Centres and Mixed Use Design Guide guideline G107</del>, including through <u>at least two of the following outcomes either:</u></p> <ol style="list-style-type: none"> <li>1. Positively contributing to public space provision and the amenity of the site and surrounding area; <del>and/or</del></li> <li><u>2. Enabling universal accessibility within buildings ease of access for people of all ages and mobility; and/or</u></li> <li>3. <del>2.</del> Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change resilience; <del>and/or</del></li> <li>4. <del>3.</del> Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; <del>and/or</del></li> <li>5. <del>4.</del> Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure that it remains assisted housing for at least 25 years.; <del>and/or</del></li> <li><del>6. Enabling ease of access for people of all ages and mobility</del></li> </ol>	Kāinga Ora maintains the position it stated following the 42A report.
391.531 & 391.532	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-R10	Support in part. Kāinga Ora sought amendment so the activity status for non-compliance is amended to restricted discretionary with preclusion for limited notification and appropriate matters of discretion are restricted to Policy 7 and 8 matters; rules related to verandah coverage are removed and reference to natural hazards are removed as these matters are controlled by Natural Hazard rules	Section 42A report accepts in part and has no concerns with amending the notification clause as it relates to the activity and with deletion of NCZ-R10.1.v. Section 42A report disagrees with the deletion of NCZ-R10.1.iv and disagrees that the activity status should change to restricted discretionary as the discretionary activity status signifies that residential activities are discouraged along active or non-residential.	<p>Kāinga Ora seeks amendment to NCZ-R10: Residential activities <u>and Retirement Villages</u></p> <ol style="list-style-type: none"> <li>1. Activity status: Permitted where: <ol style="list-style-type: none"> <li>a. The activity is located: <ol style="list-style-type: none"> <li>i. Above ground floor level; ii. At ground floor level along any street edge not identified as an active frontage; or</li> <li>iii. At ground floor level along any street edge not identified as a non-residential activity frontage; or</li> <li>iv. At ground level along any street not identified as requiring verandah coverage; or</li> <li><del>v. At ground level on any site contained within a Natural Hazard Overlay.</del></li> </ol> </li> </ol> </li> <li>2. Activity status: <u>Restricted</u> Discretionary where: <ol style="list-style-type: none"> <li>a. Compliance with the requirements of NCZ-R10.1 cannot be achieved. Matters of discretion are restricted to: <ol style="list-style-type: none"> <li>1. The matters in <u>NCZ-PXX, NZC-P7 and NCZ-P8.</u></li> </ol> </li> </ol> </li> </ol>	<p>Residential activities</p> <ol style="list-style-type: none"> <li>1. Activity status: Permitted where: <ol style="list-style-type: none"> <li>a. The activity is located: <ol style="list-style-type: none"> <li>i. Above ground floor level; ii. At ground floor level along any street edge not identified as an active frontage; or</li> <li>iii. At ground floor level along any street edge not identified as a non-residential activity frontage; or</li> <li>iv. At ground level along any street not identified as requiring verandah coverage; or</li> <li><del>v. At ground level on any site contained within a Natural Hazard Overlay.</del></li> </ol> </li> </ol> </li> <li>2. Activity status: Discretionary Where: <ol style="list-style-type: none"> <li>a. Compliance with the requirements of NCZ-R10.1 cannot be achieved. Notification status: An application for resource consent made in respect of rule NCZ-R10.2.a is precluded from being <u>limited and</u> publicly notified.</li> </ol> </li> </ol>	Kāinga Ora seeks a minor amendment to the title of this rule: Residential activities <u>and Retirement Villages</u>

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
				Notification status: An application for resource consent made in respect of rule NCZ-R10.2.a is precluded from being <u>limited and</u> publicly notified		
391.533 & 391.534	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-R11	Support in part. Kāinga Ora sought amendment to reduce the Integrated Retail Activity Gross Floor Area to better reflect the lower order of Neighbourhood Centres in the Centres hierarchy.	Section 42A report accepts the amendment and notes that 20,000m2 provided for under the notified rule will enable a significantly sized integrated retail activity. The NCZ is the lowest ranking centre in the hierarchy of centres and section 42A report consider that 10,000m2 is an appropriate GFA.	Kāinga Ora seeks amendment to NCZ-R11: 1. Activity status: Permitted Where: a. The total gross floor area does not exceed <del>21</del> <u>XX</u> 0,000m2 2. Activity status: Restricted Discretionary Where: a. Compliance with the requirements of NCZ-R11.1.a cannot be achieved. Matters of discretion are: 1. The matters in NCZ-P1, NCZ-P2, NCZ-P3, and NCZ-P4; 2. The cumulative effect of the development on: a. The <u>ongoing viability and vitality</u> brancy of the City Centre Zone <u>and Golden Mile</u> ; b. The safety and efficiency of the transport network, including providing for a range of transport modes; c. The hierarchy of roads, travel demand or vehicle use; and 3. The compatibility with other activities provided for in the zone. <del>Council will not apply a permitted baseline assessment when considering the effects of integrated retail activities that cannot comply with NCZ-R11.1.a</del>	1. Activity status: Permitted Where: a. The total gross floor area does not exceed <del>2</del> <u>10</u> ,000m2 2. Activity status: Restricted Discretionary Where: a. Compliance with the requirements of NCZ-R11.1.a cannot be achieved. Matters of discretion are: 1. The matters in NCZ-P1, NCZ-P2, NCZ-P3, and NCZ-P4; 2. The cumulative effect of the development on: a. The <del>ongoing viability and vitality</del> brancy of the City Centre Zone <del>and Golden Mile</del> ; b. The safety and efficiency of the transport network, including providing for a range of transport modes; c. The hierarchy of roads, travel demand or vehicle use; and 3. The compatibility with other activities provided for in the zone. <del>Council will not apply a permitted baseline assessment when considering the effects of integrated retail activities that cannot comply with NCZ-R11.1.a</del>	Kāinga Ora maintains the position it stated following the 42A report.
391.535	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-R13	Supportive of NCZ-R13. Kāinga Ora sought for NCZ-R13 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	Activity status: Permitted Where: The activity involves: i. Provision of carparks not visible at street edge along an active frontage or non-residential activity frontage; or ii. Provision of carparks above ground floor level; or iii. Provision of carparks below ground floor level; or iv. Provision of parking spaces for people with disabilities; or v. Provision of ground floor level carparks that form part of a building specifically constructed and used for carparking purposes.;or <u>vi. Provision of carparks on a road.</u>	Kāinga Ora maintains the position it stated following the 42A report.
391.536	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-R14	Supportive of NCZ-R14. Kāinga Ora sought for NCZ-R14 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	1. Activity status: Discretionary Notification status: An application for resource consent made in respect of rule LCZ-R14 must be publicly notified., <u>except:</u> <u>a. The activity relates to the maintenance, operation and upgrading of an existing activity.</u>	Kāinga Ora maintains the position it stated following the 42A report.

