

**OFFICER'S REPORT FOR:**

**Independent Hearing Commissioners:**

**Trevor Robinson (Chair)**

**Miria Pomare**

**David McMahon**

**Mark St Clair**

**Julia Williams**

**SUBJECT:**

**Proposed Porirua District Plan: Commercial  
and Mixed Use Zones and General Industrial  
Zone**

**PREPARED BY:**

**Michael David Rachlin**

**REPORT DATED:**

**10<sup>th</sup> February 2023**

**DATE OF HEARING:**

**13<sup>th</sup> March 2023**

## Executive Summary

1. This report considers submissions received by Porirua City Council (the Council) in relation to the relevant objectives, policies, rules, definitions, appendices and maps of the Proposed Porirua District Plan (PDP) as they apply to the Commercial and Mixed Use and the General Industrial Zone chapters, including the relevant submissions received on Variation 1. The report outlines recommendations in response to the issues that have emerged from these submissions.
2. There were a number of submissions and further submissions received on the Commercial and Mixed Use and General Industrial Zone chapters through the initial submissions on the PDP, and on the amendments proposed through Variation 1. The submissions received were diverse and sought a range of outcomes. The following are considered to be the key issues in contention in the chapter:
  - a. Amending the 2020 zone provisions to better give effect to the NPS-UD including in terms of building heights;
  - b. The removal of permitted thresholds for food and beverage and offices in the Large Format Retail Zone, Local Centre Zone and Mixed Use Zone;
  - c. The removal of permitted thresholds for residential units in the Large Format Retail Zone, Local Centre Zone and Mixed Use Zone;
  - d. The regulatory framework for retirement villages and whether it is sufficiently enabling;
  - e. Amendments to the Active Frontage standard in the Commercial and Mixed Use Zones.
  - f. Amendments to a number of rules and standards to improve their useability.
3. This report addresses each of these key issues, as well as any other issues raised by submissions.
4. I have recommended some changes to the PDP provisions to address matters raised in submissions and are summarised below:
  - a. LFRZ-R17 – amend to permit food and beverage activity up to 120m<sup>2</sup> gross floor area per site;
  - b. LFRZ-S6 – height standard for screen fencing added;
  - c. MUZ-R1-3 – remove reference to MUZ-S5;
  - d. MCZ-R1 – remove reference to MCZ-S4;
  - e. MCZ-R1 – exempt alterations and repairs to buildings from MCZ-S2;
  - f. MCZ-S1 – increase permitted building height to 53m;
  - g. NCZ-R1 – exempt alterations and repairs to buildings from NCZ-S4;
  - h. NCZ-S2 – add a height in relation boundary standard of 6m x 60° for sites adjoining the MRZ-Residential Intensification Precinct;
  - i. LCZ-P4 - remove reference to reverse sensitivity;
  - j. LCZ-R1 – exempt alterations and repairs to buildings from LCZ-S4; and

- k. LCZ-S4 – remove requirement for principal public entrance to be on front boundary.
5. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that PDP should be amended as set out in section Appendix A of this report.
  6. For the reasons set out in the Section 32AA evaluation and included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
    - a. Achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives; and
    - b. Achieve the relevant objectives of the PDP, in respect to the proposed provisions.

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## Interpretation

7. Parts A and B of the Officer's reports utilise a number of abbreviations for brevity as set out in Table 1 below:

**Table 1: Abbreviations**

Abbreviation	Means
the Act / the RMA	Resource Management Act 1991
the Council	Porirua City Council
IPI	Intensification Planning Instrument
ISPP	Intensification Streamlined Planning Process
MDRS	Medium Density Residential Standards
NES	National Environmental Standard
NES-AQ	National Environmental Standards for Air Quality 2004
NES-CS	National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
NES-ETA	National Environmental Standards for Electricity Transmission Activities 2009
NES-FW	National Environmental Standards for Freshwater 2020
NES-MA	National Environmental Standards for Marine Aquaculture 2020
NES-PF	National Environmental Standards for Plantation Forestry 2017
NES-SDW	National Environmental Standards for Sources of Drinking Water 2007
NES-TF	National Environmental Standards for Telecommunication Facilities 2016
NPS	National Policy Statement
NPS-ET	National Policy Statement on Electricity Transmission 2008
NPS-FM	National Policy Statement for Freshwater Management 2020
NPS-HPL	National Policy Statement for Highly Productive Land 2022
NPS-UD	National Policy Statement on Urban Development 2020
NPS-REG	National Policy Statement for Renewable Electricity Generation 2011
NZCPS	New Zealand Coastal Policy Statement 2010
the Operative Plan/ODP	Operative Porirua District Plan 1999
Proposed Change 1	Change 1 to the Regional Policy Statement for the Wellington Region 2013
PC19	Proposed Plan Change 19 to the Operative Porirua District Plan 1999
the Proposed Plan/PDP	Proposed Porirua District Plan 2020
PNRP	Proposed Wellington Natural Resources Plan Appeals Version – final 2022
RMA-EHS	Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021
RPS	Regional Policy Statement for the Wellington Region 2013
Variation 1	Variation 1 to the Proposed Porirua District Plan 2020

**Table 2: Abbreviations of Submitters' Names**

Abbreviation	Means
Dept. of Corrections	Ara Poutama Aotearoa the Department of Corrections
DOC	Department of Conservation Te Papa Atawhai

<b>Abbreviation</b>	<b>Means</b>
FENZ	Fire and Emergency New Zealand
Foodstuffs	Foodstuffs North Island Limited
Forest and Bird	Royal Forest and Bird Protection Society
GWRC	Greater Wellington Regional Council
Harvey Norman	Harvey Norman Properties (N.Z.) Limited
Heritage NZ	Heritage New Zealand Pouhere Taonga
House Movers Association	House Movers section of the New Zealand Heavy Haulage Association Inc
Kāinga Ora	Kāinga Ora - Homes and Communities
KiwiRail	KiwiRail Holdings Limited
NZDF	New Zealand Defence Force
Oil companies	Z Energy, BP Oil NZ Ltd and Mobil Oil NZ Limited
Oranga Tamariki	Oranga Tamariki – Ministry of Children
QEII	Queen Elizabeth the Second National Trust
RNZ	Radio New Zealand
RVA	Retirement Villages Association
Survey+Spatial	Survey+Spatial New Zealand (Wellington Branch)
Telco	Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited
Transpower	Transpower New Zealand Ltd
TROTR	Te Rūnanga o Toa Rangatira
Waka Kotahi	Waka Kotahi NZ Transport Agency
WE	Wellington Electricity Lines Limited
Woolworths	Woolworths New Zealand Limited

In addition, references to submissions includes further submissions, unless otherwise stated.

# 1 Introduction

## 1.1 Purpose

8. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on the Commercial and Mixed Use and General Industrial Zone chapters and to recommend possible amendments to the PDP in response to those submissions.
9. This report is prepared under section 42A of the RMA. It considers submissions received by the Council in relation to the relevant objectives, policies, rules, and standards as they apply to the Commercial and Mixed Use and General Industrial Zone chapters in the PDP. The report outlines recommendations in response to the key issues that have emerged from these submissions.
10. This report discusses general issues, the original and further submissions received following notification of the PDP and Variation 1, makes recommendations as to whether or not those submissions should be accepted or rejected, and concludes with a recommendation for changes to the PDP provisions based on the preceding discussion in the report.
11. The recommendations are informed by the evaluation undertaken by the author. In preparing this report the author has had regard to recommendations made in other related s42A reports.
12. This report is provided to assist the Hearings Panel in their role as Independent Commissioners. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.
13. This report is intended to be read in conjunction with Officer's Report: Part A – Overview which contains factual background information, statutory context and administrative matters pertaining to the district plan review and the PDP.
14. This report does not address the following matters, which are addressed in the Officer's Report: Part B Residential Zones, Planning Maps and General Topics:
  - Planning Maps (rezonings and active frontage identification);
  - Walkable catchments and how they were identified;
  - Urban design, including design guides;
  - Health and wellbeing policies in the PDP; and
  - Retirement villages – general submissions.
15. Submissions on the Commercial and Mixed Use and General Industrial Zone chapters on the above matters are summarised and analysed in the Officer's Report: Part B Residential Zones, Planning Maps and General Topics.

## 1.2 Author

16. My name Michael David Rachlin. My qualifications and experience are set out in Appendix E of this report.



17. My role in preparing this report is that of an expert planner.
18. I was involved in the preparation of the PDP and authored the 2022 Section 32 Evaluation Reports for Part B Urban Intensification – MDRS and NPS-UD Policy 3, and the 2020 Section Evaluation Reports for Residential Zones, Contaminated Land chapter, Hazardous Substances chapter, Temporary Activity chapter and General Industrial Zone.
19. I also co-authored the Section 32 Evaluation Report - Part A Overview to s32 Evaluation for Variation 1 and Plan Change 19.
20. I did not prepare the 2020 commercial and mixed use zone chapters, or corresponding section 32 evaluation reports.
21. Although this is a Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the Practice Note issued by the Environment Court December 2023. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
22. The scope of my evidence relates to this topic. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.
23. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.
24. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.
25. Given the breadth of topics and submissions to be addressed as part of this hearing, this s42A report was prepared with assistance from several Council officers. I have carefully reviewed all parts of this report that were prepared with assistance from others, and confirm that I agree with all relevant assessments and recommendations.

### 1.3 Supporting Evidence

26. The expert evidence, literature, legal cases or other material which I have used or relied upon in support of the opinions expressed in this report includes the following:
  - Statement of evidence of Graeme McIndoe on behalf of Porirua City Council;
  - The 2020 section 32 evaluation reports for Commercial and Mixed Use Zones, General Industrial Zone, and Residential Zones, and all legislation, technical and expert reports listed in those evaluation reports;
  - The 2022 Section 32 Evaluation Report – Part A Overview to s32 Evaluation for Variation1 and Plan Change 19, the 2022 Section 32 Evaluation Report – Part B Urban Intensification – MDRS and NPS-UD Policy 3, and all legislation, technical and expert reports listed in those evaluation reports; and
  - All submissions and further submissions to the Proposed Porirua District Plan, including Variation 1.

## 1.4 Key Issues in Contention

27. A number of submissions and further submissions were received on the provisions of the Commercial and Mixed Use and General Industrial Zone chapters. The submissions received were diverse and sought a range of outcomes. I consider the following to be the key issues in contention in the chapter:
- a. Amending the 2020 zone provisions to better give effect to the NPS-UD including in terms of building heights;
  - b. The removal of permitted thresholds for food and beverage and offices in the Large Format Retail Zone, Local Centre Zone and Mixed Use Zone;
  - c. The removal of permitted thresholds for residential units in the Large Format Retail Zone, Local Centre Zone and Mixed Use Zone;
  - d. The regulatory framework for retirement villages and whether it is sufficiently enabling;
  - e. Amendments to the Active Frontage standard in the Commercial and Mixed Use Zones; and
  - f. Amendments to a number of rules and standards to improve their useability.
28. I address each of these key issues in this report, as well as any other issues raised by submissions. They are addressed within the Chapter provisions, except the RVA submissions in relation to retirement villages which are addressed separately.

## 1.5 Procedural Matters

29. At the time of writing this report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on the Commercial and Mixed Use chapters.

## 2 Statutory Considerations

### 2.1 Resource Management Act 1991

30. The PDP and Variation 1, and the associated Plan Change 19 to the ODP, have been prepared in accordance with the RMA and in particular, the requirements of:
- a. Section 74 Matters to be considered by territorial authority; and
  - b. Section 75 Contents of district plans,
31. As set out in Section 32 Evaluation Report Part 1 - Overview to s32 Evaluation, there are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the PDP. These are discussed in detail in the Section 42A report Part A – Overview, including the approach the Council has taken to giving effect to the NPS-UD.
32. The sections below provide a brief discussion on the relevant matters of the higher order planning documents relevant to the Commercial and Mixed Use and General Industrial Zone chapters.

### 2.2 Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021

33. The RMA-EHS gained Royal assent on 20 December 2021. Tier 1 councils are required by the RMA-EHS to make changes to their operative and/or proposed district plans for the purposes of:
- Incorporating Medium Density Residential Standards (MDRS) into all relevant residential zones (s77G(1));
  - Implementing the urban intensification requirements of Policy 3 of the National Policy Statement on Urban Development (NPS-UD) (s77G(2)) and give effect to policy 3 in non-residential zones (s77N); and
  - Including the objectives and policies in clause 6 to Schedule 3A of the RMA (s77G(5)).
34. The required plan changes and variations must be undertaken using Intensification Planning Instruments (IPIs) under sections 80E to 80H of the RMA. Councils must use the Intensification Streamlined Planning Process (ISPP) set out in Part 6 of Schedule 1 of the RMA. In accordance with the statutory timeframe in s80F of the RMA, Council was required to notify its IPI by 20 August 2022. The Council notified the IPI on 11 August 2022. The Minister for the Environment's Direction, gazetted on 27 April 2022, specifies that decisions on Council's IPI must be notified by 20 August 2023.
35. The primary focus of Variation 1 to the PDP is to achieve the above requirements of the RMA as amended by the RM-EHS.

### 2.3 National Policy Statements Gazetted since PDP Notification

#### 2.3.1 National Policy Statement on Freshwater Management

36. The NPS-FM 2020 came into force on 3 September 2020 and from that date replaced the NPS-FM 2017. The NPS-FM is addressed in the Section 32 Evaluation Report Part 1 - Overview to 32

Evaluation (2020). Additionally, a provision-by-provision analysis of PDP provisions against the Whaitua Implementation Plan and the Ngāti Toa Statement was provided in the Council's reply on Hearing Stream 1.

37. The NPS-FM 2020 is discussed in detail in relation to the approach to Variation 1 and Plan Change 19 in the Section 42A report Part A – Overview.

### **2.3.2 National Policy Statement on Urban Development**

38. The NPS-UD was gazetted on 23 July 2020 and came into effect on 20 August 2020. It replaced the National Policy Statement on Urban Development Capacity 2016 (the NPS-UDC). The NPS-UD objectives and intensification policies in the RMA introduced by the RMA-EHS aim to ensure that local authorities through their planning activities, including the district plan:

- Achieve a well-functioning urban environment;
- Recognise and provide for change in the built environment, as demand for housing in terms of numbers, types of housing and location for housing change over time;
- Align urban development with infrastructure supply;
- Enable increased building heights or densities in defined locations:
  - Walkable catchment of a Metropolitan Centre Zone;
  - Walkable catchment of a rapid transit stop; and
  - Areas of high demand and/or well-served by existing or planned active and public transport.

39. The City's urban zones represent key locations to achieve the above intensification and well-functioning urban environment outcomes. Variation 1 to the PDP and Plan Change 19 to the ODP have been promulgated to give effect to the NPS-UD, particularly the requirements to achieve greater intensification within urban environments.

40. A later variation or plan change will be required to insert the housing bottom lines as set out in clause 3.36(4) of the NPS-UD. The relevant housing bottom lines were directly inserted into the Regional Policy Statement for the Wellington Region 2013 as Objective 22A and Table 9A under section 55(2) of the RMA on the 19<sup>th</sup> August 2022.

### **2.3.3 National Policy Statement on Highly Productive Land**

41. The NPS-HPL was approved on 12 September 2022. It seeks to ensure highly productive land is protected for use in land-based primary production. This is not relevant to the urban chapters.

42. The approach to the NPS-HPL 2022 is discussed in the Section 42A report Part A – Overview.

## **2.4 Proposed Change 1 to the RPS**

43. GWRC notified Proposed Change 1 to the RPS on 19 August 2022, after the notification of Variation 1 to the PDP and Plan Change 19 to the ODP. The focus of Proposed Change 1 is to implement and

support the NPS-UD and to start the NPS-FM process. The proposed change also aims to address issues related to climate change, indigenous biodiversity and high natural character.

44. The Section 42A report Part A – Overview provides a detailed discussion on the implications of Proposed Change 1 to the RPS to Variation 1 to the PDP and Plan Change 19 to the ODP.
45. The objectives and policies as included or amended by Proposed Change 1 relevant to the Commercial and Mixed Use and General Industrial Zone chapters include:
  - a. Objective 22 – relating to urban development, and including:
    - Provide for commercial and industrial development in appropriate locations, including employment close to where people live; and
  - b. Policy 30: Maintaining and enhancing the viability and vibrancy of regionally and locally significant centres – district plans; and
  - c. Policy 31: Identifying and enabling a range of building heights and density – district plans.
46. These provisions are discussed where relevant in relation to the amendments sought to Variation 1 of the PDP in section 3 below.

## 2.5 Section 32AA

47. I have undertaken an evaluation of the recommended amendments to provisions since the initial section 32 evaluation was undertaken in accordance with s32AA of the RMA. Section 32AA states:

### ***32AA Requirements for undertaking and publishing further evaluations***

*(1) A further evaluation required under this Act—*

*(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*

*(b) must be undertaken in accordance with section 32(1) to (4); and*

*(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*

*(d) must—*

*(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or*

*(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.*

*(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).*

48. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to the Commercial and Mixed Use chapters is contained within the assessment of the relief sought in submissions in section 3 of this report, as required by s32AA(1)(d)(ii).

## **2.6 Trade Competition**

49. No consideration of trade competition has been given with respect to the Commercial and Mixed Use and General Industrial Zone chapter provisions of the PDP.

50. There are no known trade competition issues raised within the submissions.

## 3 Consideration of Submissions and Further Submissions

### 3.1 Overview

51. The Commercial and Mixed Use Zones and General Industrial Zone were the subject of a large number of submissions and further submissions on the 2020 PDP and again on Variation 1.
52. Submitters to the 2020 PDP generally sought the amendment of these zone chapters to give effect to the NPS-UD, including a more enabling regulatory framework for buildings and appropriate land use activities, higher permitted building heights, and alignment of language with that used in the NPS-UD. Submitters also sought a simplified rules framework.
53. Submitters to Variation 1 have generally sought further refinements to the regulatory framework, in particular to rules and standards to improve their useability and efficiency. No submissions have sought significant amendments to the objectives and policies, except in relation to retirement villages.

#### 3.1.1 Report Structure

54. Submissions on the Commercial and Mixed Use and General Industrial Zone chapters raised a number of issues. These have been generally grouped into zone chapters within this report. I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submission(s) to which they relate.
55. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation on both an issues and provisions-based approach, as opposed to a submission by submission approach. I have organised the evaluation in accordance with the layout of chapters of the PDP as notified.
56. Due to the number of submission points, this evaluation is generic only and may not contain specific recommendations on each submission point, but instead discusses the issues generally. This approach is consistent with Clause 10(2)(a) of Schedule 1 to the RMA. Specific recommendations on each submission / further submission point are contained in Appendix B.
57. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. Where I agree with the relief sought and the rationale for that relief, I have noted my agreement, and my recommendation is provided in the summary of submission table in Appendix B. Where I have undertaken further evaluation of the relief sought in a submission(s), the evaluation and recommendations are set out in the body of this report. I have provided a marked-up version of the Chapter with recommended amendments in response to submissions as Appendix A.

#### 3.1.2 Format for Consideration of Submissions

58. For each identified topic, I have considered the submissions that are seeking changes to the PDP in the following format:
  - Matters raised by submitters;

- Assessment;
- Summary of recommendations; and
- Section 32AA evaluation.

59. I have undertaken a s32AA evaluation in respect to the recommended amendments in my assessment.

60. Note that there are further submissions that support/oppose submissions in their entirety:

- Further submitter Leigh Subritzky (FS17)
  - Supports entire original submissions 1, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 24, 25, 26, 29, 30, 31, 32, 33, 34, 35, 39, 40, 41, 42, 43, 44, 47, 48, 51, 52, 55, 58, 60, 61, 62, 63, 64, 65, 66, 68, 69, 70, 72, 73, 74, 77, 79, 80, 85, 86, 87, 88, 89, 90, 91, 97, 98, 99, 100, 102, 104, 105, 106, 107, 109, 110, 111, 114, 115, 116, and 117
  - Opposes entire original submissions 2, 5, 19, 20, 21, 27, 28, 53, 54, 56, 67, 71, 75, 76, 78, 81, 82, 83, 84, 94, 95, 96, 101 and 113
- Further submitter Alan Collett [FS99]
  - Supports entire original submissions 2, 46, 48, 65, 95
  - Opposes entire original submissions 38, 76
- Further submitter Rebecca Davis [FS127]
  - opposes entire original submissions 59, 76
  - supports entire original submissions 11, 32, 58, 68 79, 82, 111, 114
- Further submitter Ryman Healthcare [FS67] supports entire original submission from RVA [OS118]

61. In these cases, recommendations in relation to these further submissions reflect the recommendations on the relevant primary submission.

### 3.2 Introduction

62. The commercial and mixed use zones and General Industrial Zone were substantially amended by Variation 1. This is addressed in the Section 32 Evaluation Report Part B: Urban intensification – MDRS and NPS-UD Policy 3<sup>1</sup>. This identified the following key changes:

- Amendment to the provisions including density standards to create regulatory settings to achieve the planned urban built environment for the zones in a way that meets Policy 3 of the NPS-UD;

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<sup>1</sup> For example, see 9.2



- Additional permitted land use activities, including supported residential care activity and papakāinga (except the GIZ);
- Increased permitted gross floor area for new buildings and additions;
- Removal of discretionary activity status for breaches of density standards;
- Removal of density standards from land use activities. Density standards only apply to new buildings and additions;
- Removal of the requirement for urban design assessment against the PDP design guides for breaches of density standards;
- Greater policy direction on the location and design of residential units to provide for the health and well-being of residents;
- Amended definition of integrated retail activity and apartment; and
- New definition for parking lot.

63. The Section 32 Evaluation Report Part A: Overview to Section 32 Evaluation Variation 1 to the Proposed Porirua District Plan and Proposed Plan Change 19 to the Porirua City District Plan, identifies that the Variation 1 suite of changes to the PDP addressed the following<sup>2</sup>:

*Where and how urban intensification is enabled, is linked to achieving the well-functioning urban environment required by the NPS-UD. There is a spatial element to this outcome in relation to:*

- *having good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
- *supporting reductions in greenhouse gas emissions.*

*Alongside the above, an efficient and effective regulatory framework managing distribution of land uses across the urban environment, is necessary to help achieve a well-functioning urban environment and to support intensification in a way that meets NPS-UD objective 3. In other words, more intensive built forms need to be supported by an appropriate land use framework to achieve the outcome of enabling more people to live in, and more businesses and community services to be located in the appropriate areas, such as in or near to centres, and areas well served by public transport.*

### **3.3 Centres hierarchy and distribution of business activities<sup>3</sup>**

#### **3.3.1 Matters raised by submitters**

64. Submissions received on this topic in relation to Variation 1 sought the following:

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<sup>2</sup> Page 11 and 12

<sup>3</sup> Kāinga Ora submissions seeking a Town Centre Zone at Mana are addressed in the Overarching S42A report

- a. Leigh Subritzky [OS17.1] does not seek specific amendments, but notes that they are in favour of housing in the city centre and some commercial areas and that the Council has a responsibility to protect the land, people, flora and fauna over money; and
- b. Kāinga Ora [OS76.28] also seeks amendments so that centres generally better reflect design flexibility, planned urban built form, development density and height/daylight expectations.

65. The stated reasons include general matters, including in relation to the submitter's statutory obligations, the purpose of the RMA, and interpretation and processing clarity.

### **3.3.2 Assessment**

66. In relation to the submission from Leigh Subritzky [OS17.1], the support for housing in the city centre and some commercial areas is noted. Variation 1 proposes provisions to enable more housing in and around these areas, consistent with the NPS-UD. As such I consider that the outcome sought by the submitter has already appropriately been addressed, and no further amendments are necessary. I also note that as no specific amendments were sought, it would be difficult to recommend any changes as a result of this submission.

67. In relation to the submission from Kāinga Ora, the zone provisions for the Commercial and Mixed Use and General Industrial Zones, including development standards, are addressed in Section 32 Evaluation Report Part B: Urban Intensification - MDRS and NPS-UD Policy 3. This was informed by a range of technical reports including McIndoe Urban Design Memo 18.

68. In the absence of any meaningful evidence, planning evaluation or s32AA evaluation from Kāinga Ora in support of their submission, I consider the notified Commercial and Mixed Use and General Industrial Zone provisions most appropriately implement the objectives of the PDP.

### **3.3.3 Summary of recommendations**

69. I recommend for the reasons given in the assessment, that the submission from Leigh Subritzky [OS17.1] be **accepted in part**.

70. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [OS76.28] be **rejected**.

71. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

## **3.4 Retirement Villages Association**

### **3.4.1 Matters raised by submitters**

72. The RVA [OS118.30, OS118.109, OS118.110, OS118.111, OS118.112, OS118.113, OS118.114, OS118.115, OS118.116, OS118.117, OS118.118, OS118.119, OS118.120, OS118.121, OS118.122 and OS118.123] seeks amendments to multiple zone chapters, including:

- a. Provide for retirement villages in Commercial and Mixed Use Zones;
- b. Deletion or amendment of NCZ objectives and policies for consistency with other RVA submissions;

- c. Deletion of LCZ-P4-3, MUZ-P4 and MCZ-P4;
  - d. Include new policies in the NCZ, LCZ, MUZ and MCZ chapters addressing:
    - o Provision of housing for an ageing population;
    - o Changing communities; and
    - o Larger sites;
  - e. Include new rule clauses in NCZ-R1, LCZ-R1, MUZ-R1 and MCZ-R1 providing for retirement villages as a restricted discretionary activity with associated matters of discretion;
  - f. Amending LCZ-R19, NCZ-R20, MUZ-R21 and MCZ-R21 so that the rules provide for retirement villages as a permitted activity;
73. The stated reasons include that retirement villages are generally located in residential areas, but due to a lack of suitable sites in existing residential areas and a need to respond to the retirement living and care crisis, retirement villages also operate in some commercial and mixed use zones where there is good access to services and amenities. The NPS-UD sets requirements for intensification of commercial zones. Not all developments, including retirement villages, are appropriately provided for by the Residential Design Guide. The amendments requested are stated as providing for and acknowledging the differences that retirement villages have from other residential activities.

### 3.4.2 Assessment

74. I note that submission points from the RVA on the residential chapters are addressed in the Officer's Report: Part B – Residential Zones, Planning Maps and General Topics. The discussion in that report of the amendments sought by the RVA in relation to those chapters notes that the submitter has not provided any planning evaluation, other evidence or s32AA evaluation in support of the suite of objectives, policies and rules they are seeking in place of those in the PDP. That observation is equally applicable to the RVA's submissions on the Commercial and Mixed Use chapters.
75. At a broad level, I also note that the National Planning Standards provide the following definition which has been incorporated into the PDP:
- Retirement village means a managed comprehensive residential complex or facilities used to provide residential accommodation for people who are retired and any spouses or partners of such people. It may also include any of the following for residents within the complex: recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities.*
76. Additionally, I note that the Definitions Nesting Tables in the Interpretation section of the PDP include 'Retirement villages' under Commercial.
77. In relation to the requested amendments to the objectives and policies, I consider that these are unnecessary as the existing objectives and policies provide sufficient direction in terms of residential activities within the Commercial and Mixed Use zones and it is not necessary to single out housing needs of older people from other age groups. Provision of housing with a range of types and sizes is required and enabled. Therefore, in my opinion, the requested amendments add no value to the existing policy direction in the PDP.

78. Specifically in relation to the requested policies for 'changing communities' there is no need to repeat higher order direction, and it is not clear what value the requested policies add in terms of providing direction to decision makers. This is also true for the policies requested relating to 'larger sites'. Additionally, the RVA has not proposed any new methods to implement these policies, which would appear to make them redundant. The submitter might wish to clarify the purpose of the policies requested at the hearing.

79. In relation to the requested amendments to the chapter rules, I note that the Section 32 Evaluation Report Part 2: Commercial and Mixed Use Zones states in relation to activity status of retirement villages in the PDP as notified in 2020:

*Retirement Villages are restricted discretionary activities in the CCZ, MUZ and LCZ. This reflects that while Retirement Villages may be appropriate in these zones, the scale, operation and characteristics may cause adverse effects that need to be assessed and managed.*

*Retirement Villages are discretionary activities in the LFRZ due to the more vehicle focused character of the area and in the NCZ due to the small scale of the zone. The discretionary activity status allows for a wider assessment of all potential effects.*

80. The evaluation Report stated that this was consistent with PDP's strategic objectives. This activity status has been maintained through Variation 1. In addition to the evaluation report assessment, I also note that the purpose of the MCZ (formally CCZ) is to achieve a finer-grained level of development, which is reflected in the policies, rules and standards which enable smaller-scale building and require assessment of larger development.

81. Additionally, in my opinion, the request of the RVA in relation to the relevant rules in the chapters are somewhat confusing. This is because it asks for both specific restricted discretionary activity status clauses in relation to retirement villages under the relevant rules for buildings and structures (NCZ-R1, LCZ-R1, MUZ-R1 and MCZ-R1), while also seeking that the retirement village activity itself is provided for through separate permitted activity status rules. This would create a rule framework which permits the activity but makes any buildings and structures which the activity takes place in require resource consent.

82. As such I do not consider that any amendments to the Commercial and Mixed Use chapters are necessary or appropriate in order to respond to the submission points from the RVA.

### **3.4.3 Summary of recommendations**

83. I recommend for the reasons given in the assessment, that the submissions from the RVA [OS118.30, OS118.108, OS118.109, OS118.110, OS118.111, OS118.112, OS118.113, OS118.114, OS118.115, OS118.116, OS118.117, OS118.118, OS118.119, OS118.120, OS118.121, OS118.122 and OS118.123] be **rejected**.

84. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

### 3.5 House Movers Association

#### 3.5.1 *Matters raised by submitters*

85. The House Movers Association [167.7, 167.8, 167.9 and 167.10] submitted on the PDP in 2020 seeking new provisions in the NCZ, MUZ, CCZ and GIZ to expressly provide for relocation, removal, and re-siting of dwellings as a permitted activity subject to the same zone standards as in situ dwellings, with a permitted activity status rule with associated specific standards, elevating to a restricted discretionary status where the standards are not met. The stated reasons include to ensure certainty for plan users who are seeking to relocate, remove or re-site dwellings, and to avoid the unintended application of any default rules.

#### 3.5.2 *Assessment*

86. The submission from the House Movers Association [167.7, 167.8, 167.9 and 167.10] is similar to those submission points from the same submitter which the Panel considered in Hearing Stream 1. Those submission points also sought rules that expressly provided for the relocation, removal, and re-siting of dwellings as a permitted activity subject to the same zone standards as in situ dwellings.

87. In paragraph 197 of the Section 42A Report - Part A Overarching Report the report author, Mr McDonnell, recommended rejecting these submission points and noted that, "... this activity is covered by the definition of the term 'Construction activity'. Construction activity is a permitted activity in all zones, and as such new provisions are not needed".

88. I agree with the assessment of Mr McDonnell, and consequently also consider that submission points [167.7, 167.8, 167.9 and 167.10] from the House Movers Association should also be rejected. I note that the House Movers Association has not submitted on Variation 1.

#### 3.5.3 *Summary of recommendations*

89. I recommend for the reasons given in the assessment, that the submissions from House Movers Association [167.7, 167.8, 167.9 and 167.10] be **rejected**.

### 3.6 NCZ – Neighbourhood Centre Zone

#### 3.6.1 *General*

##### 3.6.1.1 *Matters raised by submitters on the PDP*

90. Kāinga Ora [81.646, 81.647] requested changes to notification preclusion statements; removal of provisions specific to multi-unit housing and integration within policies, rules and standards more generally, and; a change in language to align with the NPS-UD. They also sought changes to the Introduction to the NCZ-Neighbourhood Centre Zone.

91. The reasons for seeking these changes included to:

- Align language with that used in the NPS-UD; and
- Simplify the provisions.

### 3.6.1.2 Matters raised by submitters on Variation 1

92. Kāinga Ora [OS76.41, OS76.43] requested changes to notification preclusion statements<sup>4</sup> and changes to enable further residential development, without specifying specific changes. These are the subject of subsequent submission points.

93. The submitter considers that the changes are necessary to:

- Ensure that Kāinga Ora can carry out its statutory obligations;
- Ensures that the proposed provisions are the most appropriate way to achieve the purpose of the Resource Management Act 1991, relevant national direction, and regional alignment;
- Ensure that the s32 analysis has appropriately analysed and considered other reasonable options to justify the proposed plan provisions;
- Reduce interpretation and processing complications for decision makers so as to provide for plan enabled development;
- Provide clarity for all plan users; and
- Allow Kāinga Ora to fulfil its urban development functions as required under the Kāinga Ora–Homes and Communities Act 2019.

### 3.6.1.3 Assessment

94. In respect of the PDP submissions from Kāinga Ora, I note that the submitter has submitted on Variation 1, including on specific objectives, policies, rules, and standards in the NCZ-Neighbourhood Centres Zone. I consider that these supercede 81.646 and 81.647, and do not assess these further.

95. With respect to the change to notification preclusion statements sought in OS76.41 I note that the submitter has only sought one change<sup>5</sup>. This is addressed later in this report. That submission is recommended for rejection. As such I recommend that OS76.41 is likewise rejected.

96. The requested changes by Kāinga Ora to further enable residential development [OS76.43] does not specify the changes they seek. However, I note that in another submission point [OS76.235] they seek that NCZ-R14 (residential activity) be retained as notified. In view of this I recommend that OS76.43 be rejected since further enablement of residential development is not actually sought.

### 3.6.1.4 Summary of recommendations

97. I recommend for the reasons given in the assessment that submissions [OS76.41 and OS76.43] **be rejected**

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<sup>4</sup> They do not specify any particular changes in this submission point

<sup>5</sup> OS76.233

98. I recommend for the reasons given in the assessment, that submissions from Kāinga Ora [81.646, 81.647] **be accepted in part.**

### **3.6.2 New Provisions**

#### *3.6.2.1 Matters raised by submitters*

99. Foodstuffs [122.37] sought insertion of a new rule providing for supermarkets in the NCZ as a permitted activity.

#### *3.6.2.2 Assessment*

100. I would note that Variation 1 made supermarkets a permitted activity up to 200m<sup>2</sup>. As such I recommend that this submission be accepted.

#### *3.6.2.3 Summary of recommendations*

101. I recommend that the submission from Foodstuffs [122.37] **be accepted.**

### **3.6.3 Objectives**

#### *3.6.3.1 Matters raised by submitters*

102. The following PDP submissions were received:

- a. Kāinga Ora [81.649] seeks that LCZ-O2 be amended to incorporate 'planned urban built form', to reflect the language within the NPS-UD, and; amend clause 2 to refer to residential environment instead of residential context;
- b. Kāinga Ora [81.648] seek that NCZ-O1 be retained as notified; and
- c. Foodstuffs [122.9] seek that NCZ-O2 be amended so that it acknowledges the need to contribute positively to public open space where preferred built form outcomes are not achieved.

103. No relevant submission points were received on Variation 1 in relation to objectives in the NCZ-Neighbourhood Centre Zone, other than addressed in separate sections above or in separate Officer's Reports.

#### *3.6.3.2 Assessment*

104. I note that Variation 1 only introduced minor wording changes to NCZ-O1 by including the word "immediate" into clause 1 to better clarify the purpose of the zone:

*Service the day-to-day needs of the immediate surrounding residential neighbourhoods*

105. As such I would recommend that the submission from Kāinga Ora to NCZ-O1 be accepted in part to reflect that only minor amendments were introduced by Variation 1.

106. I would also note that Variation 1 largely incorporated the changes requested by Kāinga Ora to NCZ-O2, except for the replacement of 'context' with 'environment'. In their Variation 1

submission the submitter seeks retention of NCZ-O2 as notified<sup>6</sup>. In view of the above I recommend that this submission be accepted in part to reflect that most but not all of the changes requested were introduced by Variation 1.

107. Foodstuffs [122.9] request for additional wording seeking a positive contribution to public open space where built form outcomes are not achieved is considered unnecessary. Objective NCZ-O3 already addresses the need to minimise effects at the zone interface, including with open space, and the policies, rules and standards provide the mechanism to appropriately mitigate effects.

### 3.6.3.3 Summary of recommendations

108. I recommend for the reasons given in the assessment, that submissions from Kāinga Ora [81.648 and 81.650] **be accepted in part.**

109. I recommend for the reasons given in the assessment that submissions Foodstuffs [122.9] **be rejected.**

## 3.6.4 Policies

### 3.6.4.1 Matters raised by submitters on the PDP

110. Kāinga Ora [81.651, 81.652, 81.653, 81.654, 81.655, 81.65] requested changes to policies NCZ-P1 - NCZ-P5 to better reflect the wording and intent of the NPS-UD, along with other minor changes to wording.

111. The following submissions were received on the PDP as notified in 2020:

- a. Kāinga Ora [81.656] seek that NCZ-P6 (now NCZ-P8) be retained as notified;
- b. Kāinga Ora [81.651, 81.652, 81.653, 81.654, 81.655] seeks that the following policies be amended, specifically that:
  - NCZ-P1 to replace “character and amenity values” with “planned urban built form”, and simplify by removing the clauses referencing servicing surrounding neighbourhoods and minimising adverse effects on residential and open space zones;
  - NCZ-P2 to simplify the structure of the policy by deleting clauses 3.a and 3.b, and adding amending the remainder of the policy as follows:

*Provide for residential activity where:*

1. *It is located above ground floor or to the rear of the commercial frontage;*
2. *It does not interrupt or preclude compromise an active building frontage that addresses the street; and*

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<sup>6</sup> OS76.222.



3. Any residential unit is designed to: incorporate adequate provision of onsite amenity for the occupants and minimise reverse sensitivity effects on commercial activities.

- NCZ-P3 (now NCZ-P4 - other activities) and NCZ-P5 (now NCZ-P6 - Built development) to better reflect NPS-UD wording and anticipated outcomes and deletion clause 2 to NCZ-P5:

*Reflects the low to medium density scale and built character of the Neighbourhood Centre Zone;*

- NCZ-P4 (now NCZ-P5 – inappropriate activities) to reference “planned urban built form, role, and function” instead of “character and amenity”; and
- The reasons stated by Kāinga Ora include to align language with the NPS-UD, and provide an enabling policy direction that explicitly provides for residential activities in the Neighbourhood Centre Zone.

c. Foodstuffs [122.10] requested the insertion of an additional clause into NCZ-P5 to recognise the functional and operational needs of the activities in the NCZ-Neighbourhood Centre Zone.

112. No relevant submission points were received on Variation 1 in relation to policies in the NCZ-Neighbourhood Centre Zone, other than addressed in separate sections above or in separate Officer's Reports.

#### 3.6.4.2 Assessment

113. In relation to the request from Kāinga Ora [81.656] that NCZ-P6 (now NCZ-P8) be retained as notified, I would note that while the policy was amended by Variation 1, the amendment was limited to simplifying the wording and structure of the policy. This included removing duplication in use of the following term, “on adjoining sites zoned Residential or Open Space and Recreation”. The intent of the policy was not amended. Accordingly, I recommend that this submission point be accepted in part.

114. In relation to the Kāinga Ora amendments sought to policies NCZ-P1 to NCZ-P5, I note that their Variation 1 submission seeks that the equivalent policies be retained as notified. As such I do not address them further, except to note that many of the changes sought were incorporated into the revised policies and where they were not, this was generally due to the need to ensure consistency of terminology across the plan. In these cases, alternative wording of a similar meaning to that requested by the submitter has been used. Accordingly, I recommend that these submission points be accepted in part.

115. I do not consider that the additional clause requested by Foodstuffs [122.10] to NCZ-P5, recognising the functional and operational requirements of activities in the NCZ-Neighbourhood Centre zone, is necessary. I also consider the wording confusing given the policy chapeau to provide for built development. In effect the wording sought by the submitter would require built development to recognise the functional and operational requirements of these activities.

116. In my opinion, NCZ-O2 identifies the planned urban built environment for the zone, while NCZ-P5 sets out how this will be achieved through built development. I have interpreted the

submission to be seeking the consideration of any functional and operational requirements and how they influence building design. In my opinion there is no policy barrier to this happening under the NCZ policy framework.

#### 3.6.4.3 Summary of recommendations

117. I recommend for the reasons given in the assessment, that the submission from Foodstuffs [122.10] **be rejected**.

118. I recommend that submissions from Kāinga Ora [81.651, 81.652, 81.653, 81.654, 81.655, 81.656] **be accepted in part**.

### 3.6.5 Rules

#### 3.6.5.1 Matters raised by submitters on the PDP

119. The following submissions were received on the PDP as notified in 2020.

a. Those that seek certain rules be retained as notified:

- Kāinga Ora [81.660, 81.661, 81.662, 81.663, 81.664, 81.665, 81.666, 81.667] seek that NCZ-R3 (retail activity), NCZ-R4 (commercial service activity) NCZ-R5 (food and beverage activity), NCZ-R6 (healthcare), NCZ-R7 (educational facility), NCZ-R8 (community facility), NCZ-R9 (visitor accommodation), and NCZ-R11 (now NCZ-R14) emergency service facility, be retained as notified;
- Foodstuffs [122.7] requested that NCZ-R3 be retained as notified;
- The Ministry of Education [134.27] requested that NCZ-R7 be retained as notified; and
- FENZ [119.65] seek that NCZ-R11 (now NCZ-R14) emergency service facility, be retained as notified.

b. The following submissions seek amendments:

- Kāinga Ora [81.658] seeks NCZ-R1 (buildings and additions) seeks limited notification for non-compliance with NCZ-S4 (Active Street Frontages), and NCZ-S5 (Location of Residential units). Submitter considers that these standards manage streetscape/public interface issues and amenity of onsite occupants and does not consider that the consent process would benefit from identification of identified parties; and
- Kāinga Ora [81.667] seek that NCZ-R10 (now NCZ-R14) residential activity, is amended to remove the permitted number of residential units threshold.

120. The following submissions were received on Variation 1:

- Kāinga Ora [OS76.232, OS76.233] seek that NCZ-R10 (supported residential care activity) is amended to increase the permitted number of residents from six to ten, and to preclude limited and public notification. The stated reason is to be consistent with other plans such as the Wellington City PDP.

### 3.6.5.2 Assessment

121. In relation to the submissions seeking that the rules be retained as notified, all of the relevant rules were amended through Variation 1. As Variation 1 gives effect to the NPS-UD, I consider that the amendments are more appropriate than retaining the PDP wording as notified in 2020. Given the scale and nature of the changes to these rules, their retention as notified is not appropriate and as such recommend that all these submissions be rejected.

122. In relation to the following submission, the amendments sought by the submitter were introduced by Variation 1:

- Kāinga Ora [81.658] – NCZ-R1 includes a notification preclusion statement removing limited and public notification in specified situations. I also note that Kāinga Ora in their Variation 1 submission seek that this rule now be retained as notified. As such I recommend the PDP submission point is accepted in part to reflect the Variation 1 changes made to the notification preclusion clause.

123. I note that the change requested by Kāinga Ora to NCZ-R10 (now NCZ-R14) residential activity has been superseded by their Variation 1 submission which now seeks that this rule be retained as notified. The Variation 1 rule retains the permitted number of residential units threshold. As such I recommend that the PDP submission seeking deletion of the threshold be rejected.

124. I do not support the amendments sought by Kāinga Ora to the permitted number of residents threshold from six to ten and to preclude limited as well as public notification. Neighbourhood centres are generally small in spatial extent and surrounded by residential neighbourhoods. The threshold in the Neighbourhood Centre Zone is aligned with equivalent rule in the MRZ-Medium Density Residential Zone and HRZ-High Density Residential Zone. Given this, I consider it appropriate to provide for this activity in a way similar to the surrounding contiguous residential areas. I also consider that that it may be beneficial to include the owners and occupiers of adjacent sites in the resource consent process through limited notification processes, due to the potential adverse effects of non-compliance with the relevant standards.

### 3.6.5.3 Summary of recommendations

125. I recommend for the reasons given in the assessment that the submission from Kāinga Ora [81.660, 81.661, 81.662, 81.663, 81.664, 81.665, 81.666, 81.667, OS76.232, OS76.233], Foodstuffs [122.7] and the Ministry of Education [134.27], FENZ [119.65] **be rejected**.

126. I recommend that the submissions from Kāinga Ora [81.658] be **accepted in part**.

## 3.6.6 Standards

### 3.6.6.1 Matters raised by submitters

127. The following relevant submission points were received on the PDP as notified in 2020:

- a. Two seek that the following standards be retained as notified:
  - Kāinga Ora [81.680, 81.682, 81.683, 81.685] seeks that NCZ-S2, NCZ-S4, NCZ-S5, NCZ-S7 be retained as notified;
- b. The following standards be amended:

- FENZ [119.66] seek an amendment to LCZ-S1 to exempt emergency service facilities and hose drying towers up to 15m associated with emergency service facilities from the height limit standard. The stated reasons include the need for exemption for fire station buildings and associated structures, which provide for the health and safety of the community through enabling the efficient functioning of FENZ.
- Kāinga Ora [81.679] seeks that LCZ-S1 be amended to include the context, topography of the site and its surrounds and planned urban built form in the matters of discretion. The stated reasons include providing for more specific consideration of a proposal in the context of the planned urban built form.
- Kāinga Ora [81.681] seeks that NCZ-S3 is amended to reduce the set back from adjacent zones to 1.5m from 3m and deletion of the first matter of discretion. Reasons include that the height in relation to boundary control will also manage boundary interface effects and that requirement is overly restrictive.
- Foodstuffs [122.8] seek for NCZ-S4, amendments to restrict the standard to new buildings. They also seek amendments to NCZ-S4-3 as follows:
  - b. The principal public entrance to the building must be ~~located on~~ orientated to the front boundary.*
- Kāinga Ora [81.684] seek for NCZ-S6, reduced outdoor living space requirements.
- Foodstuffs [122.11] and Bunnings Limited [9.6] seek that NCZ-S7 is amended to replace the word 'fully' with 'adequately', include specific measurements of '1.8m' in relation to a fence and '2m' in relation to landscaping. The stated reasons include that the standard does not provide sufficient direction to clearly measure compliance.