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
391.537	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-R15	Supportive of NCZ-R15. Kāinga Ora sought for NCZ-R15 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES
391.538	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-R16	Supportive of NCZ-R16. Kāinga Ora sought for NCZ-R16 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES
391.539 & 391.540	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-R17	Support in part. Kāinga Ora sought amendment to ensure the rule only applies to active and non-residential activity frontages.	Section 42A report rejects the submission and disagrees that the rule should only be applied to sites in the NCZ that have an active frontage or non-residential frontage. Any vacant site within a NCZ has the potential to prevent development potential from being realised and adversely affect the vitality of a centre	Kāinga Ora supports the approach taken in the section 42A report.	1. Activity status: Permitted Where: a. The demolition or removal of a building: i. Is required to avoid an imminent threat to life and/or property; or ii. Enables the creation of public space <del>or private outdoor living space associated with the use of a building</del> ; or iii. Is required for the purposes of constructing a new building or structure, or adding to or altering an existing building or structure, that <u>is a permitted activity under NCZ-R18, or that</u> has an approved resource consent, or resource consent is being sought concurrently <del>under NCZ-R18.2</del> ; or b. The building or structure for demolition or removal is not on a site that has an active frontage or non-residential activity frontage; or c. The demolition or removal involves a structure, excluding any building.	Kāinga Ora maintains the position it stated following the 42A report.
391.541 & 391.542	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-R18	Support in part. Kāinga Ora sought amendment to remove direct reference to the design guide and to instead rely on the urban design outcomes that are outlined by the policy references and to remove reference to the 'City Outcomes Contribution' as this will unduly limit intensive development.	Section 42A report accepts in part for the same reasons noted in MCZ report.	Kāinga Ora seeks amendment to NCZ-R18: 1. Activity status: Permitted where: a. Alterations or additions to a building or structure: ... <del>iii. Do not result in the creation of new residential units</del> ; and ... 2. Activity status: Restricted Discretionary Where: a. Compliance with any of the requirements of NCZ-R18.1 cannot be achieved. Matters of discretion are: 1. The matters in NCZ-P6, NCZ-P7, NCZ-P8, <del>and NCZ-P9 and NCZ-P10.</del> 2. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard; <del>3. City Outcomes Contribution as required in Appendix 16 for The Centres and Mixed Use Design Guide, including guideline G107—City Outcomes Contribution for any building that exceeds the maximum height</del> 3. <del>City Outcomes Contribution as required in Appendix 16 for The Centres and Mixed Use Design Guide, including guideline G107—City Outcomes Contribution for any building that exceeds the maximum height</del> 4. <del>The Residential Design Guide;</del>	2. Activity status: Restricted Discretionary Where: a. Compliance with any of the requirements of NCZ-R18.1 cannot be achieved. Matters of discretion are: 1. The matters in NCZ-P6, NCZ-P7, NCZ-P8, <del>and NCZ-P9 and NCZ-P10.</del> 2. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard; <del>3. City Outcomes Contribution as required in Appendix 16 for The Centres and Mixed Use Design Guide, including guideline G107—City Outcomes Contribution for any building that exceeds the maximum height requirement at Ngaio, Berhampore and Aro Valley centres; and either comprises 25 or more residential units or is a non-residential building; and</del> 4. <del>The Residential Design Guide;</del>	Kāinga Ora seeks the following amendments:  1. Activity status: <b>Permitted</b> Where: a. Alterations or additions to a building or structure: i. Do not alter the external appearance of the building or structure; or ii. Relate to a building frontage below verandah level, including entranceways and glazing and compliance with NCZ-S5 is achieved; or <del>iii. Do not result in the creation of new residential units; and</del> iv. Are not visible from public spaces; and v. Comply with effects standards NCZ-S1, NCZ-S2, NCZ-S3, NCZ-S4, NCZ-S5 and NCZ-S6; and b. The construction of any building or structure: i. Is not located on a site with an active frontage or non-residential activity frontage; or ii. Is not visible from a public space; and

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
				<p><del>requirement at Ngaio, Berhampore and Aro Valley centres; and either comprises 25 or more residential units or is a non-residential building;</del>  <del>4. The Residential Design Guide;</del>  5. The extent and effect of any identifiable site constraints;  6. Construction impacts on the transport network; and  7. The availability and connection to existing or planned three waters infrastructure.  Notification status:  <u>An application for resource consent made in respect of rule NCZ-R18.2.a that complies with all standards is precluded from being either publicly or limited notified.</u>  An application for resource consent made in respect of rule NCZ-R18.2.a that complies with both NCZ-S3, NCZ-S7, NCZ-S8, NCZ-S9, NCZ-S10 and NCZ-S11 is precluded from being either publicly or limited notified</p>	<p>3. The extent and effect of any identifiable site constraints;  4. Construction impacts on the transport network; and  5. The availability and connection to existing or planned three waters infrastructure.  Notification status: An application for resource consent made in respect of rule NCZ-R18.2.a that complies with all standards is precluded from being either publicly or limited notified.  An application for resource consent made in respect of rule NCZ-R18.2.a that complies with both NCZ-S3, NCZ-S7, NCZ-S8, NCZ-S9, NCZ-S10 and NCZ-S11 is precluded from being either publicly or limited notified.  An application for resource consent made in respect of rule NCZ-R18.2.a that results from noncompliance with NCZ-S1, NCZ-S2, NCZ-S4, NCZ-S5 and NCZ-S6 is precluded from being publicly notified</p> <p><del>3. Activity status: Restricted Discretionary</del>  <del>Where:</del>  <del>a. The relevant City Outcome Contribution maximum height requirement set out in NCZ-S1 is exceeded.</del></p> <p><del>3. Activity status: Restricted Discretionary</del>  <del>Where:</del>  <del>a. The relevant City Outcome Contribution maximum height requirement set out in NCZ-S1 is exceeded. Matters of discretion are:</del>  <del>1. The matters in NCZ-P10; and</del>  <del>2. The application and implementation of the City Outcome Contribution set out in Appendix 16.</del>  Notification status: An application for resource consent made in respect of rule NCZ-R18.3 is precluded from being either publicly or limited notified, except where the application does not give effect to NCZ-P10 City Outcomes Contribution.  An application for resource consent made in respect of rule NCZ-R18.3 that does not give effect to NCZ-P10 City Outcomes Contribution must be publicly notified.</p>	<p>iii. Will have a gross floor area of less than 100m<sup>2</sup>; and  iv. Will result in a total coverage (together with other buildings) of no more than 20 percent of the site; and  v. Comply with effects standards NCZ-S1, NCZ-S2, NCZ-S3, NCZ-S4, NCZ-S5 and NCZ-S6; and  vi. Does not involve the construction of a new building for residential activities.</p> <p><del>3. Activity status: Restricted Discretionary</del>  <del>Where:</del>  <del>a. The relevant City Outcome Contribution maximum height requirement set out in NCZ-S1 is exceeded.</del></p> <p><del>Matters of discretion are:</del>  <del>1. The matters in NCZ-P10; and</del>  <del>2. The application and implementation of the City Outcome Contribution set out in Appendix 16.</del></p> <p><del>Notification status:</del>  <del>An application for resource consent made in respect of rule NCZ-R18.3 is precluded from being either publicly or limited notified, except where the application does not give effect to NCZ-P10 City Outcomes Contribution.</del></p> <p><del>An application for resource consent made in respect of rule NCZ-R18.3 that does not give effect to NCZ-P10 City Outcomes Contribution must be publicly notified.</del></p>
391.543 & 391.544	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-R19	Support in part. Kāinga Ora sought amendment to remove direct reference to the design guide as the matters in the relevant policies include those matters articulated through the design guides.	Section 42A report accepts in part to remove the reference to the RDG from NCZ-R19. Section 42A recommends that NCZ-P8 is amended to refer to the RDG and that this is not explicitly referenced within the rule framework. This avoids duplication, given there is already a requirement to consider NCZ-P8 as a matter of discretion.	Kāinga Ora seeks deletion of NCZ-R19 in its entirety.	1. Activity status: Restricted Discretionary Matters of discretion are: 1. The matters in NCZ-P1, NCZ-P3, NCZ-P6 and NCZ-P8; 2. The extent of compliance with standards NCZ-S7, NCZ-S8 and NCZ-S9 and satisfaction of associated assessment criteria; <del>and</del> <del>3. The Residential Design Guide; and</del>	NO CHANGES



Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal								
					<p>4. 3. The availability and connection to existing or planned three waters infrastructure.</p> <p>Notification status: An application for resource consent made in respect of rule NCZ-R19.1 is precluded from being either publicly or limited notified</p>									
391.545 & 391.546	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-S1	Support in part. Kāinga Ora sought amendment to enable fence heights up to 2 metres to align with the Building Act.	Section 42A report rejects the submission for the same reasons noted in MCZ report.	<p>Kāinga Ora seeks amendment to NCZ-S1:</p> <p><u>Height control area 2 Mersey Street, Island Bay 14 Metres</u></p> <p>2. Fences and standalone walls must not exceed a maximum height of 1.8metres (measured above ground level) <u>on the front boundary and 2.0m on side and rear boundaries.</u></p>	<p>1. The following maximum height limits above ground level must be complied with:</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Height</th> </tr> </thead> <tbody> <tr> <td>Height control area 1 All Neighbourhood centres, including Aro Valley Centre Height Control Area A, except as stated below in Height Control Area 2</td> <td>12 metres</td> </tr> <tr> <td><u>Height control area 2 Mersey Street, Island Bay</u></td> <td><u>14 metres</u></td> </tr> <tr> <td>Height control area <del>2 3</del> Aro Valley Centre Height Control Area B Berhampore Centre Ngaio Centre Oxford Street Tawa Centre</td> <td>22 metres</td> </tr> </tbody> </table> <p>2. Fences and standalone walls must not exceed a maximum height of 1.8 metres (measured above ground level).</p>	Location	Height	Height control area 1 All Neighbourhood centres, including Aro Valley Centre Height Control Area A, except as stated below in Height Control Area 2	12 metres	<u>Height control area 2 Mersey Street, Island Bay</u>	<u>14 metres</u>	Height control area <del>2 3</del> Aro Valley Centre Height Control Area B Berhampore Centre Ngaio Centre Oxford Street Tawa Centre	22 metres	<p>Kāinga Ora seeks the following further amendments:</p> <p>2. Fences and standalone walls must not exceed a maximum height of <del>1.8</del> <u>2.0</u> metres (measured above ground level) <u>on side and rear boundaries and must not exist on front boundaries.</u></p>
Location	Height													
Height control area 1 All Neighbourhood centres, including Aro Valley Centre Height Control Area A, except as stated below in Height Control Area 2	12 metres													
<u>Height control area 2 Mersey Street, Island Bay</u>	<u>14 metres</u>													
Height control area <del>2 3</del> Aro Valley Centre Height Control Area B Berhampore Centre Ngaio Centre Oxford Street Tawa Centre	22 metres													
391.547	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-S2	Supportive of NCZ-S2. Kāinga Ora sought for NCZ-S2 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	<p>1. A minimum height of 7m is required for:</p> <p>a. New buildings or structures; and</p> <p>b. Additions to the frontages of existing buildings and structures.</p> <p><u>This standard does not apply to:</u></p> <p><u>1. Accessory buildings, ancillary to the primary activity on the site.</u></p> <p><u>2. Any building or structure that is unable to be occupied by people.</u></p>	Kāinga Ora maintains the position it stated following the 42A report.								
391.548	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-S3	Supportive of NCZ-S3. Kāinga Ora sought for NCZ-S3 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES								
391.549	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-S4	Supportive of NCZ-S4. Kāinga Ora sought for NCZ-S4 to be retained as notified.	Retain as notified - no changes made in section 42A report.	<p>Kāinga Ora seeks amendment to NCZ-S4:</p> <p>No part of any building or structure may project beyond the relevant recession plane <u>standards of an adjoining boundary in the MRZ, HRZ or Open Space Zone shown below:</u></p>	NO CHANGES	Kāinga Ora maintains the position it stated following the 42A report.								