128. The following relevant submissions were received on Variation 1 from Kāinga Ora:

- [OS76.237]: An amendment to NCZ-S2 to include a height in relation to boundary standard for boundaries with sites located in the MRZ-Residential Intensification Precinct, as follows:

*60° recession plane measured from a point 6m vertically above ground level along any side or rear boundary where that boundary adjoins a site located in the Residential Intensification Precinct in the Medium Density Residential Zone; or*

The stated reason includes their wish for additional flexibility introduced for sites located within or adjacent to the MRZ-Residential Intensification Precinct.

- [OS76.238]: Deletion of NCZ-S3 (setback). The submitter considers the setback is unnecessary and will unduly constrain built development opportunities on smaller NCZ sites. They also note that the planned urban built environment will match the surrounding residential areas.

129. Other relevant submissions received on Variation 1 were:

- Paremata Business Park [OS28.3]: Amend NCZ-S3 (setback) to remove the 3m setback requirement for sites with a side or rear boundary where that boundary adjoins a residential zone. The submitter considers this requirement to be overly restrictive and notes that 1m setbacks are only required in the residential zones from side and rear boundaries.
- Paremata Business Park [OS28.4]: Amend NCZ-S7 (screening) to remove screening requirements for parking areas from any directly adjoining site zoned Open Space Zone or Sport and Active Recreation Zone. They consider that enabling variation to the treatment of this boundary with a low fence, or no fence between an Open Space Zone or Sport and Active Recreation Zone and a parking area, assists in connectivity between properties, passive security, and visual variation of boundary treatment. It will lead to better urban design outcomes than the requirement of a 1.8m high fence.

### 3.6.6.2 Assessment

130. In relation to the submissions seeking that the standards be retained as notified, all of the relevant standards were amended through Variation 1. As Variation 1 gives effect to the NPS-UD, I consider that the amendments are more appropriate than retaining the PDP wording as notified in 2020. Given the scale and nature of the changes to these standards, their retention as notified is not appropriate and as such recommend that all these submissions be rejected.
131. In relation to Kāinga Ora's PDP submission points [81.679, 81.681, 81.684] I note that these have been superceded by submissions on Variation 1 which seek that NCZ-S1<sup>7</sup>, and NCZ-S6<sup>8</sup> be retained as notified and that NCZ-S3 be deleted, as set out above. In view of this I do not assess their PDP submissions further.
132. In relation to the submission from FENZ [119.66] seeking an exemption for emergency services facilities and hose drying towers, I note that the submitter has made the same submission on Variation 1. This is addressed in the Officer's Report: Part B – FENZ and RNZ. I agree with Mr Smeaton's assessment and adopt his recommendation that it be accepted, and amendments made accordingly to NCZ-S1.
133. I agree with Kāinga Ora in relation to the amendment they seek to NCZ-S2. I note a number of Neighbourhood Centre Zones are located within areas of MRZ-Residential Intensification Precinct. As such it is appropriate to reflect this in NCZ-S2, as well as the existing provisions for boundaries with the Medium Density Residential Zone and High Density Residential Zone.
134. I do not agree with the submission from Kāinga Ora to delete NCZ-S3 entirely and from Paremata Business Park to remove the 3m setback requirement for sites with a side or rear boundary where that boundary adjoining the residential zones. The 3m setback helps ensure the health and well-being of residents in residential zones is maintained from commercial activities in the Neighbourhood Centre Zone. In my opinion this is needed alongside NCZ-S2 control on height in relation to boundary.

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<sup>7</sup> OS76.236

<sup>8</sup> OS76.241

135. In relation to the submission from Foodstuffs [122.8] for NCZ-S4 (active street frontage) to be amended to refer specifically to new buildings, I agree with the outcome sought by the submitter. However, I consider that this can be achieved through amendments to the exceptions incorporated into NCZ-R1 through Variation 1, specifically through inclusion of NCZ-S4 in the list of standards to which the exemption relates.

136. I do not agree with the submission from Foodstuffs [122.8] seeking an amendment to NCZ-S4 in relation to the location of the principal public entrance to a building. NCZ-S4-1 requires buildings to be built up to the front boundary. As such I consider it appropriate that NCZ-S4-3 requires the principal entrance to the building to also be located on the front boundary. As noted in the chapter introduction:

*The buildings are generally located near the street edge sometimes with verandas and retail display windows along the frontage.*

137. In relation to Foodstuffs [122.11] and Bunnings Limited [9.6] regarding NCZ-S7, I note that the amendments to this standard through Variation 1 largely addresses the concerns of the submitters. However, I note that the amendment sought by the submitter to replace the word 'fully' with 'adequately' would in fact introduce unnecessary subjectivity into the standard, which would be contrary to the submitter's stated reasons. Similarly, the submitter's amendments sought to include '1.8m' in relation to a fence and '2m' in relation to landscaping does not specify whether this is a horizontal or vertical measurement and is therefore unclear.

138. I do not agree with the amendments sought to NCZ-S7 by Paremata Business Park. In my opinion the screening of parking and servicing areas from sites zoned open space or active recreation is necessary to maintain the values of those areas. I also consider that the standard as amended by Variation 1 is clear in its requirements and easily understood.

### 3.6.6.3 Summary of recommendations

139. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** NCZ-R1 as set out below and in Appendix A:

NCZ-R1	New buildings and structures, and alterations, repairs and additions to existing buildings and structures
	<p>1. Activity status: <b>Permitted</b></p> <p>Where</p> <ol style="list-style-type: none"> <li>a. Compliance is achieved with:               <ol style="list-style-type: none"> <li>i. NCZ-S1;</li> <li>ii. NCZ-S2;</li> <li>iii. NCZ-S3;</li> <li>iv. NCZ-S4; and</li> <li>v. NCZ-S7.</li> </ol> </li> </ol> <p>Except that:</p>

- NCZ-S4 does not apply to papakāinga.
- NCZ-S1, NCZ-S2, NCZ-S3, [NCZ-S4](#), and NCZ-S7 do not apply to alterations and repairs to existing buildings and structures.

b. **Amend** NCZ-S2 as set out below and in Appendix A:

1. All buildings and structures must not project beyond a:
  - a. 60° recession plane measured from a point 4m vertically above ground level along any side or rear boundary where that boundary adjoins a site zoned Medium Density Residential Zone, Open Space Zone or Sport and Active Recreation Zone; or
  - b. 60° recession plane measured from a point 8m vertically above ground level along any side or rear boundary where that boundary adjoins a site zoned High Density Residential Zone
  - c. [60° recession plane measured from a point 6m vertically above ground level along any side or rear boundary where that boundary adjoins a site located in the Residential Intensification Precinct in the Medium Density Residential Zone.](#)

[...]

140. I recommend for the reasons given in the assessment that submissions from Paremata Business Park [OS28.3, OS28.4], Kāinga Ora [81.680, 81.681, 81.682, 81.683, 81.685, OS76.238] **be rejected.**

141. I recommend that submissions from FENZ [119.66] and Kāinga Ora [OS76.237], be **accepted.**

142. I recommend that submissions from Kāinga Ora [81.679, 81.684], Bunnings [9.6], and Foodstuffs [122.8, 122.11] be **accepted in part.**

#### 3.6.6.4 Section 32AA evaluation

143. In my opinion, the amendments to NCZ-R1 and NCZ-S2 are more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- a. The amendments will enable repair and alterations to existing buildings without inadvertently requiring the building to be built up to the building line, and ensure that the scale of buildings better reflect the surrounding residential area, including the MRZ-Residential Intensification Precinct. Consequently, it will avoid inappropriate and unnecessary resource consent processes being required and is more efficient and effective than the notified provisions in achieving the objectives of the PDP.
- b. The recommended amendment will not have any greater adverse environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

### 3.7 LCZ – Local Centre Zone

#### 3.7.1 General

##### 3.7.1.1 Matters raised by submitters on the PDP

144. Kāinga Ora [81.686, 81.687] seek consequential changes consistent with its overall submission on the Plan. Areas of concerns include reviewing notification preclusion statements; removal of provisions specific to multi-unit housing and integration within policies, rules and standards more generally; review of height limits; and a change in language to align with the NPS-UD. They also sought changes to the Introduction to the LCZ-Local Centre Zone.

145. The reasons for seeking these changes included to:

- Provide more enabling height limits including where they are within a walkable catchment of the City Centre and/or a rapid transit stop as directed by the NPS-UD;
- Align language with that used in the NPS-UD; and
- Provide greater clarification around the scale of buildings and activities anticipated in the zone.

##### 3.7.1.2 Matters raised by submitters on Variation 1

146. Kāinga Ora [OS76.36, OS76.266, OS76.38, OS76.40, OS76.246] request an increased permitted height limit across the zone to 22m; further revisions to notification preclusion statements; changes to further enable residential development and deletion of a paragraph from the introduction explaining why some areas have been identified as being suited to greater building height limits. The relevant paragraph they seek deleted is:

~~Some areas have been identified as being suited to a more intensive built form through increased building heights than the standard zone height. These areas are located within a walkable catchment of the Metropolitan Centre Zone or a train station. They are identified on the planning maps as Height Increase A and Height Increase B.~~

147. The submitters considers that the changes are necessary to:

- Ensure that Kāinga Ora can carry out its statutory obligations;
- Ensures that the proposed provisions are the most appropriate way to achieve the purpose of the Resource Management Act 1991, relevant national direction, and regional alignment;
- Ensure that the s32 analysis has appropriately analysed and considered other reasonable options to justify the proposed plan provisions;
- Reduce interpretation and processing complications for decision makers so as to provide for plan enabled development;
- Provide clarity for all plan users; and
- Allow Kāinga Ora to fulfil its urban development functions as required under the Kāinga Ora–Homes and Communities Act 2019.

148. TROTR [OS114.18, OS114.23] requested stronger wording with respect to mitigating effects at the zone interface, and acknowledgement of sites and areas of significance to Māori in the



introduction and objectives. TROTR have also requested stronger wording in the introduction with respect to reducing carbon emissions and discouraging private vehicle use. They also seek that LCZ-O3 is amended to include SASMs. No specific reasons are provided for these changes.

### 3.7.1.3 Assessment

149. In relation the PDP submissions from Kāinga Ora I note that the submitter has submitted on Variation 1 including on objectives, policies, rules and standards. I consider that the Variation 1 submission supercedes these PDP submissions. As such I do not address them further, except to note that Variation 1 introduced a suite of changes to the LCZ-Local Centre Zone, many of which addressed the submitter's concerns. As such I recommend that these PDP submissions be accepted in part.

150. I do not support the submissions from Kāinga Ora for a 22m height limit across the zone and the consequential changes sought to the chapter introduction regarding increased height limits in the areas identified as Height Increase A and Height Increase B<sup>9</sup>. In my opinion this would not appropriately implement Policy 3 of the NPS-UD, which requires the enabling of 6 storey building where they are within a walkable catchment of the Metropolitan Centre Zone and/or a train station<sup>10</sup>. In my opinion the NPS-UD purposely differentiates between area within and outside those walkable catchments. This differential implements NPS-UD objective 3 which seeks to enable more people to live in, and more businesses to be located in areas in or near a centre zone, or which is well served by public transport, or there is high demand for housing or business land.

151. This matter is addressed in the Section 32 Evaluation Report Part B: Urban intensification – MDRS and NPS-UD Policy 311. The submitter has not provided any planning, urban design or other evaluation or s32AA evaluation to support the increased height limit. In the absence of this I cannot support this change.

152. In relation to the Kāinga Ora [OS76.38] submission seeking revisions to notification preclusion statements [OS76.38], the submitter has not stated what revisions they seek or to which rules they relate. I am also unable to find any submissions from the submitter seeking such a change to a specific rule in this chapter. The submitter might wish to clarify this matter before or at the hearing.

153. The requested changes by Kāinga Ora to further enable residential development [OS76.40] does not specify the changes they seek. However, I note that in another submission point [OS76.264] they seek removal of the threshold for permitted residential activity in LCZ-R16, which is addressed later in this report. I would note that this submission is recommended for rejection and accordingly I make the same recommendation for OS76.40.

154. In relation to the submission from TROTR to specifically recognise sites and areas of significance to Māori in the introduction, and through zone provisions, this is considered unnecessary. There are no identified sites and areas of significance to Māori at the interface with the LCZ-Local Centre Zone. Also, in keeping with the National Planning Standards, the PDP has been drafted in an integrated manner with the SASM-Sites and Areas of Significance to Māori

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<sup>9</sup> These are the site specific controls enabling taller buildings

<sup>10</sup> NPS-UD Policy 3(c)(i) and 3(c)(ii)

<sup>11</sup> For example, 9.2.1, 9.2.2, and Appendix C

chapter providing the planning framework for managing effects on sites and areas of significance to Māori. For this reason, the requested changes are not supported.

155. The request by TROTR [OS114.23] for reference to 'drive through' activities to be specifically discouraged in the introduction is considered unnecessary. There is no need to specifically reference this activity which is a discretionary activity in the LCZ-Local Centre Zone. In my opinion, it is the pattern of zoning and associated zone provisions across the city that contribute to achieving well-functioning urban environments. I also consider that over time, drive throughs and other historically car-based activities such as large scale retail, will transition to lower-carbon intensive activities as the car fleet is increasingly electrified.

#### 3.7.1.4 Summary of recommendations

156. I recommend for the reasons given in the assessment that the submissions from Kāinga Ora [OS76.36, OS76.266, OS76.38, OS76.40, OS76.246] and TROTR [OS114.18] **be rejected**.
157. I recommend for the reasons given in the assessment that the submissions from Kāinga Ora [81.686, 81.687] **be accepted in part**.

### 3.7.2 Objectives

#### 3.7.2.1 Matters raised by submitters

158. The following submission points were received on the PDP:
- a. Dept. of Corrections [135.14] seeks the objectives be retained for the reason that as notified they provide for community corrections activities within the zone;
  - b. Kāinga Ora [81.688] seek that LCZ-O1 be retain as notified;
  - c. Kāinga Ora [81.689] seeks that LCZ-O2 be amended to incorporate 'planned urban built form', to reflect the language within the NPS-UD; and include additional clauses in relation to providing good quality commercial and residential environments, designed to minimise crime and contribute positively to the streetscape, and;
  - d. Kāinga Ora [81.690] seeks that LCZ-O3 be amended so that clause one refers to the 'planned urban built form', and in clause two 'have minimal' is replaced with 'minimises'. The stated reason is to align language with the NPS-UD and to simplify the statements.
159. The following submission points were received on Variation 1:
- Kāinga Ora [OS76.249] sought that LCZ-O2 be amended to
    - Delete the reference to 'medium rise' in clause one;
    - Delete clause two:
 

~~A greater intensity of built urban form in locations accessible to the Metropolitan Centre Zone or a train station, identified by height increase controls on the planning maps; and~~
    - The stated reason is to clearly convey that the anticipated urban environment will be greater than medium rise in many situations.
  - TROTR [OS114.19] requests:

- Stronger wording with respect to mitigating effects at the zone interface (LCZ-O3);
- Acknowledgement of sites and areas of significance to Māori in the introduction and objectives; and
- Replacing the word 'minimise' with respect to managing effects at the zone interface to wording that seeks to avoid interactions between the LCZ-Local Centre Zone and sites and areas of significance to Māori.

### 3.7.2.2 Assessment

160. The objectives in the LCZ chapter have been amended through Variation 1. The Dept. of Corrections [135.15] seeks that the objectives be retained as notified in 2020, while Kāinga Ora [81.688] seek that LCZ-O1 also be retained as notified in 2020. As identified in the Section 32 Evaluation Report Part B: Urban Intensification - MDRS and NPS-UD Policy 3, the changes introduced (in relation to the commercial and mixed use zones) were undertaken to achieve the following:

*The objectives and policies are amended by the Variation to align their language with the NPS-UD and to provide clearer direction on the location and form of residential activities, how the planned urban built environment for the zone will be achieved, and direction on increased building heights in qualifying locations. Minor wording changes have been made to the policies providing land use direction for the zone to provide greater clarity in relation to land uses appropriate to the zone and those which are directed to other locations. These work in tandem with the built environment provisions to achieve a well-functioning urban environment and support intensification in a way that meet MDRS objective 1(a), NPS-UD objective 1 and NPS-UD objective 3.*

161. Given the scale and nature of the changes to the LCZ objectives, I consider that the submission from Dept. of Corrections and Kāinga Ora [81.688] should be rejected.

162. In relation to the submission points from Kāinga Ora [81.689, 81.690 and OS76.249], I would comment that:

- Variation 1 has incorporated many of the changes sought by submitter in their PDP submissions to LCZ-O2 and LCZ-O3 through Variation 1 and I note that their Variation 1 submission seeks that LCZ-O3 be retained as notified; and
- In relation to the request for the deletion of 'medium rise' in clause one and the deletion of clause 2, I do consider this is appropriate. In my view this wording appropriately identifies the planned urban built environment for the zone by recognising that it will generally consist of medium rise buildings, but with taller buildings in specified locations. This provides a greater specificity of the anticipated urban form and links with the height limits incorporated through Variation 1.

163. The request from TROTR [OS114.19] to specifically recognise Sites and Areas of Significance to Māori in LCZ-O3 is considered unnecessary. There are no identified SASMs at the interface with the LCZ-Local Centre Zone. Also, in keeping with the National Planning Standards, the PDP has been drafted in an integrated manner with the SASM-Sites and Areas of Significance to Māori

chapter providing the planning framework for managing effects on Sites and Areas of Significance to Māori. For this reason, the requested changes are not supported.

### 3.7.2.3 Summary of recommendations

164. I recommend for the reasons given in the assessment that the submissions from Ara Poutama Aotearoa the department of Corrections [135.14], the submissions from Kāinga Ora [81.688, OS76.249], and TROTR [OS114.19] **be rejected**.

165. I recommend for the reasons given in the assessment that the submissions from Kāinga Ora [81.689, 81.690] **be accepted in part**.

## 3.7.3 Policies

### 3.7.3.1 Matters raised by submitters on the PDP

166. The following submissions were received on the PDP as notified in 2020:

- a. Dept. of Corrections [135.15] seeks that the policies be retained, with the reasons being that they provide for community corrections activities within the zones;
- b. Kāinga Ora [81.691, 81.692, 81.693, 81.694, 81.695, and 81.696] seeks that the following policies be amended, specifically that:
  - LCZ-P1 to replace “character and amenity values” with “planned urban built form”, and simplify by removing the clauses referencing servicing surrounding neighbourhoods and minimising adverse effects on residential and open space zones;
  - LCZ-P2 to be more enabling of residential activity within the zone and to simplify the structure of the policy;
  - LCZ-P3 (now LCZ-P4 -other activities) and LCZ-P5 (now LCZ-P7 – larger scale built environment) to better reflect NPS-UD wording and anticipated outcomes and deletion of reference to the design guides;
  - LCZ-P4 (now LCZ-P5 – inappropriate activities) to reference “planned urban built form, role, and function” and to include an effects cascade of avoid, mitigate or manage rather than just avoid;
  - LCZ-P6 (now LCZ-P9) in relation to the interface of the zone with public space, to replace “positive” with “attractive”, to include reference to “streetscape” instead of “open spaces” and delete reference to the design guides; and
  - The reasons stated by Kāinga Ora include to align language with the NPS-UD, opposition to the placement of design guides within the PDP as part of the statutory framework, and to simplify the policies.
- c. Kāinga Ora [81.697] seeks that LCZ-P7 (now LCZ-P10 – interface with Residential and open space zones) be retained as notified.
- d. Paremata Residents Association [190.10, 190.11] requested amendments to LCZ-P1 so that the BP site on Mana Esplanade could be treated as a ‘special case’, and similarly the Z Energy site on Mana Esplanade be managed to ensure coastal views are maintained.

They consider this is necessary as the BP only received approval to use the site for commercial purposes after making a number of concessions relating to operating hours, lighting, size of buildings and putting aside surplus land as green areas. They believe it is not appropriate to allow other commercial development on that site without taking the reasons for those concessions into account.

- e. Paremata Business Park Ltd [69.13, 69.14, 69.15, 69.16] seek changes to LCZ-P2 to better enable residential activity at ground floor; an amendment to LCZ-P4 (now LCZ-P5 – inappropriate activities) to minimise adverse effects from inappropriate activities rather than avoid effects; an amendment to LCZ-P5 (now LCZ-P7 – larger scale built development ) to refer to medium *to higher* density in relation to built development and; inclusion of wording in LCZ-P7 encouraging development of sites adjacent to Open Space and Recreation Zones, and to increase passive surveillance.
- f. Waka Kotahi [82.281] seek an amendment to LCZ-P4 (now LCZ-P5 – inappropriate activities) as follows:

*Avoid activities that are incompatible with the anticipated purpose, character and amenity values of the Local Centre Zone and the surrounding environment; or compromise the safety or efficiency of the transport network.*

- 167. In relation to Variation 1, TROTR [OS114.21, OS114.20] seek that LCZ-P10 and LCZ-P11 Qualifying Matters should include reference to effects on Sites and Areas of Significance to Māori. They consider that, “..using the using the phrase ‘minimise’ for these areas of interface, the plan provisions need to make sure these less-than-ideal interactions between SASMs and LCZ are not created in the first place”.

- 168. Kāinga Ora [OS76.251] seek insertion of wording to LCZ-P1 as follows:

*Enable activities that support the needs of local communities and are compatible with the planned purpose and urban built environment of the Local Centre Zone.*

- 169. They consider that the amendment helps recognise that Local Centres service and support the local communities in which they are located.

- 170. Kāinga Ora [OS76.254] seek amendments to clause 1 to LCZ-P4 (other activities), as follows:

*Any significant adverse effects, ~~including reverse sensitivity effects,~~ can be avoided, remedied or mitigated;*

- 171. The submitter supports the intent of this policy but seeks changes to remove explicit mention to reverse sensitivity effects.

### 3.7.3.2 Assessment

- 172. In relation to the submission from the Dept. of Corrections seeking that the policies be retained and from Kāinga Ora [81.697], that LCZ-P7 (now LCZ-P10) be retained as notified, all of the relevant policies sought by these submission points to be retained have been amended through Variation 1. As the amendments through Variation 1 give effect to the NPS-UD, I consider that the amendments are more appropriate and therefore these submission points should be rejected.

173. In relation to the submissions from Kāinga Ora [81.691, 81.692, 81.693, 81.694, 81.695, and 81.696], I note that submissions on Variation 1 from the submitter [OS76.252, OS76.255, OS76.256, OS76.258, OS76.259] seek that LCZ-P2, LCZ-P5, LCZ-P6, LCZ-P8 and LCZ-P9 be retained as notified. Additionally, submission points [OS76.253, OS76.257] address LCZ-P3 and LCZ-P7 and are addressed separately in Officer's Report: Part B – Residential Zones, Planning Maps and General Topics. These submission points are therefore not considered further.
174. In relation to Kāinga Ora [OS76.254], I agree that LCZ-P4-1 should be amended. The LCZ-Local Centre Zone is intended to create a vibrant mixed-use built environment. LCZ-P4-2 already requires the activity does not compromise activities enabled within the Local Centre Zone. Given the purpose of the zone, nuisance effects are adequately addressed in the NOISE and LIGHT chapters.
175. The additional words requested by Kāinga Ora [OS76.251] in LCZ-P1 (appropriate activities), to 'support the needs of local communities and...' are considered inappropriate. I would note that LCZ-O1 already describes the purpose of the zone. I also consider that the additional wording to LCZ-P1 would add an additional test in terms of whether an activity supports the needs of local communities in addition to the existing policy requirement to be compatible with the purpose of the zone. Also, it is unclear what is meant by 'needs' and 'local communities'. For these reasons the requested change is not supported.
176. In relation to the submission from the Paremata Residents Association, they do not specify how the policy can be amended to treat these petrol station sites as a special case or what this involves.
177. LCZ-O1 and LCZ-O2 set out the planned purpose and urban built environment for the Zone. Any redevelopment of the sites would need to achieve these outcomes. Also, I would note that the PDP works in an integrated manner, with the zone provisions working with district wide chapters to manage the use, development and subdivision of land. Ad hoc land use policies of the type sought by the submitter, in my opinion, are inconsistent with this approach and are not justified.
178. In relation to the amendment to LCZ-P4 sought by Waka Kotahi, I note that they made similar submissions on similar policies in the residential and commercial zones in the PDP. These were addressed in Hearing Stream 4 in Officer's report Part B: Infrastructure. While reference is made to LCZ-P4 in 3.11.3.1 of that report, the actual submission point was missed and not included.
179. The reporting officer, Mr Smeaton, recommended that the submission points be rejected and made the following assessment:
- I consider that the additional clauses sought by Waka Kotahi [82.220, 82.222, 82.223, 82.235, 82.236, 82.237, 82.252, 82.266, 82.278, 82.279, 82.280, 82.282, 82.283, 82.284, 82.285] to a range of objectives and policies are unnecessary as the safety and efficiency of the transport network is already addressed by relevant objectives and policies in the INF- Infrastructure and TR – Transport chapters.*
180. I agree with Mr Smeaton's assessment and likewise recommend that this submission point be rejected.

181. The changes sought by the Paremata Business Park Ltd to LCZ-P2 to enable residential activity at ground floor in LCZ-P2 is not supported. Discouragement of residential activity at ground floor is important to help maintain the vitality and viability of the commercial function of local centres by ensuring they can occur at ground floor. This helps ensure that they achieve the purpose of a local centre to service the daily and weekly needs of surrounding residents<sup>12</sup>, and people can source convenience and specialty goods and services<sup>13</sup>.
182. I also disagree with their request to amend LCZ-P4 (now LCZ-P5 – inappropriate activities). The policy intentionally sets a high threshold of 'avoid' for inappropriate activities to achieve LCZ-O1. These activities are not anticipated in the zone and in the rules framework are assigned a non-complying activity status, for example industrial activity which is more appropriately located in the GIZ-General Industrial Zone. This is addressed in the 2020 Section 32 Evaluation Report Part 2: Commercial and Mixed Use Zones<sup>14</sup>.
183. In relation to their requested amendment to LCZ-P5 (now LCZ-P7 larger scale built environment) to reference higher density built development as well as medium density built development, I would note that the policy was significantly amended by Variation 1 and now refers to built development needing to reflect the planned urban built environment of the zone. This is described in LCZ-O2 and refers to medium rise buildings and a greater intensity of built form in identified locations. In view of this I recommend that the submission is accepted in part to reflect the anticipated variable built form anticipated in the zone.
184. In relation to their requested amendment to LCZ-P7 (now LCZ-P9 public space interface) to encourage development of sites adjacent to Open Space and Recreation Zones, and to increase passive surveillance, I would note that Variation 1 amended the policy to incorporate this requirement.
185. The requested wording from TROTR [OS114.21, OS114.20] to specifically recognize SASMs in LCZ-P10 and 'P11' are not considered necessary. There are no identified Sites and Areas of Significance to Māori at the interface with the LCZ-Local Centre Zone in the PDP. Also, in keeping with the National Planning Standards, the PDP has been drafted to work in an integrated manner with the SASM- Sites and Areas of Significance to Māori chapter providing the planning framework for managing effects on sites and areas of significance to Māori where they arise. For these reasons the requested changes are not supported.
186. It is also noted that LCZ-P11, referenced in the submission, does not exist, and the submitter may wish to clarify this request with the panel.

### 3.7.3.3 Summary of recommendations

187. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** LCZ-P4 as set out below and in Appendix A:

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<sup>12</sup> LCZ-O1

<sup>13</sup> Strategic objective CEI-O4.

<sup>14</sup> For example, see Appendix 2

LCZ-P4	Other activities
<p>Provide for other activities within the Local Centre Zone, including larger-scale activities where:</p> <ol style="list-style-type: none"> <li>1. Any significant adverse effects, <del>including reverse sensitivity effects</del>, can be avoided, remedied or mitigated;</li> <li>2. The activity is consistent with the planned urban built environment and does not compromise activities that are enabled within the Local Centre Zone;</li> <li>3. For any retirement village: <ol style="list-style-type: none"> <li>a. On-site amenity for residents is provided, which reflects the nature of and diverse needs of residents of the village; and</li> <li>b. Any potential reverse sensitivity effects on the continued operation of non-residential activities are minimised;</li> </ol> </li> <li>4. They are of a size and scale that does not undermine the role and function of the Metropolitan Centre Zone.</li> </ol>	

188. I recommend for the reasons given in the assessment that the submissions from Ara Poutama Aotearoa the Department of Corrections [135.15], the Paremata Residents Association [190.10, 190.11], Paremata Business Park Ltd [69.13, 69.14], TROTR [OS114.21, OS114.20], Kāinga Ora [81.697, OS76.251], **be rejected**.

189. I recommend for the reasons given in the assessment that the submissions from Kāinga Ora [OS76.254] be **accepted**.

190. I recommend for the reasons given in the assessment that the submissions from Kāinga Ora [81.691, 81.692, 81.693, 81.694, 81.695, 81.696], Paremata Business Park Ltd [69.15, 69.16], be **accepted in part**.

191. In my opinion, the amendment to LCZ-P4 is more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- a. The amendment will remove the need to assess reverse sensitivity effects on the continued operation of non-residential activities. Consequently, it will reduce the potential assessment requirements associated with resource consent processes for these activities and will result in more efficient and effective provisions than the notified provisions in achieving the objectives of the PDP, specifically LCZ-O1-2; and
- b. The recommended amendment will not have any greater adverse environmental, economic, social, and cultural effects than the notified provisions, as the requirements in the NOISE chapter will still apply. However, there will be benefits from improved plan interpretation and more efficient plan administration.

### 3.7.4 Rules

#### 3.7.4.1 Matters raised by submitters

192. The following submissions were received on the PDP as notified in 2020.

- a. Those that seek certain rules be retained as notified:



- 
- Kāinga Ora [81.700, 81.701, 81.703, 81.704, 81.705, 81.706, 81.707, 81.709, 81.710, 81.711] seek that LCZ-R3 (retail activity) and LCZ-R4 (commercial service activity) LCZ-R6 (food and beverage activity), LCZ-R7 (healthcare), LCZ-R8 (educational facility), LCZ-R9 (community facility), LCZ-R10 (visitor accommodation), LCZ-R12 (now LCZ-R12) supermarket, LCZ-R13 (now LCZ-R18) emergency service facility, LCZ-R14 (now LCZ-R19) retirement village, be retained as notified;
  - Ministry of Education [134.38] seek that LCZ-R8 (educational facility) be retained as notified; and
  - FENZ [119.67] seek that LCZ-R13 (now LCZ-R18) emergency service facility be retained as notified.
- b. The following submissions seek amendments:
- Department of Corrections [135.6] seeks inclusion in the rules of community corrections activities as a Permitted Activity. The stated reasons include that they are essential social infrastructure that play a valuable role in reducing reoffending. They enable people and communities to provide for their social and cultural well-being and for their health and safety;
  - Kāinga Ora [81.698] seeks LCZ-R1 (buildings and additions) be amended to preclude limited notification. The stated reasons include that the consent process would not benefit from identification of affected parties;
  - Woolworths [120.9] seek removal of the 450m<sup>2</sup> gross floor area threshold for permitted buildings and additions in LCZ-R1 by reason that they consider this is an unnecessary control when these activities are subject to development standards;
  - Foodstuffs [122.12] seek that that LCZ-R1 is simplified and that requirement for compliance with the development standards be deleted. This would leave the 450m<sup>2</sup> gross floor area threshold for triggering consents. They also seek the addition of “New” at the start of the rule to make it clear that it only applies to new buildings. The stated reasons include that they consider a consistent approach and clear terminology should be adopted for the construction of new buildings and structures in the Commercial and Mixed Use Zones;
  - Paremata Business Park Ltd [69.17] have requested the permitted floor area in LCZ-R1 be changed from gross to ‘ground’. The stated reason include that the minimum gross floor area requirement will not result in the outcomes sought and does not take into consideration that buildings can be constructed up to three levels;
  - Kāinga Ora [81.702] seek that LCZ-R5-1.a (threshold for permitted office activity) be amended to replace ‘200m<sup>2</sup>’ with ‘450m<sup>2</sup>’, for the reason that it does not consider that this increase will adversely affect the role and function of the City Centre;

- Kāinga Ora [81.708] seek that LCZ-R11 (now LCZ-R16) residential activity, is amended to remove the permitted number of residential units threshold;
- Foodstuffs [122.13] and Woolworths [120.10] seek that LCZ-R12 (now LCZ-R17) supermarkets, is amended to make supermarkets a permitted activity. Woolworths request that as an alternative if supermarkets remain a restricted discretionary activity, that they be precluded from limited and public notification. The submitters consider supermarkets are appropriate in the Local Centre Zone where they will service the need of the surrounding community. They also consider that any adverse effects from a supermarket are appropriately controlled through rules and standards applying to the buildings, carparking and associated activities that are provided by a supermarket; and
- Bunnings Limited [9.7] have requested LCZ-R19 (now LCZ-R25) trade supplier, be deleted and a new rule inserted providing for trade suppliers as a discretionary activity.

193. Two relevant submission points were received on Variation 1, in which Kāinga Ora [OS76.264, OS76.265] have requested the limit on residential units in LCZ-R16 (residential activity) be deleted, and a consequential deletion of the restricted discretionary activity status in relation to the number of residential units where the maximum permitted number is exceeded.

#### 3.7.4.2 Assessment

194. In relation to the submissions seeking that the rules be retained as notified, all of the relevant rules were amended through Variation 1. As Variation 1 gives effect to the NPS-UD, I consider that the amendments are more appropriate than retaining the PDP wording as notified in 2020. Given the scale and nature of the changes to these rules, their retention as notified is not appropriate and as such recommend that all these submissions be rejected.

195. In relation to the following submissions, the amendments sought by the submitter were introduced by Variation 1:

- Department of Corrections [135.6] – Community corrections facility is a permitted activity under LCZ-R12.
- Kāinga Ora [81.698] – LCZ-R1 includes a notification preclusion statement removing limited and public notification. The amendment to include a note which references the design guide is not accepted. This issue is addressed in the Residential Zones, Planning Maps and General Topics S42A report. As such I recommend this submission point is accepted in part to reflect the Variation 1 changes made to the notification preclusion clause.

196. I do not agree with the submissions from Paremata Business Park Ltd, Foodstuffs and Woolworths regarding the removal of the 450m<sup>2</sup> gross floor area threshold for permitted buildings and additions to buildings. This matter is addressed in the Section 32 Evaluation Report Part 2:

Commercial and Mixed Use Zones<sup>15</sup>. This identified the following resource management issue for the commercial zones:

*Issue 3: The opportunity to achieve high quality development and attractive urban environments through the use of development standards and design guidance.*

197. The threshold triggers a resource consent with the matters of discretion being LCZ-P7, which includes a requirement for larger scale built development to be consistent with the design guide for the zone. The submitters have not provided any evidence or urban design evaluation in support of the amendments they seek.

198. In relation to Kāinga Ora's [81.702] submission on LCZ-R5-1.a, the 2020 Section 32 Evaluation Report Part 2: Commercial and Mixed Use Zones states that the threshold limit for permitted offices is intended:

*to encourage larger offices to locate in the CCZ and at the same time ensure that office activities are of appropriate size and potential effects of larger developments can be assessed and managed*

199. The submitter has not provided any evidence to contradict that position or support the increased size sought. As such, I disagree that the maximum GFA threshold for offices should be increased to 450m<sup>2</sup>.

200. In relation to the submissions from Foodstuffs and Woolworths to make supermarkets a permitted activity, this matter is addressed in the 2020 Section 32 Evaluation Report Part 2: Commercial and Mixed Use Zones<sup>16</sup>. This notes that large format retail activities can have potential effects on the anticipated character and amenity of the zone. The requirement for consent for a supermarket will ensure that these effects can be properly assessed and managed. Accordingly, I do not support the request to make them a permitted activity.

201. The requested change to LCZ-R11 by Kāinga Ora [81.708] has been superseded by the new Variation 1 Rule LCZ-R16. As such I do not assess it further.

202. In relation to the submission from Kāinga Ora [OS76.264, OS76.265], the permitted activity threshold of three residential units in LCZ-R16-1.a is consistent with the equivalent threshold in residential zones, and gives effect to LCZ-O2 and LCZ-P3 by enabling a healthy urban built environment that provides for people's well-being to be achieved in relation to residential activity within the zone.

203. As such, I do not agree with the submitter that LCZ-R16-1.a. (activity standard for number of residential units per site) should be deleted. The Section 32 Evaluation Report Part A: Overview to Section 32 Evaluation for Variation 1 and Plan Change 19, addresses health and wellbeing, and the importance of creating healthy living environments. LCZ-O2 identifies the following outcome for the Large Format Retail Zone, "Sites and buildings used for residential purposes that provide good quality on-site residential amenity for the health and well-being of people residing in the

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<sup>15</sup> For example, see 9.6

<sup>16</sup> For example, see Appendix 2

Zone". These clearly identify living environments that address the health and wellbeing of people as an important resource management issue.

204. In my opinion the ability for Council to assess residential developments against the Local Centre Zone Design Guide, which includes specific design outcomes for housing, is an important method to achieve LCZ-O2 and a healthy living environment. The threshold is aligned with that in the residential zones. As identified in the 2020 Section 32 Evaluation Report Part 2: Residential Zones, this threshold represents the point at which residential developments can result in adverse amenity effects and a poor onsite living environment. I consider this is equally relevant in the LCZ, while noting the differing planned urban built environments.

205. The permitted activity requirement therefore provides an appropriate threshold for a resource consent process through which the Council can assess the design of proposed residential development. As such, I do not consider that the threshold should be removed from the rule.

206. In relation to the submission from Bunnings seeking a discretionary activity status for trade supplier, I would note that the PDP already provides for them as a discretionary activity. I recommend that this submission be accepted in part, to reflect my agreement with the discretionary activity status, but not with the request to delete the rule.

#### 3.7.4.3 Summary of recommendations

207. I recommend for the reasons given in the assessment that the submissions from Kāinga Ora [81.700, 81.701, 81.702, 81.703, 81.704, 81.705, 81.706, 81.707, 81.708, 81.709, 81.710, 81.711], Ministry of Education [134.38], Woolworths [120.9, 120.10], Paremata Business Park Ltd [69.17], Foodstuffs [122.12, 122.13], **be rejected.**

208. I recommend for the reasons given in the assessment that the submissions from Department of Corrections [135.6], Kāinga Ora [81.698] be **accepted.**

209. I recommend for the reasons given in the assessment that the submissions from Bunnings [9.7] be **accepted in part.**

#### 3.7.5 Standards

##### 3.7.5.1 Matters raised by submitters

210. The following relevant submission points were received on the PDP as notified in 2020:

a. Two seek that the following standards be retained as notified:

○ Kāinga Ora [81.720, 81.723] seeks that LCZ-S2 and LCZ-S5 be retained as notified;

b. The following standards be amended:

○ Kāinga Ora [81.719, 81.948] seeks that LCZ-S1 be amended to allow higher buildings and structures, delete the Local Centre Zone Design Guide from the matters of discretion, and include the context, topography of the site and its surrounds and planned urban built form in the matters of discretion. The stated reasons include further enabling height limits within the LCZ-Local Centre Zone;

- Paremata Business Park Ltd [69.18] seek in relation to LCZ-S1, *Any method that will enable the objectives and policies of the NPS-UD*, by reason that the stated height limit is not consistent with the NPS-UD;
- FENZ [119.68] seek an exemption from the height limit in LCZ-S1 for emergency service facilities and hose drying towers up to 15m associated with emergency service facilities;
- Paremata Business Park Ltd [69.19] seek in relation to LCZ-S2, *Any method that will enable the objectives and policies of the NPS-UD*, by reason that the stated height limit is not consistent with the NPS-UD;
- Kāinga Ora [81.721] and Paremata Business Park Ltd [69.20] seeks that LCZ-S3 is amended to reduce the set back from adjacent zones to 1.5m from 3m. Reasons include; that the height in relation to boundary control will also manage boundary interface effects and that the requirement is overly restrictive;
- Kāinga Ora [81.722] seeks that LCZ-S4 is amended to refer to 'frontages' rather than 'street-facing façade', to align with language used in the planning maps;
- Z Energy Limited [92.6] seek that a note is added to LCZ-S4 confirming that the requirements do not apply to existing service stations and that the matters of discretion are amended to consider the extent to which development is consistent with the design guide;
- Foodstuffs [122.14] seek for LCZ-S4, amendments to restrict the standard to new buildings. They also seek amendments to LCZ-S4-2.b, as follows:
  - b. The principal public entrance to the building must be ~~located on~~ orientated to the front boundary.*
- Woolworths [120.11] request an amendment to LCZ-S5 with respect to landscaping along the building line where it's not feasible to build up to the building line;
- Paremata Business Park Ltd [69.21] seek an amendment to LCZ-S5 permitting residential activity along up to 35 percent of primary street frontages. The submitter considers that a mix of residential and commercial activities can have a positive effect on the street frontage;
- Paremata Business Park Ltd [69.22] request an amendment to LCZ-S6 seeking flexibility in relation to outdoor living space to include options such as Juliet balconies, while Kāinga Ora [81.724] seek reduced requirements;
- Paremata Business Park Ltd [69.23] seek removal from LCZ-S7 of the requirement to screen parking areas from areas zoned open space or active recreation. They note that these areas have their own associated parking and therefore viewing parking from these areas is not out of place;
- Foodstuffs [122.15] and Bunnings Limited [9.8] seek that LCZ-S7 is amended to replace the word 'fully' with 'adequately', include specific measurements of '1.8m' in relation to a fence and '2m' in relation to landscaping. The stated

reasons include that the standard does not provide sufficient direction to clearly measure compliance; and

- Z Energy Limited [92.8] request an amendment to LCZ-S7 to require screening of activities from ground level only from adjoining sites. They note that the standard as worded requires that they are fully screened which is not practical.

211. Two relevant submissions were received on Variation 1 from Kāinga Ora [OS76.266, OS76.268] seeking an amendment to LCZ-S1 to change the permitted maximum height to 22m across the zone and deletion of consequential matters of discretion.

212. The QEII National Trust [OS82.8] also sought an amendment to LCS-S3 (setbacks) requiring a setback from a side or rear boundary where that boundary adjoins a Significant Natural Area. They consider this would help reduce effects of development on a Significant Natural Area.

### 3.7.5.2 Assessment

213. In relation to the submissions seeking that the standards be retained as notified, all of the relevant standards were amended through Variation 1. As Variation 1 gives effect to the NPS-UD, I consider that the amendments are more appropriate than retaining the PDP wording as notified in 2020. Given the scale and nature of the changes to these standards, their retention as notified is not appropriate and as such recommend that all these submissions be rejected.

214. In relation to Kāinga Ora's PDP submission points 81.721, 81.722 and 81.724 I note that these have been superseded by submissions on Variation 1 which seek that LCZ-S3<sup>17</sup>, LCZ-S4<sup>18</sup>, LCZ-S6<sup>19</sup> be retained as notified. In view of this I do not assess their PDP submissions further.

215. In relation to the submission from FENZ for an exemption from the building height limit for emergency service facilities and hose drying towers I note that LCZ-S1 sets a maximum height greater than 15 metres. As such, I do not consider that any amendments are required to LCZ-S1.

216. In relation to Paremata Business Park Ltd [69.20] requested change to LCZ-S3, to:

- reduce the 3m setback to a 1.5m from a side or rear boundary where adjoining a residential, open space or active recreation zone; and
- remove this requirement from boundaries with the MRZ-Medium Density Residential Zone

are not supported.

217. The 3m setback helps ensure the health and well-being of residents in residential zones is maintained, and the values associated with the Open Space and Active Recreation Zones.

218. In relation to the submissions on LCZ-S4 from Z Energy Limited I would note that Variation 1 introduced an exemption for existing service stations and removed the design guide from the matters of discretion. As such I recommend that this submission be accepted in part to recognise

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<sup>17</sup> OS76.269 and OS76.270

<sup>18</sup> Ibid

<sup>19</sup> OS76.272

the changes made by Variation 1, and that the submitter only sought the matter of discretion associated with the design guide be amended rather than deleted.