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report		Council rebuttal evidence	Kāinga Ora position following Council rebuttal
				Location	Recession plane		
				<p>Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps</p> <p>Boundary adjoining any site within the MRZ with a height limit of 14m identified on the District Plan Maps</p> <p>Boundary adjoining any site within the HRZ</p> <p>Boundary adjoining any site within an Open Space and Recreation Zone</p>	<p>60° measured from a height of 4m vertically above ground level</p> <p>60° measured from a height of 5m vertically above ground level</p> <p>60° measured from a height of 8m vertically above ground level</p> <p>60° measured from a height of 5m vertically above ground level</p>		
				<p><del>These standards do not apply to:</del></p> <ol style="list-style-type: none"> <li><del>1. A boundary with a road;</del></li> <li><del>2. Internal boundaries;</del></li> <li><del>3. Solar power and heating components attached to a building provided these do not exceed the height in relation to boundary by more than 500mm; and</del></li> <li><del>4. 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 in relation to boundary by more than 3m measured vertically.</del></li> </ol>			
391.550 & 391.551	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-S6	Support in part. Kāinga Ora sought amendment so that active frontage controls only apply where necessary, such as along principal/arterial roads or along the street edge, and that active frontage controls on streets and buildings where these matters do not apply should be deleted.	Section 42A report accepts in part and agrees that active frontage controls only apply where necessary and this is reflected in the name of the standard which only applies to 'an identified street with an active frontage'	<p>Kāinga Ora seeks amendment to NCZ-S6:</p> <p>Any new building or addition to an existing building on an identified street with an active frontage must:</p> <ol style="list-style-type: none"> <li>a. Be built up to the street edge on all street boundaries <b>with an identified active frontage control</b> and along the full width of the site bordering any street boundary, <b>excluding vehicle and pedestrian access;</b></li> <li>b. Provide a minimum of 60% of <b>continuous</b> display windows or transparent glazing along the width of the ground floor building frontage; and</li> <li>c. Locate the principal public entrance on the front boundary; <b>Except that this standard does not apply to service stations.</b></li> </ol> <p>2. Any ground level <b>façade of a new building</b> or addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that:</p> <ol style="list-style-type: none"> <li>a. Is more than 3 metres wide; and</li> </ol>	<p>Any new building or addition to an existing building on an identified street with an active frontage must:</p> <ol style="list-style-type: none"> <li>a. Be built up to the street edge on all street boundaries <b>with an identified active frontage control at ground floor level and along at least 90% of</b> the full width of the site bordering any street boundary, <b>excluding vehicle and pedestrian access;</b></li> <li>b. Provide a minimum of 60% of continuous display windows or transparent glazing along the width of the ground floor building frontage; and</li> <li>c. Locate the principal public entrance on the front boundary; <b>Except that this standard does not apply to service stations.</b></li> </ol> <p>2. Any ground level addition to, or alteration of, a building or structure facing a public space must not result in a featureless façade that:</p> <ol style="list-style-type: none"> <li>a. Is more than 3 metres wide; and</li> </ol>	<p>Kāinga Ora seeks the following further amendments:</p> <ol style="list-style-type: none"> <li>1. Any new building or addition to an existing building on <b>an identified street a site</b> with an active frontage must: <ol style="list-style-type: none"> <li>a. Be built up to the street edge on all street boundaries <b>with an identified active frontage control at ground floor level</b> and along <b>at least 90% of</b> the full width of the site bordering any street boundary, <b>excluding vehicle and pedestrian access;</b></li> <li>b. Provide a minimum of 60% of <b>continuous</b> display windows or transparent glazing along the width of the ground floor building frontage; and</li> <li>c. Locate the principal public entrance on the front boundary; <b>Except that this standard does not apply to service stations.</b></li> </ol> </li> <li>2. Any ground level addition to, or alteration of, a building or structure facing a public</li> </ol>	

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal																					
				<p>b. Extends from a height of 1m above ground level to a maximum height of 2.5m;</p> <p>3. Any roller shutter doors (<del>except to car parking and service areas</del>), security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent; and</p> <p>4. Any new building or addition to an existing building on a site with a non-residential activity frontage control must:</p> <p>a. Be built up to the street edge on all street boundaries and along the full width of the site bordering any street boundary; and</p> <p>b. Locate the principal public entrance on the front boundary.</p> <p>Assessment criteria where the standard is infringed:</p> <p>1. The extent to which:</p> <p>a. Any non-compliance is required for on-site functional or operational needs;</p> <p>b. The building frontage is designed and located to create a strong visual alignment with adjoining buildings <del>or otherwise enhances the streetscape</del>; and</p> <p>c. <del>An acceptable level of</del> passive surveillance is maintained between the interior of the building and the street <del>is provided</del>.</p>	<p>b. Extends from a height of 1m above ground level to a maximum height of 2.5m;</p> <p>3. Any roller shutter doors - security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent; and</p> <p>4. Any new building or addition to an existing building on a site with a non-residential activity frontage control must:</p> <p>a. Be built up to the street edge on all street boundaries and along the full width of the site bordering any street boundary; and</p> <p>b. Locate the principal public entrance on the front boundary.</p> <p>Assessment criteria where the standard is infringed:</p> <p>1. The extent to which:</p> <p>a. Any non-compliance is required for on-site functional or operational needs;</p> <p>b. The building frontage is designed and located to create a strong visual alignment with adjoining buildings <del>or otherwise enhances the streetscape</del>; and</p> <p>c. An acceptable level of-passive surveillance is maintained between the interior of the building and the street.</p>	<p>space must not result in a featureless façade that:</p> <p>a. Is more than 3 metres wide; and</p> <p>b. Extends from a height of 1m above ground level to a maximum height of 2.5m;</p> <p>3. Any roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building must be at least 50% visually transparent; and</p> <p>4. Any new building or addition to an existing building on a site with a non-residential activity frontage control must:</p> <p>a. Be built up to the street edge on all street boundaries and along the full width of the site bordering any street boundary; and</p> <p>b. Locate the principal public entrance on the front boundary.</p> <p>Assessment criteria where the standard is infringed:</p> <p>1. The extent to which:</p> <p>a. Any non-compliance is required for on-site functional or operational needs;</p> <p>b. The building frontage is designed and located to create a strong visual alignment with adjoining buildings <del>or otherwise enhances the streetscape</del>; and</p> <p>c. <del>An acceptable level of</del> passive surveillance <del>is maintained</del> between the interior of the building and the street. <del>is provided</del>.</p>																					
391.552 & 391.553	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-S7	Support in part. Kāinga Ora sought amendment to remove the minimum standard for 2+ bedroom units to enable greater design flexibility.	Section 42A report accepts in part for the same reasons noted in MCZ and LCZ report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES																					
391.554	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-S8	Supportive of NCZ-S8. Kāinga Ora sought for NCZ-S8 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	<table border="1"> <thead> <tr> <th>Living space type</th> <th>Minimum area</th> <th>Minimum dimension</th> </tr> </thead> <tbody> <tr> <td colspan="3">Private</td> </tr> <tr> <td>Studio unit and 1 bedroom unit</td> <td>5m<sup>2</sup></td> <td>1.8m</td> </tr> <tr> <td>2+ bedroom unit</td> <td>8m<sup>2</sup></td> <td>1.8m</td> </tr> <tr> <td colspan="3">Communal</td> </tr> <tr> <td>For <del>every 5</del> 4-15 units</td> <td>1064m<sup>2</sup></td> <td>8m</td> </tr> <tr> <td>For each additional</td> <td>2m<sup>2</sup></td> <td>-</td> </tr> </tbody> </table>	Living space type	Minimum area	Minimum dimension	Private			Studio unit and 1 bedroom unit	5m <sup>2</sup>	1.8m	2+ bedroom unit	8m <sup>2</sup>	1.8m	Communal			For <del>every 5</del> 4-15 units	1064m <sup>2</sup>	8m	For each additional	2m <sup>2</sup>	-	NO CHANGES
Living space type	Minimum area	Minimum dimension																									
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Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence			Kāinga Ora position following Council rebuttal
					unit above 15 units			
					unit above 15 units			
					Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space			
391.555	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-S9	Oppose. Kāinga Ora sought deletion of NCZ-S9 as it sets a standard that may not be possible to meet for dwellings that would otherwise provide a decent standard of living and is inconsistent with the scale of height density development.	Section 42A report rejects the submission for the same reasons noted in MCZ report.	Kāinga Ora seeks deletion of NCZ-S9 in its entirety.	NO CHANGES			Kāinga Ora maintains the position it stated following the 42A report.
391.556	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-S10	Oppose. Kāinga Ora sought deletion of NCZ-S10 as it constrains design flexibility and it is not clear what positive outcome it achieves.	Section 42A report rejects the submission for the same reasons noted in MCZ report.	Kāinga Ora seeks deletion of NCZ-S10 in its entirety.	NO CHANGES			Kāinga Ora maintains the position it stated following the 42A report.
391.557	Commercial and mixed use Zones / Neighbourhood Centre Zone / NCZ-S11	Oppose. Kāinga Ora sought deletion of NCZ-S11 as it constrains design flexibility and it is not clear what positive outcome it achieves.	Section 42A report rejects the submission for the same reasons noted in MCZ report.	Kāinga Ora seeks deletion of NCZ-S11 in its entirety.	1. Any new building, <u>or part of a new building</u> , or additions to existing buildings, <u>used for residential activities</u> , must not result in the continuous depth of any external side wall being greater than 25m, as shown in Diagram 12 below.			Kāinga Ora maintains the position it stated following the 42A report.
391.5	Whole PDP / Whole PDP / Whole PDP	Kāinga Ora sought that all standards are ensured to have an appropriate activity status and/or are referenced in the building and structure activity rules.	Section 42A report accepts in part in accordance with the PDP provisions in the report. No specific changes to the PDP are required in respect to this submission point.					
<b>Mixed Use Zone</b>								
391.611 & 391.612	Commercial and mixed use Zones / Mixed Use Zone / General MUZ	Support in part. Kāinga Ora sought amendment to acknowledge that the context and activities in the vicinity of Mixed Use Zones may change in the future due to the proposed plan provision and to acknowledge NPS-UD Policy 6.	Section 42A report rejects the submission and notes that caselaw has established that the word 'anticipated' can be taken to mean 'permitted' so the addition of the phrase would set an expectation of a 'permitted baseline'. The addition of 'and anticipated future' sets an expectation that effects of a building or activity will not be taken into account before they have been through a resource consent process.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES			NO CHANGES
391.613	Commercial and mixed use Zones /	Kāinga Ora sought to introduce a new rule permitted industrial	Section 42A report accepts in part and recommends that this rule be	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES			NO CHANGES

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
	Mixed Use Zone / New MUZ	activities except heavy industrial activities which should require resource consent as a non-complying activity to give effect to MUZ-P2 and MUZ-P4.	added but does not accept the requirement for default notification.			
FS89.38	Part 3 / Commercial and Mixed Use Zones / Mixed Use Zone / New MUZ	Oppose. Kāinga Ora opposed the original submission from KiwiRail to add 5m boundary setbacks from a rail corridor boundary.	Section 42A report accepts in part the original submission and rejects the further submission. Section 42A report recommends a new standard requiring a 1.5 metre setback from the rail corridor for all buildings and structures in the MCZ.		NO CHANGES	NO CHANGES
391.614	Commercial and mixed use Zones / Mixed Use Zone / MUZ-O1	Supportive of MUZ-O1. Kāinga Ora sought for MUZ-O1 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES
391.615	Commercial and mixed use Zones / Mixed Use Zone / MUZ-O2	Supportive of MUZ-O2. Kāinga Ora sought for MUZ-O2 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	The Mixed Use Zone has an important role in accommodating growth and has sufficient serviced, resilient development capacity and <b>additional infrastructure</b> to meet business, and to a lesser extent residential growth needs.	Kāinga Ora maintains the position it stated following the 42A report.
391.616	Commercial and mixed use Zones / Mixed Use Zone / MUZ-O3	Supportive of MUZ-O3. Kāinga Ora sought for MUZ-O3 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES
391.617	Commercial and mixed use Zones / Mixed Use Zone / MUZ-O4	Supportive of MUZ-O4. Kāinga Ora sought for MUZ-O4 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES
391.618	Commercial and mixed use Zones / Mixed Use Zone / MUZ-O5	Supportive of MUZ-O5. Kāinga Ora sought for MUZ-O5 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES
391.619 & 391.620	Commercial and mixed use Zones / Mixed Use Zone / MUZ-P1	Support in part. Kāinga Ora sought amendment to recognise that the purpose of the Mixed Use Zone is to allow for compatible activities to co-locate and that affordability and distribution cannot be managed through the District Plan.	Section 42A report accepts in part and agrees that 'choice' should be amended to 'variety'. Section 42A report considers that it is appropriate for the policy to refer to affordability and distribution because the District Plan zoning framework is designed to provide different housing typologies, which has a direct impact on affordability and distribution.	Kāinga Ora seeks amendment to MUZ-P1: Provide for the use and development of the Mixed Use Zone to meet the City's needs for business activities and <b>to a lesser extent housing</b> residential activities co-located, including: 1. A <b>choice variety</b> of building type, size, affordability and distribution, including forms of medium <b>and high</b> density housing; 2. Efficient, well integrated and strategic use of available development sites; and 3. Convenient to state highways and key transport routes and public transport	Provide for the use and development of the Mixed Use Zone to meet the City's needs for business activities and to a lesser extent housing, including: 1. A <b>choice variety</b> of building type, size, affordability and distribution, including forms of medium density housing; 2. Efficient, well integrated and strategic use of available development sites; and 3. Convenient access to state highways and key transport routes	Kāinga Ora maintains the position it stated following the 42A report.
391.621 & 391.622	Commercial and mixed use Zones / Mixed Use Zone / MUZ-P2	Support in part. Kāinga Ora sought amendment to correct 'community correction facility' to	Section 42A report accepts in part and agrees that 'community correction activity' should be used. Section 42A report rejects the	Kāinga Ora supports the approach taken in the section 42A report.	Enable a wide range of compatible activities in the Mixed Use Zone where they are of an appropriate nature, scale and	Kāinga Ora maintains the position it stated following the 42A report.

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
		'community correction activity' and to provide for residential activities which are also located to the rear of buildings.	suggestion to add residential activities because the purpose of only enabling residential activities above the ground floor in the MUZ is to ensure the supply of business land is sufficient to meet the City's needs and this may include land that is not on a road frontage.		intensity for the zone and the hierarchy of centres, including: 1. Commercial activities; 2. Community facilities; 3. Educational facilities; 4. Recreation activities; 5. Arts, culture and entertainment activities; 6. Emergency service facilities; 7. Community corrections <del>facilities</del> activities; 8. Visitor accommodation; 9. Recreational facilities; 10. Residential activities above ground floor level; 11. Public transport activities; and 12. Industrial activities.	
391.623	Commercial and mixed use Zones / Mixed Use Zone / MUZ-P3	Supportive of MUZ-P3. Kāinga Ora sought for MUZ-P3 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	Only allow the establishment of integrated retail activities and large supermarkets in the Mixed Use Zone if it can be demonstrated that they will: 1. Not result in significant adverse impacts on the <del>viability</del> , vitality, role and function of the City Centre or any Metropolitan, Local or Neighbourhood Centres; 2. Not result in significant adverse impacts on the sustainability, safety or efficiency of the transport network and the hierarchy of roads from trip patterns, travel demand or vehicle use; and 3. Be compatible with adjoining land uses.	Kāinga Ora seeks the following further amendments:  Only allow the establishment of integrated retail activities and large supermarkets in the Mixed Use Zone if it can be demonstrated that they will: 1. Not result in significant adverse impacts on the <del>viability</del> , vitality, role and function of the City Centre or any Metropolitan, <u>Town</u> , Local or Neighbourhood Centres; 2. Not result in significant adverse impacts on the sustainability, safety or efficiency of the transport network and the hierarchy of roads from trip patterns, travel demand or vehicle use; and 3. Be compatible with adjoining land uses.