219. I do not agree with amendment sought by QEII National Trust for setback requirements in LCZ-S3 to include Significant Natural Areas. It is unclear what effects such a setback would mitigate, whether this is necessary for all sites given the range in scale and type of significant natural areas and their differing values. I also note, that scheduled Significant Natural Areas do not necessarily follow boundaries. A boundary in the PDP is defined as, *means the legal perimeter of a site*.
220. In relation to the submission from Foodstuffs [122.14] for LCZ-S4 (active street frontage) to be amended to refer specifically to new buildings, I agree with the outcome sought by the submitter. However, I consider that this can be achieved through amendments to the exceptions incorporated into LCZ-R1 through Variation 1, specifically through inclusion of LCZ-S4 in the list of standards to which the exemption relates.
221. In addition I agree with the submitter that LCZ-S4-2.b needs amending. This matter is raised in the evidence of Mr McIndoe who considers that it has created a de facto building line at the street edge. This is set out in the Residential Zones, Planning Maps and General Topics s42A report in relation to submissions seeking amendments to the planning maps.
222. Mr McIndoe considers that this is not required and should not be required for primary frontages. He further comments that this is unnecessary to implement LCZ-P9 (Public space interface) which has a focus on primary frontages being orientated towards the front boundary and transparent glazing. In his opinion, to build the front entry at the front boundary would be inconsistent in situations where a primary frontage is identified, such as at Whitby.
223. I agree with Mr McIndoe and consider that the most appropriate planning response is to amend LCZ-S4-2.b. as suggested by the submitter.
224. I disagree with the submission from Woolworths [120.11] which seeks to amend LCZ-S4. I do not consider that the amendment sought by the submitter to enable landscaping to be provided along the building line where it is not feasible to construct a building up to the identified building line, sufficiently addresses the potential adverse effects. If such a solution is proposed this can be tested through the resource consent process which would have a restricted discretionary activity status.
225. Similarly, I do not support the submission from Paremata Business Park Ltd [69.21] seeking the ability to locate residential units at ground floor on identified primary frontages. This matter is addressed in the Section 32 Evaluation Report Part 2: Commercial and Mixed Use Zones<sup>20</sup>. This identifies the importance of continuous shop frontages along identified primary frontages.
226. In relation to the request from Paremata Business Park Ltd [69.22] and Kāinga Ora [81.724], to provide for increased flexibility in the outdoor living space requirements, including Juliet balconies in LCZ-S6, I would note that Variation 1 amended this standard to align with the outdoor living space standard in the HRZ-High Density Residential Zone. This incorporates the MDRS density standard for outdoor living space but includes provisions for other options in

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<sup>20</sup> For example, see Appendix 3

prescribed situations. This includes use of Juliet balconies for up to 40% of above ground floor residential units. In view of this I recommend that this submission be accepted.

227. In relation to Foodstuffs [122.15] and Bunnings Limited [9.8], I note that the amendments to this standard through Variation 1 largely addresses the concerns of the submitters. However, I note that the amendment sought by the submitter to replace the word 'fully' with 'adequately' would in fact introduce unnecessary subjectivity into the standard, which would be contrary to the submitter's stated reasons. Similarly, the submitter's amendments sought to include '1.8m' in relation to a fence and '2m' in relation to landscaping does not specify whether this is a horizontal or vertical measurement and is therefore unclear.
228. I do not agree with the amendments sought to LCZ-S7 by Paremata Business Park Ltd and Z Energy Limited. In my opinion the screening of parking and servicing areas from sites zoned open space or active recreation is necessary to maintain the values of those areas. I also consider that the standard, as amended by Variation 1 is clear in its requirements and easily understood.
229. In the next section I address the various amendments sought to LCZ-S1 and LCZ-S2 (in relation to the submission from the Paremata Business Park Ltd and Kāinga Ora).
230. I note that Kāinga Ora's requested change to LCZ-S1 [81.719] to increase permitted height to 16m across the zone has been superseded by their submission on Variation 1 and as such I do not address it any further, other than to note that the requested height limit would not appropriately implement the NPS-UD. As such, I recommend that it be rejected.
231. In relation to their submissions to increase the height limit to 22m across the zone, I have addressed this matter in 3.6.1.3 above. For the same reasons I do not support their requested change and recommend that these submission points be rejected.
232. Paremata Business Park Ltd [69.18, 69.19] sought that LCZ-S1 and LCZ-S2 be amended to implement the NPS-UD. No specific building heights or height in relation to boundary standards were proposed. I would note that both standards were amended by Variation 1 including increased building heights and more permissive height in relation to boundary standards. In my opinion, these appropriately implement the requirements of the NPS-UD. For example, 6 storey buildings are enabled on sites that are subject to a Height Increase A variable height control. Height in relation to boundary standards were increased to 8m by 60° where a site adjoins the HRZ-High Density Residential Zone.

### 3.7.5.3 Summary of recommendations

233. I recommend for the reasons given in the assessment, that the Hearings Panel:

- c. **Amend** LCZ-R1 as set out below and in Appendix A:

<b>LCZ-R1</b>	<b>New buildings and structures, and alterations, repairs and additions to existing buildings and structures</b>
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1. Activity status: **Permitted**



Where:

- a. The gross floor area of the new building or structure, or addition to an existing building or structure is no more than 450m<sup>2</sup>; and
- b. Compliance is achieved with:
  - i. LCZ-S1;
  - ii. LCZ-S2;
  - iii. LCZ-S3;
  - iv. LCZ-S4; and
  - v. LCZ-S7.

Except that:

- LCZ-S1, LCZ-S2, LCZ-S3, ~~LCZ-S4~~ and LCZ-S7 do not apply to alterations and repairs to existing buildings and structures.

LCZ-S4 does not apply to papakāinga.

b. **Amend** LCZ-S4-2.b as set out below and in Appendix A:

2. For sites with primary frontage controls identified on the planning maps:

- a. At least 55% of the ground floor building frontage must be display windows or transparent glazing; and
- b. The principal public entrance to the building must be ~~located on~~ orientated to the front boundary.

234. I recommend for the reasons given in the assessment that the submissions from Kāinga Ora [81.719, 81.721, 81.948, OS76.266, OS76.268], Paremata Business Park Ltd [69.20, 69.21, 69.23], Z Energy Limited [92.6], Foodstuffs [122.4], Woolworths [120.11], FENZ [119.68], QEII National Trust [OS82.8] **be rejected**.

235. I recommend that the submissions from Kāinga Ora [81.722], Foodstuffs [122.14], Paremata Business Park Ltd [69.18, 69.19] be **accepted**.

236. I recommend that the submissions from Foodstuffs [122.15], Kāinga Ora [81.720, 81.723], Paremata Business Park Ltd [69.22] and Bunnings Limited [ 9.8] be **accepted in part**.

#### 3.7.5.4 Section 32AA evaluation

237. In my opinion, the amendments to LCZ-R1 and LCZ-S4-2.b are more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- a. The amendments will enable repair and alterations to existing buildings and for new buildings fronting a primary frontage to be built without inadvertently requiring that building to be built up to the building line. Consequently, it will avoid inappropriate and unnecessary resource consent processes being required and is more efficient and effective than the notified provisions in achieving the objectives of the PDP; and

- b. The recommended amendment will not have any greater adverse environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

### 3.8 LFRZ – Large Format Retail Zone

#### 3.8.1 *General*

##### 3.8.1.1 *Matters raised by submitters*

238. One relevant general submission on the LFRZ was received on Variation 1, being TROTR [OS114.9] which seeks that the fourth paragraph of the introduction be amended from 'enhance the relationship' to 'provide for relationship' so that the first sentence of the same paragraph can be matched with a stronger statement. The stated reasons include that the chapter can be improved by having a clear and more directive reference to Te Awarua o Porirua and Porirua Stream in the introduction.

239. Additionally, Kāinga Ora [OS76.349] seeks that the objectives, policies, and rules associated with the Whitireia Tertiary Education Precinct be relocated from LFRZ to the MCZ, with all consequential changes, to reflect the rehousing of this precinct as sought by the submitter. This is addressed in 3.10.2 below.

240. No relevant general submission points were received on the LFRZ as notified in 2020.

##### 3.8.1.2 *Assessment*

241. In relation to the submission from TROTR [OS114.9], I note that I am unsure as to exactly what the submitter is requesting as the stated reasons do not appear to match the requested amendments. In any case, I do not consider that any amendments to the introduction are necessary.

##### 3.8.1.3 *Summary of recommendations*

242. I recommend for the reasons given in the assessment, that the submissions from TROTR [OS114.9] be **rejected**.

243. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

#### 3.8.2 *Objectives*

##### 3.8.2.1 *Matters raised by submitters*

244. Two relevant submission points were received in 2020 on the PDP from Harvey Norman [144.26 and 144.27] which seek that LFRZ-O2 and LFRZ-O3 be retained as notified.

245. Three relevant submission points were received on Variation 1:

- a. TROTR [OS114.11] does not seek any specific amendments to LFRZ-O2 but states that the LFRZ objectives do not come across as objectives, and that the objective:

*could ensure that LFRZ provides for best practice land use and behaviour looking after the environment. A clause can be added to say: retail zone reduces its environmental footprint and encourages its users to be more sustainable by...*

- b. TROTR [114.12] seeks that LFRZ-O3 is strengthened “to include effects other than amenity and visual, such as stormwater discharges and run off and any other adverse effect that might impact on the Harbour and the Stream.” No reasons are provided.

### 3.8.2.2 Assessment

246. In relation to the submissions from Harvey Norman [144.26 and 144.27] on the PDP as notified in 2020, LFRZ-O2 and LFRZ-O3 were both subject to changes through Variation 1. These amendments give effect to the NPS-UD and therefore I consider that they are more appropriate. I consider that these submissions should be accepted in part to recognise that the objectives were amended by Variation 1 to align with the language of the NPS-UD.

247. In relation to TROTR [OS114.11 and OS114.12] these submission points generally relate to outcomes seeking to address the effects on natural environment, and specifically contaminants discharged into waterbodies. While I acknowledge the concerns of the submitters in relation to potential impacts on the natural environment and water bodies, I do not consider that amendments are required to address the issues raised, as these matters are addressed by other chapters in the PDP or the NRP administered by GWRC.

248. For example, the THWT – Three Waters chapter of the PDP addresses requirements for the connection of new buildings to the Three Waters Network in Commercial and Mixed Use zones, and the levels of service required to be achieved. Ecological values are managed under the ECO – Ecosystems and Indigenous Biodiversity chapter. The NRP controls the discharge of contaminants to water and the coastal marine area. As stated elsewhere, the PDP is an integrated plan and must be read as a whole. It would not be efficient or effective to duplicate the provisions of the district-wide chapters across all zone chapters. Similarly, it would not be efficient or effective, or good planning practice, to duplicate the NRP within a district plan framework.

### 3.8.2.3 Summary of recommendations

249. I recommend that the submissions from Harvey Norman [144.26 and 144.27] be **accepted in part**.

250. I recommend for the reasons given in the assessment, that the submissions from TROTR [OS114.11 and OS114.12] be **rejected**.

251. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

### 3.8.3 Policies

#### 3.8.3.1 Matters raised by submitters

252. Six relevant submission points were received in 2020 on the PDP from Harvey Norman [144.28, 144.29, 144.30, 144.31, 144.33, 144.34] which seek that LFRZ-P1, LFRZ-P2 and LFRZ-P4 be retained as notified, and:

- a. Delete LFRZ-P3-Other activities (now LFRZ-P4) clauses 3<sup>21</sup> and 4<sup>22</sup>, or address these under LFRZ-P5. The stated reasons are that these would be better addressed under LFRZ-P5;
- b. Amend LFRZ-P5<sup>23</sup>-built development by:
  - Removing clause 3<sup>24</sup>; and
  - Removing clause 5<sup>25</sup> unless the related rules and design guides are amended to target more specific activities or areas.

The reasons include that it is unclear what is meant by 'medium-density built character', and that the costs of regulatory intervention need to be proportionate to the benefits such intervention will bring; and

- c. Amend LFRZ-P6<sup>26</sup>-public face interface, by removing clause 3 for the reason that the key outcomes to be achieved should be specified in the policies.

253. Four relevant submission points were received on Variation 1:

- a. TROTR [OS114.13] states that LFRZ-P4 "seems to be vague, in the sense that if the activities are in line with protecting and making environment better, this should be spelled out." No reasons are provided.
- b. TROTR [OS114.14] states that LFRZ-P8 clause 3 can be strengthened by removing 'where applicable', and use the word 'provide for', instead of 'enhancing'. No reasons are stated; and
- c. TROTR [OS114.15] states:

*LFRZ-P9 does not include the interface with the SASMs and instead of 'minimise', the wording could be stronger. It is unclear, how this zone, given that it is car-intensive, will aim to reduce its users' carbon footprint as District Plan should not take that for granted.*

The stated reasons are that "Te Rūnanga are aware that there are a few rules permitting and encouraging further car usage such as, drive-throughs."

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<sup>21</sup> Design and location of parking areas

<sup>22</sup> Changes to active street frontages to be consistent with design guide

<sup>23</sup> Now LFRZ-P6 and LFRZ-P7

<sup>24</sup> "Contributes to creating a functional, attractive and safe built environment"

<sup>25</sup> Requirement to be consistent with design guide

<sup>26</sup> Now LFRZ-P8

### 3.8.3.2 Assessment

254. In relation to the submissions from Harvey Norman [144.28, 144.29, and 144.31] which seek that LFRZ-P1, LFRZ-P2 and LFRZ-P4 be retained as notified in 2020, these policies were subject to changes through Variation 1. As identified in the Section 32 Evaluation Report Part B: Urban Intensification - MDRS and NPS-UD Policy 3, the changes introduced (in relation to the commercial and mixed use zones) were undertaken to achieve the following:

*The objectives and policies are amended by the Variation to align their language with the NPS-UD and to provide clearer direction on the location and form of residential activities, how the planned urban built environment for the zone will be achieved, and direction on increased building heights in qualifying locations. Minor wording changes have been made to the policies providing land use direction for the zone to provide greater clarity in relation to land uses appropriate to the zone and those which are directed to other locations. These work in tandem with the built environment provisions to achieve a well-functioning urban environment and support intensification in a way that meet MDRS objective 1(a), NPS-UD objective 1 and NPS-UD objective 3*

255. The Variation 1 amendments give effect to the NPS-UD and to address other matters as addressed in the above s32 evaluation. Also, the outcomes sought by Harvey Norman [144.30, 144.33 and 144.34] are largely achieved by the Variation 1 amendments to the policies. As such I consider that the submission points from Harvey Norman [144.28, 144.29, and 144.30] should be accepted in part to recognise that the policies were amended by Variation 1.

256. In relation to the submission from TROTR [OS114.13], I am unsure as to exactly what the submitter is seeking. As such, I do not consider that any amendments to the policy are appropriate to recommend based on the submission.

257. I do not agree with the amendments sought to LFRZ-P8 by TROTR [OS114.14], as the connection to Te Awarua-o-Porirua Harbour and Porirua Stream will not be applicable to all development within the zone given the size of the zone. As such the qualifier, "where applicable" is necessary. Additionally, I consider the word 'enhances' is stronger and more appropriate in the context of the policy than 'provides for'.

258. In relation to the submission from TROTR [OS114.15] on LFRZ-P9, there are no Sites and Areas of Significance to Māori, identified in the PDP maps located within the area of the LFRZ. The permitted activity rules for drive-through activities and other vehicle-oriented activities give effect to LFRZ-O1. I would also note that the zoning of this area to Large Format Retail Zone has been undertaken, in part, to reflect the current predominant land use in the area and the fact that vehicle orientated activities are already established there. This is addressed in the 2020 Section 32 Evaluation Report Part 2: Commercial and Mixed Use Zones<sup>27</sup>.

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<sup>27</sup> For example, 9.1 Zoning Structure

### 3.8.3.3 Summary of recommendations

259. I recommend for the reasons given in the assessment, that the submissions from TROTR [OS114.13, OS114.14 and OS114.15] be **rejected**.

260. I recommend for the reasons given in the assessment, that the submissions from Harvey Norman [144.28, 144.29, and 144.31, 144.30, 144.33<sup>28</sup> and 144.34] be **accepted in part**.

261. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

## 3.8.4 Rules

### 3.8.4.1 Matters raised by submitters

262. Thirteen relevant submission points were received on the LFRZ as notified in 2020:

a. Eight seek that rule be retained as notified:

- Harvey Norman [144.37] seeks that LFRZ-R5 (now LFRZ-R3 - large format retail activity) be retained as notified;
- Bunnings Limited [9.9] and Harvey Norman [144.38] seek that LFRZ-R7 (now LFRZ-R6 – trade supplier) be retained as notified;
- Bunnings Limited [9.10], Foodstuffs [122.19] and Harvey Norman [144.40] seek that LFRZ-R9 (now LFRZ-R13 – retail activity) be retained as notified;
- Ministry of Education [134.28] seeks that LFRZ-R16 (now LFRZ-R20 – educational facility) be retained as notified; and
- FENZ [119.69] seeks that LFRZ-R18 (now LFRZ-R22 – emergency services facility) be retained as notified.

The reasons provided generally refer to the rules being appropriate or supported by the submitter.

b. Five seek amendments to rules:

- Harvey Norman [144.35 and 144.36] seeks that LFRZ-R1 (redevelopment, alterations and repairs to buildings) and LFRZ-R2 (additions to buildings – deleted by Variation 1) be amended to remove clauses 2 and 3 of each rule, for the reason that redevelopments that do not qualify under clause 1 should be treated simply as 'new buildings and structures' under LFRZ-R8;
- Harvey Norman [144.39] seeks that LFRZ-R8 (new buildings – deleted by Variation 1) be amended to remove clauses 1 and 2 and include a new restricted discretionary rule for non-compliance with standards. The reasons state that it is

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<sup>28</sup> Insofar as it relates to clause 3 and not clause 5 which sought removal of the design guide

unusual for large format/vehicle-oriented zones to have design triggers for all new buildings and raises concern relating to council resources to process consents;

- Harvey Norman [144.41] seeks that LFRZ-R13 (now LRZ-R17 - food and beverage) provide for one food and beverage tenancy up to 250 square metres of GFA for each large format retail tenancy on a site as a permitted activity, and where compliance is not achieved consent as a restricted discretionary activity is required. The stated reasons are that food and beverage activities are often complementary to large format and trade retail development; and
- Harvey Norman [144.42] seeks that LFRZ-R22 (now LFRZ-R26 – industrial activity) be amended to permit industrial activities, or 5 John Seddon St and the LFRZ to the east of the City Centre be rezoned to GIZ. The stated reasons are that the Harvey Norman warehouse at 5 John Seddon St is an 'industrial activity' and would be non-complying under this rule and that the rule is not inherently wrong but that the incorrect zone has been applied to the Harvey Norman warehouse site and the locality which needs to be remedied.

263. Three relevant submission points were received on Variation 1 from Kāinga Ora [OS76.342, OS76.343 and OS76.344] which seeks that LFRZ-R7 is amended by deleting LFRZ-R7-1.a and LFRZ-R7-2 which relate to the threshold of three residential units. No specific reasons are given.

#### 3.8.4.2 Assessment

264. In relation to the submissions received on the PDP in 2020 from Harvey Norman [144.37, 144.38 and 144.40], Bunnings Limited [9.9 and 9.10], Foodstuffs [122.19], Ministry of Education [134.28] and FENZ [119.69] which seek certain rules be retained as notified (LFRZ-R5, LFRZ-R7, LFRZ-R9, LFRZ-R16 and LFRZ-R18), these rules are all subject to amendments through Variation 1. The Variation 1 amendments simplify the chapter and better enable appropriate activities within the zone. This has included removing discretionary activity status where activity standards are breached. The amendments to the LFRZ rules framework is addressed in the Section 32 Evaluation Report Part B: Urban Intensification - MDRS and NPS-UD Policy 3<sup>29</sup>.

265. Given the level of change to these rules to address the resource management issue identified in the above s32 evaluation I consider that these submission points should be rejected.

266. In relation to the submissions from Harvey Norman [144.35, 144.36 and 144.39] relating to the rules for new buildings, the outcomes sought by the submissions are largely incorporated into the amendments made to the chapter through Variation 1, except that in addition LFRZ-R1 has also been amended to permit new buildings under that rule where they are less than 450 square metres, and the relevant standards are met. Where compliance is not met, this results in consent being required as a restricted discretionary activity. This is also consistent with the outcome sought by the submitter.

267. In relation to the submission from Harvey Norman [144.41], I generally agree with the submitter that food and beverage activities are often complementary to large format and trade retail development. As such, I consider that food and beverage activities can be compatible with

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<sup>29</sup> For example, section 9.2

the purpose of the zone, where they are ancillary to a large format retail activity. Additionally, in order to not undermine the role and function of the MCZ consistent with LFRZ-P4-3, I consider that the food and beverage activity must be relatively small and discrete so that they are predominantly only servicing customers of the large format retail activity with which they are associated. Because of this, I consider that the threshold of 250 square metres as a permitted activity as sought by the submitter is too large and may result in undermining the role and function of the MCZ. I note that within the GIZ, food and beverage activities are limited to 120 square metres, and therefore provides sufficient gross floor area to undertake such an activity. I consider that this is a more appropriate permitted activity threshold for food and beverage activities within the LFRZ.

268. In relation to the submission from Harvey Norman [144.42], I note that their rezoning request [144.2] is addressed in the Officer's Report Part B: Residential Zones, Planning Maps and General Industrial Zone, where it is recommended to be rejected. As such I concentrate on the request to make industrial activity a permitted activity in the Large Format Retail Zone.

269. The existing activities, if legally established, have existing use rights. As such, there are no issues in regard to the continued operation of the existing use of the site. The Section 32 Evaluation Report: Part 2 – Commercial and Mixed Use Zone, addressed the activity status for industrial activities outside of the General Industrial Zone. It noted:

*These activities non-complying activities in all Commercial and Mixed Use Zones because they are generally inconsistent with the role and purpose of the Zones and would undermine their character and amenity.*

270. Additionally, the Section 32 Evaluation Report: Part 2 – Commercial and Mixed Use Zone, noted that the LFRZ is a new zone and "is the primary destination for vehicle oriented big box shopping in the city. It is located to the north and west of the City Centre... and reflects the current character and predominant use of these areas". Specifically in relation to the spatial extent of the LFRZ to the west of the City Centre, the Section 32 Evaluation Report: Part 2 – Commercial and Mixed Use Zone states:

*The land to the west of the City Centre is currently zoned industrial and proposed to be rezoned to Large Format Retail Zone. This reflects the predominant use of the site for big box retail. It also provides a buffer between the City Centre Zone, which is envisaged to be a high quality environment with high quality residential development, and the current and future Industrial Zone to the west.*

271. In view of the above, I do not support the request to make industrial activity a permitted activity.

272. In relation to the submission from Kāinga Ora [OS76.342, OS76.343 and OS76.344], the permitted activity threshold of three residential units in LFRZ-R7-1 is consistent with the equivalent threshold in residential zones, and gives effect to LFRZ-O2 and LFRZ-P3 by enabling a healthy urban built environment that provides for people's well-being to be achieved in relation to residential activity within the zone.

273. As such, I do not agree with the submitter that LFRZ-R7.1.a. (activity standard for number of residential units per site) should be deleted. The Section 32 Evaluation Report Part A: Overview to Section 32 Evaluation for Variation 1 and Plan Change 19, addresses health and wellbeing, and



the importance of creating healthy living environments. LFRZ-O2 identifies the following outcome for the Large Format Retail Zone, “Sites and buildings used for residential purposes that provide good quality on-site residential amenity for the health and well-being of people residing in the Zone”. These clearly identify living environments that address the health and wellbeing of people as an important resource management issue.

274. In my opinion the ability for Council to assess residential developments against the Large Format Retail Zone Design Guide, which includes specific design outcomes for housing, is an important method to achieve LFRZ-O2 and a healthy living environment. The threshold is aligned with that in the residential zones. As identified in the 2020 Section 32 Evaluation Report Part 2: Residential Zones, this threshold represents the point at which residential developments can result in adverse amenity effects and a poor onsite living environment. I consider this is equally relevant in the LFRZ, while noting the differing planned urban built environments.

275. The permitted activity requirement therefore provides an appropriate threshold for a resource consent process through which the Council can assess the design of proposed residential development. As such, I do not consider that the threshold should be removed from the rule.

#### 3.8.4.3 Summary of recommendations

276. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** LFRZ-R17 as set out below and in Appendix A;

LFRZ- R17 <del>3</del>	Food and beverage activity
	<p><u>1. Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>a. The activity is ancillary to a large format retail activity on the site; and</u>  <u>b. The gross floor area of the activity does not exceed 120m<sup>2</sup>.</u></p>
	<p>1. Activity status: <b>Restricted discretionary</b></p> <p><u>Where:</u></p> <p><u>a. Compliance is not achieved with LFRZ-R13-1.a or LFRZ-R13-1.b.</u></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters in LFRZ-P4.</li> </ol> <p><b>Notification:</b>  An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>

277. I recommend that the submissions from Harvey Norman [144.37, 144.38, 144.40 and 144.42], Bunnings Limited [9.9 and 9.10], Foodstuffs [122.19], Ministry of Education [134.28], FENZ [119.69] and Kāinga Ora [OS76.342, OS76.343 and OS76.344], be **rejected**.

278. I recommend that the submissions from Harvey Norman [144.35, 144.36, 144.39 and 144.41] be **accepted in part**.

279. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

#### 3.8.4.4 Section 32AA evaluation

280. In my opinion, the amendment to LFRZ-R17 is more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- a. The amendment will enable food and beverage activities within the LFRZ where these are of an appropriate size and ancillary to large format retail activities. Consequently, it will avoid inappropriate and unnecessary resource consent processes being required for these activities, and will be more efficient and effective than the notified provisions in achieving the objectives of the PDP.
- b. The recommended amendment will not have any greater adverse environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

### 3.8.5 Standards

#### 3.8.5.1 Matters raised by submitters

281. Thirteen relevant submission points were received on the PDP as notified in 2020:

- a. Two seek that the standards be retained as notified:
  - Harvey Norman [144.43 and 144.44] seeks that LFRZ-S1 and LFRZ-S3 be retained as notified;
- b. Eight seek amendments to the standards:
  - Harvey Norman [144.45] seeks deletion of LFRZ-S4, or that new buildings and structures (LFRZ-R8) be a permitted activity, subject to complying with standards;
  - Foodstuffs [122.20] seeks that LFRZ-S4 be amended to refer specifically to new buildings;
  - Foodstuffs [122.21] and Bunnings Limited [9.11] seek that LFRZ-S6 be amended to replace the word 'fully' with 'adequately', include specific measurements of '1.8m' in relation to a fence and '2m' in relation to landscaping, and deletion of clause 2. Similarly, Foodstuffs [122.22] and Bunnings Limited [9.12] seek that LFRZ-S7 be amended to replace the word 'fully' with 'adequately', include specific measurements of '1.8m' in relation to a fence and '2m' in relation to landscaping. The stated reasons include that the standard does not provide sufficient direction to clearly measure compliance; and
  - Foodstuffs [122.23 and 122.24] seeks that the matters of discretion for LFRZ-S6 and LFRZ-S7 are amended by deleting clause four, for the reason that the Design Guides are intended to be guidelines only and should not be matters of discretion or assessment criteria.

282. One relevant submission point was received on Variation 1 from TROTR [OS114.17], which states that LFRZ-S5 could be used to address other matters that large retail can be encouraged to innovate, for the reason that the drafting intent should be more directive and stronger and must not be just about the aesthetic reasons.

### 3.8.5.2 Assessment

283. In relation to the submissions received on the PDP in 2020 from Harvey Norman [144.43 and 144.44], which seek certain standards be retained as notified (LFRZ-S1 and LFRZ-S3), these standards are subject to amendments through Variation 1. The Variation 1 amendments give effect to the NPS-UD and represent a significant amendment to the standards, for example an increase in permitted heights from 15m to 22m, plus a new set of matters of discretion. Given the level of change introduced to these standards by Variation 1 I consider that these submission points should be rejected.

284. In relation to Foodstuffs [122.22] and Bunnings Limited [9.12], I note that the amendments to this standard through Variation 1 largely addresses the concerns of the submitters. However, I note that the amendment sought by the submitter to replace the word 'fully' with 'adequately' would in fact introduce unnecessary subjectivity into the standard, which would be contrary to the submitter's stated reasons. Similarly, the submitter's amendments sought to include '1.8m' in relation to a fence and '2m' in relation to landscaping does not specify whether this is a horizontal or vertical measurement and is therefore unclear.

285. Similarly, in relation to the amendments sought to LFRZ-S6 by Foodstuffs [122.21] and Bunnings Limited [9.11], I agree that the standard could be improved by adding more specificity. I consider that this can be achieved through consistency with LFRZ-S7 by including the words '1.8m high' before 'fence or landscaping'. Additionally, I note that the submitter has not provided any reasoning in relation to the deletion of clause two from LFRZ-S6, which requires at least 5% of any ground level parking area not contained within a building to be landscaped. I consider that the requirement in clause two is appropriate as it ensures a level of amenity is achieved, and therefore should not be deleted as sought.

286. The outcome sought by Foodstuffs [122.23 and 122.24] to delete the matters of discretion being 'consistency with the Large Format Retail Zone Design Guide' in LFRZ-S6 and LFRZ-S7 has been addressed by Variation 1.

287. In relation to the submission from TROTR [OS114.17], it is unclear what is actually being sought by the submitter. I consider that the standard is directive, as discussed in the submitter's reasoning. As such, I consider that I am unable to recommend any changes to the standard on the basis of this submission point.

### 3.8.5.3 Summary of recommendations

288. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend LFRZ-S6** as set out below and in Appendix A:

#### LFRZ-S6 Screening and landscaping of parking areas

1. Any on-site parking area must be fully screened by a 1.8m high fence or landscaping from any directly adjoining site zoned High Density Residential

Matters of discretion are restricted to:

<p>Zone, Open Space Zone or Sport and Active Recreation Zone.</p> <p>2. At least 5% of any ground level parking area not contained within a building must be landscaped.</p> <p>3. Where a ground level parking area adjoins the street edge, a landscaping strip must be provided along the street edge, that extends at least 1.5m from the boundary with a road and comprise a mix of trees, shrubs and ground cover plants, without preventing the provision of an entry point.</p>	<ol style="list-style-type: none"> <li>1. Any adverse effects on the streetscape; and</li> <li>2. The visual amenity of adjoining Residential or Open Space and Recreation sites including shading and loss of privacy</li> </ol>
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289. I recommend that the submissions from TROTR [OS114.17], and Harvey Norman [144.43 and 144.44] be **rejected**.

290. I recommend that the submissions from Harvey Norman [144.44], Foodstuffs [122.21 and 122.22] and Bunnings Limited [9.11 and 9.12] be **accepted in part**.

291. I recommend that the submissions from Foodstuffs [122.23 and 122.24] be **accepted**.

292. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

#### 3.8.5.4 Section 32AA evaluation

293. In my opinion, the amendment to LFRZ-S6 is more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- a. The amendment will set a measurable requirement in relation to the necessary fence or landscaping required in the standard. Consequently, it will provide much greater clarity for plan users, and will be more efficient and effective than the notified provisions in achieving the objectives of the PDP; and
- b. The recommended amendment will not have any greater adverse environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

## 3.9 MUZ – Mixed Use Zone

### 3.9.1 General

#### 3.9.1.1 Matters raised by submitters

294. Three relevant submission points were received on the PDP as notified in 2020:

- a. Porirua Chamber of Commerce [136.2] seeks that the Council consider reinforcing the rights of existing commercial and light industrial land users to continue to grow and expand their businesses in mixed use zones. The stated reasons include that residential supply should be incorporated in a way which allows existing businesses to continue

growing and avoid a situation where new residential neighbours complain about existing or growing commercial activities;

- b. Kāinga Ora [81.727] seeks consequential changes consistent with its overall submission on the Plan, and notes a range of key areas of concern. The stated reasons include that the submitter opposes the inclusion of Design Guides as statutory elements within the PDP, and policies and matters of discretion that require proposals to be “consistent with” these guides, seeks further enabling height limits, and aligning the language with the NPS-UD which refers to the “planned urban built form” when referring to the intended future state of the urban environment; and
- c. Kāinga Ora [81.728] seeks the introduction to the chapter be retained as notified.

### 3.9.1.2 Assessment

295. The introduction to the MUZ chapter has been amended through Variation 1 to include matters introduced to implement the NPS-UD, including increased building heights within walkable catchments of the MCZ-Metropolitan Centre Zone and/or train station. I consider that the submission from Kāinga Ora [81.728] be accepted in part to reflect that the changes to the introduction are largely mechanical.

296. The submission from Porirua Chamber of Commerce [136.2] raises concerns related to reverse sensitivity, as well as general sensitivity of residential activities to commercial activities within the same area. The PDP manages the potential conflicts of different uses within the MUZ through restrictions within the zone chapter itself on the types of land uses permitted, as well as requirements for indoor noise design levels and mechanical ventilation in the NOISE – Noise chapter for new residential activities and visitor accommodation. As such, I do not consider that any further amendments are required in response to this submission.

297. Some consequential changes sought by Kāinga Ora [81.727] have been addressed through the amendments incorporated through Variation 1. This includes aligning the language used with the NPS-UD in terms of the ‘planned built urban form’, inclusion of additional notification preclusion statements, and the increase in height limits. I do not consider that any further amendments are required in order to respond to the submission point.

### 3.9.1.3 Summary of recommendations

298. I recommend for the reasons given in the assessment, that the submissions from Porirua Chamber of Commerce [136.2] be **rejected**.

299. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [81.727, 81.728] be **accepted in part**.

300. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

## 3.9.2 Objectives

### 3.9.2.1 Matters raised by submitters

301. Three relevant submission points were received on the MUZ as notified in 2020:

- a. Dept. of Corrections [135.12] seeks that the objectives be retained, with the reasons being that they provide for community corrections activities within the zones;
  - b. Kāinga Ora [81.730] seeks that MUZ-O2 be amended so that the heading is 'Planned urban built environment of the Mixed Use Zone' and clause three refers to the 'planned urban built form'. The stated reason is to recognise the evolving nature of the urban environment;
  - c. Kāinga Ora [81.731] seeks that MUZ-O3 be amended so that clause one refers to the 'planned urban built form', and in clause two 'have minimal' is replaced with 'minimises'. The stated reason is to align language with the NPS-UD and to simplify the statements;
302. Three relevant submission points were received on Variation 1:
- a. Kāinga Ora [OS76.283] seeks that MUZ-O2 be amended to:
    - o Delete the reference to 'medium rise' in clause one; and
    - o Inclusion a new clause being, 'A range of buildings and sites that reflect a mix of activities'. The stated reason is to clearly convey that the anticipated urban environment will comprise a mix of activities and associated built form; and
  - b. TROTR [OS114.35] states that clause two of MUZ-O3 could mention the adverse effects on Sites and Areas of Significance to Māori and not just the amenity values.

### 3.9.2.2 Assessment

303. The objectives in the MUZ chapter have been amended through Variation 1. The Dept. of Corrections [135.12] seeks that the objectives be retained as notified in 2020. As identified in the Section 32 Evaluation Report Part B: Urban Intensification - MDRS and NPS-UD Policy 3, the changes introduced (in relation to the commercial and mixed use zones) were undertaken to achieve the following:

*The objectives and policies are amended by the Variation to align their language with the NPS-UD and to provide clearer direction on the location and form of residential activities, how the planned urban built environment for the zone will be achieved, and direction on increased building heights in qualifying locations. Minor wording changes have been made to the policies providing land use direction for the zone to provide greater clarity in relation to land uses appropriate to the zone and those which are directed to other locations. These work in tandem with the built environment provisions to achieve a well-functioning urban environment and support intensification in a way that meet MDRS objective 1(a), NPS-UD objective 1 and NPS-UD objective 3.*

304. Given the scale and nature of the changes to the MUZ objectives, I consider that the submission from Dept. of Corrections should be rejected.
305. In relation to the submission points from Kāinga Ora [81.730 and 81.731OS76.283]:
- Variation 1 has incorporated the changes sought by the submitter in their PDP submission to the MUZ-O2 and MUZ-O3, except in relation to MUZ-O2 clause three (now clause one) which sought inclusion of 'planned urban built form' into the body of

the objective. I consider that the addition to that clause is unnecessary given the change to the title of the objective. I also note that the submitter has not sought this in their Variation 1 submission;

- In relation to their Variation 1 submission, I do not agree that the additional clause sought to MUZ-O2 by Kāinga Ora [OS76.283] is necessary. I consider that the planned urban built environment described in MUZ-O2 accommodates a range of site and building sizes without the need to specifically state this. In addition, reading it together with MUZ-O1, makes it clear that the zone anticipates a range of activities; and
- In relation to the request for the deletion of 'medium rise' in clause one to MUZ-O2, I do not consider this is appropriate. In my view the notified wording of clause 1 combined with clause 2 provide a greater specificity of the anticipated urban form and links with the height limits incorporated through Variation 1.

306. I do not agree with the submission from TROTR [OS114.35] relating to MUZ-O3. Potential adverse effects on SASMs are addressed by the SASM – Sites and Areas of Significance to Māori chapter.

### 3.9.2.3 Summary of recommendations

307. I recommend that the submissions from Kāinga Ora [OS76.283], Dept. of Corrections [135.12] and TROTR [OS114.35] be **rejected**.

308. I recommend that the submissions from Kāinga Ora [81.730, 81.731] be **accepted in part**.

309. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

## 3.9.3 Policies

### 3.9.3.1 Matters raised by submitters

310. Eight relevant submission points were received on the MUZ as notified in 2020:

- a. Dept. of Corrections [135.13] seeks that the policies be retained, with the reasons being that they provide for community corrections activities within the zones;
- b. Kāinga Ora [81.732, 81.733, 81.734, 81.735, 81.736 and 81.737] seeks a range of amendments to MUZ-P1 to MUZ-P6 which align with the submitter's wider submission points on language used in the PDP, with the reasons including being to align the language with the NPS-UD and opposition to the placement of design guides within the PDP as part of the statutory framework; and
- c. Kāinga Ora [81.738] seeks that MUZ-P7 (now MUZ-P10 – interface with Residential and open space zones) be retained as notified.

311. No relevant submission points were received on Variation 1 in relation to policies in the MUZ, other than addressed in separate sections above or in separate Officer's Reports.

### 3.9.3.2 Assessment

312. The policies in the MUZ chapter have been significantly amended through Variation 1. The Dept. of Corrections [135.13] seeks that the policies be retained as notified in 2020. I consider that

the policies as amended by Variation are more appropriate, as they give effect to the NPS-UD. As such, this submission point should be rejected. Similarly, the submission from Kāinga Ora [81.738] seeking that MUZ-P7 be retained should also be rejected.

313. Many of the amendments sought by Kāinga Ora [81.732, 81.733, 81.734, 81.735, 81.736 and 81.737] were addressed by amendments made through Variation 1. In relation to this, I note that in their Variation 1 submission Kāinga Ora have sought that MUZ-P1, MUZ-P2, MUZ-P4, MUZ-P5, MUZ-P6, MUZ-P8, MUZ-P9 and MUZ-P10 now be retained as notified. Amendments sought through Kāinga Ora's submission on Variation 1 to MUZ-P3 (Health and wellbeing for residential activities and residential units) and MUZ-P7 (Larger scale built development) are addressed in Officer's Report: Part B – Residential Zones, Planning Maps and General Topics. As such, the amendments sought through Kāinga Ora [81.732, 81.733, 81.734, 81.735, 81.736 and 81.737] have been superseded, and I do not consider that they need to be considered further.

### 3.9.3.3 Summary of recommendations

314. I recommend for the reasons given in the assessment, that the submissions from the Dept. of Corrections [135.13] and Kāinga Ora [81.738] be **rejected**.

315. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [81.732, 81.733, 81.734, 81.735, 81.736 and 81.737] be **accepted in part**.

## 3.9.4 Rules

### 3.9.4.1 Matters raised by submitters

316. Twenty-nine relevant submission points were received on the MUZ as notified in 2020:

a. Twenty-four seek that the following rules be retained as notified:

- Kāinga Ora [81.741], Bunnings Limited [9.13] and Foodstuffs [122.25] seek that MUZ-R3 (retail activity) be retained as notified;
- Kāinga Ora [81.742, 81.744, 81.745, 81.746, 81.747, 81.749, 81.750, 81.753, 81.755] seeks that MUZ-R4 (commercial service activity), MUZ-R6 (entertainment facility), MUZ-R7 (food and beverage activity), MUZ-R8 (visitor accommodation), MUZ-R9 (healthcare activity), MUZ-R11 (community facility), MUZ-R12 (large format retail activity), MUZ-R15 (now MUZ-R21 - retirement villages), MUZ-R17 (now MUZ-R23 – light industrial activity), be retained as notified;
- Kāinga Ora [81.748] and Ministry of Education [134.29] seek that MUZ-R10 (educational facility) be retained as notified;
- Kāinga Ora [81.751] and Z Energy Limited [92.10] seek that MUZ-R13 (drive through activity) be retained as notified;
- Kāinga Ora [81.754] and Bunnings Limited [9.14] seek that MUZ-R16 (now MUZ-R22 – trade supplier) be retained as notified;
- Kāinga Ora [81.756] and FENZ [119.70] seek that MUZ-R18 (now MUZ-R24 – emergency service facility) be retained as notified;



b. Five seek that the following rules be amended:

- Foodstuffs [122.39] seeks a new rule specifically providing for supermarkets as a permitted activity. No specific reasons are provided;
- Kāinga Ora [81.739] seeks amendments to MUZ-R1 (buildings and alterations) to include additional notification preclusions, for the reasons that it does not consider that the consent process would benefit from identification of identified parties;
- Kāinga Ora [81.743] seeks that MUZ-R5-1.a (threshold for permitted office activity) be amended to replace '200m<sup>2</sup>' with '450m<sup>2</sup>', for the reason that it does not consider that this increase will adversely affect the role and function of the City Centre;
- Kāinga Ora [81.752] seeks that MUZ-R14 (now MUZ-R19 – residential activity) be amended to make Residential activity, residential units, and supported residential care activity permitted with no other requirements. The reasons include that the provisions should be enabling of a variety of housing typologies; and
- Paremata Residents Association [190.3] seeks that MUZ-R17 (now MUZ-R23) be amended to limit a Light Industrial Activity to 1,500m<sup>2</sup> GFA. The reasons concern that the rule allows light industrial activity of inappropriate scale for the location.

317. One relevant submission point was received on Variation 1, in which Kāinga Ora [OS76.298] seeks that MUZ-R19 be amended by deleting clause MUZ-R19-1.a (threshold for number of permitted residential units per site) and MUZ-R19-2 (restricted discretionary activity status for breach of threshold).

#### 3.9.4.2 Assessment

318. In relation to the submissions seeking that the rules be retained as notified, all of the relevant rules were amended through Variation 1. As Variation 1 gives effect to the NPS-UD, I consider that the amendments are more appropriate than retaining the PDP wording as notified in 2020. Given the scale and nature of the changes to these rules, their retention as notified is not appropriate and as such recommend that all these submissions be rejected.

319. I note that Kāinga Ora's submission on Variation 1 supersedes its original PDP submission points on MUZ-R1 [81.739 – additional notification preclusion clauses]. In that submission, Kāinga Ora [OS76.295] also seeks in relation to the notification preclusion in MUZ-R1-3 that the reference to MUZ-S5 be deleted, which I agree with and is included in Appendix A as a recommended amendment. MUZ-S5 is a redundant standard in relation to MUZ-R1.

320. In relation to Kāinga Ora's submission on MUZ-R5 [81.743], the Section 32 Evaluation Report Part 2: Commercial and Mixed Use Zones states that the threshold limit for permitted offices is intended:

*to encourage larger offices to locate in the CCZ and at the same time ensure that office activities are of appropriate size and potential effects of larger developments can be assessed and managed*

321. The submitter has not provided any evidence to contradict that position or support the increased size sought. As such, I disagree that the maximum GFA threshold for offices should be increased to 450m<sup>2</sup>.
322. In relation to the submission from Foodstuffs [122.39] seeking a new rule in the MUZ specifically providing for supermarkets as a permitted activity, this has been incorporated into MUZ-R12 through Variation 1.
323. In relation to the submission from Paremata Residents Association [190.3] seeking that MUZ-R17 (now MUZ-R23) be amended to limit a Light Industrial Activity to 1,500 square metres, I do not consider that this provides an appropriate threshold. MUZ-R23 already requires consent for light industrial activities within the MUZ as a restricted discretionary activity. As such, the adverse effects of a proposed light industrial activity can be managed through consent conditions, or consent refused if appropriate.
324. I disagree with the amendment to MUZ-R19 (residential activity) sought by Kāinga Ora [OS76.298, 81.752] for the same reasons as stated in 3.8.4 above in relation to LFRZ-R7.

#### 3.9.4.3 Summary of recommendations

325. I recommend for the reasons given in the assessment, that the Hearing Panel:
- a. **Amend MUZ-R1-3 as below and in Appendix A:**

**MUZ- R1 New buildings and structures, and alterations, repairs and additions to existing buildings and structures**

[...]

#### 3. Activity status: **Restricted discretionary**

Where:

- a. Compliance is not achieved with MUZ-R1-1.b.

Matters of discretion are restricted to:

1. The matters of discretion of any infringed standard.

#### **Notification:**

- An application under this rule where compliance is not achieved with MUZ-S2, MUZ-S3 or MUZ-S6 is precluded from being publicly notified in accordance with section 95A of the RMA.
- An application under this rule where compliance is not achieved with MUZ-S4 ~~or MUZ-S5~~ is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.

326. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [81.756 81.741, 81.742, 81.744, 81.743, 81.745, 81.746, 81.747, 81.748, 81.749, 81.750, 81.751, 81.752, 81.753, 81.754, and OS76.298], Ministry of Education [134.29], Bunnings Limited [9.13 and 9.14], Z Energy Limited [92.10], FENZ [119.70], Paremata Residents Association [190.3] and Foodstuffs [122.25] be **rejected**.
327. I recommend for the reasons given in the assessment, that the submissions from Foodstuffs [122.39] and Kāinga Ora [81.739] be **accepted in part**.
328. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [OS76.295] be **accepted**.
329. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

#### 3.9.4.4 Section 32AA Evaluation

330. I do not consider that a section 32AA evaluation is required, as the amendment is correcting an error and has no effect on the operation of the rule.

### 3.9.5 Standards

#### 3.9.5.1 Matters raised by submitters

331. Twelve relevant submission points were received on the PDP as notified in 2020:
- a. Two seek that the following standards be retained as notified:
    - Kāinga Ora [81.763 and 81.764] seeks that MUZ-S2 and MUZ-S3 be retained as notified;
  - b. Ten seek that the following standards be amended:
    - Kāinga Ora [81.762 and 81.949] seeks that MUZ-S1 be amended to allow higher buildings and structures, delete the Mixed Use Zone Design Guide from the matters of discretion, and include the context, topography of the site and its surrounds and planned urban built form in the matters of discretion;
    - Kāinga Ora [81.766] seeks that MUZ-S5 is amended to reduce the requirements for outdoor living space and delete the Mixed Use Zone Design Guide from the matters of discretion; and
    - Foodstuffs [122.26] and Bunnings Limited [9.15] seek that MUZ-S6 is amended to replace the word 'fully' with 'adequately', include specific measurements of '1.8m' in relation to a fence and '2m' in relation to landscaping. The stated reasons include that the standard does not provide sufficient direction to clearly measure compliance.
332. No relevant submission points were received on Variation 1 in relation to standards in the MUZ, other than addressed in separate sections above or in separate Officer's Reports.

### 3.9.5.2 Assessment

333. In relation to the submission from Kāinga Ora [81.763 and 81.764] which seeks that MUZ-S2 and MUZ-S3 be retained as notified, these standards were amended through Variation 1. As Variation 1 gives effect to the NPS-UD, I consider that the amendments are more appropriate than retaining the PDP wording as notified in 2020, and therefore these submission points should be rejected. This reflects that these standards have been significantly amended through Variation 1.
334. In relation to the submissions from Kāinga Ora [81.762 and 81.949], MUZ-S1 has been amended through Variation 1 which increased the permitted height limit, consistent with the outcome sought by the submitter. I note that these submission points have now been overtaken by Kāinga Ora's [OS76.300] submission on Variation 1, which relates specifically to the limits for Height Control – Heritage B. In view of this, I recommend that these submission points be accepted in part.
335. In relation to the submission from Kāinga Ora [81.766] on MUZ-S5, this standard has been amended through Variation 1 to align with those in the residential zones, and amended to incorporate the MDRS. I note that this submission point has, in any event, been overtaken by Kāinga Ora's [OS76.304] submission on Variation 1, which seeks that the amended standard be retained as notified. In view of this I consider submission point [81.766] should be rejected.
336. In relation to the submissions from Foodstuffs [122.26] and Bunnings Limited [9.15], Variation 1 amended MUZ-S6 to include the specific measurement of 1.8 metres high in relation to a fence or landscaping. I do not consider that any further amendments are necessary, for the same reasons as stated in 3.8.5.2.

### 3.9.5.3 Summary of recommendations

337. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [81.763 and 81.764] be **rejected**.
338. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [81.762, 81.766 and 81.949], Foodstuffs [122.26] and Bunnings Limited [9.15] be **accepted in part**.

## 3.10 CCZ – Central City Zone / MCZ – Metropolitan Centre Zone

### 3.10.1 General

#### 3.10.1.1 Matters raised by submitters

339. Two relevant submission points were received on the PDP as notified in 2020:
- Kāinga Ora [81.768] seeks consequential changes consistent with its overall submission on the Plan, and notes a range of key areas of concern. The stated reasons include that the submitter opposes the inclusion of Design Guides as statutory elements within the PDP, and policies and matters of discretion that require proposals to be “consistent with” these guides, seeks further enabling height limits, and aligning the language with the NPS-UD which refers to the “planned urban built form” when referring to the intended future state of the urban environment; and

- b. Kāinga Ora [81.769] seeks the introduction to the chapter be amended to address specific wording. The reasons state that this is to align language with the NPS-UD, which refers to the 'planned urban built form' when referring to the intended future state of the urban environment. The stated reasons are to align the language with the NPS-UD.

### 3.10.1.2 Assessment

340. Some consequential changes sought by Kāinga Ora have been addressed through the amendments incorporated through Variation 1. This includes aligning the language used with the NPS-UD in terms of the 'planned built urban form', inclusion of additional notification preclusion statements, and the increase in height limits. I note that Kāinga Ora [OS76.311] seeks that the introduction as notified in Variation 1 be retained. As such, I do not consider that any further amendments are required in order to respond to the submission point.

### 3.10.1.3 Summary of recommendations

341. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [81.768, 81.769] be **accepted in part**.
342. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

## 3.10.2 Whitireia Tertiary Education Precinct

### 3.10.2.1 Matters raised by submitters

343. Kāinga Ora [OS76.31, OS76.309, OS76.310, OS76.333 and OS76.349] seeks that the Whitireia Tertiary Education Precinct be incorporated into the MCZ, including changing the planning maps and:
- a. Relocate Whitireia Tertiary Education Precinct from LFRZ to the MCZ;
  - b. Alter activity status of some activities to reflect change in zoning; and
  - c. Consequential changes to provisions to reflect the shift in chapters.
344. The stated reasons are general in nature, with no specific reasons provided.

### 3.10.2.2 Assessment

345. I have assessed in the s42A Report: Part B – Residential Zones, Planning Maps and General Topics, the geographic extension of the MCZ to incorporate the area of the Whitireia Tertiary Education Precinct as sought by the submitter and have recommended that it be rejected. Accordingly, I do not agree that with the relocation of the Whitireia Tertiary Education Precinct provisions to the MCZ chapter. As such I recommend that these amendments should also be rejected.

### 3.10.2.3 Summary of recommendations

346. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [OS76.31, OS76.309, OS76.310, OS76.333 and OS76.349] be **rejected**.

347. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

### 3.10.3 Objectives

#### 3.10.3.1 Matters raised by submitters

348. Five relevant submission points were received on the PDP as notified in 2020:

- a. Dept. of Corrections [135.10] seeks that objectives be retained for the reason that as notified they provide for community corrections activities within the zone;
- b. Harvey Norman [144.46] and Kāinga Ora [81.770] seek that CCZ-O1 be retain as notified;
- c. Kāinga Ora [81.771] seeks that CCZ-O2 be amended to incorporate 'planned urban built form', to reflect the language within the NPS-UD; and
- d. Harvey Norman [144.47] seeks that CCZ-O2 be retain as notified.

349. Two relevant submission points on Variation 1 were received, being from TROTR [OS114.29 and OS114.30] which states that:

*MCZ-O1 and MCZ-O2 could reflect these goals that the NPS-UD is, in essence, trying to achieve when the intensification and densification proposals were released. However, it is quite difficult to separate and identify these goals in the objectives of the MCZ. Whilst the Zone Chapter does a good job to explain how the MCZ is significant in terms of commercial, community, recreational, and residential activities which is describing what Porirua Metropolitan City Centre looks like right now; this is not acknowledging or explaining the reasons as to realising intensification and densification.*

350. The stated reasons include that the objectives of the MCZ do not adequately reflect the socio-environmental goals and how the PDP will shape and influence the behaviour around building, travelling and commercial activities.

#### 3.10.3.2 Assessment

351. In relation to the submissions from Dept. of Corrections [135.10], Harvey Norman [144.46 and 144.47] and Kāinga Ora [81.770 and 87.771], the objectives have been retained in Variation 1 consistent with the outcome sought by the submitters, with relatively minor amendments through Variation 1 to align these with the new zone name and to reflect the NPS-UD language for the 'planned urban built environment'. As such, these submissions can be accepted in part.

352. In relation to the submissions from TROTR [OS114.29 and OS114.30], I note that no specific amendments are sought by the submitter, and as such it is difficult to determine exactly what the submitter is seeking. Additionally, I note that the objectives have been drafted to reflect best practice planning through articulating the outcome sought or 'end-state', rather than the way that outcome is to be achieved which is the role of the supporting policies. As such, I do not consider that any amendments are required or appropriate in response to these submission points.

### 3.10.3.3 Summary of recommendations

353. I recommend for the reasons given in the assessment, that the submissions from Dept. of Corrections [135.10], Harvey Norman [144.46, 144.47] and Kāinga Ora [81.770 and 81.771] be **accepted in part**.
354. I recommend for the reasons given in the assessment, that the submissions from TROTR [OS114.29 and OS114.30] be **rejected**.
355. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

### 3.10.4 Policies

#### 3.10.4.1 Matters raised by submitters

356. Fifteen relevant submission points were received on the PDP as notified in 2020:
- a. Eight submissions sought that the following policies be retained as notified:
    - Dept. of Corrections [135.11] seeks that the policies be retained, as they provide for community corrections activities within the zone;
    - Harvey Norman [144.48, 144.49, 144.50, 144.51, 144.52, 144.53 and 144.54] seeks that CCZ-P1, CCZ-P2, CCZ-P3, CCZ-P4, CCZ-P5, CCZ-P6 and CCZ-P7 be retained as notified, for the reason that it agrees with the reasons set out in the evaluation report;
  - b. Seven submissions from Kāinga Ora [81.772, 81.773, 81.774, 81.775, 81.776, and 81.777] seek that the following rules be amended, specifically that:
    - CCZ-P1 be amended to refer to the 'planned purpose and urban built form' rather than character and amenity values;
    - CCZ-P2 be amended to refer to 'high density' instead of 'more intensive', 'compromise' rather than 'interrupt or preclude', and deletion of clause 3.a, 3.b, 4 and 5 and instead refer to residential units incorporating 'adequate provision of onsite amenity for the occupants and minimise reverse sensitivity effects on commercial activities';
    - CCZ-P3 be amended so that it starts 'provide' rather than 'only allow', refers to 'planned urban built form' rather than 'anticipated character and amenity values', includes and new clause 'The activity supports the role and function of the City Centre', and replaces clause 4.c with 'Activation is achieved along identified street frontages';
    - CCZ-P4 be amended so that it refers to 'planned urban built form' rather than 'anticipated character and amenity values', and includes 'where effects cannot be mitigated or managed';
    - CCZ-P5 be amended so that it refers to 'planned urban built form' and clauses two and six are deleted which includes reference to consistency with the City Centre Zone Design Guide;

- CCZ-P6 is amended to make relatively minor wording changes, along with deletion of clause seven which refers to consistency with the City Centre Zone Design Guide; and
  - c. The reasons stated by Kāinga Ora include to align language with the NPS-UD, opposition to the placement of design guides within the PDP as part of the statutory framework, and to simplify the polices.
357. In relation to Variation 1, TROTR [OS114.32] does not seek any specific amendments, but states in relation to MCZ-P9 that “[i]t seems that Policy MCZ-P9 is at odds with the NPS-UD parking requirements. Ground level parking is still parking?”.

#### 3.10.4.2 Assessment

358. In relation to the submissions from the Dept. of Corrections [135.11] and Harvey Norman [144.48, 144.49, 144.50, 144.51, 144.52, 144.53 and 144.54] seeking that certain policies be retained, all of the relevant policies sought by these submission points to be retained have been amended through Variation 1. As the amendments through Variation 1 give effect to the NPS-UD, I consider that the amendments are more appropriate and therefore these submission points should be rejected.
359. In relation to the submissions from Kāinga Ora [81.772, 81.773, 81.774, 81.775, 81.776, 81.777], I note that submissions on Variation 1 from the submitter [OS76.314, OS76.315, OS76.318, OS76.319 and OS76.321] seeks that MCZ-P1, MCZ-P2, MCZ-P5, MCZ-P6 and MCZ-P8 be retained as notified. Additionally, submission points [OS76.316, OS76.320] address MCZ-P3 and MCZ-P7 and are addressed separately in Officer's Report: Part B – Residential Zones, Planning Maps and General Topics. These submission points are therefore not considered further.
360. In relation to Kāinga Ora [OS76.317], I agree that MCZ-P4-4 should be deleted. The MCZ is intended to create a vibrant mixed-use built environment. MCZ-P4-2 already requires the activity to be consistent with the purpose of the zone. Given the purpose and planned high density built environment, nuisance effects are adequately addressed in the NOISE and LIGHT chapters.
361. In relation to the submission from TROTR [OS114.32] the policy does not require car parking, and therefore is consistent with the NPS-UD which directed the removal of minimum car parking standards from the Plan. The policy instead, provides direction when a parking lot is proposed.

#### 3.10.4.3 Summary of recommendations

362. I recommend for the reasons given in the assessment, that the Hearings Panel:

- c. **Amend** MCZ-P4 as set out below and in Appendix A:

MCZ-P4	Other activities
Provide for other activities within the Metropolitan Centre Zone where:	
<ol style="list-style-type: none"> <li>1. Any significant adverse effects, can be avoided, remedied or mitigated;</li> <li>2. The activity is consistent with the planned urban built environment and purpose of the zone;</li> <li>3. For any retirement village.†</li> </ol>	



~~a. On-site amenity for residents is provided, which reflects the nature of and diverse needs of residents of the village; and~~

~~4. Any potential reverse sensitivity effects on the continued operation of non-residential activities are minimised.~~

363. I recommend that the submissions from Kāinga Ora [81.772, 81.773, 81.774, 81.775 and 81.777, 81.776] be **accepted in part**.

364. I recommend that the submissions from Dept. of Corrections [135.11], Harvey Norman [144.48, 144.49, 144.50, 144.51, 144.52, 144.53 and 144.54], TROTR [OS114.32] be **rejected**.

365. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

#### 3.10.4.4 Section 32AA evaluation

366. In my opinion, the amendment to MCZ-P4 is more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- a. The amendment will remove the need to assess reverse sensitivity effects on the continued operation of non-residential activities. Consequently, it will reduce the potential assessment requirements associated with resource consent processes for retirement villages and will result in more efficient and effective provisions than the notified provisions in achieving the objectives of the PDP, specifically MCZ-O1-3; and
- b. The recommended amendment will not have any greater adverse environmental, economic, social, and cultural effects than the notified provisions, as the requirements in the NOISE chapter will still apply. However, there will be benefits from improved plan interpretation and more efficient plan administration.

### 3.10.5 Rules

#### 3.10.5.1 Matters raised by submitters

367. Twenty-six relevant submission points were received on the CCZ as notified in 2020:

- a. Eight seek that certain rules be retained as notified:
  - Harvey Norman [144.58, 144.64 and 144.67] seeks that CCZ-R4 (demolition – deleted by Variation 1), CCZ-R14 (Now MCZ-R12 – residential activity) and CCZ-R19 (now MCZ-R22 – parking lot) be retained as notified, for the reason that it agrees with the evaluation report;
  - Kāinga Ora [81.782 and 81.792] seeks that CCZ-R4 and CCZ-R13 (now MCZ-R11 - Visitor accommodation) be retained as notified, as it supports the rule;
  - Bunnings Limited [9.17] and Foodstuffs [122.31] seek that CCZ-R15(new buildings and additions – deleted by Variation 1) be retained as notified, due to support for the rule; and

- Kāinga Ora [81.797] seeks that CCZ-R18 (now MCZ-R21) be retained as notified, due to support for the rule.
- b. Eighteen seek that the following rules be amended:
  - Foodstuffs [122.40] seeks a new rule specifically providing for supermarkets as a permitted activity, for the reason that supermarkets positively contribute to the economic viability and function of the city centre;
  - Kāinga Ora [81.779, 81.780, 81.781 and 81.794] seeks CCZ-R1, CCZ-R2 (additions to buildings – deleted by Variation 1), CCZ-R3 (minor ancillary buildings – deleted by Variation 1) and CCZ-R15 (new buildings and additions – deleted by Variation 1) be amended to preclude limited notification. The stated reasons include that the consent process would not benefit from identification of affected parties;
  - Harvey Norman [144.55, 144.56 and 144.57] seeks that CCZ-R1, CCZ-R2 and CCZ-R3 be amended by deleting clauses two and three of each rule, for the reason that redevelopments that do not qualify under clause one should be treated simply as 'new buildings and structures' under CCZ-R15;
  - Woolworths [120.6] seeks that reference to CCZ-P7 be removed from CCZ-R2, and consistency with the City Centre Zone Design Guide be removed from CCZ-P5 and CCZ-P6. The stated reasons include that carparking is captured under a separate rule and the Design Guide provides the Council with unnecessarily wide matters which may be considered for a proposal;
  - Kāinga Ora [81.793] seeks that the heading of CCZ-R14 (now MCZ-R12) be amended to 'Residential activity, residential unit, and supported residential care activity', as it seeks to enable residential care facilities;
  - Harvey Norman [144.65] seeks that CCZ-R15 (new buildings and structures – deleted by Variation 1), be amended to delete clauses one and two and replaced with a restricted discretionary clause that requires compliance with CCZ-S1 to CCZ-S6 and includes specific 'matters of assessment', for the reason that non-compliance should trigger a restricted discretionary rather than full discretionary activity process;
  - Woolworths [120.7] seeks that CCZ-R16 (now MCZ-R18 – large format retail activity) be amended to be a permitted activity rule. If not accepted, amend the matters of discretion to remove consistency with the Design Guide and preclude limited and public notification. The stated reasons include that, supermarkets are an appropriate activity within the central city and any adverse effects can be controlled through rules and standards applying to buildings, carparking and associated activities;
  - Harvey Norman [144.66] seeks that CCZ-R16 be amended to be a permitted activity rule. The stated reasons include that large format retail is not inherently incompatible with the CCZ and a high-quality design outcome can be achieved through appropriate consideration to the design of large format retail buildings and their interface with the surrounding environment;

- Kāinga Ora [81.798] seeks that CCZ-R19 (now – MCZ-R22 – parking lot) is amended to include a permitted activity clause and remove the discretionary activity clause. The stated reasons include that ground level carparking should be enabled as a permitted activity where compliance is achieved with standard CCZ-S5;
  - Bunnings Limited [9.19] and Foodstuffs [122.32] seek that CCZ-R19 is deleted. The stated reasons include that the rule does not recognise the specific operational and functional requirement of activities which usually restricts the opportunity to provide parking at the rear of the building to comply with these standards while creating functional site layouts;
  - Woolworths [120.5] seeks that CCZ-R19 is amended so that the activity status for ground level parking not visible from the road or a public space is a permitted activity. Alternatively, the matters of discretion be amended to remove the requirement for consistency with the City Centre Zone Design Guide. The stated reasons include that the relevant policy relates to adverse effects of carparking on the amenity and quality of the streetscape and public open space while the rule relates to any ground level carparking irrespective of where it is located; and
  - Harvey Norman [144.68] seeks that CCZ-R20 (now MCZ-R24 – trade supplier) be amended to permit trade suppliers within the zone. The stated reasons include that trade supply activities are not inherently incompatible with the CCZ and a high-quality design outcome can be achieved through appropriate consideration to the design of buildings and their interface with the surrounding environment;
368. Six relevant submissions on Variation 1 were received from Kāinga Ora [OS76.32, OS76.323, OS76.324, OS76.326, OS76.327 and OS76.328] seeking:
- a. Revisions to notification preclusion statements, with no specific reasons given;
  - b. MCZ-R1 be amended to remove reference to MCZ-S4 (location of residential units), and include preclusion of limited notification, in the notification preclusion statement for clause three. No specific reasons given;
  - c. MCZ-R12 be amended to include preclusion of limited notification. The stated reasons include that the effect being managed are not matter that would require input from affected parties; and
  - d. MCZ-R18, MCZ-R19 and MCZ-R25 be amended to make the relevant activities permitted, as consequential amendment of inclusion of the Whitireia Tertiary Education Precinct.

### 3.10.5.2 Assessment

369. In relation to the submissions from Harvey Norman [144.58, 144.64 and 144.67], Kāinga Ora [81.782, 81.792 and 81.797], Bunnings Limited [9.17] and Foodstuffs [122.31], all of the rules sought by these submission points to be retained have been amended through Variation 1. As the amendments through Variation 1 give effect to the NPS-UD, I consider that the amendments are more appropriate and therefore these submission points should be rejected.

370. In relation to the submissions from Harvey Norman [144.55, 144.56, 144.57 and 144.65] relating to amendments to and the integration of MCZ-R1 to MCZ-R3 and MCZ-R15, I agree in part

with the submitter. Variation 1 amended these rules through deletion of MCZ-R2, MCZ-R3 and MCZ-R15 and changes to MCZ-R1, including removal of discretionary activity status clauses. I consider that these amendments have addressed the matters raised by the submitter.

371. Similarly, I consider that the amendments to the rules through Variation 1 have also addressed the matters raised by Kāinga Ora [81.779, 81.780, 81.781, 81.793 and 81.794] and Woolworths [120.6], and the submission points are no longer relevant.

372. In relation to the submissions from Foodstuffs [122.40], I do not agree that supermarkets should be a permitted activity within the MCZ-Metropolitan Centre Zone. These are more appropriately located in the LFRZ-Large Format Retail Zone or MUZ-Mixed Use Zone, or, where limited in size, within the MCZ-Metropolitan Centre Zone. However, I note that Variation 1 introduced a new rule for supermarkets in the MCZ-Metropolitan Centre Zone as a restricted discretionary activity. The matter of large format retailing including supermarkets in the MCZ-Metropolitan Centre Zone<sup>30</sup> is addressed in the 2020 Section 32 Evaluation Report Part 2: Commercial and Mixed Use Zones. For example, in Appendix 2 to that s32, it states that:

*In the CCZ large format retail activities are restricted discretionary to reflect that while they are expected to locate in the CCZ, any potential adverse effects on amenity (streetscape, pedestrian friendly environment, active frontages, scale) are able to be assessed and managed.*

373. Similarly, I disagree with Harvey Norman [144.68], Woolworths [120.7] and Harvey Norman [144.66] as trade suppliers and large format retail activities are more appropriately located within the LFRZ-Large Format Retail Zone. As such, I do not consider that trade suppliers or large format retail activities should be enabled in the MCZ-Metropolitan Centre Zone through a less restrictive activity status.

374. In relation to the submissions from Kāinga Ora [81.798], Bunnings Limited [9.19], Foodstuffs [122.32] and Woolworths [120.5] relating to CCZ-R19 (now MCZ-R22) this rule has been amended through Variation 1 to now apply specifically to a 'parking lot' which is also now specifically defined in the PDP<sup>31</sup>. As such, I consider that the matters raised by the submitters are no longer relevant.

375. I agree with the matter raised by Kāinga Ora in [OS76.323] in relation to the reference to MCZ-S4 in the notification preclusion statement in MCZ-R1-3. MCZ-S4 is not listed in MCZ-R1-1, and therefore is not relevant to the rule. However, I disagree that limited notification should also be precluded. I consider that it may be beneficial to include the owners and occupiers of adjacent sites in the resource consent process through limited notification processes, due to the potential adverse effects of non-compliance with the relevant standards.

376. Similarly, in relation to the submissions from Kāinga Ora [OS76.32 and OS76.324] relating to notification preclusion statements, I consider that the preclusion statements amended or included as part of Variation 1 are appropriate. The only preclusion of limited notification relates to non-compliance with MCZ-R1-1.a which limits the gross floor area of buildings and structures to 450

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<sup>30</sup> Formerly CCZ-City Centre Zone in the 2020 PDP.

<sup>31</sup> Variation 1 introduced the following definition: means stand-alone single level parking facilities at ground level used primarily for parking of motor vehicles and which are not provided to meet demand associated with an activity or development on the same site.

square metres. I consider that in all other cases that it may be beneficial for the owners and occupiers of adjacent sites to be involved in the resource consent process through limited notification processes, due to the potential adverse effects of the relevant activity.

377. In relation to the submissions from Kāinga Ora [OS76.326, OS76.327 and OS76.328], consistent with the assessment and recommendation in 3.10.2 (Whitireia Tertiary Education Precinct) above, I consider that the requested amendments to MCZ-R18 (large format retail activity), MCZ-R19 (supermarket) and MCZ-R25 (drive through activity) are unnecessary and inappropriate.

### 3.10.5.3 Summary of recommendations

378. I recommend for the reasons given in the assessment, that the Hearings Panel:

d. **Amend MCZ-R1** as set out below and in Appendix A:

3. Activity status: **Restricted discretionary**

Where:

a. Compliance is not achieved with MCZ-R1-1.b.

Matters of discretion are restricted to:

1. The matters of discretion of the infringed standard.

**Notification:**

An application under this rule where compliance is not achieved with MCZ-S2, MCZ-S3, ~~MCZ-S4~~, MCZ-S5, or MCZ-S6 is precluded from being publicly notified in accordance with section 95A of the RMA.

379. I recommend that the submissions from Foodstuffs [122.40], Kāinga Ora [81.779, 81.798, OS76.323], Harvey Norman [144.55], Woolworths [120.7] be **accepted in part**.

380. I recommend that the submissions from Harvey Norman [144.58, 144.64 and 144.67], Kāinga Ora [81.782, 81.792, 81.797, 81.780, 81.781, 81.793, 81.794, OS76.32, OS76.324, OS76.326, OS76.327 and OS76.328], Bunnings Limited [9.17 and 9.19] and Foodstuffs [122.31 and 122.32], Harvey Norman [144.56, 144.57, 144.65, 144.66 and 144.68] and Woolworths [120.6 and 120.5] be **rejected**.

381. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

### 3.10.5.4 Section 32AA evaluation

In my opinion, the amendment to MCZ-R1 is more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

a. The amendment will fix a drafting error. Consequently, it will ensure correct interpretation of the rule and are more efficient and effective than the notified provisions in achieving the objectives of the PDP; and

- b. The recommended amendment will not have any greater adverse environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

### 3.10.6 Standards

#### 3.10.6.1 Matters raised by submitters

382. Twelve relevant submission points were received on the PDP as notified in 2020:

- a. Six seek that the following standards be retained as notified:
- Harvey Norman [144.70] and TJJ Associates - Tom Colman [56.3] seeks that CCZ-S1 be retained as notified;
  - Harvey Norman [144.71] seeks that CCZ-S2 be retained as notified;
  - Kāinga Ora [81.807] seeks that CCZ-S3 be retained as notified; and
  - Harvey Norman [144.72] seeks that CCZ-S5 be retained as notified.
- b. Six seek that the following standards be amended:
- Kāinga Ora [81.805] seeks that CCZ be amended to remove the height limit. The stated reasons include that the NPS-UD directs Council's to enable building heights and density to realise as much development capacity as possible, and development in the CCZ is expensive due to ground conditions requiring greater floor area to make commercially viable;
  - Kāinga Ora [81.806] seeks that the wording of CCZ-S2 be amended to specifically refer to only primary frontages in clause one, and refer to frontages rather than 'street facing façade' in clauses two and three, to align the language with the planning maps. They are also opposed to the requirement for consistency with design guides in the statutory framework;
  - Foodstuffs [122.34] seeks that CCZ-S2 be amended to refer specifically to new buildings, for the reason that they do not appropriately recognise existing development and should only apply to new buildings and new development;
  - Woolworths [120.8] seeks that CCZ-S2 be amended to enable landscaping to be provided along the building line where it is not feasible to construct a building up to the identified building line or provide a continuous verandah and/or glazing. The reasons refer to the operational needs of supermarkets and CPTED<sup>32</sup> principles related to carparking at rear of buildings;
  - Kāinga Ora [81.808] seeks that CCZ-S4 be amended to so that the standard only applies along identified active street frontages, and consistency with the City Centre Zone Design Guide is deleted from the matters of discretion. No specific

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<sup>32</sup> Crime Prevention through Environmental Design

reasons are given other than general opposition to requirements for consistency with design guides in the statutory framework; and

- Bunnings Limited [9.20] and Foodstuffs [122.33] seek that CCZ-S5 is deleted. The stated reasons include that the standard does not recognise the specific operational and functional requirement of activities which usually restricts the opportunity to provide parking at the rear of the building to comply with these standards while creating functional site layouts.

383. Two relevant submissions on Variation 1 were received from Kāinga Ora [OS76.29 and OS76.329], both seeking that the height limit in MCZ-S1 be increased to 53m. The stated reasons include to more readily accommodate a 15 storey building.

### 3.10.6.2 Assessment

384. In relation to the submissions from Kāinga Ora [81.806 and 81.808], I note that Variation 1 included amendments to the wording of CCZ-S2 (now MCZ-S2) to replace 'street facing façade' with 'street frontage', and CCZ-S4 (now MCZ-S4) to remove 'consistency with the City Centre Design Guide' from the matters of discretion, consistent with the outcome sought by the submitter. Kāinga Ora [OS76.330 and OS76.332] subsequently seeks that MCZ-S2 and MCZ-S4 be retained as notified.

385. The submissions on the PDP as notified in 2020 from Harvey Norman [144.70, 144.71 and 144.72], TJL Associates - Tom Colman [56.3] and Kāinga Ora [81.807] should be rejected. This is because they seek that CCZ-S1, CCZ-S2, CCZ-S3 and CCZ-S5 be retained. CCZ-S1, CCZ-S2, CCZ-S3 and CCZ-S5 were subject to amendments through Variation 1, and I consider that those amendments better give effect to the NPS-UD and are therefore more appropriate than the PDP as notified in 2020. I also note that Kāinga Ora [OS76.331] now seeks that MCZ-S3 as notified in Variation 1 be retained.

386. In relation to the submission from Foodstuffs [122.34] for CCZ-S2 (now MCZ-S2) to be amended to refer specifically to new buildings, I agree with the outcome sought by the submitter. However, I consider that this can be achieved through amendments to the exceptions incorporated into MCZ-R1 through Variation 1, specifically through inclusion of MCZ-S2 in the list of standards to which the exemption relates.

387. In relation to the submissions from Bunnings Limited [9.20] and Foodstuffs [122.33] seeking deletion of CCZ-S5 (now MCZ-S5 - location of parking) Variation 1 reduced the matters of discretion for any non-compliance to one matter, being '[t]he amenity and quality of the streetscape'. In so doing it removed consistency with the design guide as a matter of discretion.

388. I consider that the standard continues to be appropriate to manage the location of car parking and ensure development achieve the planned urban built environment for the zone, as identified in MCZ-O2. In my opinion managing the location of parking areas is important in relation to the amenity of the public realm and streetscape.

389. Similarly, I also disagree with the submission from Woolworths [120.8] which seeks to amend CCZ-S2 (now MCZ-S2 – active street frontages). I do not consider that the amendment sought by the submitter to enable landscaping to be provided along the building line where it is not feasible to construct a building up to the identified building line, sufficiently addresses the potential

adverse effects. If such a solution is proposed this can be tested through the resource consent process which would have a restricted discretionary activity status.

390. In relation to the submission from Kāinga Ora [OS76.29 and OS76.329] seeking that the height limit in MCZ-S1 be increased to 53 metres, I have sought expert input from Graeme McIndoe (McIndoe Urban). His findings and recommendations on this are included in his statement of expert evidence. He recommends that the change be accepted. In summary he finds that:

*A 53m height standard would allow for 11 upper commercial floors at a typical 4.2m floor to floor, plus ground floor and roof structures as identified above. This would therefore allow an office building of 12 storeys with commercial/retail at ground. A typical high-rise residential floor to floor height of 3.3m results in the uppermost 14 residential floors requiring 46.2m. A height standard of 53m therefore allows for 15 storeys including the above and 6.8m for a ground floor which is high enough to allow for commercial activity as well as for some roof top plant or roof structures.*

*Notwithstanding that it is unclear as to why a 15 storey residential building should be preferred over a 14 storey residential building in the MCZ, this change would further enable development albeit to a very minor degree and with very minor to negligible impact on urban amenity (visual dominance, wind and shading effects).*

391. Based on expert evidence from Mr McIndoe I consider that the appropriate planning response to these submissions is to allow this minor increase in the permitted building height for the MCZ-Metropolitan Centre Zone.
392. I would also note that these submission points [OS76.29 and OS76.329] supersede the submissions from Kāinga Ora [81.805] on CCZ-S1 received on the PDP in 2020. I therefore do not assess 81.805 any further.

### 3.10.6.3 Summary of recommendations

393. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** MCZ-R1 as set out below and in Appendix A:

**MCZ-R1 New buildings and structures, and alterations, repairs and additions to existing buildings and structures**

1. Activity status: **Permitted**

Where:

- a. The gross floor area of the new building, structure or addition to an existing building or structure is no more than 450m<sup>2</sup>; and
- b. Compliance is achieved with:
  - i. MCZ-S1;
  - ii. MCZ-S2;
  - iii. MCZ-S3;
  - iv. MCZ-S5; and
  - v. MCZ-S6.



Except that:

MCZ-S1, ~~MCZ-S2~~, MCZ-S3, MCZ-S5 and MCZ-S6 do not apply to alterations and repairs to existing buildings and structures.

- b. **Amend MCZ-S1** to increase the permitted height from 50m to 53m, as set out in Appendix A.

MCZ-S1      Height	
<p>1. All buildings and structures must not exceed a maximum height above ground level of <del>50</del>3m.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The location, design and appearance of the building or structure;</li> <li>2. Loss of sunlight to adjacent public space;</li> <li>3. Shading to surrounding buildings;</li> <li>4. Shading and loss of privacy for any adjacent residential activity;</li> <li>5. Wind effects on the safety and amenity of the adjacent public space;</li> <li>6. The planned urban built environment; and</li> <li>7. Whether an increase in building height results from a response to natural hazard mitigation.</li> </ol>

394. I recommend that the submissions from Kāinga Ora [OS76.29 and OS76.329] be **accepted**.

395. I recommend that the submissions from Kāinga Ora [81.806 and 81.808] and Foodstuffs [122.34] be **accepted in part**.

396. I recommend that the submissions from Kāinga Ora [81.805, 81.807], Harvey Norman [144.70, 144.71 and 144.72], TJL Associates - Tom Colman [56.3], Foodstuffs [122.33], Woolworths [120.8] and Bunnings Limited [9.20] be **rejected**.

397. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

#### 3.10.6.4 Section 32AA evaluation

398. In my opinion, the amendment to MCZ-R1 is more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- a. The amendment will enable repair and alterations to existing buildings without inadvertently requiring that building to be built up to the building line. Consequently, it will avoid inappropriate and unnecessary resource consent processes being required and is more efficient and effective than the notified provisions in achieving the objectives of the PDP; and
- b. The recommended amendment will not have any greater adverse environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

399. I have not undertaken a S32AA evaluation over and above the assessment above, for the amendment to MCZ-S1 to increase the permitted height limit from 50m to 53m, since it represents a minor change.

### 3.11 GIZ – General Industrial Zone

#### 3.11.1 Objectives

##### 3.11.1.1 Matters raised by submitters

400. The submissions received on the PDP in 2020 from the Dept. of Corrections [135.16] and Harvey Norman [144.73 and 144.74] seek that the objectives GIZ-O1 and GIZ-O2 be retained as notified at that time.

401. In addition, Kāinga Ora [81.811] have sought that the whole chapter is retained as notified. For efficiency, I address the submission here.

##### 3.11.1.2 Assessment

402. Variation 1 proposed changes to the objectives of the GIZ chapter. I consider that, given the requirements of the NPS-UD, the wording of the GIZ chapter objectives as included in Variation 1 is more appropriate than that included in the PDP 2020. The changes made are relatively minor and do not amend the outcomes for the zone, with the changes primarily to amend language to align with that used in the NPS-UD. As such I recommend that the submissions from the Dept. of Corrections [135.16] and Harvey Norman [144.73 and 144.74] should be accepted in part.

403. In relation to the submission from Kāinga Ora, I consider when taken as a whole, the changes introduced by Variation 1 amend the chapter in a relatively minor way, while recognising that the rule framework has been simplified<sup>33</sup>. Some of the individual changes to specific rules are more substantive, as addressed later in this report. Overall, I consider that this submission should be accepted in part.

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<sup>33</sup> This is addressed in the Section 32 Evaluation Report Part B: Urban intensification – MDRS and NPS-UD Policy 3 and I have set out a summary of the changes made to the commercial and mixed use zones, and the General Industrial Zone at the outset of this s42A report.

### 3.11.1.3 Summary of recommendations

404. I recommend that the submission from Dept. of Corrections [135.16], Harvey Norman [144.73 and 144.74], Kāinga Ora [81.811] be **accepted in part**.
405. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

## 3.11.2 Policies

### 3.11.2.1 Matters raised by submitters

406. The submission received on the PDP in 2020 from the Dept. of Corrections [135.17] seeks that the policies of the GIZ chapter be retained as notified at that time. Similarly, the submission received on the PDP in 2020 from Harvey Norman [144.75] seeks that GIZ-P1 be retained as notified at that time.

### 3.11.2.2 Assessment

407. Variation 1 proposed some minor changes to GIZ-P1 and GIZ-P4 to align the wording of the policies with language used in the NPS-UD. They did not involve substantive changes. Consequently, I recommend that the submissions from the Dept. of Corrections [135.17] and Harvey Norman [144.75] be accepted in part to reflect that the policies have only had minor changes made to them.

### 3.11.2.3 Summary of recommendations

408. I recommend that the submission from Dept. of Corrections [135.17] and Harvey Norman [144.75] be **accepted in part**.

## 3.11.3 Rules

### 3.11.3.1 Matters raised by submitters

409. There are no relevant submissions on Variation 1 other than those addressed in other Officer's Reports.
410. Relevant submissions received on the PDP in 2020 are:
- a. The Ministry of Education [134.31] seeks that a new rule is added that provides for educational facilities as a discretionary activity within the GIZ, noting that these would currently be a non-complying activity;
  - b. The Dept. of Corrections [135.7] seeks that the rules be amended to include community corrections activities as a permitted activity; and
  - c. Harvey Norman [144.76], FENZ [119.73] and Bunnings Limited [9.21] seek that GIZ-R4, GIZ-R13 and GIZ-R14, respectively, be retained as notified in 2020.

### 3.11.3.2 Assessment

411. In relation to the submission from the Ministry of Education [134.31] and the Dept. of Corrections [135.7], I consider that providing for education and community corrections facilities within the GIZ would be contrary to the relevant objectives and policies of the GIZ including GIZ-O3 and GIZ-P2, as well as the PDP's strategic objective for Industrial Zones (CEI-O7) which seeks to protect industry-based employment and economic development opportunities from incompatible activities. Education and community corrections facilities may be sensitive to the adverse effects of industrial activities and therefore their location within the GIZ may compromise the purpose of the zone.

412. In relation to the submissions from Harvey Norman [144.76], FENZ [119.73] and Bunnings Limited [9.21], GIZ-R4 (industrial activity), GIZ-R13 (trade supplier) and GIZ-R14 (emergency services facility) are all subject to proposed amendments through Variation 1. I consider that the amendments simplify the requirements for activities within the zone, and therefore the retention of the rules as notified in 2020 is not appropriate. I also consider that the changes to these rules are individually relatively significant and as such recommend that these submissions are rejected.

### 3.11.3.3 Summary of recommendations

413. I recommend for the reasons given in the assessment, that the submissions from Ministry of Education [134.31], Dept. of Corrections [135.7], Harvey Norman [144.76], FENZ [119.73] and Bunnings Limited [9.21] be **rejected**.

414. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

## 3.11.4 Standards

### 3.11.4.1 Matters raised by submitters

415. The only relevant submission point, other than those addressed in other Officer's Reports, relates to the PDP as notified in 2020 from Bunnings Limited [9.22]. The submitter seeks amendments to GIZ-S5 to replace the word 'fully' with 'adequately' and include specific measurements of '1.8m' in relation to a fence and '2m' in relation to landscaping. The stated reasons include that greater specificity can be introduced in terms of the requirement to be achieved and clearly demonstrate compliance or not.

### 3.11.4.2 Assessment

416. I generally agree with the reasons of Bunnings Limited [9.22] in relation to GIZ-S5 that greater specificity would improve the implementation of the standard.

417. I note that Variation 1 amended the standard to include the specific measurement of 1.8 metres high in relation to a fence or landscaping. I do not consider that any further amendments are necessary, for the same reasons as stated in 3.8.5.2.

### 3.11.4.3 Summary of recommendations

418. I recommend for the reasons given in the assessment, that the submission from Bunnings Limited [9.22] be **accepted in part**.

419. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.



## 4 Conclusions


420. Submissions have been received in support of, and in opposition to the PDP and Variation 1.
421. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the PDP should be amended as set out in Appendix A of this report.
422. For the reasons set out in the Section 32AA evaluation included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
- a. Achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives; and
  - b. Achieve the relevant objectives of the PDP, in respect to the proposed provisions.

### Recommendations:

I recommend that:

1. The Hearing Commissioners accept, accept in part, or reject submissions (and associated further submissions) as outlined in Appendix B of this report; and
2. The PDP is amended in accordance with the changes recommended in Appendix A of this report.

### Signed:

Name and Title		Signature
Report Author	Michael D Rachlin	

## Appendix A. Recommended Amendments to Commercial and Mixed Use Zones chapters

Where I recommend changes in response to submissions, these are shown as follows:

- Text recommended to be added to the PDP is in red and underlined.
- Text recommended to be deleted from the PDP is in red and ~~struckthrough~~.



## LRFZ – Large Format Retail Zone

LFRZ-R17	Food and beverage activity
	<p><b>1. Activity status: Permitted<sup>34</sup></b></p> <p><u>Where:</u></p> <p><u>a. The activity is ancillary to a large format retail activity on the site; and</u>  <u>b. The gross floor area of the activity does not exceed 120m<sup>2</sup>.<sup>35</sup></u></p>
	<p><b>1. Activity status: Restricted discretionary</b></p> <p><u>Where:</u></p> <p><u>a. Compliance is not achieved with LFRZ-R17-1.a or LFRZ-R17-1.b.<sup>36</sup></u></p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in LFRZ-P4.</p> <p><b>Notification:</b></p> <p>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>

[...]

LFRZ-S6	Screening and landscaping of parking areas
	<p>1. Any on-site parking area must be fully screened by a <b>1.8m high<sup>37</sup></b> fence or landscaping from any directly adjoining site zoned High Density Residential Zone, Open Space Zone or Sport and Active Recreation Zone.</p> <p>2. At least 5% of any ground level parking area not contained within a building must be landscaped.</p> <p>3. Where a ground level parking area adjoins the street edge, a landscaping strip must be provided along the street edge, that extends at least 1.5m from the boundary with a road and comprise a mix of trees, shrubs and ground cover plants, without preventing the provision of an entry point.</p>
	<p>Matters of discretion are restricted to:</p> <p>3. Any adverse effects on the streetscape; and</p> <p>4. The visual amenity of adjoining Residential or Open Space and Recreation sites including shading and loss of privacy</p>

<sup>34</sup> Harvey Norman [144.41]<sup>35</sup> Ibid<sup>36</sup> Ibid<sup>37</sup> Foodstuffs [122.21]



**MUZ – Mixed Use Zone**

<b>MUZ-R1</b>	<b>New buildings and structures, and alterations, repairs and additions to existing buildings and structures</b>
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[...]

**3. Activity status: Restricted discretionary**

Where:

- b. Compliance is not achieved with MUZ-R1-1.b.

Matters of discretion are restricted to:

2. The matters of discretion of any infringed standard.

**Notification:**

- An application under this rule where compliance is not achieved with MUZ-S2, MUZ-S3 or MUZ-S6 is precluded from being publicly notified in accordance with section 95A of the RMA.
- An application under this rule where compliance is not achieved with MUZ-S4 ~~or MUZ-S5~~<sup>38</sup> is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.

**MCZ – Metropolitan Centre Zone**

<b>MCZ-P4</b>	<b>Other activities</b>
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Provide for other activities within the Metropolitan Centre Zone where:

1. Any significant adverse effects, can be avoided, remedied or mitigated;
2. The activity is consistent with the planned urban built environment and purpose of the zone;
3. For any retirement village:
  - a. ~~On-site amenity for residents is provided,~~ which reflects the nature of and diverse needs of residents of the village; ~~and~~

~~4. Any potential reverse sensitivity effects on the continued operation of non-residential activities are minimised.<sup>39</sup>~~

<sup>38</sup> Kāinga Ora [OS76.295]<sup>39</sup> Kāinga Ora [OS76.317]

[...]

<b>MCZ-R1</b>	<b>New buildings and structures, and alterations, repairs and additions to existing buildings and structures</b>
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1. Activity status: **Permitted**

Where:

- a. The gross floor area of the new building, structure or addition to an existing building or structure is no more than 450m<sup>2</sup>; and
- b. Compliance is achieved with:
  - i. MCZ-S1;
  - ii. MCZ-S2;
  - iii. MCZ-S3;
  - iv. MCZ-S5; and
  - v. MCZ-S6.

Except that:

MCZ-S1, ~~MCZ-S2~~<sup>40</sup>, MCZ-S3, MCZ-S5 and MCZ-S6 do not apply to alterations and repairs to existing buildings and structures.

[...]

3. Activity status: **Restricted discretionary**

Where:

- b. Compliance is not achieved with MCZ-R1-1.b.

Matters of discretion are restricted to:

2. The matters of discretion of the infringed standard.

**Notification:**

An application under this rule where compliance is not achieved with MCZ-S2, MCZ-S3, ~~MCZ-S4~~<sup>41</sup>, MCZ-S5, or MCZ-S6 is precluded from being publicly notified in accordance with section 95A of the RMA.

[...]

<b>MCZ-S1</b>	<b>Height</b>
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1. All buildings and structures must not exceed a maximum height above ground level of ~~50~~<sup>42</sup>m.