391.624	Commercial and mixed use Zones / Mixed Use Zone / MUZ-P4	Supportive of MUZ-P4. Kāinga Ora sought for MUZ-P4 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	
391.625 & 391.626	Commercial and mixed use Zones / Mixed Use Zone / MUZ-P5	Support in part. Kāinga Ora sought amendment to enable ground floor residential at the rear of properties and to remove reference to 'reverse sensitivity' because the purpose of the Mixed Use Zone is to enable compatible activities to co-locate.	Section 42A report rejects the submission and does not agree that residential activities should be allowed as the policy intent is to discourage residential activities on the ground floor to ensure that there is suitable capacity for commercial/publicly accessible activities within the MUZ. Section 42A report does not agree with the request to remove reverse sensitivity effects as residential activities will need to be designed and constructed in a manner that does not undermine use of the zone for a wider range of non-residential activities. Noting that the MUZ is	Kāinga Ora seeks amendment to MUZ-P5: Ensure the ongoing functional use of the Mixed Use Zone for a range of business uses by: 1. Restricting residential activities being established at the ground floor level of buildings and 2. Ensuring residential activities are designed and constructed to provide good on-site amenity and to avoid reverse sensitivity effects on non-residential activities within the zone <del>and;</del> <del>3. Meeting the requirements of the Residential Design Guide as relevant.</del>	Ensure the ongoing functional use of the Mixed Use Zone for a range of business uses by: 1. Restricting residential activities being established at the ground floor level of buildings; and 2. Ensuring residential activities are designed and constructed to provide good on-site amenity and to avoid reverse sensitivity effects on non-residential activities within the zone.; <del>and</del> <del>3. Meeting the requirements of the Residential Design Guide as relevant.</del>	Kāinga Ora maintains the position it stated following the 42A report.

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
			one of the few zones where light industrial and yard-based activities are considered appropriate, it is important that the potential for reverse-sensitivity effects is taken into account.			
391.627	Commercial and mixed use Zones / Mixed Use Zone / MUZ-P6	Supportive of MUZ-P6. Kāinga Ora sought for MUZ-P6 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	Encourage a high standard of built form and amenity while,; a. <del>E</del> enabling innovation and choice in the design of new built development to reflect the diverse neighbourhood context of the Mixed Use Zone.; and <u>b. Meeting the intentions of the Centres and Mixed Use Design Guide as relevant.</u>	Kāinga Ora seeks the following further amendments:  Encourage a high standard of built form and amenity while,; a. <del>E</del> enabling innovation and choice in the design of new built development to reflect the diverse neighbourhood context of the Mixed Use Zone.; and <u>b. Meeting the intentions of the Centres and Mixed Use Design Guide as relevant.</u>
391.628	Commercial and mixed use Zones / Mixed Use Zone / MUZ-P7	Supportive of MUZ-P7. Kāinga Ora sought for MUZ-P7 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES
391.629 & 391.630	Commercial and mixed use Zones / Mixed Use Zone / MUZ-R10	Support in part. Kāinga Ora sought amendment to enable residential activities at ground floor where they are to the rear or a non-residential building.	Section 42A report rejects the submission and notes that the policy intent is to ensure there is sufficient supply of business/commercial land.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES
391.631 & 391.632	Commercial and mixed use Zones / Mixed Use Zone / MUZ-R16	Support in part. Kāinga Ora sought amendment to remove direct reference to the design guides and to instead articulate the urban design outcomes that are sought.	Section 42A report accepts in part for the same reasons noted in the MCZ report.	Kāinga Ora supports the approach taken in the section 42A report.	1.Activity status: Permitted Where a. Compliance with the following standards is achieved: i. MUZ-S1; ii. MUZ-S3; iii. MUZ-S4; iv. MUZ-S5; v. MUZ-S6; vi. MUZ-S7; vii. MUZ-S11; and b. The activity is not the construction of a new building for residential activities.  2. Activity status: Restricted Discretionary Where: a. Compliance with any of the requirements of MUZ-R16.1 cannot be achieved. Matters of discretion are : 1. The matters in MUZ-P2, MUZ-P5, MUZ-P6 and MUZ-P7; 2. The extent and effect of non-compliance with MUZ-S1, MUZ-S3, MUZ-S4, MUZ-S5, MUZ-S6, MUZ-S7 and MUZ-S11 as specified in the associated assessment criteria for the infringed standards; 3. The extent of compliance with MUZ-S2; and 4. The extent of compliance with MUZ-S8, MUZ-S9 and MUZ-S10 for any part of the building used for residential activities. <del>5. The Centres and Mixed Use Design Guide; and</del>	Kāinga Ora maintains the position it stated following the 42A report.

Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal										
					<p><del>6. The Residential Design Guides for any part of a building used for residential activities.</del></p> <p>Notification status: An application for resource consent made in respect of rule MUZ-R16.2.a that results from non-compliance with MUZ-S4 or MUZ-S6 is precluded from being publicly or limited notified. An application for resource consent made in respect of rule MUZ-R16.2.a that results from non-compliance with MUZ-S1 but that complies with both MUZ-S2 and MUZ-S3 is precluded from being publicly or limited notified.</p>											
391.633 & 391.634	Commercial and mixed use Zones / Mixed Use Zone / MUZ-R17	Support in part. Kāinga Ora sought amendment to remove direct reference to the design guide and to instead articulate the urban design outcomes that are sought.	Section 42A report accepts in part for the same reasons noted in the MCZ report.	Kāinga Ora supports the approach taken in the section 42A report.	<p>1. Activity status: Restricted Discretionary Matters of discretion are:</p> <p>1. The matters in MUZ-P2 and MUZ-P5;</p> <p>2. The extent of compliance with standards MUZ-S8, MUZ-S9 and MUZ-S10;</p> <p><del>3. The Residential Design Guide; and</del></p> <p>3. The extent to which the conversion enables the ground floor level to be used or adapted for future non-residential activities.; <u>and</u></p> <p><u>4. The availability and connection to existing or planned three waters infrastructure.</u></p> <p>Notification status: An application for resource consent made in respect of rule MUZ-R17.1 is precluded from being either publicly or limited notified.</p> <p>1. Activity status: Permitted Where:</p> <p>a. The storage area is screened by either a fence or landscaping of 1.8m in height from any adjoining road or site.</p> <p><u>b. Screening does not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities</u></p>	Kāinga Ora maintains the position it stated following the 42A report.										