Matters of discretion are restricted to:

<sup>40</sup> Foodstuffs [122.34]

<sup>41</sup> Kāinga Ora [OS76.323]

<sup>42</sup> Kāinga Ora [OS76.29]

	<ol style="list-style-type: none"> <li>1. The location, design and appearance of the building or structure;</li> <li>2. Loss of sunlight to adjacent public space;</li> <li>3. Shading to surrounding buildings;</li> <li>4. Shading and loss of privacy for any adjacent residential activity;</li> <li>5. Wind effects on the safety and amenity of the adjacent public space;</li> <li>6. The planned urban built environment; and</li> <li>7. Whether an increase in building height results from a response to natural hazard mitigation.</li> </ol>
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**NCZ – Neighbourhood Centre Zone**

<b>NCZ-R1</b>	<b>New buildings and structures, and alterations, repairs and additions to existing buildings and structures</b>
	<p>1. Activity status: <b>Permitted</b></p> <p>Where</p> <p style="padding-left: 40px;">b. Compliance is achieved with:</p> <ol style="list-style-type: none"> <li>i. NCZ-S1;</li> <li>ii. NCZ-S2;</li> <li>iii. NCZ-S3;</li> <li>iv. NCZ-S4; and</li> <li>v. NCZ-S7.</li> </ol> <p>Except that:</p> <ul style="list-style-type: none"> <li>• NCZ-S4 does not apply to papakāinga.</li> <li>• NCZ-S1, NCZ-S2, NCZ-S3, <u>NCZ-S4</u>, and NCZ-S7 do not apply to alterations and repairs to existing buildings and structures.</li> </ul>

<b>NCZ-S2</b>	<b>Height in relation to boundary</b>
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1. All buildings and structures must not project beyond a:

- a. 60° recession plane measured from a point 4m vertically above ground level along any side or rear boundary where that boundary adjoins a site zoned Medium Density Residential Zone, Open Space Zone or Sport and Active Recreation Zone; or
- b. 60° recession plane measured from a point 8m vertically above ground level along any side or rear boundary where that boundary adjoins a site zoned High Density Residential Zone
- c. 60° recession plane measured from a point 6m vertically above ground level along any side or rear boundary where that boundary adjoins a site located in the Residential Intensification Precinct in the Medium Density Residential Zone.<sup>43</sup>

[.....]

**LCZ – Local Centre Zone**

LCZ-P4	Other activities
<p>Provide for other activities within the Local Centre Zone, including larger-scale activities where:</p> <ol style="list-style-type: none"> <li>1. Any significant adverse effects, <del>including reverse sensitivity effects</del><sup>44</sup>, can be avoided, remedied or mitigated;</li> <li>2. The activity is consistent with the planned urban built environment and does not compromise activities that are enabled within the Local Centre Zone;</li> <li>3. For any retirement village:               <ol style="list-style-type: none"> <li>a. On-site amenity for residents is provided, which reflects the nature of and diverse needs of residents of the village; and</li> <li>b. Any potential reverse sensitivity effects on the continued operation of non-residential activities are minimised;</li> </ol> </li> <li>4. They are of a size and scale that does not undermine the role and function of the Metropolitan Centre Zone.</li> </ol>	

LCZ-R1	New buildings and structures, and alterations, repairs and additions to existing buildings and structures
	<ol style="list-style-type: none"> <li>1. Activity status: <b>Permitted</b></li> </ol> <p>Where:</p> <ol style="list-style-type: none"> <li>c. The gross floor area of the new building or structure, or addition to an existing building or structure is no more than 450m<sup>2</sup>; and</li> <li>d. Compliance is achieved with:               <ol style="list-style-type: none"> <li>i. LCZ-S1;</li> <li>ii. LCZ-S2;</li> <li>iii. LCZ-S3;</li> <li>iv. LCZ-S4; and</li> </ol> </li> </ol>

<sup>43</sup> Kāinga Ora [OS76.237]

<sup>44</sup> Kāinga Ora [OS76.254]

v. LCZ-S7.

Except that:

- LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4<sup>45</sup> and LCZ-S7 do not apply to alterations and repairs to existing buildings and structures.

LCZ-S4 does not apply to papakāinga.

**LCZ-S4 Active street frontages**

1. [.....]
2. For sites with primary frontage controls identified on the planning maps:
  - a. At least 55% of the ground floor building frontage must be display windows or transparent glazing; and
  - b. The principal public entrance to the building must be ~~located on~~ orientated to<sup>46</sup> the front boundary.
3. [.....]

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<sup>45</sup> Foodstuffs [122.14]

<sup>46</sup> Ibid

## **Appendix B. Recommended Responses to Submissions and Further Submissions**

The recommended responses to the submissions made on this topic are presented in Table B 1 below.



Table B 1: Recommended responses to submissions and further submissions on the PDP

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
<b>Centres hierarchy and distribution of business activities</b>								
81.920	Kāinga Ora	Commercial zones	The City Centre, Local, Neighbourhood and Mixed Use zones are generally supported	n/a	Accept	Agree with the submitter	No	Yes
81.921 <sup>47</sup>	Kāinga Ora	Commercial zones	Seek increase permitted height in these zones [City Centre Zone, Local Centre Zone and Mixed Use Zone]	n/a	Accept	Agree with the submitter	No	Yes
<b>House Movers Association</b>								
167.7 <sup>48</sup>	House Movers Association	NCZ - New Provision	<p>Expressly provide for relocation, removal, and re-siting of dwellings as a permitted activity subject to the same zone standards as in situ dwellings. Accompany the permitted activity classification with the following performance standards in addition to the zone performance standards which currently apply to "Construction Activity":</p> <p><u>a. Any relocated building complies with the relevant standards for Permitted Activities in the District Plan;</u></p> <p><u>b. Any relocated dwelling must have been previously designed, built and used as a dwelling;</u></p> <p><u>c. A building inspection report shall accompany the building consent for the building/dwelling (refer Schedule 1). The report is to identify all reinstatement work required to the exterior of the building/dwelling;</u></p> <p><u>d. The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site;</u></p> <p><u>e. All work required to reinstate the exterior of any relocated building/dwelling, including the siting of the building/dwelling on permanent foundations, shall be completed within 12 months of the building being delivered to the site.</u></p> <p>A non-notified restricted discretionary activity status for relocated buildings that do not comply with the performance standards, with the following assessment criteria:</p> <p><u>Restricted Discretionary Activity (on a non-notified, non-service basis)</u></p> <p><u>Where an activity is not permitted by this Rule, Council will have regard to the following matters when considering an application for resource consent:</u></p> <p><u>i) Proposed landscaping;</u></p> <p><u>ii) the proposed timetable for completion of the work required to reinstate the exterior of the building and connections to services.</u></p> <p>Provides a suggested pre-inspection report which may either be a non-statutory form, or prescribed into the plan, or to similar effect [Refer to original submission, including appendices].</p>	3.5	Reject	See body of report	No	Yes

<sup>47</sup> Opposed – [Name withheld for privacy reasons][FS17.13]<sup>48</sup> Opposed by Kāinga Ora [FS65.362]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			Any further or consequential amendments to give effect to this submission in accordance with the reasons for this submission and the relief sought.					
167.8 <sup>49</sup>	House Movers Association	New Provision	<p>Expressly provide for relocation, removal, and re-siting of dwellings as a permitted activity subject to the same zone standards as in situ dwellings. Accompany the permitted activity classification with the following performance standards in addition to the zone performance standards which currently apply to "Construction Activity":</p> <p><u>a. Any relocated building complies with the relevant standards for Permitted Activities in the District Plan;</u></p> <p><u>b. Any relocated dwelling must have been previously designed, built and used as a dwelling;</u></p> <p><u>c. A building inspection report shall accompany the building consent for the building/dwelling (refer Schedule 1). The report is to identify all reinstatement work required to the exterior of the building/dwelling;</u></p> <p><u>d. The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site;</u></p> <p><u>e. All work required to reinstate the exterior of any relocated building/dwelling, including the siting of the building/dwelling on permanent foundations, shall be completed within 12 months of the building being delivered to the site.</u></p> <p>A non-notified restricted discretionary activity status for relocated buildings that do not comply with the performance standards, with the following assessment criteria:</p> <p><u>Restricted Discretionary Activity</u> <u>(on a non-notified, non-service basis)</u> <u>Where an activity is not permitted by this Rule, Council will have regard to the following matters when considering an application for resource consent:</u></p> <p><u>i) Proposed landscaping;</u></p> <p><u>ii) the proposed timetable for completion of the work required to reinstate the exterior of the building and connections to services.</u></p> <p>Provides a suggested pre-inspection report which may either be a non-statutory form, or prescribed into the plan, or to similar effect [Refer to original submission, including appendices].</p> <p>Any further or consequential amendments to give effect to this submission in accordance with the reasons for this submission and the relief sought.</p>	3.5	Reject	See body of report.	No	Yes
167.9 <sup>50</sup>	House Movers Association	New Provision	Expressly provide for relocation, removal, and re-siting of dwellings as a permitted activity subject to the same zone standards as in situ dwellings.	3.5	Reject	See body of report	No	Yes

<sup>49</sup> Oppose Kāinga Ora [FS65.390]

<sup>50</sup> Opposed by Kāinga Ora [FS65.397]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>Accompany the permitted activity classification with the following performance standards in addition to the zone performance standards which currently apply to "Construction Activity":</p> <ul style="list-style-type: none"> <li>a. <u>Any relocated building complies with the relevant standards for Permitted Activities in the District Plan;</u></li> <li>b. <u>Any relocated dwelling must have been previously designed, built and used as a dwelling;</u></li> <li>c. <u>A building inspection report shall accompany the building consent for the building/dwelling (refer Schedule 1). The report is to identify all reinstatement work required to the exterior of the building/dwelling;</u></li> <li>d. <u>The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site;</u></li> <li>e. <u>All work required to reinstate the exterior of any relocated building/dwelling, including the siting of the building/dwelling on permanent foundations, shall be completed within 12 months of the building being delivered to the site.</u></li> </ul> <p>A non-notified restricted discretionary activity status for relocated buildings that do not comply with the performance standards, with the following assessment criteria:</p> <p><u>Restricted Discretionary Activity</u> <u>(on a non-notified, non-service basis)</u> <u>Where an activity is not permitted by this Rule, Council will have regard to the following matters when considering an application for resource consent:</u></p> <ul style="list-style-type: none"> <li>i) <u>Proposed landscaping;</u></li> <li>ii) <u>the proposed timetable for completion of the work required to reinstate the exterior of the building and connections to services.</u></li> </ul> <p>Provides a suggested pre-inspection report which may either be a non-statutory form, or prescribed into the plan, or to similar effect [Refer to original submission, including appendices].</p> <p>Any further or consequential amendments to give effect to this submission in accordance with the reasons for this submission and the relief sought.</p>					
167.10	House Movers Association	New Provision	<p>Expressly provide for relocation, removal, and re-siting of dwellings as a permitted activity subject to the same zone standards as in situ dwellings. Accompany the permitted activity classification with the following performance standards in addition to the zone performance standards which currently apply to "Construction Activity":</p> <ul style="list-style-type: none"> <li>a. <u>Any relocated building complies with the relevant standards for Permitted Activities in the District Plan;</u></li> <li>b. <u>Any relocated dwelling must have been previously designed, built and used as a dwelling;</u></li> <li>c. <u>A building inspection report shall accompany the building consent for the building/dwelling (refer Schedule 1). The report is to identify</u></li> </ul>	3.5	Reject	See body of report	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p><u>all reinstatement work required to the exterior of the building/dwelling;</u>  <u>d. The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site;</u>  <u>e. All work required to reinstate the exterior of any relocated building/dwelling, including the siting of the building/dwelling on permanent foundations, shall be completed within 12 months of the building being delivered to the site.</u></p> <p>A non-notified restricted discretionary activity status for relocated buildings that do not comply with the performance standards, with the following assessment criteria:  <u>Restricted Discretionary Activity</u>  <u>(on a non-notified, non-service basis)</u>  <u>Where an activity is not permitted by this Rule, Council will have regard to the following matters when considering an application for resource consent:</u>  <u>i) Proposed landscaping;</u>  <u>ii) the proposed timetable for completion of the work required to reinstate the exterior of the building and connections to services.</u></p> <p>Provides a suggested pre-inspection report which may either be a non-statutory form, or prescribed into the plan, or to similar effect [Refer to original submission, including appendices].  Any further or consequential amendments to give effect to this submission in accordance with the reasons for this submission and the relief sought.</p>					
<b>NCZ – Neighbourhood Centre Zone</b>								
81.646	Kāinga Ora	Multiple provisions Notification preclusion	<p>Kāinga Ora seeks consequential changes consistent with its overall submission on the Plan. Key areas of concern are (but not limited to):</p> <ol style="list-style-type: none"> <li>1. Review and re-drafting of notification exclusion clauses;</li> <li>2. Removal of provisions specific to “multi-unit housing” and integration within policies, rules and standards more generally;</li> <li>3. Change language to align with NPS-UD - “planned built urban form” in anticipation of changing character and associated amenity values; and</li> <li>4. Consequential changes to the numbering of provisions following changes sought throughout chapter.</li> </ol>	3.6.1	Accepted in part	See body of the report	No	Yes
81.647	Kāinga Ora	General	<p>Amend:</p> <p>The Neighbourhood Centre Zone provides for a range of small-scale commercial, retail and community activities that service the day-to-day needs of the surrounding residential neighbourhood. Neighbourhood Centres provide a limited range of services, employment, and living opportunities at a scale appropriate to the residential neighbourhoods they are located in. In general, Neighbourhood Centres are of a low to medium <del>scale density</del> that aligns well with the <u>planned urban built form of the surrounding residential neighbourhood.</u></p>	3.6.1	Accepted in part	See body of the report	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>Most of Porirua's Neighbourhood Centre Zones usually typically comprise of three to five small-scale shops and services, and are characterised by buildings that are of a very similar scale to the surrounding residential neighbourhood. Neighbourhood Centres are generally located near the street edge sometimes with verandas and retail display windows along the frontage. Typically buildings are The planned urban built form of the zone anticipates buildings up to three storeys high, which typically reflects the planed urban built form of the surrounding residential neighbourhood. Parking is usually available on the street and while some Neighbourhood Centres have designated parking areas, these are mostly located in front of the shops. Some Neighbourhood Centres include residential units. Residential units are anticipated in Neighbourhood Centres.</p> <p>Due to the small size spatial footprint and the location within residential neighbourhoods (often abutting residential sites) any non-residential activities and developments have the potential to generate adverse effects on surrounding residential areas and accordingly effects at the zone interface are managed through District Plan controls.</p>					
81.648	Kāinga Ora	NCZ-O1	Retain as notified.	3.6.3	Accepted in part	See body of the report	No	Yes
81.649	Kāinga Ora	NCZ-O2	<p>Amend:  <u>NCZ-O2 Planned urban built environment of the Neighbourhood Centre Zone</u>            Built development in the Neighbourhood Centre Zone:</p> <ol style="list-style-type: none"> <li>Is of low to medium density and reflects the character planned urban built form of the surrounding residential neighbourhood; and</li> <li>Is well-designed and contributes positively to the residential environment context.</li> </ol>	3.6.3	Accepted in part	See body of the report	No	Yes
122.9	Foodstuffs	NCZ-O2	<p>Amend objective as follows:            Built development in the Neighbourhood Centre Zone:</p> <ol style="list-style-type: none"> <li>Is of low to medium density and reflects the character of the surrounding residential neighbourhood; and</li> <li>Is well-designed, responds and contributes positively to the residential context.</li> </ol> <p><u>Where preferred built form outcomes are not achieved, development needs to achieve a quality built environment by positively contributing to public open space.</u></p>	3.6.3	Reject	See body of the report	No	Yes
81.650	Kāinga Ora	NCZ-O3	<p>Amend:            Use and development within the Neighbourhood Centre Zone:</p> <ol style="list-style-type: none"> <li>Are of an appropriate scale and proportion for the purpose and planned urban built form of the zone and the surrounding residential environment; and</li> <li>Have minimal adverse <u>Minimise</u> adverse effects on the amenity values of adjacent sites in Residential Zones and Open Space and Recreation Zones.</li> </ol>	3.6.3	Accept	Agree with submitter	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
81.651	Kāinga Ora	NCZ-P1	Amend: Enable activities that are compatible with the <u>planned purpose, character and amenity values and urban built form</u> of the Neighbourhood Centre Zone; and: 1. <del>Service the day-to-day needs of the immediate residential neighbourhood; and</del> 2. <del>Minimise any adverse effects on the use and amenity of adjoining sites in Residential Zones and Open Space and Recreation Zones.</del>	3.6.4	Accepted in part	See body of the report	No	Yes
81.652	Kāinga Ora	NCZ-P2	Amend: Provide for residential activity where: 1. It is located above ground floor or to the rear of the commercial frontage; 2. It does not <del>interrupt or preclude</del> <u>compromise</u> an active <del>building</del> frontage that addresses the street; and 3. Any residential unit is designed to: <u>incorporate adequate provision of onsite amenity for the occupants and minimise reverse sensitivity effects on commercial activities.</u> a. <del>Ensure that indoor noise and ventilation levels are appropriate for occupants, thereby minimising reverse sensitivity on existing commercial activities; and</del> b. <del>Provide amenity for occupants in respect to outlook, privacy and daylight.</del>	3.6.4	Accepted in part	See body of the report	No	Yes
81.653	Kāinga Ora	NCZ-P3	Amend: <del>Only allow</del> <u>Provide</u> for other activities, including larger-scale commercial activities and retail activities, where: 1. Any significant adverse effects, including reverse sensitivity effects, can be avoided, remedied or mitigated; 2. The intensity and scale of the activity is consistent with the <del>anticipated character and amenity values</del> <u>planned urban built form</u> of the Neighbourhood Centre Zone and the surrounding area; 3. The design and location of any <u>onsite</u> parking areas, vehicle access and servicing arrangements maintain streetscape amenity and do not compromise pedestrian and cyclist safety; and 4. They are of a size and scale that: a. Does not compromise activities that are enabled within the Zone; and b. Does not undermine the role and function of the City Centre Zone.	3.6.4	Accepted in part	See body of the report	No	Yes
81.654	Kāinga Ora	NCZ-P4	Amend: Avoid activities that are incompatible with the <u>planned urban built form, role, and function size and anticipated purpose, character and amenity values</u> of the Neighbourhood Centre Zone and the surrounding environment.	3.6.4	Accepted in part	See body of the report	No	Yes
122.10	Foodstuffs	NCZ-P5	Amend NCZ-P5 Built development to be read as follows: Provide for built development that: 1. Is compatible with the purpose of the Neighbourhood Centre Zone;	3.6.4	Reject	See body of the report	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			2. Reflects the low to medium density scale and built character of the Neighbourhood Centre Zone; 3. Is well designed and contributes to an attractive urban environment; <del>and</del> 4. Is of a scale that is consistent with the anticipated character and amenity values of the surrounding residential area; <del>and</del> 5. Recognise the functional and operational requirements of these activities.					
81.655	Kāinga Ora	NCZ-P5	Amend: Provide for built development that: 1. Is compatible with the purpose <u>and planned urban built form</u> , of the Neighbourhood Centre Zone; 2. <del>Reflects the low to medium density scale and built character of the Neighbourhood Centre Zone;</del> 3. Is well designed and contributes to an attractive urban environment; and 4. Is of a scale that is consistent with the <del>anticipated character</del> <u>planned urban built form</u> and amenity values of the surrounding residential area.	3.6.4	Accepted in part	See body of the report	No	Yes
81.656	Kāinga Ora	NCZ-P6	Retain as notified	3.6.4	Accepted in part	See body of the report	No	Yes
81.657	Kāinga Ora	NCZ-P7	Retain as notified	n/a	Accept	Agree with submitter	No	Yes
122.37 <sup>51</sup>	Foodstuffs	General	Insert new rule providing for supermarkets in the NCZ as a permitted activity.	3.6.2	Accept	See body of the report	No	Yes
81.658	Kāinga Ora	NCZ-R1 Notification preclusion	Amend: <b>1. Activity status: Permitted</b> Where a. Compliance is achieved with: i. NCZ-S1; ii. NCZ-S2; iii. NCZ-S3; iv. NCZ-S4; v. NCZ-S5; vi. NCZ-S6; and vii. NCZ-S7. <b>2. Activity status: Restricted discretionary</b> Where: a. Compliance is not achieved with NCZ-S1, NCZ-S2, NCZ-S3, NCZ-S4, NCZ-S5, NCZ-S6 or NCZ-S7. <b>Matters of discretion are restricted to:</b> 1. The matters of discretion of any infringed standard. <b>Notification:</b> • An application under this rule where compliance is not achieved with NCZ-S2, NCZ-S3, <del>NCZ-S4, NCZ-S5</del> or NCZ-S7 is precluded from	3.6.5	Accept in part	See body of the report	No	Yes

<sup>51</sup> Opposed by Kāinga Ora [FS65.361]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			being publicly notified in accordance with section 95A of the RMA. An application under this rule where compliance is not achieved with <u>NCZ-S4, NCZ-S5, or NCZ-S6</u> is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.					
81.659	Kāinga Ora	NCZ-R2	Retain as notified	n/a	Accept	Agree with submitter	No	Yes
81.660	Kāinga Ora	NCZ-R3	Retain as notified.	3.6.5	Reject	See body of the report	No	Yes
122.7	Foodstuffs	NCZ-R3	Retain rule NCZ-R3 as notified.	3.6.5	Reject	See body of the report	No	Yes
81.661	Kāinga Ora	NCZ-R4	Retain as notified.	3.6.5	Reject	See body of the report	No	Yes
81.662	Kāinga Ora	NCZ-R5	Retain as notified	3.6.5	Reject	See body of the report	No	Yes
81.663	Kāinga Ora	NCZ-R6	Retain as notified.	3.6.5	Reject	See body of the report	No	Yes
81.664	Kāinga Ora	NCZ-R7	Retain as notified	3.6.5	Reject	See body of the report	No	Yes
134.27	Ministry of Education	NCZ-R7	Retain as proposed	3.6.5	Reject	See body of the report	No	Yes
81.665	Kāinga Ora	NCZ-R8	Retain as notified.	3.6.5	Reject	See body of the report	No	Yes
81.666	Kāinga Ora	NCZ-R9	Retain as notified.	3.6.5	Reject	See body of the report	No	Yes
81.667	Kāinga Ora	NCZ-R10	Amend: <b>1. Activity status: Permitted</b> Where: a. — No more than two residential units occupy the site; and b. — Compliance is achieved with: i. — NCZ-S5; and ii. — NCZ-S6. <del><b>2. Activity status: Restricted discretionary</b></del> Where: a. — Compliance is not achieved with NCZ-R10 1.a. <b>Matters of discretion are restricted to:</b> 1. — The matters in NCZ-P2 and NCZ-P6. Notification: An application under this rule is precluded from being publicly and limited notified in accordance with sections 95A and 95B of the RMA. - <del><b>3. Activity status: Restricted discretionary</b></del> Where: a. — Compliance is not achieved with NCZ-S5 and NCZ-S6. Matters of discretion are restricted to 1. — The matters of discretion of any infringed standard. Notification:	3.6.5	Reject	See body of the report	No	Yes



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<ul style="list-style-type: none"> <li>An application under this rule where compliance is not achieved with NCZ-S5 is precluded from being publicly notified in accordance with section 95A of the RMA.</li> </ul> <p>An application under this rule where compliance is not achieved with <u>NCZ-S5 and NCZ-S6</u> is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</p>					
81.668	Kāinga Ora	NCZ-R11	Retain as notified.	3.6.5	Reject	See body of the report	No	Yes
119.65	FENZ	NCZ-R11	Retain as proposed.	3.6.5	Reject	See body of the report	No	Yes
81.669	Kāinga Ora	NCZ-R12	Retain as notified.	n/a	Accept	Agree with submitter	No	Yes
81.670	Kāinga Ora	NCZ-R13	Retain as notified.	n/a	Accept	Agree with submitter	No	Yes
81.671	Kāinga Ora	NCZ-R14	Retain as notified.	n/a	Accept	Agree with submitter	No	Yes
81.672	Kāinga Ora	NCZ-R15	Retain as notified.	n/a	Accept	Agree with submitter	No	Yes
81.673	Kāinga Ora	NCZ-R16	Retain as notified.	n/a	Accept	Agree with submitter	No	Yes
81.674	Kāinga Ora	NCZ-R17	Retain as notified.	n/a	Accept	Agree with submitter	No	Yes
81.675	Kāinga Ora	NCZ-R18	Retain as notified.	n/a	Accept	Agree with submitter	No	Yes
9.5	Bunnings Limited	NCZ-R18	Retain rule as a non-complying.	n/a	Accept	Agree with submitter	No	Yes
81.676	Kāinga Ora	NCZ-R19	Retain as notified.	n/a	Accept	Agree with submitter	No	Yes
81.677	Kāinga Ora	NCZ-R20	Retain as notified.	n/a	Accept	Agree with submitter	No	Yes
81.678	Kāinga Ora	NCZ-R21	Retain as notified.	n/a	Accept	Agree with submitter	No	Yes
119.66	FENZ	NCZ-S1	<p>Amend standard as follows:  NCZ-S1 Height  1. All buildings and structures must not exceed a maximum height above ground level of 11m, except that:  An additional 1m can be added to the maximum height of any building with a roof slope of 15° or greater; and</p> <ul style="list-style-type: none"> <li>Any fence or standalone wall along a side or rear boundary which adjoins a site zoned General Residential Zone, Medium Density Residential Zone, Open Space Zone or Sport and Active Recreation Zone must not exceed 2m in height.</li> </ul> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> <li>Solar water heating components provided these do not exceed the height by more than 1m.</li> <li>Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m.</li> <li>Antennas, aerials, and flues provided these do not exceed the height by more than 1m.</li> <li>Satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) provided these do not exceed the height by more than 1m.</li> <li>Lift overruns provided these do not exceed the height by more than 1m.</li> </ul> <p><u>Emergency service facilities and hose drying towers up to 15m associated with emergency service facilities.</u></p>	n/a	Accept	See body of the report	Yes – See Officer's Report: Part B – FENZ and RNZ	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
81.679	Kāinga Ora	NCZ-S1	<p>Amend:</p> <p>1. All buildings and structures must not exceed a maximum height above ground level of 11m, except that:</p> <p>a. An additional 1m can be added to the maximum height of any building with a roof slope of 15° or greater; and</p> <p>b. Any fence or standalone wall along a side or rear boundary which adjoins a site zoned General Residential Zone, Medium Density Residential Zone, Open Space Zone or Sport and Active Recreation Zone must not exceed 2m in height.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> <li>Solar water heating components provided these do not exceed the height by more than 1m.</li> <li>Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m.</li> <li>Antennas, aerials, and flues provided these do not exceed the height by more than 1m.</li> <li>Satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) provided these do not exceed the height by more than 1m.</li> <li>Lift overruns provided these do not exceed the height by more than 1m.</li> </ul> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>The location, design and appearance of the building or structure;</li> <li>Any adverse effects on the streetscape <u>taking into account the context, topography of the site and its surrounds and planned urban built form;</u></li> <li>Visual dominance, shading and loss of privacy for adjoining Residential or Open Space and Recreation zoned sites;</li> <li>Compatibility with the anticipated scale, proportion and context of buildings, structures and activities in the surrounding area; and</li> <li>Whether an increase in building height results from a response to natural hazard mitigation.</li> </ol>	3.6.6	Accept in part	See body of the report	No	Yes
81.680	Kāinga Ora	NCZ-S2	Retain as notified.	3.6.6	Reject	See body of the report	No	Yes
81.681	Kāinga Ora	NCZ-S3	<p>Amend:</p> <p>1. Buildings and structures must not be located within a <del>1.5m</del> <del>3m</del> setback from a side or rear boundary where that boundary adjoins a General Residential Zone, Medium Density Residential Zone, Open Space Zone or Sport and Active Recreation Zone.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> <li>One accessory building or structure less than 2m in height and less than 7m long per site.</li> <li>Fences and standalone walls.</li> </ul> <p><b>Matters of discretion are restricted to:</b></p>	3.6.6	Reject	See body of the report	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<del>1. The visual amenity of adjoining Residential and Open Space and Recreation sites;</del> 2. The location, design and appearance of the building or structure; 3. Whether any architectural features or steps are proposed in the building façade to provide an attractive appearance when viewed from adjoining Residential or Open Space and Recreation sites; and 4. Any benefits, including the extent to which the reduced setback will result in a more efficient, practical and better use of the balance of the site.					
81.682	Kāinga Ora	NCZ-S4	Retain as notified.	3.6.6	Reject	See body of the report	No	Yes
122.8	Foodstuffs	NCZ-S4	Amend standard as follows: 1. All <u>new</u> buildings must be built up to and oriented towards the front boundary of the site. 2. At least 55% of the ground floor frontage of a <u>new</u> building fronting a street, pedestrian mall or other public space must be display windows or transparent glazing. 3. The principal public entrance to the <u>new</u> building must be located <del>on</del> <u>orientated</u> to the front boundary.	3.6.6	Accept in part	See body of the report	Yes	Yes
81.683	Kāinga Ora	NCZ-S5	Retain as notified.	3.6.6	Reject	See body of the report	No	Yes
81.684	Kāinga Ora	NCZ-S6	Amend: 1. Each residential unit located on the ground floor must be provided with an outdoor living space that: a. Has a minimum area of 20m <sup>2</sup> ; b. Has a minimum dimension of 3m; c. Is directly accessible from a habitable room <u>or kitchen</u> in the residential unit to which it relates; and d. Is free of buildings, parking spaces and manoeuvring areas. 2. Each residential unit located entirely above ground floor must be provided with an outdoor living space in the form of a balcony, deck or roof terrace that: a. Has a minimum area of <del>6m<sup>2</sup></del> 10m <sup>2</sup> ; b. Has a minimum dimension of <del>1.8m</del> 2m; and c. Is directly accessible from a habitable room <u>or kitchen</u> in the residential unit to which it relates. 3. <del>For multi-unit housing, t</del> The outdoor living space can be provided as private space and shared space provided that: a. Each residential unit is provided with a private outdoor living space that has a minimum area of <del>6m<sup>2</sup></del> 10m <sup>2</sup> with a minimum dimension of <del>1.8m</del> 2m, that is directly accessible from a habitable room <u>or kitchen</u> in the residential unit to which it relates;	3.6.6	Accept in part	See body of the report	Amended by Variation 1	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>b. The shared outdoor living space has a minimum area of 20m<sup>2</sup> with a minimum dimension of 3m; and</p> <p>c. Any ground floor outdoor living space is free of buildings, parking spaces and manoeuvring areas.</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. Whether adequate useable space is provided to accommodate outdoor activities;</li> <li>2. Whether there are topographical or other site constraints that make compliance with the standard impractical; and</li> <li>3. The proximity of the residential unit to accessible public open space.</li> </ol>					
81.685	Kāinga Ora	NCZ-S7	Retain as notified.	3.6.6	Reject	See body of the report	No	Yes
9.6	Bunnings Limited	NCZ-S7	<p>Amend the standard as follows:</p> <ol style="list-style-type: none"> <li>1. Any on-site service areas, including rubbish collection areas, and areas for the outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be <del>fully adequately</del> screened by a <u>1.8m</u> fence or <u>2m</u> landscaping <u>buffer</u> where they are visible from any: <ol style="list-style-type: none"> <li>a. Public road;</li> <li>b. Other public space; and</li> <li>c. Directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation.</li> </ol> </li> <li>2. Any on-site parking areas must be <del>fully adequately</del> screened by a <u>1.8m</u> fence or <u>2m</u> landscaping <u>buffer</u> from any directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation.</li> </ol>	3.6.6	Accept in part	See body of the report	No	Yes
122.11	Foodstuffs	NCZ-S7	<p>Amend the standard as follows:</p> <ol style="list-style-type: none"> <li>1. Any on-site service areas, including rubbish collection areas, and areas for the outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be <del>fully adequately</del> screened by a <u>1.8m</u> fence or <u>2m</u> landscaping <u>buffer</u> where they are visible from any: <ol style="list-style-type: none"> <li>a. Public road;</li> <li>b. Other public space; and</li> <li>c. Directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation.</li> </ol> </li> <li>2. Any on-site parking areas must be <del>fully adequately</del> screened by a <u>1.8m</u> fence or <u>2m</u> landscaping <u>buffer</u> from any directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation.</li> </ol>	3.6.6	Accept in part	See body of the report	No	Yes
<b>LCZ – Local Centre Zone</b>								
81.686	Kāinga Ora	Multiple provisions Notification preclusion	<p>Kāinga Ora seeks consequential changes consistent with its overall submission on the Plan. Key areas of concern are (but not limited to):</p> <ol style="list-style-type: none"> <li>1. Deletion of reference to Design Guides and requirement that development be “consistent” with these to achieve compliance;</li> </ol>	3.7.1	Accept in part	See body of the report	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>2. Review and re-drafting of notification exclusion clauses;</p> <p>3. Removal of provisions specific to “multi-unit housing” and integration within policies, rules and standards more generally;</p> <p>4. Review of height limits, both generally and in accordance with walkable catchments within proximity of the City Centre and Rapid Transit Stops. In places, this will require the introduction of a height variation control;</p> <p>5. Change language to align with NPS-UD - “planned built urban form” in anticipation of changing character and associated amenity values;</p> <p>6. Amend provisions with direct ‘avoid’ statements. This needs to be qualified in light of the King Salmon meaning of ‘avoid; and</p> <p>7. Consequential changes to the numbering of provisions following changes sought throughout chapter.</p>					
81.687	Kāinga Ora	General	<p>Amend:</p> <p>Local Centres are medium-scale commercial centres that are located conveniently to service the needs of the surrounding residential catchment. They provide for a range of retail, commercial and community activities, and offer services, employment and living opportunities. These can include supermarkets and medical centres. The actual size of the centres depends largely on the catchment they serve.</p> <p>Local Centres are at a scale that is appropriate to the surrounding residential area, while not undermining the primacy function, vitality, amenity, or viability of the City Centre.</p> <p>In general Local Centres are of medium <u>scale density</u>. Most of Porirua's Local Centre Zones have buildings located near the street edge with verandas and retail display windows along the frontage. <del>While the scale of the built form varies between each centre, buildings are typically two to three storeys high. The zone generally allows for buildings up to four commercial storeys. Parking is usually available on the street and some Local Centres have designated parking areas.</del></p> <p>The Local Centre Zone provides for residential activities above ground floor <u>promoting alternative housing options close to services and amenities</u>. <del>Being mostly located within residential catchments, non-residential activities and developments have the potential to generate adverse environmental effects on adjoining Residential and Open Space and Recreation Zones.</del> Most large format retail, larger commercial and light industrial activities are not anticipated within this zone as they are more appropriately located in the Large Format Retail Zone, the Mixed Use Zone or the City Centre Zone. <u>The interface of the local centres with the adjoining residential area is managed to ensure the planned outcomes for the adjacent residential zone are not significantly compromised.</u></p>	3.7.1	Accept in part	See body of the report	No	Yes
135.14	Dept. of Corrections	Objectives	Retain.	3.7.2	Reject	See body of the report	No	Yes
81.688	Kāinga Ora	LCZ-01	Retain as notified.	3.7.2	Reject	See body of the report	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
81.689	Kāinga Ora	LCZ-O2	Amend: <u>LCZ-O2 Planned urban built environment of the Local Centre Zone</u> Local Centres are safe and attractive urban environments, containing well-designed buildings that: <ol style="list-style-type: none"> <li>Are generally of a medium-density scale;</li> <li>Provide good quality commercial and residential environments;</li> <li>Are designed to minimise the opportunities for crime; and</li> <li>Contribute positively to the surrounding streetscape and residential environment.</li> </ol>	3.7.2	Accept in part	See body of the report	No	Yes
81.690	Kāinga Ora	LCZ-O3	Amend: Use and development within the Local Centre Zone: <ol style="list-style-type: none"> <li>Are of an appropriate scale and proportion for the <u>purpose and planned urban built form of the zone and the surrounding residential environment</u>; and</li> <li><del>Have minimal</del> Minimises adverse effects on the amenity values of adjacent sites in Residential Zones and Open Space and Recreation Zones.</li> </ol>	3.7.2	Accept in part	See body of the report	No	Yes
135.15	Dept. of Corrections	Policies	Retain.	3.7.3	Reject	See body of the report	No	Yes
190.10	Paremata Residents Association	LCZ-P1	Amend to enable the BP site on Mana Esplanade to be treated as a special case in the event that BP ever proposes to sell the site or change its use.	3.7.3	Reject	See body of the report	No	Yes
190.11 <sup>52</sup>	Paremata Residents Association	LCZ-P1	Amend to give priority to discussing possible options with Z Energy to ensure the views from the north end of their site between McDonalds restaurant and Goat Point are retained into the future.	3.7.3	Reject	See body of the report	No	Yes
81.691	Kāinga Ora	LCZ-P1	Amend: Enable activities that are compatible with the <u>planned purpose, character and amenity values and urban built form of the Local Centre Zone and:</u> <ol style="list-style-type: none"> <li><del>Service the needs of the surrounding residential catchment; and</del></li> <li><del>Minimise any adverse effects on the use and amenity of adjoining sites in Residential Zones and Open Space and Recreation Zones.</del></li> </ol>	3.7.3	Accept in part	See body of the report	No	Yes
69.13	Paremata Business Park Ltd	LCZ-P2	Amend: Provide for residential activity where: <ol style="list-style-type: none"> <li>It is located <u>entirely predominantly</u> above ground floor, where located along a primary frontage identified on the planning maps;</li> <li>It <u>mostly</u> does not interrupt or preclude an ongoing active building frontage that provides a positive interface with the public space;</li> <li>Any residential unit is designed to:</li> </ol>	3.7.3	Accept in part	See body of the report	No	Yes

<sup>52</sup> Opposed by Z Energy Ltd [FS58.1]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<ol style="list-style-type: none"> <li>1. Ensure that indoor noise and ventilation levels are appropriate for occupants; and</li> <li>2. Provide amenity for residents in respect to outlook, privacy and daylight;</li> <li>4. It is consistent with the Local Centre Zone Design Guide contained in APP7-Local Centre Zone Design Guide; and</li> <li>5. Reverse sensitivity effects on commercial activities are minimised.</li> </ol> <p>Or adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission.</p>					
81.692	Kāinga Ora	LCZ-P2	<p>Amend: Provide for residential activity where:</p> <ol style="list-style-type: none"> <li>1. It is located <del>entirely</del> above ground floor, <del>where when</del> located along a primary frontage identified on the planning maps;</li> <li>2. It does not <del>interrupt or preclude</del> <u>compromise</u> an ongoing active <del>building</del> frontage that provides a positive interface with the public space; <u>and</u></li> <li>3. Any residential unit is designed to <u>incorporate adequate provision of onsite amenity for the occupants and minimise reverse sensitivity effects on commercial activities.:</u> <ol style="list-style-type: none"> <li>a. <del>Ensure that indoor noise and ventilation levels are appropriate for occupants; and</del></li> <li>b. <del>Provide amenity for residents in respect to outlook, privacy and daylight.;</del></li> </ol> </li> <li>4. <del>It is consistent with the Local Centre Zone Design Guide contained in APP7-Local Centre Zone Design Guide; and</del></li> <li>5. <del>Reverse sensitivity effects on commercial activities are minimised.</del></li> </ol>	3.7.3	Accept in part	See body of the report	No	Yes
81.693	Kāinga Ora	LCZ-P3	<p>Amend: <del>Only allow</del> <u>Provide</u> for other activities including larger-scale activities where:</p> <ol style="list-style-type: none"> <li>1. Any significant adverse effects, including reverse sensitivity effects, can be avoided, remedied or mitigated;</li> <li>2. The intensity and scale of the activity is consistent with the <u>planned urban built form anticipated character and amenity values</u> of the Local Centre Zone and the surrounding area;</li> <li>3. The design and location of any <u>onsite</u> parking areas, vehicle access and servicing arrangements maintain streetscape amenity and do not compromise pedestrian safety;</li> <li>4. For any retirement village: <ol style="list-style-type: none"> <li>a. On-site amenity for residents is provided, which reflects the nature of and diverse needs of residents of the village; and</li> <li>b. Any potential reverse sensitivity effects on the continued operation of non-residential activities are minimised;</li> </ol> </li> </ol>	3.7.3	Accept in part	See body of the report	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>5. <del>Activation is achieved along identified street frontages; Any change to an active street frontage identified on the planning maps is consistent with the relevant frontage provisions of the Local Centre Zone Design Guide contained in APP7-Local Centre Zone Design Guide; and</del></p> <p>6. They are of a size and scale that:</p> <p>a. Does not compromise activities that are enabled within the zone; and</p> <p>b. Does not undermine the role and function of the City Centre Zone.</p>					
69.14	Paremata Business Park Ltd	LCZ-P4	<p>Amend:</p> <p><u>Avoid-Minimise adverse effects from</u> activities that are incompatible with the anticipated purpose, character and amenity values of the Local Centre Zone and the surrounding environment.</p> <p>Or adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission.</p>	3.7.3	Accept in part	See body of the report	No	Yes
82.281 <sup>53</sup>	Waka Kotahi	LCZ-P4	<p>Amend provision:</p> <p><u>Avoid activities that are incompatible with the anticipated purpose, character and amenity values of the Local Centre Zone and the surrounding environment; or compromise the safety or efficiency of the transport network.</u></p>	3.7.3	Reject	See body of the report	No	Yes
81.694	Kāinga Ora	LCZ-P4	<p>Amend:</p> <p><u>Avoid activities that are incompatible with the planned urban built form, role, and function anticipated purpose, character and amenity values of the Local Centre Zone and the surrounding environment where effects cannot be mitigated or managed.</u></p>	3.7.3	Accept in part	See body of the report	No	Yes
69.15 <sup>54</sup>	Paremata Business Park Ltd	LCZ-P5	<p>Amend:</p> <p>Provide for built development that:</p> <ol style="list-style-type: none"> <li>1. Is of a scale that is compatible with the anticipated role and function of the Local Centre Zone and the surrounding area;</li> <li>2. Reflects the anticipated medium <u>to higher</u>-density scale and built character of the Local Centre Zone;</li> <li>3. Is well designed and contributes to an attractive urban environment;</li> <li>4. Provides active street frontages in locations identified on the planning maps; and</li> <li>5. Is consistent with the Local Centre Zone Design Guide contained in APP7-Local Centre Zone Design Guide.</li> </ol> <p>Or adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission.</p>	3.7.3	Accept in part	See body of the report	No	Yes

<sup>53</sup> Opposed by Kāinga Ora [FS65.369]

<sup>54</sup> Supported in part by Kāinga Ora [FS65.370]



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
81.695	Kāinga Ora	LCZ-P5	Amend: Provide for built development that: <ol style="list-style-type: none"> <li>1. <del>Is of a scale that is compatible with the anticipated planned urban built form,</del> role and function of the Local Centre Zone <del>and the surrounding area;</del></li> <li>2. <del>Reflects the anticipated medium density scale and built character of the Local Centre Zone;</del></li> <li>3. Is well designed and contributes to an attractive urban environment; <del>and</del></li> <li>4. Provides active street frontages in locations identified on the planning maps; <del>and</del></li> <li>5. <del>Is consistent with the Local Centre Zone Design Guide contained in APP7 Local Centre Zone Design Guide.</del></li> </ol>	3.7.3	Accept in part	See body of the report	No	Yes
81.696	Kāinga Ora	LCZ-P6	Amend: Provide for development that: <ol style="list-style-type: none"> <li>1. Creates <del>an attractive a positive</del> interface with the public space through high quality building designs;</li> <li>2. Ensures any parking, storage and servicing areas are visually unobtrusive and preferably located within or to the back of the building;</li> <li>3. Where located along an active street frontage identified on the planning maps, creates a positive interface with the public space and <del>contributes to the streetscape well defined open</del> spaces through by ensuring: <ol style="list-style-type: none"> <li>a. Buildings <del>that</del> are oriented towards the front boundary of the site;</li> <li>b. A veranda or other form of shelter for pedestrians <del>is provided;</del></li> <li>c. Transparent glazing <del>is incorporated</del> on the ground floor that allows visibility into and out of commercial frontages and reflects whether it is a primary or secondary frontage; and</li> <li>d. An obvious public entrance <del>is provided; and</del></li> </ol> </li> <li>4. <del>Is consistent with the Local Centre Zone Design Guide contained in APP7 Local Centre Zone Design Guide.</del></li> </ol>	3.7.3	Accept in part	See body of the report	No	Yes
81.697	Kāinga Ora	LCZ-P7	Retain as notified.	3.7.3	Reject	See body of the report	No	Yes
69.16	Paremata Business Park Ltd	LCZ-P7	Amend: Minimise the adverse effects from use and development within the Local Centre Zone on directly adjoining sites that are zoned General Residential Zone, Medium Density Residential Zone, Open Space Zone or Sport and Active Recreation Zone by ensuring that: <ol style="list-style-type: none"> <li>1. Buildings and activities are located and designed to achieve a transition at the zone interface;</li> <li>2. Buildings are located and designed to minimise shading and privacy effects on adjoining sites zoned Residential or Open Space and Recreation;</li> </ol>	3.7.3	Accept in part	See body of the report	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>3. Buildings are of a bulk, height and form that minimises dominance and enclosure effects on adjoining sites zoned Residential or Open Space and Recreation; and</p> <p>4. Screening and landscaping minimise adverse visual effects on adjoining sites zoned Residential or Open Space and Recreation.</p> <p><u>Development of sites adjacent to open space zones should be encouraged to take advantage of the aspect and outlook to the open space and recreation zones and development should be orientated to increase passive surveillance.</u></p> <p>Or adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission.</p>					
135.6	Dept. of Corrections	Rules	Amend the rules to include community corrections activities as a Permitted Activity.	3.7.4	Accept	See body of the report	No	Yes
81.698	Kāinga Ora	LCZ-R1 Notification preclusion	<p>Amend:</p> <p><b>1. Activity status: Permitted</b></p> <p>Where:</p> <p>a. The gross floor area of the new building does not exceed 450m<sup>2</sup>;</p> <p>b. Any addition to an existing building does not result in the total gross floor area of the building exceeding 450m<sup>2</sup>; and</p> <p>c. Compliance is achieved with</p> <p>i. LCZ-S1;</p> <p>ii. LCZ-S2;</p> <p>iii. LCZ-S3;</p> <p>iv. LCZ-S4;</p> <p>v. LCZ-S5;</p> <p>vi. LCZ-S6; and</p> <p>vii. LCZ-S7.</p> <p><b>2. Activity status: Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with LCZ-R1-1.a or LCZ-R1-1.b.</p> <p><b>Matters of discretion are restricted to:</b></p> <p>1. The matters in LCZ-P5 and LCZ-P6.</p> <p>Notification:</p> <p>An application under this rule is precluded from being publicly <u>and limited</u> notified in accordance with sections 95A and 95B of the RMA.</p> <p><b>3. Activity status: Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4 LCZ-S5, LCZ-S6 or LCZ-S7.</p> <p><b>Matters of discretion are restricted to:</b></p> <p>1. The matters of discretion of any infringed standard.</p> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>An application under this rule where compliance is not achieved with LCZ-S2, LCZ-S3, <del>LCZ-S4, LCZ-S5</del> or LCZ-S7 is precluded from</li> </ul>	3.7.4	Accept in part	See body of the report	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>being publicly notified in accordance with section 95A of the RMA.</p> <ul style="list-style-type: none"> <li>An application under this rule where compliance is not achieved with LCZ-S4, LCZ-S5, LCZ-S6 is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</li> </ul> <p><u>Note:</u> Acceptable means of achieving best practice urban design guidance is contained within Porirua City Council's Local Centre Design Guidelines.</p>					
120.9 <sup>55</sup>	Woolworths	LCZ-R1	Amend the standard to remove the requirement that any new building, addition or alteration be less than 450m <sup>2</sup> .	3.7.4	Reject	See body of the report	No	Yes
122.12 <sup>56</sup>	Foodstuffs	LCZ-R1	<p>Amend the rule as follows:</p> <p>"LCZ-R1 <u>New Buildings</u> and structures, including additions and alterations</p> <p><del>1. Activity status: Permitted</del></p> <p><del>Where:</del></p> <p><del>a. The gross floor area of the new building does not exceed 450m<sup>2</sup>;</del></p> <p><del>b. Any addition to an existing building does not result in the total gross floor area of the building exceeding 450m<sup>2</sup>; and</del></p> <p><del>c. Compliance is achieved with-</del></p> <p><del>i. LCZ-S1;</del></p> <p><del>ii. LCZ-S2;</del></p> <p><del>iii. LCZ-S3;</del></p> <p><del>iv. LCZ-S4;</del></p> <p><del>v. LCZ-S5;</del></p> <p><del>vi. LCZ-S6; and</del></p> <p><del>vii. LCZ-S7.</del></p> <p><del>2. Activity status: Restricted discretionary</del></p> <p><del>Where:</del></p> <p><del>a. Compliance is not achieved with LCZ-R1-1.a or LCZ-R1-1.b.</del></p> <p><del>Matters of discretion are restricted to:</del></p> <p><del>1. The matters in LCZ-P5 and LCZ-P6.</del></p> <p><del>Notification:</del></p> <p><del>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</del></p> <p><del>3. Activity status: Restricted discretionary</del></p> <p><del>Where:</del></p> <p><del>a. Compliance is not achieved with LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4 LCZ-S5, LCZ-S6 or LCZ-S7.</del></p> <p><del>Matters of discretion are restricted to:</del></p> <p><del>1. The matters of discretion of any infringed standard.</del></p> <p><del>Notification:</del></p>	3.7.4	Reject	See body of the report	No	Yes

<sup>55</sup> Opposed in part by Kāinga Ora [FS65.371]

<sup>56</sup> Opposed in part by Kāinga Ora [FS65.372]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<ul style="list-style-type: none"> <li>An application under this rule where compliance is not achieved with LCZ-S2, LCZ-S3, LCZ-S4, LCZ-S5 or LCZ-S7 is precluded from being publicly notified in accordance with section 95A of the RMA.</li> </ul> <p>An application under this rule where compliance is not achieved with LCZ-S6 is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</p>					
69.17 <sup>57</sup>	Paremata Business Park Ltd	LCZ-R1	<p>Amend:</p> <ol style="list-style-type: none"> <li>Activity status: <b>Permitted</b></li> </ol> <p>Where:</p> <ol style="list-style-type: none"> <li>The gross floor area of the new building does not exceed 450m<sup>2</sup>;</li> <li>Any addition to an existing building does not result in the total gross floor area of the building exceeding 450m<sup>2</sup>; and</li> <li>Compliance is achieved with <ol style="list-style-type: none"> <li>LCZ-S1;</li> <li>LCZ-S2;</li> <li>LCZ-S3;</li> <li>LCZ-S4;</li> <li>LCZ-S5;</li> <li>LCZ-S6; and</li> </ol> </li> </ol> <p>LCZ-S7.</p>	3.7.4	Reject	See body of the report	No	Yes
81.699	Kāinga Ora	LCZ-R2	Retain as notified.	n/a	Accept	Agree with submitter	No	Yes
81.700	Kāinga Ora	LCZ-R3	Retain as notified.	3.7.4	Reject	See body of the report	No	Yes
81.701	Kāinga Ora	LCZ-R4	Retain as notified.	3.7.4	Reject	See body of the report	No	Yes
81.702	Kāinga Ora	LCZ-R5	<p>Amend:</p> <ol style="list-style-type: none"> <li><b>Activity status: Permitted</b></li> </ol> <p>Where:</p> <ol style="list-style-type: none"> <li>The gross floor area per tenancy does not exceed <del>450m<sup>2</sup></del> 200m<sup>2</sup>; and</li> <li>Compliance is achieved with LCZ-S7.</li> </ol> <ol style="list-style-type: none"> <li><b>Activity status: Restricted discretionary</b></li> </ol> <p>Where:</p> <ol style="list-style-type: none"> <li>Compliance is not achieved with LCZ- R5-1.a.</li> </ol> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>The matters in LCZ-P3.</li> </ol> <ol style="list-style-type: none"> <li><b>Activity status: Restricted discretionary</b></li> </ol> <p>Where:</p> <ol style="list-style-type: none"> <li>Compliance is not achieved with LCZ-S7.</li> </ol> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>The matters of discretion of any infringed standard.</li> </ol>	3.7.4	Reject	See body of the report	No	Yes

<sup>57</sup> Opposed in part by Kāinga Ora [FS65.373]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<b>Notification:</b> An application under this rule where compliance is not achieved with LCZ-S7 is precluded from being publicly notified in accordance with section 95A of the RMA.					
81.703	Kāinga Ora	LCZ-R6	Retain as notified.	3.7.4	Reject	See body of the report	No	Yes
81.704	Kāinga Ora	LCZ-R7	Retain as notified.	3.7.4	Reject	See body of the report	No	Yes
81.705	Kāinga Ora	LCZ-R8	Retain as notified.	3.7.4	Reject	See body of the report	No	Yes
134.38	Ministry of Education	LCZ-R8	Retain as proposed.	3.7.4	Reject	See body of the report	No	Yes
81.706	Kāinga Ora	LCZ-R9	Retain as notified.	3.7.4	Reject	See body of the report	No	Yes
81.707	Kāinga Ora	LCZ-R10	Retain as notified.	3.7.4	Reject	See body of the report	No	Yes
81.708	Kāinga Ora	LCZ-R11	Amend: <u>LCZ-R11 Residential activity, residential unit, and supported residential care activity</u> <b>1. Activity status: Permitted</b> Where: a. — No more than two residential units occupy the site; and b. — Compliance is achieved with i. — LCZ-S5; and ii. — LCZ-S6. <b>2. Activity status: Restricted discretionary</b> Where: a. — Compliance is not achieved with LCZ-R11-1.a. <b>Matters of discretion are restricted to:</b> 1. — The matters in LCZ-P2 and LCZ-P6. Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA. <b>3. Activity status: Restricted discretionary</b> Where: a. — Compliance is not achieved with LCZ-S5 and LCZ-S6. <b>Matters of discretion are restricted to</b> 1. — The matters of discretion of any infringed standard. Notification: • An application under this rule where compliance is not achieved with LCZ-S5 is precluded from being publicly notified in accordance with section 95A of the RMA. An application under this rule where compliance is not achieved with LCZ-S6 is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.	3.7.4	Reject	See body of the report	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
122.13	Foodstuffs	LCZ-R12	Amend the activity status for the rule from restricted discretionary to permitted activity.	3.7.4	Reject	See body of the report	No	Yes
120.10	Woolworths	LCZ-R12	Amend the rule to be a Permitted Activity. Alternatively if Council pursues a Restricted Discretionary Activity status, include a non-notification clause for both public and limited notification be inserted for the rule.	3.7.4	Reject	See body of the report	No	Yes
81.709	Kāinga Ora	LCZ-R12	Retain as notified.	3.7.4	Reject	See body of the report	No	Yes
81.710	Kāinga Ora	LCZ-R13	Retain as notified.	3.7.4	Reject	See body of the report	No	Yes
119.67	FENZ	LCZ-R13	Retain as proposed.	3.7.4	Reject	See body of the report	No	Yes
81.711	Kāinga Ora	LCZ-R14	Retain as notified.	3.7.4	Reject	See body of the report	No	Yes
81.712	Kāinga Ora	LCZ-R15 (now LCZ-R21)	Retain as notified	n/a	Accept	Agree with submitter	No	Yes
81.713	Kāinga Ora	LCZ-R16 (now LCZ-R22)	Retain as notified.	n/a	Accept	Agree with submitter	No	Yes
81.714	Kāinga Ora	LCZ-R17 (now LCZ-R23)	Retain as notified.	n/a	Accept	Agree with submitter	No	Yes
92.5	Z Energy Limited	LCZ-R17 (now LCZ-R23)	Retain Rule LCZ-R17 insofar as it provides for drive through activities including service stations as a discretionary activity.	n/a	Accept	Agree with submitter	No	Yes
81.715	Kāinga Ora	LCZ-R18 (now LCZ-R24)	Retain as notified.	n/a	Accept	Agree with submitter	No	Yes
81.716	Kāinga Ora	LCZ-R19 (now LCZ-R25)	Retain as notified	n/a	Accept	Agree with submitter	No	Yes
9.7	Bunnings Limited	LCZ-R19 (now LCZ-R25)	Delete rule. Insert new rules providing for trade suppliers as a discretionary activity in the LCZ.	3.7.4	Accept in part	See body of the report	No	Yes
81.717	Kāinga Ora	LCZ-R20 (now LCZ-R26)	Retain as notified.	n/a	Accept	Agree with submitter	No	Yes
81.718	Kāinga Ora	LCZ-R21 (now LCZ-R28)	Retain as notified.	n/a	Accept	Agree with submitter	No	Yes
81.719 <sup>58</sup>	Kāinga Ora	LCZ-S1	Amend: 1. All buildings and structures must not exceed a maximum height above ground level of <del>16m</del> <del>12m</del> , except that: a. An additional 1m can be added to the maximum height of any building with a roof slope of 15° or greater; and b. Any fence or standalone wall along a side or rear boundary which adjoins a site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation must not exceed 2m in height.	3.7.5	Reject	See body of the report	No	Yes

<sup>58</sup> Opposed by Paremata Residents Association [FS08.4], Heritage New Zealand Pouhere Taonga [FS14.3] and [Name withheld for privacy reasons] [FS17.24]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>This standard does not apply to:</p> <ul style="list-style-type: none"> <li>Solar water heating components provided these do not exceed the height by more than 1m;</li> <li>Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m;</li> <li>Antennas, aerials, and flues provided these do not exceed the height by more than 1m; or</li> <li>Satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) provided these do not exceed the height by more than 1m.</li> <li>Lift overruns provided these do not exceed the height by more than 1m.</li> </ul> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>The location, design and appearance of the building or structure;</li> <li>Any adverse effects on the streetscape <u>taking into account the context, topography of the site and its surrounds and planned urban built form;</u></li> <li>Visual dominance, shading and loss of privacy for adjoining Residential or Open Space and Recreation zoned sites;</li> <li>Compatibility with the anticipated scale, proportion and context of buildings, structures and activities in the surrounding area; <u>and</u></li> <li>Whether an increase in building height results from a response to natural hazard mitigation; <del>and</del></li> <li><del>Consistency with the Local Centre Zone Design Guide.</del></li> </ol>					
69.18 <sup>59</sup>	Paremata Business Park Ltd	LCZ-S1	Any method that will enable the objectives and policies of the NPS-UD.	3.7.5	Accept	See body of the report	No	Yes
81.948 <sup>60</sup>	Kāinga Ora	LCZ-S1	Increase height limit in the Local Centre Zone to 16m.	3.7.5	Reject	See body of the report	No	Yes
119.68	FENZ	LCZ-S1	<p>Amend standard as follows:</p> <p>...</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> <li>Solar water heating components provided these do not exceed the height by more than 1m;</li> <li>Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m;</li> <li>Antennas, aerials, and flues provided these do not exceed the height by more than 1m; or</li> <li>Satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) provided these do not exceed the height by more than 1m.</li> </ul>	3.7.5	Reject	See body of the report	No	Yes

<sup>59</sup> Supported by Kāinga Ora [FS65.376]

<sup>60</sup> Opposed by Paremata Residents Association [FS08.5], [Name withheld for privacy reasons] [FS17.25] and Russell Morrison [FS22.20]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<ul style="list-style-type: none"> <li>Lift overruns provided these do not exceed the height by more than 1m.</li> </ul> <u>Emergency service facilities and hose drying towers up to 15m associated with emergency service facilities.</u>					
122.16 <sup>61</sup>	Foodstuffs	LCZ-S1	<p>Amend matters of discretion for the standard as follows: Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The location, design and appearance of the building or structure;</li> <li>Any adverse effects on the streetscape;</li> <li>Visual dominance, shading and loss of privacy for adjoining Residential or Open Space and Recreation zoned sites;</li> <li>Compatibility with the anticipated scale, proportion and context of buildings, structures and activities in the surrounding area;</li> <li>Whether an increase in building height results from a response to natural hazard mitigation; and</li> <li><del>Consistency with the Local Centre Zone Design Guide.</del></li> </ol>	n/a	Accept	Agree with submitter	No	Yes
69.19	Paremata Business Park Ltd	LCZ-S2	Any method that will enable the objectives and policies of the NPS-UD.	3.7.5	Accept	See body of the report	No	Yes
81.720	Kāinga Ora	LCZ-S2	Retain as notified.	3.7.5	Reject	See body of the report	No	Yes
81.721	Kāinga Ora	LCZ-S3	<p>Amend:</p> <ol style="list-style-type: none"> <li>Buildings and structures must not be located within a <u>1.5m</u> <del>3m</del> setback from a side or rear boundary where that boundary adjoins a General Residential Zone, Medium Density Residential Zone, Open Space Zone or Sport and Active Recreation Zone. This standard does not apply to: <ul style="list-style-type: none"> <li>One accessory building or structure less than 2m in height and less than 7m long per site; or</li> <li>Fences or standalone walls.</li> </ul> </li> </ol> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li><del>The visual amenity of adjoining Residential and Open Space and Recreation sites;</del></li> <li>The location, design and appearance of the building or structure;</li> <li>Whether any architectural features or steps are proposed in the building façade to provide an attractive appearance when viewed from adjoining Residential or Open Space and Recreation sites; and</li> <li>Any benefits, including the extent to which the reduced setback will result in a more efficient, practical and better use of the balance of the site.</li> </ol>	3.7.5	Reject	See body of the report	No	Yes
69.20	Paremata Business Park Ltd	LCZ-S3	<p>Amend:</p> <ol style="list-style-type: none"> <li>Buildings and structures must not be located within a <u>1.53m</u> setback from a side or rear boundary where that boundary adjoins a General</li> </ol>	3.7.5	Reject	See body of the report	No	Yes

<sup>61</sup> Supported by Kāinga Ora [FS65.375]



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>Residential Zone, <del>Medium Density Residential Zone</del>, Open Space Zone or Sport and Active Recreation Zone.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> <li>One accessory building or structure less than 2m in height and less than 7m long per site; or</li> <li>Fences or standalone walls.</li> </ul> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The visual amenity of adjoining Residential and Open Space and Recreation sites;</li> <li>The location, design and appearance of the building or structure;</li> <li>Whether any architectural features or steps are proposed in the building façade to provide an attractive appearance when viewed from adjoining Residential or Open Space and Recreation sites; and</li> </ol> <p>Any benefits, including the extent to which the reduced setback will result in a more efficient, practical and better use of the balance of the site.</p>					
81.722	Kāinga Ora	LCZ-S4	<p>Amend:</p> <ol style="list-style-type: none"> <li><del>Along</del> For sites with primary frontages and building lines identified on the planning maps all buildings must be built up to and oriented towards the identified building line and provide a veranda that: <ol style="list-style-type: none"> <li>Extends along the entire length of the building frontage;</li> <li>Provides continuous shelter with any adjoining veranda; and</li> <li>Has a minimum setback of 500mm from any kerb face.</li> </ol> </li> <li>For sites with primary <del>street-facing</del> <u>façade frontage</u> controls identified on the planning maps: <ol style="list-style-type: none"> <li>At least 55% of the ground floor building frontage must be display windows or transparent glazing; and</li> <li>The principal public entrance to the building must be located on the front boundary.</li> </ol> </li> <li>For sites with secondary <del>street-facing</del> <u>façade frontage</u> controls identified on the planning maps: <ol style="list-style-type: none"> <li>At least 35% of the ground floor building frontage for non-residential activities must be display windows or transparent glazing.</li> </ol> </li> </ol> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>The amenity and quality of the streetscape; and</li> <li>The ability to reuse and adapt the building for a variety of activities; and</li> <li><del>Consistency with the Local Centre Zone Design Guide.</del></li> </ol>	3.7.5	Accept	See body of the report	No	Yes
92.6 <sup>62</sup>	Z Energy Limited	LCZ-S4	<p>Amend Rule LCZ-S4 so that it does not apply to existing service station developments. This could be achieved by the following: LCZ – S4 Active street frontages</p>	3.7.5	Accept in part	See body of the report	No	Yes

<sup>62</sup> Opposed by [Name withheld for privacy reasons] [FS17.9]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?		
			<p><u>This rule does not apply to existing service stations.</u></p> <p>1. Along...</p> <p>And</p> <p>Amend the Matters of discretion to remove the requirement for a development to be consistent with the Local Centre Design Guide, as follows:</p> <p><u>3. The extent to which the building is consistent</u> <del>Consistency</del> with the Local Centre Zone Design Guide.</p>							
122.17 <sup>63</sup>	Foodstuffs	LCZ-S4	<p>Amend matters of discretion for the standard as follows:</p> <p>Matters of discretion are restricted to:</p> <p>1. The amenity and quality of the streetscape;</p> <p>2. The ability to reuse and adapt the building for a variety of activities; and</p> <p><del>3. Consistency with the Local Centre Zone Design Guide.</del></p>	n/a	Accept	Agree with submitter	No	Yes		
122.14	Foodstuffs	LCZ-S4	<p>Amend the rule as follows:</p> <p>1. Along building lines identified on the planning maps all <u>new</u> buildings must be built up to and oriented towards the identified building line and provide a veranda that:</p> <p>a. Extends along the entire length of the building frontage;</p> <p>b. Provides continuous shelter with any adjoining veranda; and</p> <p>c. Has a minimum setback of 500mm from any kerb face.</p> <p>2. For sites with primary street-facing façade controls identified on the planning maps <u>new buildings shall provide the following:</u></p> <p>a. At least 55% of the ground floor building frontage must be display windows or transparent glazing; and</p> <p>b. The principal public entrance to the building must be <del>located</del> <u>orientated</u> to the front boundary.</p> <p>3. For sites with secondary street-facing façade controls identified on the planning maps:</p> <p>a. <u>For new buildings</u> At least 35% of the ground floor building frontage for non-residential activities must be display windows or transparent glazing.</p>	3.7.5	Accept	See body of the report	Yes	Yes		
120.11	Woolworths	LCZ-S4	Amend the standard to enable landscaping to be provided along the building line where it is not feasible to build a building up to the identified building line.	3.7.5	Reject	See body of the report	No	Yes		
81.723	Kāinga Ora	LCZ-S5	Retain as notified.	3.7.5	Reject	See body of the report	No	Yes		
69.21	Paremata Business Park Ltd	LCZ-S5	<p>Amend:</p> <table border="1"> <tr> <td>1. Along boundaries with primary street-facing façade controls identified in the planning maps, <del>at least 35 % of the street frontage may contain residential units at</del></td> <td>Matters of discretion are restricted to:</td> </tr> </table>	1. Along boundaries with primary street-facing façade controls identified in the planning maps, <del>at least 35 % of the street frontage may contain residential units at</del>	Matters of discretion are restricted to:	3.7.5	Reject	See body of the report	No	Yes
1. Along boundaries with primary street-facing façade controls identified in the planning maps, <del>at least 35 % of the street frontage may contain residential units at</del>	Matters of discretion are restricted to:									

<sup>63</sup> Supported by Kāinga Ora [FS65.377]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?	
			<p><del>ground residential units must be located above ground floor.</del></p> <p>1. The amenity and quality of the streetscape; 2. The amenity for the occupiers of the residential units; and 3. Consistency with the Local Centre Zone Design Guide.</p> <p>Or adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission.</p>						
69.22	Paremata Business Park Ltd	LCZ-S6	<p>Amend:</p> <p>1. Each residential unit located on the ground floor must be provided with an outdoor living space that:</p> <ol style="list-style-type: none"> <li>Has a minimum area of 20m<sup>2</sup>;</li> <li>Has a minimum dimension of 3m;</li> <li>Is directly accessible from a habitable room in the residential unit to which it relates; and</li> <li>Is free of buildings, parking spaces and manoeuvring areas.</li> </ol> <p>2. Each residential unit located entirely above ground floor must be provided with <u>a space that is multifunctional and can be used as an outdoor and indoor living space in the form of a balcony, a juliet balcony deck or roof terrace or sunroom</u><del>than an outdoor living space in the form of a balcony, deck or roof terrace</del> that:</p> <ol style="list-style-type: none"> <li>Has a minimum area of 10m<sup>2</sup>;</li> <li>Has a minimum dimension of 2m; and</li> <li>Is directly accessible from a habitable room in the residential unit to which it relates.</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>Whether adequate useable space is provided to accommodate outdoor activities;</li> <li>Whether there are topographical or other site constraints that make compliance with the standard impractical;</li> <li>The proximity of the residential unit to accessible public open space; and</li> <li>Consistency with the Local Centre Zone Design Guide.</li> </ol>	3.7.5	Accept in part	See body of the report	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>3. For multi-unit housing, the outdoor living space can be provided as private space and shared space provided that:</p> <ol style="list-style-type: none"> <li>1. Each residential unit is provided with a private outdoor living space that has a minimum area of 10m<sup>2</sup> with a minimum dimension of 2m, that is directly accessible from a habitable room in the residential unit to which it relates;</li> <li>2. The shared outdoor living space has a minimum area of 20m<sup>2</sup> with a minimum dimension of 3m; and</li> <li>3. Any ground floor outdoor living space is free of buildings, parking spaces and manoeuvring areas.</li> </ol> <p>Or adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission.</p>					
81.724	Kāinga Ora	LCZ-S6	<p>Amend:</p> <ol style="list-style-type: none"> <li>1. Each residential unit located on the ground floor must be provided with an outdoor living space that: <ol style="list-style-type: none"> <li>a. Has a minimum area of 20m<sup>2</sup>;</li> <li>b. Has a minimum dimension of 3m;</li> <li>c. Is directly accessible from a habitable room <u>or kitchen</u> in the residential unit to which it relates; and</li> <li>d. Is free of buildings, parking spaces and manoeuvring areas.</li> </ol> </li> <li>2. Each residential unit located entirely above ground floor must be provided with an outdoor living space in the form of a balcony, deck or roof terrace that: <ol style="list-style-type: none"> <li>a. Has a minimum area of <del>6m<sup>2</sup></del> <u>10m<sup>2</sup></u>;</li> <li>b. Has a minimum dimension of <del>1.8m</del> <u>2m</u>; and</li> <li>c. Is directly accessible from a habitable room <u>or kitchen</u> in the residential unit to which it relates.</li> </ol> </li> <li>3. <del>For multi-unit housing,</del> <u>The outdoor living space can be provided as private space and shared space provided that:</u> <ol style="list-style-type: none"> <li>a. Each residential unit is provided with a private outdoor living space that has a minimum area of <del>6m<sup>2</sup></del> <u>10m<sup>2</sup></u> with a minimum dimension of <del>1.8m</del> <u>2m</u>, that is directly accessible from a habitable room <u>or kitchen</u> in the residential unit to which it relates;</li> <li>b. The shared outdoor living space has a minimum area of 20m<sup>2</sup> with a minimum dimension of 3m; and</li> <li>c. Any ground floor outdoor living space is free of buildings, parking spaces and manoeuvring areas.</li> </ol> </li> </ol> <p><b>Matters of discretion are restricted to:</b></p>	3.7.5	Accept in part	See body of the report	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?		
			<ol style="list-style-type: none"> <li>1. Whether adequate useable space is provided to accommodate outdoor activities;</li> <li>2. Whether there are topographical or other site constraints that make compliance with the standard impractical; <u>and</u></li> <li>3. The proximity of the residential unit to accessible public open space; <del>and</del></li> <li>4. <del>Consistency with the Local Centre Zone Design Guide.</del></li> </ol>							
81.725	Kāinga Ora	LCZ-S7	<p>Amend:</p> <ol style="list-style-type: none"> <li>1. Any on-site service area, including rubbish collection areas, and area for the outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be fully screened by a fence or landscaping where it is visible from any: <ol style="list-style-type: none"> <li>a. Public road;</li> <li>b. Other public space; and</li> <li>c. Directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation.</li> </ol> </li> <li>2. Any on-site parking area must: <ol style="list-style-type: none"> <li>a. Be fully screened by a fence or landscaping from any directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation.</li> <li>b. Where located along a street edge, provide a landscaping strip that extends at least 1.5m from the boundary with the road and comprise a mix of trees, shrubs and ground cover plants, without preventing the provision of an entry point to the site.</li> </ol> </li> </ol> <p>Except that:</p> <ul style="list-style-type: none"> <li>• The landscaping requirement for on-site parking areas along a street edge does not apply to individual parking spaces for residential development, if provided.</li> </ul> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. Any adverse effects on the streetscape;</li> <li>2. The visual amenity of adjoining Residential and Open Space and Recreation zoned sites including shading;</li> <li>3. The service, storage and parking needs of the activity; <u>and</u></li> <li>4. The size and location of service, storage and parking areas; <del>and</del></li> <li>5. <del>Consistency with the Local Centre Zone Design Guide.</del></li> </ol>	n/a	Accept	Agree with submitter	No	Yes		
69.23	Paremata Business Park Ltd	LCZ-S7	<p>Amend:</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;"> <ol style="list-style-type: none"> <li>1. Any on-site service area, including rubbish collection areas, and area for the outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be fully screened by a fence or landscaping where it is visible from any: <ol style="list-style-type: none"> <li>a. Public road;</li> <li>b. Other public space; and</li> </ol> </li> </ol> </td> <td style="width: 50%;"> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Any adverse effects on the streetscape;</li> <li>2. The visual amenity of adjoining Residential and Open Space and</li> </ol> </td> </tr> </table>	<ol style="list-style-type: none"> <li>1. Any on-site service area, including rubbish collection areas, and area for the outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be fully screened by a fence or landscaping where it is visible from any: <ol style="list-style-type: none"> <li>a. Public road;</li> <li>b. Other public space; and</li> </ol> </li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Any adverse effects on the streetscape;</li> <li>2. The visual amenity of adjoining Residential and Open Space and</li> </ol>	3.7.5	Reject	See body of the report	No	Yes
<ol style="list-style-type: none"> <li>1. Any on-site service area, including rubbish collection areas, and area for the outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be fully screened by a fence or landscaping where it is visible from any: <ol style="list-style-type: none"> <li>a. Public road;</li> <li>b. Other public space; and</li> </ol> </li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Any adverse effects on the streetscape;</li> <li>2. The visual amenity of adjoining Residential and Open Space and</li> </ol>									

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>c. Directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation.</p> <p>2. Any on-site parking area must:</p> <p>a. Be fully screened by a fence or landscaping from any directly adjoining site zoned General Residential, Medium Density Residential, <del>Open Space or Sport and Active Recreation.</del></p> <p>b. Where located along a street edge, provide a landscaping strip that extends at least 1.5m from the boundary with the road and comprise a mix of trees, shrubs and ground cover plants, without preventing the provision of an entry point to the site.</p> <p>Except that:</p> <ul style="list-style-type: none"> <li>The landscaping requirement for on-site parking areas along a street edge does not apply to individual parking spaces for residential development, if provided.</li> </ul> <p>Or adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission.</p>					
9.8	Bunnings Limited	LCZ-S7	<p>Amend standard as follows:</p> <p>1. Any on-site service area, including rubbish collection areas, and area for the outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be <del>fully adequately</del> screened by a <u>1.8m</u> fence or <u>2m</u> landscaping <u>buffer</u> where they are visible from any:</p> <p>a. Public road;</p> <p>b. Other public space; and</p> <p>c. Directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation.</p> <p>2. Any on-site parking area must:</p> <p>a. Be <del>fully adequately</del> screened by a <u>1.8m</u> fence or <u>2m</u> landscaping from any directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation.</p> <p>b. Where located along a street edge, provide a landscaping strip that extends at least 1.5m from the boundary with the road and comprise a</p>	3.7.5	Accept in part	See body of the report	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			mix of trees, shrubs and ground cover plants, without preventing the provision of an entry point to the site. Except that: The landscaping requirement for on-site parking areas along a street edge does not apply to individual parking spaces for residential development, if provided.					
92.8	Z Energy Limited	LCZ-S7	Amend the rule to require screening of activities at ground level only from adjoining sites.	3.7.5	Reject	See body of the report	No	Yes
122.18 <sup>64</sup>	Foodstuffs	LCZ-S7	Amend the standard as follows: Matters of discretion are restricted to: 1. Any adverse effects on the streetscape; 2. The visual amenity of adjoining Residential and Open Space and Recreation zoned sites including shading; 3. The service, storage and parking needs of the activity; 4. The size and location of service, storage and parking areas; and 5. <del>Consistency with the Local Centre Zone Design Guide.</del>	n/a	Accept	Agree with submitter	No	Yes
122.15	Foodstuffs	LCZ-S7	Amend the standard as follows: 1. Any on-site service area, including rubbish collection areas, and area for the outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be <del>fully adequately</del> screened by a <u>1.8m</u> fence or <u>2m</u> landscaping <u>buffer</u> where they are visible from any: a. Public road; b. Other public space; and c. Directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation. 2. Any on-site parking area must: a. Be <del>fully adequately</del> screened by a <u>1.8m</u> fence or <u>2m</u> landscaping from any directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation. b. Where located along a street edge, provide a landscaping strip that extends at least 1.5m from the boundary with the road and comprise a mix of trees, shrubs and ground cover plants, without preventing the provision of an entry point to the site. Except that: The landscaping requirement for on-site parking areas along a street edge does not apply to individual parking spaces for residential development, if provided.	3.7.5	Accept in part	See body of the report	No	Yes
<b>LFRZ – Large Format Retail Zone</b>								
144.25	Harvey Norman	LFRZ-O1	Retain as notified.	n/a	Accept	Agree with submitter	No	No
144.26	Harvey Norman	LFRZ-O2	Retain as notified.	3.8.2	Accept in part	See body of report	No	Yes
144.27	Harvey Norman	LFRZ-O3	Retain as notified.	3.8.2	Accept in part	See body of report	No	Yes

<sup>64</sup> Supported by Kāinga Ora [FS65.378]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
144.28	Harvey Norman	LFRZ-P1	Retain as notified.	3.8.3	Accept in part	See body of report	No	Yes
144.29	Harvey Norman	LFRZ-P2	Retain as notified.	3.8.3	Accept in part	See body of report	No	Yes
144.30	Harvey Norman	LFRZ-P3	Delete Policies P3.3 and P3.4 or address these under LFRZ-P5 (Building development).	3.8.3	Accept in part	See body of report	No	Yes
144.31	Harvey Norman	LFRZ-P4	Retain as notified.	3.8.3	Accept in part	See body of report	No	Yes
144.33	Harvey Norman	LFRZ-P5	Amend policy by removing clause LFRZ-P5-3. Amend policy by removing clause LFRZ-P5-5 unless the related rules and design guides are amended to target more specific activities/areas.	3.8.3	Accept in part, insofar as it relates to removal of LFRZ-P5-3	See body of report	No	Yes
144.34	Harvey Norman	LFRZ-P6	Amend policy by removing clause LFRZ-P6-3.	3.8.3	Accept in part	See body of report	No	Yes
122.38	Foodstuffs	New provision	Insert new rule providing for supermarkets in the LFRZ as a permitted activity.	n/a	Accept	Agree with submitter. Included in Variation 1 amendments.	No	Yes
144.35	Harvey Norman	LFRZ-R1	Amend rule to remove clauses LFRZ-R1-2 and LFRZ-R1-3.	3.8.4	Accept in part	See body of report	No	Yes
144.36	Harvey Norman	LFRZ-R2	Amend rule to remove clauses LFRZ-R2-2 and LFRZ-R2-3.	3.8.4	Accept in part	See body of report	No	Yes
144.37	Harvey Norman	LFRZ-R5	Retain as notified.	3.8.4	Reject	See body of report	No	Yes
9.9	Bunnings Limited	LFRZ-R7	Retain the rule as notified.	3.8.4	Reject	See body of report	No	Yes
144.38	Harvey Norman	LFRZ-R7	Retain as notified.	3.8.4	Reject	See body of report	No	Yes
144.39	Harvey Norman	LFRZ-R8	Amend rule by removing clauses LFRZ-R8-1 and LFRZ-R8-2 and replace with the following: Activity Status: Restricted Discretionary, where compliance is achieved with LFRZ-S1 to LFRZ-S9. <u>Where compliance is not achieved with the above standards, a restricted discretionary activity resource consent is required in respect of that non-compliance. The matters of assessment include:</u> <u>a. any objective or policy which is relevant to the standard;</u> <u>b. the purpose of the standard and whether that purpose will still be achieved if consent is granted;</u> <u>c. any special or unusual characteristic of the site which is relevant to the standard;</u> <u>d. the effects of the infringement of the standard; and</u> <u>e. where more than one standard will be infringed, the effects of all infringements considered together.</u>	3.8.4	Reject	See body of report	No	Yes
9.10	Bunnings Limited	LFRZ-R9	Retain the rule as notified.	3.8.4	Reject	See body of report	No	Yes
122.19	Foodstuffs	LFRZ-R9	Retain LFRZ as notified.	3.8.4	Reject	See body of report	No	Yes
144.40	Harvey Norman	LFRZ-R9	Retain, subject to the proposed changes to LFRZ-R13.	3.8.4	Reject	See body of report	No	Yes
144.41	Harvey Norman	LFRZ-R13	Provide for one food and beverage tenancy up to 250m <sup>2</sup> GFA for each large format retail tenancy on a site as a permitted activity. Where compliance is not achieved, a restricted discretionary activity is required.	3.8.4	Accept in part	See body of report	Yes	Yes
134.28	Ministry of Education	LFRZ-R16	Retain as proposed	3.8.4	Reject	See body of report	No	Yes
119.69	FENZ	LFRZ-R18	Retain as proposed.	3.8.4	Reject	See body of report	No	Yes
144.42	Harvey Norman	LFRZ-R22	Amend the rule to permit industrial activities.	3.8.4	Reject	See body of report	No	No



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			Alternatively, rezone 5 John Seddon St and the Large Format Retail Zone to the east of the City Centre to General Industrial.					
144.43	Harvey Norman	LFRZ-S1	Retain as notified.	3.8.5	Reject	See body of report	No	Yes
144.44	Harvey Norman	LFRZ-S3	Retain as notified.	3.8.5	Reject	See body of report	No	Yes
144.45	Harvey Norman	LFRZ-S4	Delete this standard. Alternatively, make new buildings and structures (LFRZ-R8) a permitted activity, subject to complying with standards.	3.8.5	Accept in part	See body of report	No	Yes
122.20	Foodstuffs	LFRZ-S4	Amend the standard as follows: 1. For sites with primary street-facing façade controls identified on the planning maps, <u>new buildings shall provide the following</u> : a. At least 40% of the primary ground floor building frontage must be display windows or transparent glazing; and b. The principal public entrance to the building must be located on the front boundary. 2. For sites with secondary street-facing façade controls identified on the planning maps <u>for new buildings</u> at least 20% of the ground floor building frontage must be display windows or transparent glazing.	3.8.5	Accept in part	See body of report	No	Yes
122.21	Foodstuffs	LFRZ-S6	Amend the standard as follows: 1. Any on-site parking area must be <u>fully adequately</u> screened by a <u>1.8m</u> fence or <u>2m</u> landscaping from any directly adjoining site zoned General Residential Zone, Medium Density Residential Zone, Open Space Zone or Sport and Active Recreation Zone. <del>2. At least 5% of any ground level parking area not contained within a building must be landscaped.</del> 3. Where a ground level parking area adjoins the street edge, a landscaping strip must be provided along the street edge, that extends at least 1.5m from the boundary with a road and comprise a mix of trees, shrubs and ground cover plants, without preventing the provision of an entry point.	3.8.5	Accept in part	See body of report	Yes	Yes
122.23 <sup>65</sup>	Foodstuffs	LFRZ-S6	Amend matters of discretion for the standard as follows: Matters of discretion are restricted to: 1. Any adverse effects on the streetscape; 2. The visual amenity of adjoining Residential or Open Space and Recreation sites including shading and loss of privacy; 3. The parking needs of the activity; and <del>4. Consistency with the Large Format Retail Zone Design Guide.</del>	3.8.5	Accept in part	See body of report	No	Yes
9.11	Bunnings Limited	LFRZ-S6	Amend rule as follows: 1. Any on-site parking area must be <u>fully adequately</u> screened by a <u>1.8m</u> fence or <u>2m</u> landscaping from any directly adjoining site zoned General Residential Zone, Medium Density Residential Zone, Open Space Zone or Sport and Active Recreation Zone. <del>2. At least 5% of any ground level parking area not contained within a building must be landscaped.</del>	3.8.5	Accept in part	See body of report	Yes	Yes

<sup>65</sup> Supported by Kāinga Ora [FS65.381]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			3. Where a ground level parking area adjoins the street edge, a landscaping strip must be provided along the street edge, that extends at least 1.5m from the boundary with a road and comprise a mix of trees, shrubs and ground cover plants, without preventing the provision of an entry point.					
9.12	Bunnings Limited	LFRZ-S7	Amend rule LFRZ-S7 Service areas and outdoor storage to be read as follows: 1. Any on-site service area, including rubbish collection areas, and outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be <del>fully</del> <u>adequately</u> screened by a <u>1.8m</u> fence or <u>2m</u> landscaping where it is visible from any: a. Public road; b. Other public space; and c. Directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation.	3.8.5	Accept in part	See body of report	No	Yes
122.24 <sup>66</sup>	Foodstuffs	LFRZ-S7	Amend matters of discretion for the standard as follows: Matters of discretion are restricted to: 1. Any adverse effects on the streetscape; 2. The visual amenity of adjoining Residential or Open Space and Recreation sites including shading and loss of privacy; 3. The service and storage needs of the activity; 4. The size and location of the service and storage areas; and <del>5. Consistency with the Large Format Retail Zone Design Guide.</del>	3.8.5	Accept in part	See body of report	No	Yes
122.22	Foodstuffs	LFRZ-S7	Amend the standard as follows: 1. Any on-site service area, including rubbish collection areas, and outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be <del>fully</del> <u>adequately</u> screened by a <u>1.8m</u> fence or <u>2m</u> landscaping where it is visible from any: a. Public road; b. Other public space; and c. Directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation.	3.8.5	Accept in part	See body of report	No	Yes
<b>MUZ – Mixed Use Zone</b>								
136.2	Porirua Chamber of Commerce	General	Consider reinforcing the rights of existing commercial and light industrial land users to continue to grow and expand their businesses in mixed use zones.	3.9.1	Reject	See body of report	No	No
81.727	Kāinga Ora	Multiple provisions Notification preclusions	Kāinga Ora seeks consequential changes consistent with its overall submission on the Plan. Key areas of concern are (but not limited to): 1. Deletion of reference to Design Guides and requirement that development be “consistent” with these to achieve compliance; 2. Review and re-drafting of notification exclusion clauses; 3. Removal of provisions specific to “multi-unit housing” and integration within policies, rules and standards more generally;	3.9.1	Accept in part	See body of report	No	Yes

<sup>66</sup> Supported by Kāinga Ora [FS65.382]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>4. Review and increase height limits, both generally and in accordance with walkable catchments within proximity of the City Centre and Rapid Transit Stops. In places, this will require the introduction of a height variation control;</p> <p>5. Change language to align with NPS-UD - "planned built urban form" in anticipation of changing character and associated amenity values;</p> <p>6. Amend provisions with direct 'avoid' statements. This needs to be qualified in light of the King Salmon meaning of 'avoid'; and</p> <p>7. Consequential changes to the numbering of provisions following changes sought throughout chapter.</p>					
81.728	Kāinga Ora	Introduction	Retain as notified.	3.9.1	Reject	See body of report	No	Yes
135.12	Dept. of Corrections	Objectives	Retain.	3.9.1	Reject	See body of report	No	Yes
81.729	Kāinga Ora	MUZ-01	Amend: The Mixed Use Zone accommodates a wide range of activities, including commercial, <u>residential</u> , recreational, community and compatible light industrial activities, that service both businesses and surrounding residential catchments, <del>as well as residential activities.</del>	n/a	Accept	Agree with submitter	No	Yes
81.730	Kāinga Ora	MUZ-02	Amend: <u>MUZ-02 Planned urban built environment of the Mixed Use Zone</u> The Mixed Use Zone is a vibrant, attractive and safe urban environment, with well-designed buildings and sites that: 1. Reflect the mix of activities in the area; 2. Are generally of a medium-rise scale; and 3. Contribute positively to and integrate well with the <u>planned urban built form of the surrounding area.</u>	3.9.2	Accept in part	See body of report.	No	Yes
81.731	Kāinga Ora	MUZ-03	Amend: Use and development within the Mixed Use Zone: 1. Are of an appropriate scale and proportion for the <u>planned urban form of the zone</u> ; and 2. <del>Have minimal</del> <u>Minimise</u> adverse effects on the amenity values of adjacent sites in Residential Zones and Open Space and Recreation Zones.	3.9.2	Accept in part	See body of report.	No	Yes
135.13	Dept. of Corrections	Policies	Retain.	3.9.3	Reject	See body of report.	No	Yes
81.732	Kāinga Ora	MUZ-P1	Amend: Enable activities that are consistent with the <u>planned purpose, character and amenity values and urban built form</u> of the Mixed Use Zone, which provides for a large variety of compatible activities.	3.9.3	Accept in part	See body of report.	No	Yes
81.733	Kāinga Ora	MUZ-P2	Amend: Provide for residential activity where: 1. Any residential unit is designed to <u>incorporate adequate provision of onsite amenity for the occupants and minimise reverse sensitivity effects on commercial activities.</u> a. <del>Ensure that indoor noise and ventilation levels are appropriate for occupants;</del> and	3.9.3	Accept in part	See body of report.	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>b. Provide for the amenity values of occupants in respect of outlook, privacy, daylight and site design;</p> <p>2. It is consistent with the Mixed Use Zone Design Guide contained in APP5-Mixed Use Zone Design Guide; and</p> <p>3. Reverse sensitivity effects on commercial activities are minimised.</p>					
81.734	Kāinga Ora	MUZ-P3	<p>Amend:</p> <p>Only allow <u>Provide</u> for other activities where:</p> <ol style="list-style-type: none"> <li>1. Any significant adverse effects, including reverse sensitivity effects, can be avoided, remedied or mitigated;</li> <li>2. The intensity and scale of the activity is consistent with the <u>planned urban built environment anticipated character and amenity values</u> of the Mixed Use Zone;</li> <li>3. The design and location of any <u>onsite</u> parking areas, vehicle access and servicing arrangements maintain streetscape amenity and do not compromise pedestrian and cyclist safety;</li> <li>4. For any retirement village: <ol style="list-style-type: none"> <li>a. On-site amenity for residents is provided, which reflects the nature of and diverse needs of residents of the village; and</li> <li>b. Any potential reverse sensitivity effects on the continued operation of non-residential activities are minimised;</li> </ol> </li> <li>5. <u>Activation is achieved along identified street frontages; Any change to an active street frontage identified on the planning maps is consistent with the relevant frontage provisions of the Mixed Use Zone Design Guide contained in APP5-Mixed Use Zone Design Guide; and</u></li> <li>6. The activity is of a size and scale that: <ol style="list-style-type: none"> <li>a. Does not compromise activities that are enabled within the zone; and</li> <li>b. Does not undermine the role and function of the Industrial or City Centre Zones.</li> </ol> </li> </ol>	3.9.3	Accept in part	See body of report.	No	Yes
81.735	Kāinga Ora	MUZ-P4	<p>Avoid activities that are incompatible with the <u>planned urban built form, role, and function anticipated purpose, character and amenity values</u> of the Mixed Use Zone <u>where effects cannot be mitigated or managed.</u></p>	3.9.3	Accept in part	See body of report.	No	Yes
81.736	Kāinga Ora	MUZ-P5	<p>Provide for built development that:</p> <ol style="list-style-type: none"> <li>1. Is <del>of a scale that is</del> compatible with the <u>planned urban built form, role and function</u> of the Mixed Use Zone;</li> <li>2. <del>Reflects the anticipated medium density scale and built character of the Mixed Use Zone;</del></li> <li>3. Is well designed and contributes to an attractive mixed-use environment; <u>and</u></li> <li>4. Provides active street frontages in locations identified on the planning maps; <u>and</u></li> <li>5. <del>Is consistent with the Mixed Use Zone Design Guide contained in APP5-Mixed Use Zone Design Guide.</del></li> </ol>	3.9.3	Accept in part	See body of report.	No	Yes
81.737	Kāinga Ora	MUZ-P6	<p>Amend:</p>	3.9.3	Accept in part	See body of report.	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			Provide for development that: 1. Creates an attractive <del>a positive</del> interface with the public space through high quality building designs; 2. Ensures any parking, storage and servicing areas are visually unobtrusive and preferably located within or to the rear of the building; 3. Where located along an active street frontage identified on the planning maps, creates a positive interface with the public space and <del>contributes to the streetscape well-defined open spaces through by</del> <u>ensuring:</u> a. Buildings that are oriented towards the front boundary of the site; b. Transparent glazing on the ground floor that allows visibility into and out of commercial frontages and reflects whether it is a primary or secondary frontage; and c. Obvious and highlighted public entrances; and 4. <del>Is consistent with the Mixed Use Zone Design Guide contained in APP5-</del> <u>Mixed Use Zone Design Guide.</u>					
81.738	Kāinga Ora	MUZ-P7	Retain as notified.	3.9.3	Reject	See body of report.	No	Yes
135.5	Dept. of Corrections	Rules	Amend the rules to include community corrections activities as a Permitted Activity.	n/a	Accept	Agree with submitter	No	Yes
135.19 <sup>67</sup>	Dept. of Corrections	General	Amend the Mixed Use Zone rules to include “supported residential care activities” as a Permitted Activity.	n/a	Accept	Agree with submitter	No	Yes
122.39	Foodstuffs	New Provision	Insert new rule in the MUZ specifically providing for supermarkets as a permitted activity.	3.9.4	Accept in part	See body of report.	No	Yes
81.739	Kāinga Ora	MUZ-R1 Notification preclusion	Amend: <b>1. Activity status: Permitted</b> Where: a. The gross floor area of the new building does not exceed 450m <sup>2</sup> ; b. Any addition to an existing building does not result in the total gross floor area of the building exceeding 450m <sup>2</sup> ; and c. Compliance is achieved with: i. MUZ-S1; ii. MUZ-S2; iii. MUZ-S3; iv. MUZ-S4; v. MUZ-S5; and vi. MUZ-S6. <b>2. Activity status: Restricted discretionary</b> Where: a. Compliance is not achieved with MUZ-R1-1.a or MUZ-R1-1.b. <b>Matters of discretion are restricted to:</b> 1. The matters in MUZ-P5 and MUZ-P6. <b>Notification:</b>	3.9.4	Accept in part	See body of report.	No	Yes