631.635 & 391.636	Commercial and mixed use Zones / Mixed Use Zone / MUZ-S1	Support in part. Kāinga Ora sought amendment to provide for building heights of at least 22 m in all Mixed Use Zone Areas to provide for appropriate levels of density and considered that the fence height should be enabled up to 2m.	Section 42A report rejects the submission and notes that the heights in the Height Control Areas have been applied on a site-specific basis to take into account the specific context of the site. A blanket 22 metre height limit is not considered necessary, and additional building height is available under MUZ-S2.	Kāinga Ora seeks amendment to MUZ-S1: The following maximum height limits above ground level must be complied with: <u>22m a</u> <del>Location Limit Height control area</del> <del>1 Newtown South</del> <del>Greta Point</del> <del>Tawa South</del> <del>Takapu Island</del> <del>Tauhinu Road 12 metres</del> <del>Rongotai South Mixed Use Zone Height Control A Rongotai South Mixed Use Zone Height Control B Shelly Bay</del>	<table border="1"> <thead> <tr> <th>Location</th> <th>Limit</th> </tr> </thead> <tbody> <tr> <td>Height control area 1</td> <td>12 metres</td> </tr> <tr> <td>Newtown South</td> <td></td> </tr> <tr> <td>Greta Point Tawa South</td> <td></td> </tr> <tr> <td><del>Takapu Island</del>-Tauhinu Road Rongotai South Mixed Use Zone Height Control</td> <td></td> </tr> </tbody> </table>	Location	Limit	Height control area 1	12 metres	Newtown South		Greta Point Tawa South		<del>Takapu Island</del> -Tauhinu Road Rongotai South Mixed Use Zone Height Control		Kāinga Ora maintains the position it stated following the 42A report.
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				<p>2. Fences and standalone walls must not exceed a maximum height of 1.8 metres (measured above ground level) <u>on front boundaries and 2.0m on side and rear boundaries.</u></p> <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>Streetscape and visual amenity effects;</li> <li>Dominance, privacy and shading effects on adjoining sites; and</li> <li>The extent to which <del>taller buildings would contribute to a substantial increase in residential accommodation. the increased building height would provide for additional development potential which is consistent with the purpose of the zone.</del></li> </ol>	<table border="1"> <tr> <td>A Rongotai South Mixed Use Zone Height Control B Shelly Bay Tawa: Tawa Street</td> <td></td> </tr> <tr> <td>Height control area 2 <del>Tawa Junction</del> Kaiwharawhara Kilbirnie North Miramar - Park Road and Weka Street</td> <td>15 metres</td> </tr> <tr> <td>Height control area 3 Rongotai South Mixed Use Zone Height Control B Rongotai South Mixed Use Zone Height Control C</td> <td>16 metres</td> </tr> <tr> <td>Height control area 4 Miramar - Ropa Lane, Maupuia Road Ngauranga <del>Tawa Junction</del> <del>Takapu Island</del></td> <td>18 metres</td> </tr> </table> <p>The following maximum height limits above ground level must be complied with:</p>	A Rongotai South Mixed Use Zone Height Control B Shelly Bay Tawa: Tawa Street		Height control area 2 <del>Tawa Junction</del> Kaiwharawhara Kilbirnie North Miramar - Park Road and Weka Street	15 metres	Height control area 3 Rongotai South Mixed Use Zone Height Control B Rongotai South Mixed Use Zone Height Control C	16 metres	Height control area 4 Miramar - Ropa Lane, Maupuia Road Ngauranga <del>Tawa Junction</del> <del>Takapu Island</del>	18 metres													
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391.637	Commercial and mixed use Zones / Mixed Use Zone / MUZ-S2	Oppose. Kāinga Ora sought deletion of MUZ-S2 and for single maximum height standard to apply to the zone.	Section 42A report rejects the submission and notes that because the blanket height requested by Kāinga Ora was rejected, MUZ-S2 enables the additional building height Kāinga Ora seeks to achieve.	<p>Kāinga Ora seeks amendment to MUZ-S2:</p> <p><u>1. The following maximum height limits above ground level must be complied with:</u></p> <table border="1"> <thead> <tr> <th>Location</th> <th>Limit</th> </tr> </thead> <tbody> <tr> <td><del>Height control area 1</del> <del>Rongotai South Mixed Use Zone Height Control B</del></td> <td><del>16 metres</del></td> </tr> <tr> <td><del>Height control area 2</del> <del>Newtown South</del> <del>Greta Point</del> <del>Tawa: Tawa South</del> <del>Takapu Island</del> <del>Miramar: - Ropa Lane, Maupuia Road and Tauhinu Road</del> <del>Rongotai South Mixed Use Zone Height Control A</del> <del>Rongotai South Mixed Use Zone Height Control C</del></td> <td><del>18 metres</del></td> </tr> <tr> <td><del>Height control area 3</del> <del>Rongotai South Mixed Use Zone Height Control D</del></td> <td><del>19 metres</del></td> </tr> <tr> <td><del>Height control area 4</del> <del>-</del></td> <td><del>22 metres</del></td> </tr> </tbody> </table>	Location	Limit	<del>Height control area 1</del> <del>Rongotai South Mixed Use Zone Height Control B</del>	<del>16 metres</del>	<del>Height control area 2</del> <del>Newtown South</del> <del>Greta Point</del> <del>Tawa: Tawa South</del> <del>Takapu Island</del> <del>Miramar: - Ropa Lane, Maupuia Road and Tauhinu Road</del> <del>Rongotai South Mixed Use Zone Height Control A</del> <del>Rongotai South Mixed Use Zone Height Control C</del>	<del>18 metres</del>	<del>Height control area 3</del> <del>Rongotai South Mixed Use Zone Height Control D</del>	<del>19 metres</del>	<del>Height control area 4</del> <del>-</del>	<del>22 metres</del>	<p>1. The following maximum height limits above ground level must be complied with:</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Limit</th> </tr> </thead> <tbody> <tr> <td>Height control area 1 Rongotai South Mixed Use Zone Height Control B</td> <td>16 metres</td> </tr> <tr> <td>Height control area 2 Newtown South Greta Point Tawa: Tawa South Takapu Island Miramar: - Ropa Lane, Maupuia Road and Tauhinu Road Rongotai South Mixed Use Zone Height Control A Rongotai South Mixed Use Zone Height Control C</td> <td>18 metres</td> </tr> <tr> <td>Height control area 3 Rongotai South Mixed Use Zone Height Control D</td> <td>19 metres</td> </tr> <tr> <td>Height control area 4</td> <td>22 metres</td> </tr> </tbody> </table>	Location	Limit	Height control area 1 Rongotai South Mixed Use Zone Height Control B	16 metres	Height control area 2 Newtown South Greta Point Tawa: Tawa South Takapu Island Miramar: - Ropa Lane, Maupuia Road and Tauhinu Road Rongotai South Mixed Use Zone Height Control A Rongotai South Mixed Use Zone Height Control C	18 metres	Height control area 3 Rongotai South Mixed Use Zone Height Control D	19 metres	Height control area 4	22 metres	Kāinga Ora maintains the position it stated following the 42A report.