<sup>67</sup> Supported by Kāinga Ora [FS65.389]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>An application under this rule is precluded from being publicly <u>and limited</u> notified in accordance with sections 95A and 95B of the RMA.</p> <p><b>3. Activity status: Restricted discretionary</b> Where:</p> <p>a. Compliance is not achieved with MUZ-S1, MUZ-S2, MUZ-S3, MUZ-S4, MUZ-S5 or MUZ-S6.</p> <p><b>Matters of discretion are restricted to:</b> 1. The matters of discretion of any infringed standard.</p> <p>Notification:</p> <ul style="list-style-type: none"> <li>An application under this rule where compliance is not achieved with MUZ-S2, MUZ-S3, <del>MUZ-S4</del> or MUZ-S6 is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>An application under this rule where compliance is not achieved with <u>MUZ-S4 and</u> MUZ-S5 is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</li> </ul> <p><u>Note:</u> <u>Acceptable means of achieving best practice urban design guidance is contained within Porirua City Council's Mixed Use Design Guidelines.</u></p>					
81.740	Kāinga Ora	MUZ-R2	Retain as notified.	n/a	Accept	Agree with submitter	No	No
81.741	Kāinga Ora	MUZ-R3	Retain as notified.	3.9.4	Reject	See body of report.	No	Yes
9.13	Bunnings Limited	MUZ-R3	Retain rule as notified.	3.9.4	Reject	See body of report.	No	Yes
122.25	Foodstuffs	MUZ-R3	Retain rule MUZ-R3 as notified.	3.9.4	Reject	See body of report.	No	Yes
81.742	Kāinga Ora	MUZ-R4	Retain as notified.	3.9.4	Reject	See body of report.	No	Yes
81.743	Kāinga Ora	MUZ-R5	<p>Amend:</p> <p><b>1. Activity status: Permitted</b> Where:</p> <p>a. The gross floor area per tenancy does not exceed <del>450m<sup>2</sup></del><sup>200m<sup>2</sup></sup>; and</p> <p>b. Compliance is achieved with MUZ-S6.</p> <p><b>2. Activity status: Restricted discretionary</b> Where:</p> <p>a. Compliance is not achieved with MUZ-R5-1.a.</p> <p><b>Matters of discretion are restricted to:</b> 1. The matters in MUZ-P3.</p> <p><b>3. Activity status: Restricted discretionary</b> Where:</p> <p>a. Compliance is not achieved with MUZ-S6.</p> <p><b>Matters of discretion are restricted to:</b> 1. The matters of discretion of any infringed standard.</p> <p>Notification: An application under this rule where compliance is not achieved with MUZ-S6 is precluded from being publicly notified in accordance with section 95A of the RMA.</p>	3.9.4	Reject	See body of report.	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
81.744	Kāinga Ora	MUZ-R6	Retain as notified.	3.9.4	Reject	See body of report.	No	Yes
81.745	Kāinga Ora	MUZ-R7	Retain as notified.	3.9.4	Reject	See body of report.	No	Yes
81.746	Kāinga Ora	MUZ-R8	Retain as notified.	3.9.4	Reject	See body of report.	No	Yes
81.747	Kāinga Ora	MUZ-R9	Retain as notified.	3.9.4	Reject	See body of report.	No	Yes
81.748	Kāinga Ora	MUZ-R10	Retain as notified.	3.9.4	Reject	See body of report.	No	Yes
134.29	Ministry of Education	MUZ-R10	Retain as proposed.	3.9.4	Reject	See body of report.	No	Yes
81.749	Kāinga Ora	MUZ-R11	Retain as notified.	3.9.4	Reject	See body of report.	No	Yes
81.750	Kāinga Ora	MUZ-R12	Retain as notified.	3.9.4	Reject	See body of report.	No	Yes
81.751	Kāinga Ora	MUZ-R13	Retain as notified.	3.9.4	Reject	See body of report.	No	Yes
92.10	Z Energy Limited	MUZ-R13	Retain the rule.	3.9.4	Reject	See body of report.	No	Yes
81.752	Kāinga Ora	MUZ-R14	Amend: <u>MUZ-R14 Residential activity, residential unit, and supported residential care activity</u> <b>1. Activity status: Permitted</b> Where: a. — No more than two residential units occupy the site; and b. — Compliance is achieved with MUZ-S5. <del><b>2. Activity status: Restricted discretionary</b></del> Where: a. — Compliance is not achieved with MUZ-R14-1.a. <del><b>Matters of discretion are restricted to:</b></del> 1. — The matters in MUZ-P2 and MUZ-P6. Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA. <del><b>3. Activity status: Restricted discretionary</b></del> Where: a. — Compliance is not achieved with MUZ-S5. <del><b>Matters of discretion are restricted to:</b></del> 1. — The matters of discretion of any infringed standard. Notification: An application under this rule where compliance is not achieved with MUZ-S5 is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.	3.9.4	Reject	See body of report.	No	Yes
81.753	Kāinga Ora	MUZ-R15	Retain as notified.	3.9.4	Reject	See body of report.	No	Yes
9.14	Bunnings Limited	MUZ-R16	Retain the restricted discretionary activity status for trade suppliers under rule MUZ-R16. Delete the qualifying thresholds under MUZ-R16-1 and MUZ-R16-2.	3.9.4	Reject	See body of report.	No	Yes
81.754	Kāinga Ora	MUZ-R16	Retain as notified.	3.9.4	Reject	See body of report.	No	Yes
81.755	Kāinga Ora	MUZ-R17	Retain as notified.	3.9.4	Reject	See body of report.	No	Yes
190.3	Paremata Residents Association	MUZ-R17	Amend the rule to limit a Light Industrial Activity to 1,500m <sup>2</sup> gross floor area.	3.9.4	Reject	See body of report.	No	Yes
119.70	FENZ	MUZ-R18	Retain as proposed.	3.9.4	Reject	See body of report.	No	Yes
81.756	Kāinga Ora	MUZ-R18	Retain as notified.	3.9.4	Reject	See body of report.	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
81.758	Kāinga Ora	MUZ-R19	Retain as notified.	n/a	Accept	Agree with submitter	No	No
81.759	Kāinga Ora	MUZ-R20	Retain as notified.	n/a	Accept	Agree with submitter	No	No
81.760	Kāinga Ora	MUZ-R21	Retain as notified.	n/a	Accept	Agree with submitter	No	No
81.761	Kāinga Ora	MUZ-R22	Retain as notified.	n/a	Accept	Agree with submitter	No	No
81.762	Kāinga Ora	MUZ-S1	<p>Amend:</p> <p>1. All buildings and structures must not exceed a maximum height above ground level of <del>16m</del> <del>12m</del>, except that:</p> <p>a. An additional 1m can be added to the maximum height of any building with a roof slope of 15° or greater; and</p> <p>b. Any fence or standalone wall along a side or rear boundary which adjoins a site zoned General Residential Zone, Medium Density Residential Zone, Open Space Zone or Sport and Active Recreation Zone must not exceed 2m in height.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> <li>Solar water heating components provided these do not exceed the height by more than 1m;</li> <li>Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m;</li> <li>Antennas, aerials, and flues provided these do not exceed the height by more than 1m; or</li> <li>Satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) provided these do not exceed the height by more than 1m.</li> <li>Lift overruns provided these do not exceed the height by more than 1m.</li> </ul> <p><b>Matters of discretion are restricted to:</b></p> <p>1. The location, design and appearance of the building or structure;</p> <p>2. Any adverse effects on the streetscape <u>taking into account the context, topography of the site and its surrounds and planned urban built form;</u></p> <p>3. Visual dominance, shading and loss of privacy for adjoining Residential or Open Space and Recreation zoned sites;</p> <p>4. Compatibility with the anticipated scale, proportion and context of buildings, structures and activities in the surrounding area; <u>and</u></p> <p>5. Whether an increase in building height results from a response to natural hazard mitigation; <u>and</u></p> <p><del>6. Consistency with the Mixed Use Zone Design Guide.</del></p>	3.9.5	Accept in part	See body of report.	No	Yes
81.949	Kāinga Ora	MUZ-S1	Increase height limit in the Mixed Use Zone to 16m.	3.9.5	Accept in part	See body of report.	No	Yes
122.27 <sup>68</sup>	Foodstuffs	MUZ-S1	<p>Amend matters of discretion for the standard as follows:</p> <p>Matters of discretion are restricted to:</p> <p>1. The location, design and appearance of the building or structure;</p>	n/a	Accept	Agree with Submitter	No	Yes

<sup>68</sup> Supported by Kāinga Ora [FS65.392]



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			2. Any adverse effects on the streetscape; 3. Visual dominance, shading and loss of privacy for adjoining Residential or Open Space and Recreation zoned sites; 4. Compatibility with the anticipated scale, proportion and context of buildings, structures and activities in the surrounding area; 5. Whether an increase in building height results from a response to natural hazard mitigation; and <del>6. Consistency with the Mixed Use Zone Design Guide.</del>					
81.763	Kāinga Ora	MUZ-S2	Retain as notified.	3.9.5	Reject	See body of report.	No	Yes
81.764	Kāinga Ora	MUZ-S3	Retain as notified.	3.9.5	Reject	See body of report.	No	Yes
81.765	Kāinga Ora	MUZ-S4	Amend: 1. For sites with primary <del>frontage street facing façade</del> controls identified on the planning maps: a. At least 20% of the ground floor building frontage must be display windows or transparent glazing; and b. The principal public entrance to the building must be located on the front boundary. 2. For sites with secondary <del>frontage street facing façade</del> controls identified on the planning maps at least 10% of the ground floor building frontage must be display windows or transparent glazing. Except that: • The active street frontage requirements do not apply to residential activities and residential units on the ground floor. <b>Matters of discretion are restricted to:</b> 1. The amenity and quality of the streetscape; and 2. The ability to reuse and adapt the building for a variety of activities; and <del>3. Consistency with the Mixed Use Zone Design Guide.</del>	n/a	Accept in part	Agree with submitter	No	Yes
122.28 <sup>69</sup>	Foodstuffs	MUZ-S4	Amend matters of discretion for the standard as follows: Matters of discretion are restricted to: 1. The amenity and quality of the streetscape; 2. The ability to reuse and adapt the building for a variety of activities; and <del>3. Consistency with the Mixed Use Zone Design Guide.</del>	n/a	Accept in part	Agree with submitter	No	Yes
81.766	Kāinga Ora	MUZ-S5	Amend: 1. Each residential unit located on the ground floor must be provided with an outdoor living space that: a. Has a minimum area of 20m <sup>2</sup> ; b. Has a minimum dimension of 3m; c. Is directly accessible from a habitable room or kitchen in the residential unit to which it relates; and d. Is free of buildings, parking spaces and manoeuvring areas.	3.9.5	Accept in part	See body of report.	No	Yes

<sup>69</sup> Supported by Kāinga Ora [FS65.393]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>2. Each residential unit located entirely above ground floor must be provided with an outdoor living space in the form of a balcony, deck or roof terrace that:</p> <ol style="list-style-type: none"> <li>Has a minimum area of <del>6m<sup>2</sup></del> <u>10m<sup>2</sup></u>;</li> <li>Has a minimum dimension of <del>1.8m</del> <u>2m</u>; and</li> <li>Is directly accessible from a habitable room <u>or kitchen</u> in the residential unit to which it relates.</li> </ol> <p>3. <del>For multi-unit housing, the</del> outdoor living space can be provided as private space and shared space provided that:</p> <ol style="list-style-type: none"> <li>Each residential unit is provided with a private outdoor living space that has a minimum area of <del>6m<sup>2</sup></del> <u>10m<sup>2</sup></u> with a minimum dimension of <del>1.8m</del> <u>2m</u>, that is directly accessible from a habitable room <u>or kitchen</u> in the residential unit to which it relates;</li> <li>The shared outdoor living space has a minimum area of 20m<sup>2</sup> with a minimum dimension of 3m; and</li> <li>Any ground floor outdoor living space is free of buildings, parking spaces and manoeuvring areas.</li> </ol> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Whether adequate useable space is provided to accommodate outdoor activities;</li> <li>Whether there are topographical or other site constraints that make compliance with the standard impractical; <u>and</u></li> <li>The proximity of the residential unit to accessible public open space; <u>and</u></li> </ol> <p>4. <del>Consistency with the Mixed Use Zone Design Guide.</del></p>					
81.767	Kāinga Ora	MUZ-S6	<p>Amend:</p> <ol style="list-style-type: none"> <li>Any on-site service area, including rubbish collection areas, and area for the outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be fully screened by a fence or landscaping where they are visible from any: <ol style="list-style-type: none"> <li>Public road;</li> <li>Other public space; and</li> <li>Directly adjoining site zoned General Residential Zone, Medium Density Residential Zone, Open Space Zone or Sport and Active Recreation Zone.</li> </ol> </li> <li>Any on-site parking area must: <ol style="list-style-type: none"> <li>Be fully screened by a fence or landscaping from any directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation.</li> <li>If located along a street edge, provide a landscaping strip along the frontage, that extends at least 1.5m from the boundary with the road and comprise a mix of trees, shrubs and ground cover plants without preventing the provision of an entry point to the site.</li> </ol> </li> </ol> <p>Except that:</p>	n/a	Accept	Agree with submitter	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<ul style="list-style-type: none"> <li>The landscaping requirement for on-site parking areas along a street edge does not apply to individual parking spaces for residential development, if provided.</li> </ul> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Any adverse effects on the streetscape;</li> <li>The visual amenity of adjoining Residential and Open Space and Recreation zoned sites including shading;</li> <li>The service, storage and parking needs of the activity; and</li> <li>The size and location of service, storage and parking areas; and</li> <li><del>Consistency with the Mixed Use Zone Design Guide.</del></li> </ol>					
9.15	Bunnings Limited	MUZ-S6	<p>Amend standard to read as follows:</p> <ol style="list-style-type: none"> <li>Any on-site service area, including rubbish collection areas, and area for the outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be <del>fully adequately</del> screened by a <u>1.8m</u> fence or <u>2m</u> landscaping where they are visible from any: <ol style="list-style-type: none"> <li>Public road;</li> <li>Other public space; and</li> <li>Directly adjoining site zoned General Residential Zone, Medium Density Residential Zone, Open Space Zone or Sport and Active Recreation Zone.</li> </ol> </li> <li>Any on-site parking area must: <ol style="list-style-type: none"> <li>Be <del>fully adequately</del> screened by a <u>1.8m</u> fence or <u>2m</u> landscaping from any directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation.</li> <li>If located along a street edge, provide a landscaping strip along the frontage, that extends at least 1.5m from the boundary with the road and comprise a mix of trees, shrubs and ground cover plants without preventing the provision of an entry point to the site.</li> </ol> <p>Except that: The landscaping requirement for on-site parking areas along a street edge does not apply to individual parking spaces for residential development, if provided.</p> </li> </ol>	3.9.5	Accept in part	See body of report.	No	Yes
122.26	Foodstuffs	MUZ-S6	<p>Amend rule MUZ-S6 Screening and landscaping of service areas, outdoor storage areas and parking areas to be read as follows:</p> <ol style="list-style-type: none"> <li>Any on-site service area, including rubbish collection areas, and area for the outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be <del>fully adequately</del> screened by a <u>1.8m</u> fence or <u>2m</u> landscaping where they are visible from any: <ol style="list-style-type: none"> <li>Public road;</li> <li>Other public space; and</li> <li>Directly adjoining site zoned General Residential Zone, Medium Density Residential Zone, Open Space Zone or Sport and Active Recreation Zone.</li> </ol> </li> <li>Any on-site parking area must:</li> </ol>	3.9.5	Accept in part	See body of report.	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>a. Be <del>fully</del> <u>adequately</u> screened by a <u>1.8m</u> fence or <u>2m</u> landscaping from any directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation.</p> <p>b. If located along a street edge, provide a landscaping strip along the frontage, that extends at least 1.5m from the boundary with the road and comprise a mix of trees, shrubs and ground cover plants without preventing the provision of an entry point to the site.</p> <p>Except that: The landscaping requirement for on-site parking areas along a street edge does not apply to individual parking spaces for residential development, if provided.</p>					
122.29 <sup>70</sup>	Foodstuffs	MUZ-S6	<p>Amend matters of discretion for the standard as follows: Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Any adverse effects on the streetscape;</li> <li>2. The visual amenity of adjoining Residential and Open Space and Recreation zoned sites including shading;</li> <li>3. The service, storage and parking needs of the activity;</li> <li>4. The size and location of service, storage and parking areas; and</li> <li>5. <del>Consistency with the Mixed Use Zone Design Guide.</del></li> </ol>	n/a	Accept	Agree with submitter	No	Yes
<b>CCZ – Central City Zone / MCZ – Metropolitan Centre Zone</b>								
81.768 <sup>71</sup>	Kāinga Ora	Multiple provisions Notification preclusions	<p>Kāinga Ora seeks consequential changes consistent with its overall submission on the Plan. Key areas of concern are (but not limited to):</p> <ol style="list-style-type: none"> <li>1. Deletion of reference to Design Guides and requirement that development be “consistent” with these to achieve compliance;</li> <li>2. Review and re-drafting of notification exclusion clauses;</li> <li>3. Change language to align with NPS-UD - “planned built urban form” in anticipation of changing character and associated amenity values;</li> <li>4. Increased spatial extent and consequential changes;</li> <li>5. Review and amendment to height standard and consequential changes;</li> <li>6. Amend provisions with direct ‘avoid’ statements. This needs to be qualified in light of the King Salmon meaning of ‘avoid; and</li> <li>7. Consequential changes to the numbering of provisions following changes sought throughout chapter.</li> </ol>	3.10.1	Accept in part	See body of report.	No	Yes
81.769	Kāinga Ora	General	<p>Amend: The Porirua City Centre is the primary commercial centre at the heart of the City. <del>It is characterised by a medium to</del> <u>It has a planned urban built form that reflects a high density built environment and with high-quality public spaces.</u> The City Centre Zone provides for a diverse range of commercial, retail, community and recreational activities and offers a variety of employment and living opportunities.</p>	3.10.1	Accept in part	See body of report.	No	Yes

<sup>70</sup> Supported by Kāinga Ora [FS65.394]

<sup>71</sup> Opposed by Russell Morrison [FS22.21]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>The City Centre Zone <del>encourages</del> <u>enables</u> high-density residential developments such as apartments above ground floor that will contribute to providing wider housing choices for the City. There is also the opportunity for redevelopment within the City centre where there are areas of land that are not being used as intensively <u>as is enabled by the planned urban built form of the zone</u> <del>they could be</del>.</p> <p>Activities and buildings along identified active street frontages interact with the streets and public spaces and contribute to a vibrant and attractive City centre. New buildings and development are well designed and reflect the high-quality urban environment.</p> <p>The land to the west of Titahi Bay Road, bound by Heriot Drive, Lyttleton Avenue Titahi Bay Road and Hagley Street and widely referred to as Bunnings Bank, is included within the City Centre Zone. Specific provisions for this area support a variety of development options, including residential development, while still enabling development that is consistent with the underlying City Centre Zone.</p>					
135.10	Dept. of Corrections	Objectives	Retain.	3.10.1	Accept in part	See body of report.	No	Yes
144.46	Harvey Norman	CCZ-O1	Retain as notified.	3.10.3	Accept in part	See body of report.	No	Yes
81.770	Kāinga Ora	CCZ-O1	Retain as notified.	3.10.3	Accept in part	See body of report.	No	Yes
81.771	Kāinga Ora	CCZ-O2	<p>Amend:</p> <p><u>CCZ-O2 Planned urban built environment of the City Centre Zone</u></p> <p>The <u>scale, form and design of use and development planned urban built form</u> in the City Centre is characterised by:</p> <ol style="list-style-type: none"> <li>1. A built form that is compact and reflects the high-density environment of the City Centre;</li> <li>2. A built environment that is versatile, well designed and of high quality and contributes to attractive and safe public spaces; and</li> <li>3. An urban environment that is an attractive place to live, work and visit.</li> </ol>	3.10.3	Accept in part	See body of report.	No	Yes
144.47	Harvey Norman	CCZ-O2	Retain as notified.	3.10.3	Accept in part	See body of report.	No	Yes
135.11	Dept. of Corrections	Policies	Retain.	3.10.4	Reject	See body of report.	No	Yes
144.48	Harvey Norman	CCZ-P1	Retain as notified.	3.10.4	Reject	See body of report.	No	Yes
81.772	Kāinga Ora	CCZ-P1	Amend:	3.10.4	Accept in part	See body of report.	No	Yes
81.773	Kāinga Ora	CCZ-P2	<p>Amend:</p> <p>Provide for <del>more intensive</del> <u>high density</u> residential activity where:</p> <ol style="list-style-type: none"> <li>1. It is located above ground floor, except for: <ol style="list-style-type: none"> <li>a. The Bunnings Bank site as identified in <u>CCZ-Figure 1</u>, where residential activity on the ground floor is enabled;</li> </ol> </li> <li>2. It does not <del>interrupt or preclude</del> <u>compromise</u> an ongoing active street frontage that provides a positive interface with the public space; <u>and</u></li> </ol>	3.10.4	Accept in part	See body of report.	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>3. Any residential unit is designed to <u>incorporate adequate provision of onsite amenity for the occupants and minimise reverse sensitivity effects on commercial activities.</u></p> <p>a. <del>Ensure that indoor noise and ventilation levels are appropriate for occupants; and</del></p> <p>b. <del>Provide for the amenity values of occupants in respect of outlook, privacy, daylight and site design;</del></p> <p>4. <del>It is consistent with the City Centre Zone Design Guide contained in APP4 City Centre Zone Design Guide; and</del></p> <p>5. <del>Reverse sensitivity effects on commercial activities are minimised.</del></p>					
144.49	Harvey Norman	CCZ-P2	Retain as notified.	3.10.4	Reject	See body of report.	No	Yes
81.774	Kāinga Ora	CCZ-P3	<p>Amend:</p> <p><del>Only allow</del> <u>Provide</u> for other activities where:</p> <p>1. Any significant adverse effects, including reverse sensitivity effects on the continued operation of established activities, can be avoided, remedied or mitigated;</p> <p>2. The intensity and scale of the activity is consistent with the <del>anticipated character and amenity values</del> <u>planned urban built form</u> of the City Centre Zone and does not compromise activities that are enabled within the zone;</p> <p>3. <u>The activity supports the role and function of the City Centre;</u></p> <p>4. For any retirement village:</p> <p>a. On-site amenity for residents is provided, which reflects the nature of and diverse needs of residents of the village; and</p> <p>b. Any potential reverse sensitivity effects on the continued operation of non-residential activities are minimised; and</p> <p>c. <u>Activation is achieved along identified street frontages. Any change to an active street frontage identified on the planning maps is consistent with the City Centre Zone Design Guide contained in APP4 City Centre Zone Design Guide.</u></p>	3.10.4	Accept in part	See body of report.	No	Yes
144.50	Harvey Norman	CCZ-P3	Retain as notified.	3.10.4	Reject	See body of report.	No	Yes
144.51	Harvey Norman	CCZ-P4	Retain as notified.	3.10.4	Reject	See body of report.	No	Yes
81.775	Kāinga Ora	CCZ-P4	<p>Amend:</p> <p>Avoid activities that are incompatible with the <u>planned urban built form, role, and function</u> <del>anticipated purpose, character and amenity values</del> of the City Centre Zone <u>where effects cannot be mitigated or managed.</u></p>	3.10.4	Accept in part	See body of report.	No	Yes
144.52	Harvey Norman	CCZ-P5	Retain as notified.	3.10.4	Reject	See body of report.	No	Yes
81.776	Kāinga Ora	CCZ-P5	<p>Amend:</p> <p>Provide for <del>and encourage</del> high quality and high-density built development that:</p> <p>1. Acknowledges and reflects the <u>planned purpose and urban built form</u> <del>purpose, scale and context</del> of the City Centre Zone;</p> <p>2. <del>Aligns with the anticipated compact, high-density character envisaged for the City Centre Zone;</del></p>	3.10.4	Accept in part	See body of report.	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>3. Is well designed and contributes actively to creating safe and vibrant public spaces;</p> <p>4. Provides active street frontages in locations identified on the planning maps;</p> <p>5. Provides visual interest by using a variety of building forms, materials and colours; and</p> <p>6. <del>Is consistent with the City Centre Zone Design Guide contained in APP4 City Centre Zone Design Guide; and</del></p> <p>7. Where applicable, enhances the connection to the Porirua Stream and addresses potential impacts on the openness and historical and cultural values of the stream.</p>					
81.777	Kāinga Ora	CCZ-P6	<p>Amend:</p> <p>Where located along an active street frontage identified on the planning maps, require development to provide <u>an attractive a positive</u> interface with the public space and <u>the streetscape by ensuring :contribute to creating well defined public spaces through:</u></p> <ol style="list-style-type: none"> <li>1. Buildings <del>that are</del> built up to the front boundary of the site;</li> <li>2. Continuous active street frontages <u>is provided;</u></li> <li>3. Verandas or other forms of pedestrian shelter <u>is provided;</u></li> <li>4. Transparent glazing <u>is incorporated</u> on the ground floor that allows visibility into and out of commercial frontages and reflects whether it is a primary or secondary frontage;</li> <li>5. Obvious and highlighted public entrances <u>are provided; and</u></li> <li>6. Visually unobtrusive parking, storage and servicing areas, <u>are located</u> preferably within or to the rear of the building, <del>and</del></li> <li>7. <del>Consistency with the City Centre Zone Design Guide contained in APP4 City Centre Zone Design Guide.</del></li> </ol>	3.10.4	Accept in part	See body of report.	No	Yes
144.53	Harvey Norman	CCZ-P6	Retain as notified.	3.10.4	Reject	See body of report.	No	Yes
144.54	Harvey Norman	CCZ-P7	Retain as notified.	3.10.4	Reject	See body of report.	No	Yes
135.4	Dept. of Corrections	Rules	Amend the rules to include community corrections activities as a Permitted Activity.	n/a	Accept	Agree with submitter	No	Yes
122.40	Foodstuffs	New Provision	Insert new rule in the CCZ specifically providing for supermarkets as a permitted activity.	3.10.4	Accept in part	See body of report	No	Yes
81.779	Kāinga Ora	CCZ-R1 Notification preclusion	<p>Amend:</p> <p><b>1. Activity status: Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. The external building form (floor area and height) of the existing building remains unchanged.</li> </ol> <p><b>2. Activity status: Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with CCZ-R1-1.a; and</li> <li>b. Compliance is achieved with <ol style="list-style-type: none"> <li>i. CCZ-S1;</li> <li>ii. CCZ-S2;</li> <li>iii. CCZ-S3;</li> <li>iv. CCZ-S4;</li> </ol> </li> </ol>	3.10.4	Accept in part	See body of report	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>v. CCZ-S5; and vi. CCZ-S6</p> <p><b>Matters of discretion are restricted to:</b> 1. The matters in CCZ-P5, CCZ-P6, and CCZ-P7.</p> <p><b>Notification:</b> An application under this rule is precluded from being publicly and limited notified in accordance with sections 95A and 95B of the RMA.</p> <p><b>3. Activity status: Discretionary</b> Where: a. Compliance is not achieved with CCZ-S1, CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S5, and CCZ-S6.</p>					
144.55	Harvey Norman	CCZ-R1	Amend rule by removing clauses CCZ-R1-2 and CCZ-R1-3.	3.10.5	Accept in part	See body of report	No	Yes
144.56	Harvey Norman	CCZ-R2	Amend rule by removing clauses CCZ-R2-2 and CCZ-R2-3.	3.10.5	Reject	See body of report	No	Yes
120.6	Woolworths	CCZ-R2	Amend rule matters of discretion under Rule CCZ-R2 as follows: <ul style="list-style-type: none"> <li>Remove reference to policy CCZ-P7; and</li> <li>Remove the need under CCZ-P5 and CCZ-P6 for consistency with the Design Guide and replace with the following wording: <i>Regard should be had to the City Centre Zone Design Guide contained in APP4-City Centre Zone Design Guide.</i></li> </ul>	3.10.5	Reject	See body of report	No	Yes
81.780	Kāinga Ora	CCZ-R2 Notification preclusion	<p>Amend:</p> <p><b>1. Activity status: Permitted</b> Where: a. The gross floor area of the additions is less than 5% of the gross floor area of the existing building.</p> <p><b>2. Activity status: Restricted discretionary</b> Where: a. Compliance is not achieved with CCZ-R2-1.a; and b. Compliance is achieved with i. CCZ-S1; ii. CCZ-S2; iii. CCZ-S3; iv. CCZ-S4; v. CCZ-S5; and vi. CCZ-S6</p> <p><b>Matters of discretion are restricted to:</b> 1. The matters in CCZ-P5, CCZ-P6, and CCZ-P7.</p> <p><b>Notification:</b> An application under this rule is precluded from being publicly and limited notified in accordance with sections 95A and 95B of the RMA.</p> <p><b>3. Activity status: Discretionary</b> Where: a. Compliance is not achieved with CCZ-S1, CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S5, and CCZ-S6.</p>	3.10.5	Reject	See body of report	No	Yes



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
81.781 <sup>72</sup>	Kāinga Ora	CCZ-R3 Notification preclusion	Amend: <b>1. Activity status: Permitted</b> Where: a. The building or structure is ancillary to an activity already established on the site; b. The building or structure is not located along a primary frontage identified on the planning maps; c. The gross floor area of the building or structure is less than 25m <sup>2</sup> ; d. The height of the building or structure is less than 3m; and e. The building or structure is screened and not visible from any public road or other public space. <b>2. Activity status: Restricted discretionary</b> Where: a. Compliance is not achieved with CCZ-R3-1; and b. Compliance is achieved with: i. CCZ-S1; ii. CCZ-S2; iii. CCZ-S3; iv. CCZ-S4; v. CCZ-S5; and vi. CCZ-S6.  <b>Matters of discretion are restricted to:</b> 1. The matters in CCZ-P5, CCZ-P6 and CCZ-P7. <b>Notification:</b> An application under this rule is precluded from being publicly and limited notified in accordance with sections 95A and 95B of the RMA. <b>3. Activity status: Discretionary</b> Where: a. Compliance is not achieved with CCZ-S1, CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S5 or CCZ-S6.	3.10.5	Reject	See body of report	No	Yes
144.57	Harvey Norman	CCZ-R3	Amend rule by removing clauses CCZ-R3-2 and CCZ-R3-3.	3.10.5	Reject	See body of report	No	Yes
144.58	Harvey Norman	CCZ-R4	Retain as notified.	3.10.5	Reject	See body of report	No	Yes
81.782	Kāinga Ora	CCZ-R4	Retain as notified.	3.10.5	Reject	See body of report	No	Yes
144.59	Harvey Norman	CCZ-R5	Retain as notified.	n/a	Accept	Agree with submitter	No	No
122.30	Foodstuffs	CCZ-R5	Retain rule CCZ-R5 Retail activity as notified.	n/a	Accept	Agree with submitter	No	No
81.783	Kāinga Ora	CCZ-R5	Retain as notified.	n/a	Accept	Agree with submitter	No	No
9.16	Bunnings Limited	CCZ-R5	Retain rule as notified.	n/a	Accept	Agree with submitter	No	No
81.784	Kāinga Ora	CCZ-R6	Retain as notified.	n/a	Accept	Agree with submitter	No	No
144.60	Harvey Norman	CCZ-R6	Retain as notified.	n/a	Accept	Agree with submitter	No	No
144.61	Harvey Norman	CCZ-R7	Retain as notified.	n/a	Accept	Agree with submitter	No	No

<sup>72</sup> Opposed by Te Rūnunga o Toa Rangatira [FS70.23]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
81.785	Kāinga Ora	CCZ-R7	Retain as notified.	n/a	Accept	Agree with submitter	No	No
81.786	Kāinga Ora	CCZ-R8	Retain as notified.	n/a	Accept	Agree with submitter	No	No
144.62	Harvey Norman	CCZ-R8	Retain as notified.	n/a	Accept	Agree with submitter	No	No
144.63	Harvey Norman	CCZ-R9	Retain as notified.	n/a	Accept	Agree with submitter	No	No
81.787	Kāinga Ora	CCZ-R9	Retain as notified.	n/a	Accept	Agree with submitter	No	No
81.788	Kāinga Ora	CCZ-R9	Retain as notified.	n/a	Accept	Agree with submitter	No	No
81.789	Kāinga Ora	CCZ-R10	Retain as notified.	n/a	Accept	Agree with submitter	No	No
81.790	Kāinga Ora	CCZ-R11	Retain as notified.	n/a	Accept	Agree with submitter	No	No
134.30	Ministry of Education	CCZ-R11	Retain as proposed.	n/a	Accept	Agree with submitter	No	No
81.791	Kāinga Ora	CCZ-R12	Retain as notified.	n/a	Accept	Agree with submitter	No	No
81.792	Kāinga Ora	CCZ-R13	Retain as notified.	3.10.5	Reject	See body of report	No	Yes
81.793	Kāinga Ora	CCZ-R14	Change title of Rule CCZ-R14 to: <u>CCZ-R14 Residential activity, residential unit, and supported residential care activity</u> Otherwise, retain as notified.	3.10.5	Reject	See body of report	No	Yes
144.64	Harvey Norman	CCZ-R14	Retain as notified.	3.10.5	Reject	See body of report	No	Yes
81.794 <sup>73</sup>	Kāinga Ora	CCZ-R15 Notification preclusion	Amend: <b>1. Activity status: Restricted discretionary</b> Where: a. Compliance is achieved with: i. CCZ-S1; ii. CCZ-S2; iii. CCZ-S3; iv. CCZ-S4; v. CCZ-S5; and vi. CCZ-S6.  <b>Matters of discretion are restricted to:</b> 1. The matters in CCZ-P5, CCZ-P6 and CCZ-P7. <b>Notification:</b> An application under this rule is precluded from being publicly and limited notified in accordance with sections 95A and 95B of the RMA.  <b>2. Activity status where compliance not achieved: Discretionary</b> Where: a. Compliance is not achieved with CCZ-S1, CCZ-S2, CCZ-S3, CCZ-S4, CCZ-S5 or CCZ-S6.	3.10.5	Reject	See body of report	No	Yes
9.17	Bunnings Limited	CCZ-R15	Retain rule as notified.	3.10.5	Reject	See body of report	No	Yes
144.65	Harvey Norman	CCZ-R15	Amend rule to remove clauses CCZ-R15-1 and CCZ-R15-2 and replace with the following:	3.10.5	Reject	See body of report	No	Yes

<sup>73</sup> Opposed by Te Rūnunga o Toa Rangatira [FS70.24]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			Activity Status: Restricted Discretionary, where compliance is achieved with CCZ-S1 to CCZ-S6. <u>Where compliance is not achieved with the above standards, a restricted discretionary activity resource consent is required in respect of that non-compliance. The matters of assessment include:</u> f. any objective or policy which is relevant to the standard; g. the purpose of the standard and whether that purpose will still be achieved if consent is granted; h. any special or unusual characteristic of the site which is relevant to the standard; i. the effects of the infringement of the standard; and j. where more than one standard will be infringed, the effects of all infringements considered together.					
122.31	Foodstuffs	CCZ-R15	Retain the rule as notified.	3.10.5	Reject	See body of report	No	Yes
120.7	Woolworths	CCZ-R16	Amend the rule as follows: <ul style="list-style-type: none"> <li>Supermarkets be made a permitted activity in the City Centre Zone;</li> <li>If Council do not agree to supermarkets being a Permitted Activity in the City Centre Zone, and thereby require resource consent as a Restricted Discretionary Activity, amend the matters of discretion to remove the requirement for consistency with the City Centre Zone Design Guide, and instead replace with the following wording: <i>Regard should be had to the City Centre Zone Design Guide contained in APP4-City Centre Zone Design Guide.</i></li> </ul> Provide a non-notification clause for both limited and public notification.	3.10.5	Accept in part	See body of report	No	Yes
144.66	Harvey Norman	CCZ-R16	Amend the rule as follows: 1. Activity status: <del>Restricted discretionary</del> <b>Permitted</b> <del>Matters of discretion are restricted to the matters in CCZ-P3.</del>	3.10.5	Reject	See body of report	No	Yes
81.795	Kāinga Ora	CCZ-R16	Retain as notified.	n/a	Accept	Agree with submitter	No	No
81.796	Kāinga Ora	CCZ-R17	Retain as notified.	n/a	Accept	Agree with submitter	No	No
119.72	FENZ	CCZ-R17	Retain as proposed.	n/a	Accept	Agree with submitter	No	No
81.797	Kāinga Ora	CCZ-R18	Retain as notified.	3.10.5	Reject	See body of report	No	Yes
81.798	Kāinga Ora	CCZ-R19	Amend <b>1. Activity status: Permitted</b> <u>Where:</u> a. <u>Compliance is achieved with:</u> CCZ-S5 <b>2. Activity status: Restricted discretionary</b> <u>Where:</u> a. <u>Compliance is not achieved with:</u> a. <u>CCZ-R19.1-a.</u> <b>Matters of discretion are restricted to:</b> 1. <u>The matters in CCZ-P7.</u> <b>Notification:</b>	3.10.5	Accept in part	See body of report	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<p>An application under this rule where compliance is not achieved is precluded from being publicly and limited notified in accordance with sections 95A and 95B of the RMA.</p> <p><b>1. Activity status: Restricted discretionary</b></p> <p>Where:</p> <p>b. — Compliance is achieved with:</p> <p>a. — CCZ-S5 is complied with.</p> <p>Matters of discretion are restricted to:</p> <p>2. — The matters in CCZ-P7.</p> <p><b>Notification:</b></p> <p>An application under this rule where compliance is not achieved with CCZ-S5 is precluded from being publicly notified in accordance with section 95A of the RMA.</p> <p><b>2. Activity status: Discretionary</b></p> <p>-</p> <p>Where:</p> <p>a. — Compliance is not achieved with CCZ-S5.</p>					
9.19	Bunnings Limited	CCZ-R19:	Delete rule.	3.10.5	Reject	See body of report	No	Yes
120.5	Woolworths	CCZ-R19	<p>Amend the rule so that the activity status for ground level parking not visible from the road or a public space is a Permitted Activity.</p> <p>If Council do not agree to ground level parking not visible from the road or a public space being provided for as a Permitted Activity, amend the matters of discretion to remove the requirement for consistency with the City Centre Zone Design Guide and be replaced with the following wording:</p> <p><i>Regard should be had to the City Centre Zone Design Guide contained in APP4-City Centre Zone Design Guide.</i></p>	3.10.5	Reject	See body of report	No	Yes
122.32	Foodstuffs	CCZ-R19	Delete the rule.	3.10.5	Reject	See body of report	No	Yes
144.67	Harvey Norman	CCZ-R19	Retain as notified.	3.10.5	Reject	See body of report	No	Yes
144.68	Harvey Norman	CCZ-R20	Amend the rule to permit trade suppliers within the City Centre Zone.	3.10.5	Reject	See body of report	No	No
9.18	Bunnings Limited	CCZ-R20	Retain rule as notified.	n/a	Accept	Agree with submitter	No	No
81.799	Kāinga Ora	CCZ-R20	Retain as notified.	n/a	Accept	Agree with submitter	No	No
81.800	Kāinga Ora	CCZ-R21	Retain as notified.	n/a	Accept	Agree with submitter	No	No
81.801	Kāinga Ora	CCZ-R22	Retain as notified.	n/a	Accept	Agree with submitter	No	No
81.802	Kāinga Ora	CCZ-R23	Retain as notified.	n/a	Accept	Agree with submitter	No	No
144.69	Harvey Norman	CCZ-R22	Retain as notified.	n/a	Accept	Agree with submitter	No	No
81.803	Kāinga Ora	CCZ-R24	Retain as notified.	n/a	Accept	Agree with submitter	No	No
81.804	Kāinga Ora	CCZ-R25	Retain as notified.	n/a	Accept	Agree with submitter	No	No
81.805 <sup>74</sup>	Kāinga Ora	CCZ-S1	<p>Amend:</p> <p><b>1. All buildings and structures must not exceed a maximum height above ground level of 30m.</b></p>	3.10.6	Reject	See body of report	No	Yes