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391.638 & 391.639	Commercial and mixed use Zones / Mixed Use Zone / MUZ-S3	Support in part. Kāinga Ora sought amendment to achieve consistency with any changes sought to MUZ-S1 and MUZ-S2.	Section 42A report rejects the submission and notes that the changes to MUZ-S1 and MUZ-S2 have been rejected, so there is no need for consequential changes to MUZ-S3.	<p>Kāinga Ora seeks amendment to MUZ-S3: No part of any building or structure may project beyond the relevant recession plane <u>standards of an adjoining boundary in the MRZ, HRZ or Open Space Zone shown below:</u></p> <table border="1"> <thead> <tr> <th>Location</th> <th>Recession plane</th> </tr> </thead> <tbody> <tr> <td>Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps</td> <td>60° measured from a height of 4m vertically above ground level</td> </tr> <tr> <td>Boundary adjoining any site within the MRZ with a height limit</td> <td>60° measured from a height of 5m vertically above ground level</td> </tr> </tbody> </table>	Location	Recession plane	Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps	60° measured from a height of 4m vertically above ground level	Boundary adjoining any site within the MRZ with a height limit	60° measured from a height of 5m vertically above ground level	<p>1. No part of any building or structure may project beyond the relevant recession plane shown below:</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Recession plane</th> </tr> </thead> <tbody> <tr> <td>Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps</td> <td>60° measured from a height of 4m vertically above ground level</td> </tr> <tr> <td>Boundary adjoining any site within the MRZ with a height limit of 14m identified on the District Plan Maps</td> <td>60° measured from a height of 5m vertically above ground level</td> </tr> </tbody> </table>	Location	Recession plane	Boundary adjoining any site within the MRZ with a height limit of 11m identified on the District Plan Maps	60° measured from a height of 4m vertically above ground level	Boundary adjoining any site within the MRZ with a height limit of 14m identified on the District Plan Maps	60° measured from a height of 5m vertically above ground level	Kāinga Ora maintains the position it stated following the 42A report.								
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391.640 & 391.641	Commercial and mixed use Zones / Mixed Use Zone / MUZ-S5	Support in part. Kāinga Ora sought amendment to exclude the provisions from applying to windows in residential units in the MUZ as the effects are comparable to those experienced between residential units in residential zones.	Section 42A report accepts in part and agrees there should be an exemption for residential units as the effects between residential units located adjacent to one another are the same regardless of the zone they are in.	Kāinga Ora supports the approach taken in the section 42A report.	1. <b>Except for windows in a residential unit,</b> o Opaque privacy glazing must be installed in windows where:	Kāinga Ora maintains the position it stated following the 42A report.																								
391.642	Commercial and mixed use Zones / Mixed Use Zone / MUZ-S6	Oppose. Kāinga Ora sought deletion of MUZ-S6 as it constrains development and design flexibility, and it is not clear what positive outcome it achieves	Section 42A report rejects the submission and notes that MRZ-S6 is necessary to ensure that there is a mix of densities within the MUZ and that very large buildings do not dominate the zone but rather a mixture of densities is achieved. Section 42A notes that the standard does not prevent larger floor area buildings from occurring within the MUZ. Larger floor areas can be achieved with resource consent	Kāinga Ora seeks deletion of MUZ-S6 in its entirety.	NO CHANGES	Kāinga Ora maintains the position it stated following the 42A report.																								
391.643 & 391.644	Commercial and mixed use Zones / Mixed Use Zone / MUZ-S8	Support in part. Kāinga Ora sought amendment to remove the minimum standard for 2+ bedroom units to enable greater design flexibility and a smaller studio unit.	Section 42A report rejects the submission for the same reasons provided in the MCZ report.	Kāinga Ora supports the approach taken in the section 42A report.	NO CHANGES	NO CHANGES																								
391.645	Commercial and mixed use Zones / Mixed Use Zone / MUZ-S9	Supportive of MUZ-S9. Kāinga Ora sought for MUZ-S9 to be retained as notified.	Retain as notified - no changes made in section 42A report.	Kāinga Ora supports the approach taken in the section 42A report.	<table border="1"> <thead> <tr> <th>Living space type</th> <th>Minimum area</th> <th>Minimum dimension</th> </tr> </thead> <tbody> <tr> <td colspan="3">Private</td> </tr> <tr> <td>Studio unit and 1 bedroom unit</td> <td>5m<sup>2</sup></td> <td>1.8m</td> </tr> <tr> <td>2+ bedroom unit</td> <td>8m<sup>2</sup></td> <td>1.8m</td> </tr> <tr> <td colspan="3">Communal</td> </tr> <tr> <td>For <del>every 5</del> 4- 15 units</td> <td>4064m<sup>2</sup></td> <td>8m</td> </tr> <tr> <td>For each additional unit above 15 units</td> <td>2m<sup>2</sup></td> <td>-</td> </tr> <tr> <td colspan="3">Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space</td> </tr> </tbody> </table>	Living space type	Minimum area	Minimum dimension	Private			Studio unit and 1 bedroom unit	5m <sup>2</sup>	1.8m	2+ bedroom unit	8m <sup>2</sup>	1.8m	Communal			For <del>every 5</del> 4- 15 units	4064m <sup>2</sup>	8m	For each additional unit above 15 units	2m <sup>2</sup>	-	Communal outdoor living space is calculated based on the number of units not provided with the minimum area of private outdoor living space			NO CHANGES
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Submission Number	Plan Provision	Submission summary	Section 42A report position	Kāinga Ora position following section 42A report	Council rebuttal evidence	Kāinga Ora position following Council rebuttal
FS89.41	Part 3 / Industrial Zones / General Industrial Zone / New GIZ	Oppose. Kāinga Ora opposed the original submission from KiwiRail to include a boundary setback of 5m and considered that a reduced setback would provide adequate space for maintenance activities within sites adjacent to the rail network.	Section 42A report accepts in part and considers that a reduced setback would be appropriate to protect rail infrastructure and balance the cost on landowners. Section 42A report recommends an amended setback of 1.5m from any railway corridor.	Not pursued		
Wind Chapter						
391.304 & 391.305	General District wide Matters / Wind / General WIND	Support in part. Kāinga Ora sought amendment so they apply to the MDRS and HDRS where buildings go over 20m in height.	Section 42A report accepts the amendment and agrees to apply the wind rules to the HRZ but not the MRZ. Section 42A report recommends a trigger height of 20m be used for provision of a qualitative wind assessment in the City Centre, Waterfront, Metropolitan Centre, Port Zone, Inner Harbour Port Precinct and Ferry Precinct. Section 42A report recommends heights of 15m for qualitative assessment in the Local Centre, Neighbourhood Centre Zone, High Density Residential Zone, Tertiary Education Zone and Hospital Zones with quantitative assessments beyond 25m.	Not pursued		
391.306 & 391.307	General District wide Matters / Wind / WIND-R1	Support in part. Kāinga Ora sought amendment to align with proposed Centre heights.	Section 42A report accepts the amendment and agrees that consideration should be given to whether some of the Centre wind trigger heights need to have a more tailored approach based on the density anticipated within the zones.	Not pursued		