<sup>74</sup> Opposed by [Name withheld for privacy reasons] [FS17.23]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
			<del>There are no matters of discretion for this standard.</del> 1. There is no maximum height limit in the City Centre.					
144.70	Harvey Norman	CCZ-S1	Retain as notified.	3.10.6	Reject	See body of report	No	Yes
56.3	TJL Associates - Tom Colman	1. All buildings and structures must not exceed a maximum height above ground level of 30m. [...]	Retain provision as notified.	3.10.6	Reject	See body of report	No	Yes
81.806	Kāinga Ora	CCZ-S2	Amend: 1. <del>Along</del> For sites with primary frontages and building lines identified on the planning maps all buildings must be built up to and oriented towards the identified building line and provide a veranda that: a. Extends along the entire length of the building frontage; b. Provides continuous shelter with any adjoining veranda; and c. Has a minimum setback of 500mm from any kerb face. 2. For sites with primary <del>street-facing façade</del> <u>frontage</u> controls identified on the planning maps: a. At least 55% of the ground floor building frontage must be display windows or transparent glazing; and b. The principal public entrance to the building must be located on the front boundary. 3. For sites with secondary <del>street-facing façade</del> <u>frontage</u> controls identified on the planning maps at least 35% of the ground floor building frontage must be display windows or transparent glazing.	3.10.6	Accept in part	See body of report	No	Yes
144.71	Harvey Norman	CCZ-S2	Retain as notified.	3.10.6	Reject	See body of report	No	Yes
122.34	Foodstuffs	CCZ-S2	Amend standard CCZ-S2 Active Street Frontages to be read as follows: 1. Along building lines identified on the planning maps all <u>new</u> buildings must be built up to and oriented towards the identified building line and provide a veranda that: a. Extends along the entire length of the building frontage; b. Provides continuous shelter with any adjoining veranda; and c. Has a minimum setback of 500mm from any kerb face. 2. For sites with primary street-facing façade controls identified in the planning maps <u>new buildings shall provide the following</u> : a. At least 55% of the ground floor building frontage must be display windows or transparent glazing; and b. The principal public entrance to the building must be located on the front boundary. 3. For sites with secondary street-facing façade controls identified in the planning maps <u>for new buildings</u> at least 35% of the ground floor building frontage must be display windows or transparent glazing.	3.10.6	Accept in part	See body of report	Yes	Yes
120.8	Woolworths	CCZ-S2	Amend the standard to enable landscaping to be provided along the building line where it is not feasible to construct a building up to the identified building line or provide a continuous verandah and/or glazing.	3.10.6	Reject	See body of report	No	Yes
81.807	Kāinga Ora	CCZ-S3	Retain as notified.	3.10.6	Reject	See body of report	No	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
81.808	Kāinga Ora	CCZ-S4	Amend: 1. <del>All</del> For sites on an identified Active Street Frontage on the planning maps all residential units must be located above ground floor. This standard does not apply to residential development on the Bunnings Bank site as identified in CCZ-Figure 1. <b>Matters of discretion are restricted to:</b> 1. The amenity and quality of the streetscape; and 2. The amenity for the occupiers of the residential units; <del>and</del> 3. <del>Consistency with the City Centre Zone Design Guide.</del>	3.10.6	Accept in part	See body of report	No	Yes
81.809	Kāinga Ora	CCZ-S5	Amend: 1. Any on-site ground level car parking must be located within or at the rear of the building that it serves. This standard does not apply to residential development on the Bunnings Bank site as identified in CCZ-Figure 1. <b>Matters of discretion are restricted to:</b> 1. The amenity and quality of the streetscape; and 2. The parking needs of the activity; <del>and</del> 3. <del>Consistency with the City Centre Zone Design Guide.</del>	n/a	Accept	Agree with submitter	No	Yes
9.20	Bunnings Limited	CCZ-S5	Delete standard.	3.10.6	Reject	See body of report	No	Yes
122.35 <sup>75</sup>	Foodstuffs	CCZ-S5	Amend matters of discretion for the standard as follows: Matters of discretion are restricted to: 1. The amenity and quality of the streetscape; 2. The parking needs of the activity; and 3. <del>Consistency with the City Centre Zone Design Guide</del>	n/a	Accept	Agree with submitter	No	Yes
122.33	Foodstuffs	CCZ-S5	Delete the standard.	3.10.6	Reject	See body of report	No	Yes
144.72	Harvey Norman	CCZ-S5	Retain as notified.	3.10.6	Reject	See body of report	No	Yes
81.810	Kāinga Ora	CCZ-S6	Amend: 1. Any on-site service area, including rubbish collection areas, and area for the outdoor storage of goods or materials must: a. Be located to the rear of the building; and b. Without preventing the provision of a gate or entry point to the site, be fully screened by a fence or landscaping where it is visible from the road or any other public space. <b>Matters of discretion are restricted to:</b> 1. The amenity and quality of the streetscape; and 2. The parking needs of the activity; <del>and</del> 3. <del>Consistency with the City Centre Zone Design Guide.</del>	n/a	Accept	Agree with submitter	No	Yes
122.36 <sup>76</sup>	Foodstuffs	CCZ-S6	Amend matters of discretion for the standard as follows: Matters of discretion are restricted to: 1. The amenity and quality of the streetscape or public space; 2. Their service and storage needs of the activity; and 3. <del>Consistency with the City Centre Zone Design Guide.</del>	n/a	Accept	Agree with submitter	No	Yes

<sup>75</sup> Supported by Kāinga Ora [FS65.398]

<sup>76</sup> Supported by Kāinga Ora [FS65.399]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	Deemed to be a submission against Variation 1 under Clause 16B?
<b>GIZ – General Industrial Zone</b>								
81.811	Kāinga Ora	General	Retain as notified.	<b>Error! Reference source not found.</b>	Accept in part	See body of report	No	Yes
135.16	Dept. of Corrections	Objectives	Retain.	3.11.1	Accept in part	See body of report	No	Yes
144.73	Harvey Norman	GIZ-O1	Retain as notified.	3.11.1	Accept in part	See body of report	No	Yes
144.74	Harvey Norman	GIZ-O2	Retain as notified.	3.11.1	Accept in part	See body of report	No	Yes
135.17	Dept. of Corrections	Policies	Retain.	3.11.2	Accept in part	See body of report	No	Yes
144.75	Harvey Norman	GIZ-P1	Retain as notified.	3.11.2	Accept in part	See body of report	No	Yes
135.7 <sup>77</sup>	Dept. of Corrections	Rules	Amend the rules to include community corrections activities as a Permitted Activity.	3.11.3	Reject	See body of report	No	Yes
134.31 <sup>78</sup>	Ministry of Education	New Provision	Add new rule as follows: <u>GIZ-RXX Educational Facility</u> <u>1. Activity Status: Discretionary</u>	3.11.3	Reject	See body of report	No	Yes
144.76	Harvey Norman	GIZ-R4	Retain as notified.	3.11.3	Reject	See body of report	No	Yes
9.21	Bunnings Limited	GIZ-R13	Retain as notified.	3.11.3	Reject	See body of report	No	Yes
119.73	FENZ	GIZ-R14	Retain as proposed.	3.11.3	Reject	See body of report	No	Yes
9.22	Bunnings Limited	GIZ-S5	Amend standard as follows: 1. Any on-site service area, including rubbish collection areas, and area for the outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be <del>fully</del> <u>adequately</u> screened by a <u>1.8m</u> fence or <u>2m</u> landscaping where they are visible from any: a. Public road; b. Site in the Residential Zone; or c. Site in the Open Space and Recreation Zone.	3.11.4	Accept in part	See body of report	No	Yes

<sup>77</sup> Kāinga Ora [FS65.402]

<sup>78</sup> Kāinga Ora [FS65.403]

**Table B 2: Recommended responses to submissions and further submissions on Variation 1 to the PDP**

Note: Further submitter Leigh Subritzky (FS17) supported original submissions 1, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 24, 25, 26, 29, 30, 31, 32, 33, 34, 35, 39, 40, 41, 42, 43, 44, 47, 48, 51, 52, 55, 58, 60, 61, 62, 63, 64, 65, 66, 68, 69, 70, 72, 73, 74, 77, 79, 80, 85, 86, 87, 88, 89, 90, 91, 97, 98, 99, 100, 102, 104, 105, 106, 107, 109, 110, 111, 114, 115, 116, and 117. Original submissions 2, 5, 19, 20, 21, 27, 28, 53, 54, 56, 67, 71, 75, 76, 78, 81, 82, 83, 84, 94, 95, 96, 101 and 113 were opposed by the further submitter. Due to size, these further submission points are not included in the table below.

Further submitter Alan Collett [FS99] opposed original submissions 76. Further submitter Rebecca Davis [FS127] supported original submissions 11, 32, 58, 68, 79, 82, 111 and 114 and opposed original submissions 59 and 76.

Due to size, these further submission points are not included in the table below.

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
<b>Centres hierarchy and distribution of business activities</b>							
OS17.1	Leigh Subritzky	Commercial Zones - General	[Not specified, refer to original submission].  While no specific decision sought, the submitter raised the following matter(s): <i>Feedback on the following topics:</i> 5. Revision of all commercial zones to enable taller buildings and increased housing in commercial areas. 6. Replacement of the City Centre zone with the Metropolitan centre zone. 7. Revised urban design guides for all residential and commercial zones. 8. New maps showing the location of all new and revised zones, intensification precincts, and qualifying matters. The submitter is in favour of the topics raised in lieu of a bulldozer demolishing the city centre and starting again. Believes that in order to bring people back to the tumbleweed city centre, housing should be encouraged here. More housing in the city centre should be investigated instead of exciting neighbourhoods and Plimmerton Farms. Commercial areas such as Elsdon should be investigated but other commercial areas in the CBD should not be considered. The submitter concludes that they are in favour of housing in the city centre and some commercial areas. PCC has a responsibility to protect the land, people, flora and fauna over money.	3.3	Accept in part	See body of report	No
OS76.28 <sup>79</sup>	Kāinga Ora	General	Centres – generally better reflect design flexibility, planned urban built form, development density and height/daylight expectations.	3.3	Reject	See body of report	No
<b>Retirement Villages Association</b>							
OS118.109 <sup>80</sup>	RVA	NCZ - New Provision	Seeks the following policy:  <b>Provision of housing for an ageing population</b> 1. Provide for a diverse range of housing and care options that	3.4	Reject	See body of report	No

<sup>79</sup> Opposed by GWRC [FS74.127]

<sup>80</sup> Supported by Ryman Healthcare Limited [FS67.111]



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			are suitable for the particular needs and characteristics of older persons in [add] zone, such as retirement villages. 2. Recognise the functional and operational needs of retirement villages, including that they: a. May require greater density than the planned urban built character to enable efficient provision of services. b. Have unique layout and internal amenity needs to cater for the requirements of residents as they age.				
OS118.110 <sup>81</sup>	RVA	NCZ - New Provision	Seeks the following policy: <b>Changing communities</b> To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the [add] zone will change over time to enable a variety of housing types with a mix of densities.	3.4	Reject	See body of report	No
OS118.111 <sup>82</sup>	RVA	NCZ - New Provision	Seeks the following policy: <b>Larger sites</b> Recognise the intensification opportunities provided by larger sites within the [add] zone by providing for more efficient use of those sites.	3.4	Reject	See body of report	No
OS118.112 <sup>83</sup>	RVA	NCZ - General	Delete or amend other NCZ objectives and policies for consistency [with additional policies sought in separate submission points].	3.4	Reject	See body of report	No
OS118.113 <sup>84</sup>	RVA	NCZ-R1	Seeks that NCZ-R1 is amended as follows to include a set of focused matters of discretion that are applicable to retirement villages:  <b>NCZ-R1 New buildings and structures, and alterations, repairs and additions to existing buildings and structures</b> 1. Activity status: <b>Permitted</b> .... 2. Activity status: <b>Restricted discretionary</b> Where: a. Compliance is not achieved with NCZ-R1.a. Matters of discretion are restricted to:  1. The matters of discretion of any infringed standards.  <b>3. Activity status: <u>Restricted discretionary</u></b> <u>Where:</u> a. Compliance is not achieved with NCZ-R1.a.	3.4	Reject	See body of report	No

<sup>81</sup> Supported by Ryman Healthcare Limited [FS67.112]

<sup>82</sup> Supported by Ryman Healthcare Limited [FS67.113]

<sup>83</sup> Supported by Ryman Healthcare Limited [FS67.114]

<sup>84</sup> Supported by Ryman Healthcare Limited [FS67.115]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p><u>b. The application is for a retirement village.</u>  <u>Matters of discretion are restricted to:</u>  <u>1. The matters of discretion of any infringed built form standards;</u>  <u>2. The effects of the retirement village on the safety of adjacent streets or public open spaces;</u>  <u>3. The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;</u>  <u>4. The extent to which articulation, modulation and materiality addresses adverse visual dominance effects associated with building length;</u></p> <p><u>5. When assessing the matters in 1 - 5, consider:</u>  <u>a. The need to provide for efficient use of larger sites; and</u>  <u>b. The functional and operational needs of the retirement village.</u>  <u>6. The positive effects of the construction, development and use of the retirement village.</u>  <u>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</u></p> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• An application under this rule where compliance is not achieved with NCZ-S2, NCZ-S3 or NCZ-S7 is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>• An application under this rule where compliance is not achieved with NCZ-S4 is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</li> <li>• An application under this rule that is associated with a retirement village is precluded from being publicly notified.</li> <li>• An application under this rule that is associated with a retirement village where compliance is achieved with NCZ-S1, NCZ-S2 and NCZ-S3 is precluded from being limited notified.</li> </ul>				
OS118.114 <sup>85</sup>	RVA	NCZ-R20	Seeks to amend the activity status of retirement villages as an activity to be provided for as a permitted activity (with the	3.4	Reject	See body of report	No

<sup>85</sup> Supported by Ryman Healthcare Limited [FS67.116]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>construction of a retirement villages provided for as a restricted discretionary activity under NCZ-R1).</p> <p><b>NCZ-R20 Retirement village</b> 1. Activity status: <del>Discretionary Permitted</del></p>				
OS118.115 <sup>86</sup>	RVA	LCZ-P4	<p>Delete LCZ-P4(3) and replace with the following policies:</p> <p><b>Provision of housing for an ageing population</b> 1. Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in [add] zone, such as retirement villages. 2. Recognise the functional and operational needs of retirement villages, including that they: a. May require greater density than the planned urban built character to enable efficient provision of services. b. Have unique layout and internal amenity needs to cater for the requirements of residents as they age.</p> <p><b>Changing communities</b> To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the [add] zone will change over time to enable a variety of housing types with a mix of densities.</p> <p><b>Larger sites</b> Recognise the intensification opportunities provided by larger sites within the [add] zone by providing for more efficient use of those sites. Delete or amend other LCZ objectives and policies for consistency.</p>	3.4	Reject	See body of report	No
OS118.116 <sup>87</sup>	RVA	LCZ-R1	<p>Seeks that LCZ-R1 is amended as follows to include a set of focused matters of discretion that are applicable to retirement villages:</p> <p><b>LCZ-R1 New buildings and structures, and alterations, repairs and additions to existing buildings and structures</b> 1. Activity status: <b>Permitted</b> Where: a. The gross floor area of the new building or structure, or addition to an existing building or structure is no more than 450m<sup>2</sup>; and b. Compliance is achieved with: ... 2. Activity status: <b>Restricted discretionary</b> Where: a. Compliance is not achieved with LCZ-R1.a.</p>	3.4	Reject	See body of report	No

<sup>86</sup> Supported by Ryman Healthcare Limited [FS67.117]

<sup>87</sup> Supported by Ryman Healthcare Limited [FS67.118]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters in LCZ-P7.</li> </ol> <p><b>Notification:</b> An application under this rule is precluded from being publicly and limited notified in accordance with sections 95A and 95B of the RMA.</p> <ol style="list-style-type: none"> <li>3. Activity status: <b>Restricted discretionary</b></li> </ol> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with LCZ-R1-1.b.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters of discretion of any infringed standard.</li> </ol> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• An application under this rule where compliance is not achieved with LCZ-S2, LCZ-S3 or LCZ-S7 is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>• An application under this rule where compliance is not achieved with LCZ-S4 is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</li> </ul> <ol style="list-style-type: none"> <li>3. Activity status: <b>Restricted discretionary</b></li> </ol> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with LCZ-R1-1a or</li> <li>b. The application is for a retirement village.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. <u>The matters of discretion of any infringed built form standards;</u></li> <li>2. <u>The effects of the retirement village on the safety of adjacent streets or public open spaces;</u></li> <li>3. <u>The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;</u></li> <li>4. <u>The extent to which articulation, modulation and materiality addresses adverse visual dominance effects associated with building length;</u></li> <li>5. <u>When assessing the matters in 1 - 5, consider:</u> <ol style="list-style-type: none"> <li>a. <u>The need to provide for efficient use of larger sites; and</u></li> <li>b. <u>The functional and operational needs of the retirement village.</u></li> </ol> </li> <li>6. <u>The positive effects of the construction, development and use of the retirement village.</u></li> </ol> <p><u>or clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</u></p> <p><b>Notification:</b></p>				

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<ul style="list-style-type: none"> <li>An application under this rule that is associated with a retirement village is precluded from being publicly notified.</li> </ul> <p>An application under this rule that is associated with a retirement village where compliance is achieved with LCZ-S1, LCZ-S2 and LCZ-S3 is precluded from being limited notified.</p>				
OS118.117 <sup>88</sup>	RVA	LCZ-R19	<p>Seeks to amend the activity status of retirement villages as an activity to be provided for as a permitted activity (with the construction of a retirement villages provided for as a restricted discretionary activity under LCZ-R1).</p> <p><b>LCZ-R19 Retirement village</b></p> <p>1. Activity status: <del>Restricted discretionary</del> <b>Permitted</b></p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in LCZ-P4.</p> <p><b>Notification:</b></p> <p>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>	3.4	Reject	See body of report	No
OS118.118 <sup>89</sup>	RVA	MUZ-P4	<p>Delete MUZ-P4 as notified and replace with the following policies:</p> <p><b>Provision of housing for an ageing population</b></p> <p>1. Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in [add] zone, such as retirement villages.</p> <p>2. Recognise the functional and operational needs of retirement villages, including that they:</p> <p>a. May require greater density than the planned urban built character to enable efficient provision of services.</p> <p>b. Have unique layout and internal amenity needs to cater for the requirements of residents as they age.</p> <p><b>Changing communities</b></p> <p>To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the [add] zone will change over time to enable a variety of housing types with a mix of densities.</p> <p><b>Larger sites</b></p> <p>Recognise the intensification opportunities provided by larger sites within the [add] zone by providing for more efficient use of those sites.</p> <p>Delete or amend other MUZ objectives and policies for consistency.</p>	3.4	Reject	See body of report	No

<sup>88</sup> Supported by Ryman Healthcare Limited [FS67.119]

<sup>89</sup> Supported by Ryman Healthcare Limited [FS67.120]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
OS118.119 <sup>90</sup>	RVA	MUZ-R1	<p>Seeks that MUZ-R1 is amended as follows to include a set of focused matters of discretion that are applicable to retirement villages:</p> <p><b>MUZ-R1 New buildings and structures, and alterations, repairs and additions to existing buildings and structures</b></p> <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. The gross floor area of the new building or structure, or addition to an existing building or structure is no more than 450m<sup>2</sup>; and</p> <p>b. Compliance is achieved with:</p> <p>...</p> <p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with MUZ-R1.a.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in MUZ-P7.</p> <p><b>Notification:</b></p> <p>An application under this rule is precluded from being publicly and limited notified in accordance with sections 95A and 95B of the RMA.</p> <p>3. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with MUZ-R1-1.b.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard.</p> <p><b>Notification:</b></p> <p>An application under this rule where compliance is not achieved with MUZ-S2, MUZ-S3 or MUZ-S6 is precluded from being publicly notified in accordance with section 95A of the RMA.</p> <p>An application under this rule where compliance is not achieved with MUZ-S4 or MUZ-S5 is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</p> <p>4. Activity status: <b>Retirement village</b></p> <p><u>Where:</u></p> <p><u>a. Compliance is not achieved with MUZ-R1-1a or b.</u></p> <p><u>b. The application is for a retirement village.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. The matters of discretion of any infringed built form standards;</u></p> <p><u>2. The effects of the retirement village on the safety of adjacent streets or public open spaces;</u></p>	3.4	Reject	See body of report	No

<sup>90</sup> Supported by Ryman Healthcare Limited [FS67.121]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>3. The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;</p> <p>4. The extent to which articulation, modulation and materiality addresses adverse visual dominance effects associated with building length;</p> <p>5. When assessing the matters in 1 - 5, consider:</p> <p>a. The need to provide for efficient use of larger sites; and</p> <p>b. The functional and operational needs of the retirement village.</p> <p>6. The positive effects of the construction, development and use of the retirement village.</p> <p>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</p> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>An application under this rule that is associated with a retirement village is precluded from being publicly notified.</li> </ul> <p>An application under this rule that is associated with a retirement village where compliance is achieved with MUZ-S1, MUZ-S2 and MUZ-S3 is precluded from being limited notified.</p>				
OS118.120 <sup>91</sup>	RVA	MUZ-R21	<p>Seeks to amend the activity status of retirement villages as an activity to be provided for as a permitted activity (with the construction of a retirement villages provided for as a restricted discretionary activity under MUZ-R1).</p> <p><b>MUZ-R21 Retirement village</b></p> <p>1. Activity status: <del>Restricted discretionary</del> <b>Permitted</b></p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in MUZ-P4.</p> <p><b>Notification:</b></p> <p>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>	3.4	Reject	See body of report	No
OS118.121 <sup>92</sup>	RVA	MCZ-P4	<p>Delete MCZ-P4 and replace with the following policies:</p> <p><b>Provision of housing for an ageing population</b></p> <p>1. Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in [add] zone, such as retirement villages.</p> <p>2. Recognise the functional and operational needs of retirement villages, including that they:</p> <p>a. May require greater density than the planned urban built character to enable efficient provision of services.</p>	3.4	Reject	See body of report	No

<sup>91</sup> Supported by Ryman Healthcare Limited [FS67.122]

<sup>92</sup> Supported by Ryman Healthcare Limited [FS67.123]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>b. Have unique layout and internal amenity needs to cater for the requirements of residents as they age.</p> <p><b>Changing communities</b> To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the [add] zone will change over time to enable a variety of housing types with a mix of densities.</p> <p><b>Larger sites</b> Recognise the intensification opportunities provided by larger sites within the [add] zone by providing for more efficient use of those sites. Delete or amend other MCZ objectives and policies for consistency.</p>				
OS118.122 <sup>93</sup>	RVA	MCZ-R1	<p>Seeks that MCZ-R1 is amended as follows to include a set of focused matters of discretion that are applicable to retirement villages:</p> <p><b>MCZ-R1 New buildings and structures, and alterations, repairs and additions to existing buildings and structures</b></p> <p>1. Activity status: <b>Permitted</b> Where: a. The gross floor area of the new building or structure, or addition to an existing building or structure is no more than 450m<sup>2</sup>; and b. Compliance is achieved with: ... 2. Activity status: <b>Restricted discretionary</b> Where: b. Compliance is not achieved with MCZ-R1.a. Matters of discretion are restricted to: 1. The matters in MCZ-P7. <b>Notification:</b> An application under this rule is precluded from being publicly and limited notified in accordance with sections 95A and 95B of the RMA. 3. Activity status: <b>Restricted discretionary</b> Where: a. Compliance is not achieved with MCZ-R1-1.b. Matters of discretion are restricted to: 1. The matters of discretion of any infringed standard. <b>Notification:</b> An application under this rule where compliance is not achieved with MCZ-S2, MCZ-S3, MCZ-S4, MCZ-S5, or MCZ-S6 is precluded</p>	3.4	Reject	See body of report	No

<sup>93</sup> Supported by Ryman Healthcare Limited [FS67.124]



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>from being publicly notified in accordance with section 95A of the RMA.</p> <p><b>4. Activity status: <u>Restricted discretionary</u></b></p> <p><u>Where:</u></p> <p><u>a. Compliance is not achieved with MCZ-R1-1a or b.</u></p> <p><u>b. The application is for a retirement village.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. The matters of discretion of any infringed built form standards;</u></p> <p><u>2. The effects of the retirement village on the safety of adjacent streets or public open spaces;</u></p> <p><u>3. The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;</u></p> <p><u>4. The extent to which articulation, modulation and materiality addresses adverse visual dominance effects associated with building length;</u></p> <p><u>5. When assessing the matters in 1 - 5, consider:</u></p> <p><u>a. The need to provide for efficient use of larger sites; and</u></p> <p><u>b. The functional and operational needs of the retirement village.</u></p> <p><u>6. The positive effects of the construction, development and use of the retirement village.</u></p> <p><u>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</u></p> <p><b>Notification:</b></p> <p><u>An application under this rule that is associated with a retirement village is precluded from being publicly notified.</u></p> <p><u>An application under this rule that is associated with a retirement village where compliance is achieved with MCZ-S1 is precluded from being limited notified.</u></p>				
OS118.123 <sup>94</sup>	RVA	MCZ-R21	<p>Seeks to amend the activity status of retirement villages as an activity to be provided for as a permitted activity (with the construction of a retirement villages provided for as a restricted discretionary activity under MCZ-R1).</p> <p><b>MCZ-R21 Retirement village</b></p> <p>1. Activity status: <del>Restricted discretionary</del> <b>Permitted</b></p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in MCZ-P4.</p>	3.4	Reject	See body of report	No
<b>NCZ - Neighbourhood Centre Zone</b>							
OS76.41 <sup>95</sup>	Kāinga Ora	General	Revisions to notification preclusion statements.	3.6.1	Reject	See body of report	No

<sup>94</sup> Supported by Ryman Healthcare Limited [FS67.125]

<sup>95</sup> Opposed by Roger Gadd [FS75.41]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
OS76.43 <sup>96</sup>	Kāinga Ora	General	Changes to further enable residential development.	3.6.1	Reject	See body of report	No
OS76.220	Kāinga Ora	General	Retain [chapter introduction] as notified	n/a	Accept	Agree with submitter	No
OS76.221	Kāinga Ora	NCZ-O1	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.222	Kāinga Ora	NCZ-O2	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.223	Kāinga Ora	NCZ-O3	Retain as notified.	n/a	Accept	Agree with submitter	No
OS76.224	Kāinga Ora	NCZ-P1	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.225	Kāinga Ora	NCZ-P2	Retain as notified.	n/a	Accept	Agree with submitter	No
OS78.6	Oil Companies	NCZ-P2	Support	n/a	Accept	Agree with submitter	No
OS76.231	Kāinga Ora	NCZ-R1	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.232	Kāinga Ora	NCZ-R10	Amend: 1. Activity status: <b>Permitted</b> Where: The maximum occupancy does not exceed <del>six</del> <u>ten</u> residents.	3.6.5	Reject	See body of the report	No
OS76.233	Kāinga Ora	NCZ-R10 Notification preclusion	Amend: <b>Notification:</b> An application under this rule where compliance is not achieved is precluded from being publicly <u>or limited</u> notified in accordance with sections <u>95A and 95B</u> of the RMA.	3.6.5	Reject	See body of the report	No
OS76.234	Kāinga Ora	NCZ-R13	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.235	Kāinga Ora	NCZ-R14	Retain as notified	n/a	Accept	Agree with submitter	No
OS58.51 <sup>97</sup>	FENZ	NCZ-R15	Retain as notified	n/a	Accept	Agree with submitter	No
OS81.27	Waka Kotahi	NCZ-S1	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.236	Kāinga Ora	NCZ-S1	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.237	Kāinga Ora	NCZ-S2	Amend:  1. All buildings and structures must not project beyond a:  a. 60° recession plane measured from a point 4m vertically above ground level along any side or rear boundary where that boundary adjoins a site zoned <u>Medium Density Residential Zone, Open Space Zone or Sport and Active Recreation Zone</u> ; or  <u>b. 60° recession plane measured from a point 6m vertically above ground level along any side or rear boundary where that boundary adjoins a site located in the Residential Intensification Precinct in the Medium Density Residential Zone;</u> <u>or</u>  <u>c. 60° recession plane measured from a point 8m vertically above ground level along any side or rear boundary where</u>	3.6.6	Accept	See body of the report	Yes

<sup>96</sup> Opposed by Roger Gadd [FS75.39]

<sup>97</sup> Support - Leigh Subritzky [FS17.186]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			that boundary adjoins a site zoned High Density Residential Zone.				
OS28.3 <sup>98</sup>	Paremata Business Park	NCZ-S3	<p>1. Buildings and structures must not be located within a 3m setback from a side or rear boundary where that boundary adjoins a <del>Medium Density Residential Zone, High Density Residential Zone, Open Space Zone or Sport and Active Recreation Zone.</del></p> <p>2. Buildings and structures must not be located within a 1.5m setback from a boundary with a rail corridor.</p> <p>LCZ-S3-1 does not apply to:</p> <ul style="list-style-type: none"> <li>• One accessory building or structure less than 2m in height and less than 7m long per site; or</li> <li>• Fences or standalone walls.</li> </ul> <p>Or adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission.</p>	3.6.6	Reject	See body of the report	No
OS76.238	Kāinga Ora	NCZ-S3	Delete standard	3.6.6	Reject	See body of report	No
OS76.239	Kāinga Ora	NCZ-S4	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.240	Kāinga Ora	NCZ-S5	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.241	Kāinga Ora	NCZ-S6	Retain as notified	n/a	Accept	Agree with submitter	No
OS28.4 <sup>99</sup>	Paremata Business Park	NCZ-S7	<p><b>LCZ S7 – Screening and landscaping of service areas, outdoor storage areas and parking areas</b></p> <p>[...]</p> <p>2. Any on-site parking area must:</p> <p>c. Be fully screened by a 1.8m high fence or landscaping from any directly adjoining site zoned High Density Residential Zone, Medium Density Residential Zone, <del>Open Space Zone or Sport and Active Recreation Zone.</del></p> <p>Or adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission</p>	3.6.6	Reject	See body of report	No
OS76.242	Kāinga Ora	NCZ-S7	Retain as notified	n/a	Accept	Agree with submitter	No
<b>LCZ – Local Centre Zone</b>							
OS76.36 <sup>100</sup>	Kāinga Ora	General	Increase height across the zone to 22m (6 storeys).	3.7.1	Reject	See body of report	No

<sup>98</sup> Oppose - Leigh Subritzky [FS17.609]

<sup>99</sup> Opposed - Leigh Subritzky [FS17.610]

<sup>100</sup> Opposed by Roger Gadd [FS75.46]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
OS76.38 <sup>101</sup>	Kāinga Ora	General	Revisions to notification preclusion statements.	3.7.1	Reject	See body of report	No
OS76.40 <sup>102</sup>	Kāinga Ora	General	Changes to further enable residential development.	3.7.1	Reject	See body of report	No
OS76.246	Kāinga Ora	General	Delete paragraph 3 [introduction] <del>Some areas have been identified as being suited to a more intensive built form through increased building heights than the standard zone height. These areas are located within a walkable catchment of the Metropolitan Centre Zone or a train station. They are identified on the planning maps as Height Increase A and Height Increase B.</del>	3.7.1	Reject	See body of report	No
OS114.18	TROTR	General	The introduction of LCZ mentions and refers to the Historic Heritage and sites, and not to the SASMs. To ensure that where additional controls are necessary not to 'mitigate' but strengthen the drafting intention. Related to this, for instance, LCZ-O3 'Managing the scale of use and development at Zone interface', Clause 2 can be stronger than it is worded now and SASMs should be added to the list (which already includes Open Space and Recreation Zones).	3.7.1	Reject	See body of report	No
OS114.23	TROTR	General	It is encouraging to see the provision LCZ-R23 'Drive-Through' is a discretionary activity and land use does not encourage more car usage and car travel. This should probably come through in the introduction where the purpose of the Rule is to reduce carbon emissions and influencing the behaviour around more driving around.	3.7.1	Reject	See body of report	No
OS76.248	Kāinga Ora	LCZ-O1	Retain as notified	3.7.2	Accept	Agree with submitter	No
OS76.249	Kāinga Ora	LCZ-O2	Amend: The Local Centre Zone is a safe and attractive urban built environment, that is characterised by: 1. <del>Medium-rise buildings</del> that contribute positively to the surrounding streetscape and residential environment; <u>and</u> 2. <del>A greater intensity of built urban form in locations accessible to the Metropolitan Centre Zone or a train station, identified by height increase controls on the planning maps;</del> Sites and buildings used for residential purposes that provide good quality on-site residential amenity for the health and well-being of people residing in the Zone.	3.7.2	Reject	See body of the report	No
OS76.250	Kāinga Ora	LCZ-O3	Retain as notified.	n/a	Accept	Agree with submitter	No
OS114.19	TROTR	LCZ-O3	The introduction of LCZ mentions and refers to the Historic Heritage and sites, and not to the SASMs. To ensure that where additional controls are necessary not to 'mitigate' but	3.7.2	Reject	See body of the report	No

<sup>101</sup> Opposed by Roger Gadd [FS75.48]

<sup>102</sup> Opposed by Roger Gadd [FS75.42]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			strengthen the drafting intention. Related to this, for instance, LCZ-O3 'Managing the scale of use and development at Zone interface', Clause 2 can be stronger than it is worded now and SASMs should be added to the list (which already includes Open Space and Recreation Zones). Instead of using the phrase 'minimise' for these areas of interface, the plan provisions need to make sure these less-than-ideal interactions between SASMs and LCZ are not created in the first place.				
OS114.21	TROTR	Policies	LCZ-P11 Qualifying Matters - effects on historic heritage and urban environment, should include the SASMs as an additional third clause. [Refer to original submission for full decision requested]	3.7.3	Reject	See body of the report	No
OS76.251	Kāinga Ora	LCZ-P1	Amend: Enable activities that <b>support the needs of local communities and</b> are compatible with the planned purpose and urban built environment of the Local Centre Zone.	3.7.3	Reject	See body of the report	No
OS76.252	Kāinga Ora	LCZ-P2	Retain as notified	n/a	Accept	Agree with submitter	No
OS78.5	Oil companies - Z Energy Limited & BP Oil NZ Limited & Mobil Oil NZ Limited	LCZ-P2	Support	n/a	Accept	Agree with submitter	No
OS76.254 <sup>103</sup>	Kāinga Ora	LCZ-P4	Amend: Provide for other activities including larger-scale activities where: <ol style="list-style-type: none"> <li>1. Any significant adverse effects, <b>including reverse sensitivity effects</b>, can be avoided, remedied or mitigated;</li> <li>2. The activity is consistent with the planned urban built environment and does not compromise activities that are enabled within the Local Centre Zone;</li> <li>3. For any retirement village: <ol style="list-style-type: none"> <li>a. On-site amenity for residents is provided, which reflects the nature of and diverse needs of residents of the village; and</li> <li>b. Any potential reverse sensitivity effects on the continued operation of non-residential activities are minimised;</li> </ol> </li> </ol> They are of a size and scale that does not undermine the role and function of the Metropolitan Centre Zone.	3.7.3	Accept	See body of the report	Yes
OS76.255	Kāinga Ora	LCZ-P5	Retain as notified	3.7.3	Accept	Agree with submitter	No

<sup>103</sup> Opposed by KiwiRail [FS72.28]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
OS76.256	Kāinga Ora	LCZ-P6	Retain as notified	3.7.3	Accept	Agree with submitter	No
OS76.258	Kāinga Ora	LCZ-P8	Retain as notified	3.7.3	Accept	Agree with submitter	No
OS76.259	Kāinga Ora	LCZ-P9	Retain as notified	3.7.3	Accept	Agree with submitter	No
OS76.260	Kāinga Ora	LCZ-P10	Retain as notified	3.7.3	Accept	Agree with submitter	No
OS114.20	TROTR	LCZ-P10	In relation to this Objective, Policy LCZ-P10 should also include mention of SASMs and adverse effects. [See also submission on LCZ-03 and refer to original submission for full decision requested]	3.7.3	Reject	See body of the report	No
OS76.261	Kāinga Ora	LCZ-R1	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.262	Kāinga Ora	LCZ-R11	Retain as notified	n/a	Accept	Agree with submitter	No
OS50.5	Dept. of Corrections	LCZ-R12	Retain Rule LCZ-R12.	n/a	Accept	Agree with submitter	No
OS76.263	Kāinga Ora	LCZ-R15	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.264	Kāinga Ora	LCZ-R16	Amend: 1. Activity status: <b>Permitted</b> Where: <del>a. No more than three residential units occupy the site; and</del> <del>b. a. Compliance is achieved with</del> i. LCZ-S5; and ii. LCZ-S6.	3.7.4	Reject	See body of the report	No
OS76.265	Kāinga Ora	LCZ-R16	Delete: <del>2. Activity status: <b>Restricted discretionary</b></del> Where: 1. <del>Compliance is not achieved with LCZ-R16-1.a.</del> <del>Matters of discretion are restricted to:</del> 1. <del>The matters in LCZ-P7.</del> <del>Notification:</del> • <del>An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</del> [consequential re-numbering]	3.7.4	Reject	See body of the report	No
OS58.59	FENZ	LCZ-R18	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.266	Kāinga Ora	LCZ-S1	Amend: 1. All buildings and structures must not exceed a maximum height above ground level of: 1. <del>22m-18m; or</del> 2. <del>22m on sites subject to the Height Increase A identified on the planning maps; or</del>  Consequential deletion of matters of discretion that refer to policies relevant to the matters being deleted.	3.7.5	Reject	See body of the report	No
OS81.28	Waka Kotahi	LCZ-S1	Retain as notified.	n/a	Accept	Agree with submitter	No
OS76.269	Kāinga Ora	LCZ-S3	Retain as notified	n/a	Accept	Agree with submitter	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
OS82.8 <sup>104</sup>	QEII National Trust	LCZ-S3	Amend: 1. Buildings and structures must not be located within a 3m setback from a side or rear boundary where that boundary adjoins a General Residential Zone, Medium Density Residential Zone, Open Space Zone, or Sport and Active Recreation Zone, or a Significant Natural Area. This standard does not apply to: - One accessory building or structure less than 2m in height and less than 7m long per site. - Fences and standalone walls.	3.7.5	Reject	See body of the report	No
OS76.270	Kāinga Ora	LCZ-S4	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.271	Kāinga Ora	LCZ-S5	Retain as notified.	n/a	Accept	Agree with submitter	No
OS76.272	Kāinga Ora	LCZ-S6	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.273	Kāinga Ora	LCZ-S7	Retain as notified.	n/a	Accept	Agree with submitter	No
<b>LFRZ – Large Format Retail Zone</b>							
OS76.337	Kāinga Ora	General	Retain as notified [chapter introduction]	n/a	Accept	Agree with submitter	No
OS76.349	Kāinga Ora	General	Amendments sought: Relocate objectives, policies, and rules associated with the Whitireia Tertiary Education Precinct from LFRZ to the MCZ, with all consequential changes.	3.8.1	Reject	See body of report	No
OS84.1	Oyster Management Limited	General	Supports the amendments to the provisions in the Large Format Retail zone in Variation 1 where those provisions: (a) will give effect to the objectives and policies of the NPS-UD; (b) will contribute to well-functioning urban environments; (c) are consistent with the sustainable management of physical resources and the purpose and principles of the Resource Management Act 1991 (RMA); (d) will meet the requirements to satisfy the criteria of section 32 of the RMA; (e) will meet the reasonably foreseeable needs of future generations; and (f) are consistent with sound resource management practice.	n/a	Accept	Agree with submitter	No
OS114.9	TROTR	General	Amend the fourth paragraph of the introduction to the Chapter from 'enhance the relationship' to 'provide for relationship' so that the first sentence of the same paragraph can be matched with a stronger statement as '... also need to address ...'	3.8.1	Reject	See body of report	No
OS114.10	TROTR	Objectives	[Refer to original submission for full decision requested]  While no specific decision sought, the submitter raised the following matter(s): <i>As a common thread throughout the new proposed chapters in the Plan, LFRZ objectives do not come across as objectives:</i>	3.8.2	Reject	See body of report	No

<sup>104</sup> Support - Leigh Subritzky [FS17.1084], Harbour Trust & Guardians of Pāuatahanui Inlet [FS32.99], GWRC [FS74.163], [Rebecca Davis FS127.390]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<i>'...accommodates large format retail development that services Porirua City's and the wider region's need for large-scale retail...'</i> <i>In the purpose of improving the drafting clarity of these, for instance, LFRZ-O2 could ensure that LFRZ provides for best practice land use and behaviour looking after the environment. A clause can be added to say: retail zone reduces its environmental footprint and encourages its users to be more sustainable by...</i>				
OS84.3	Oyster Management Limited	LFRZ-O2	Retain Objective LFRZ-O2 as notified.	n/a	Accept	Agree with submitter	No
OS114.11	TROTR	LFRZ-O2	[Refer to original submission for full decision requested]  While no specific decision sought, the submitter raised the following matter(s): <i>As a common thread throughout the new proposed chapters in the Plan, LFRZ objectives do not come across as objectives: '...accommodates large format retail development that services Porirua City's and the wider region's need for large-scale retail...'</i> <i>In the purpose of improving the drafting clarity of these, for instance, LFRZ-O2 could ensure that LFRZ provides for best practice land use and behaviour looking after the environment. A clause can be added to say: retail zone reduces its environmental footprint and encourages its users to be more sustainable by...</i>	3.8.2	Reject	See body of report	No
OS58.63	FENZ	LFRZ-O2	Retain as drafted	n/a	Accept	Agree with submitter	No
OS114.12 <sup>105</sup>	TROTR	LFRZ-O3	LFRZ-O3 clauses, regarding the use and development within the Large Format Retail Zone, can be strengthened to include effects other than amenity and visual, such as stormwater discharges and run off and any other adverse effect that might impact on the Harbour and the Stream.	3.8.2	Reject	See body of report	No
OS76.338	Kāinga Ora	LFRZ-P2	Retain as notified	n/a	Accept	Agree with submitter	No
OS114.13	TROTR	LFRZ-P4	LFRZ-P4 seems to be vague, in the sense that if the activities are in line with protecting and making environment better, this should be spelled out.	3.8.3	Reject	See body of report	No
OS76.341	Kāinga Ora	LFRZ-P8	Retain as notified	n/a	Accept	Agree with submitter	No
OS114.14	TROTR	LFRZ-P8	LFRZ-P8 clause 3 can be strengthened by removing <i>where applicable</i> , and use the word <i>provide for</i> , instead of <i>enhancing</i> .	3.8.3	Reject	See body of report	No
OS114.15	TROTR	LFRZ-P9	LFRZ-P9 does not include the interface with the SASMs and instead of 'minimise', the wording could be stronger. It is unclear, how this zone, given that it is car-intensive, will aim to reduce its users' carbon footprint as District Plan should not take that for granted.	3.8.3	Reject	See body of report	No
OS76.342	Kāinga Ora	LFRZ-R7	Amend: 1. Activity status: <b>Permitted</b>	3.8.4	Reject	See body of report	No

<sup>105</sup> Supported by GWRC [FS74.169]



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			Where: <del>a. No more than three residential units occupy the site; and</del> <del>b. a. Compliance is achieved with</del> i. LFRZ-S8; and ii. LFRZ-S9.				
OS76.343	Kāinga Ora	LFRZ-R7	<i>Amendments sought</i> <del>2. Activity status: <b>Restricted discretionary</b></del> Where: 1. <del>Compliance is not achieved with LFRZ-R7-1.a.</del> <del>Matters of discretion are restricted to:</del> 1. <del>The matters in LFRZ-P7.</del> <del><b>Notification:</b></del> <del>An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</del>	3.8.4	Reject	See body of report	No
OS76.344	Kāinga Ora	LFRZ-R7	[consequential renumbering] <del>3. 2. Activity status: <b>Restricted discretionary</b></del> Where: 1. Compliance is not achieved with LFRZ-S8 and LFRZ-S9. Matters of discretion are restricted to 1. The matters of discretion of any infringed standard. <del><b>Notification:</b></del> An application under this rule where compliance is not achieved with LFRZ-S8 or LFRZ-S9 is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.	3.8.4	Reject	See body of report	No
OS76.345	Kāinga Ora	LFRZ-R8	Retain as notified	n/a	Accept	Agree with submitter	No
OS58.68	FENZ	LFRZ-R22	Retain as drafted	n/a	Accept	Agree with submitter	No
OS76.346	Kāinga Ora	LFRZ-S1	Retain as notified	n/a	Accept	Agree with submitter	No
OS84.4	Oyster Management Limited	LFRZ-S1	Retain Standard LFRZ-S1 as notified.	n/a	Accept	Agree with submitter	No
OS84.5	Oyster Management Limited	LFRZ-S2	Retain standard LFRZ-S2 as notified.	n/a	Accept	Agree with submitter	No
OS114.17	TROTR	LFRZ-R5	LFRZ-S5 could be used to address other matters that the large retail can be encouraged to innovate. For instance, matters of discretion 2 can be furthered to include that it is not just about the connection with Te Awarua o Porirua.	3.8.4	Reject	See body of report	No
OS76.347	Kāinga Ora	LFRZ-S8	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.348	Kāinga Ora	LFRZ-S9	Retain as notified	n/a	Accept	Agree with submitter	No
<b>MUZ – Mixed Use Zone</b>							
OS76.282	Kāinga Ora	MUZ-O1	Retain as notified.	n/a	Accept	Agree with submitter	No
OS76.283	Kāinga Ora	MUZ-O2	Amend: The Mixed Use Zone is a vibrant, attractive safe urban built environment, that is characterised by:	3.9.2	Reject	See body of report	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<ol style="list-style-type: none"> <li><del>Medium-rise</del> buildings that contribute positively to and integrate well with the surrounding area;</li> <li>A greater intensity of built urban form in locations accessible to the <u>Metropolitan Centre Zone</u> or a train station, identified by height increase controls on the planning maps;</li> <li><u>A range of buildings and sites that reflect a mix of activities;</u></li> <li>Sites and buildings used for residential purposes that provide good quality on-site residential amenity for the health and well-being of people residing in the Zone.</li> </ol>				
OS76.284	Kāinga Ora	MUZ-O3	Retain as notified	n/a	Accept	Agree with submitter	No
OS114.35	TROTR	MUZ-O3	<i>Managing the scale of use and development</i> at zone interface could mention the adverse effects on the SASMs under Clause 2, and not just the amenity values.	3.9.2	Reject	See body of report	No
OS76.285	Kāinga Ora	MUZ-P1	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.286	Kāinga Ora	MUZ-P2	Retain as notified	n/a	Accept	Agree with submitter	No
OS78.8	Oil Companies	MUZ-P2	Support	n/a	Accept	Agree with submitter	No
OS76.288	Kāinga Ora	MUZ-P4	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.289	Kāinga Ora	MUZ-P5	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.290	Kāinga Ora	MUZ-P6	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.292	Kāinga Ora	MUZ-P8	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.293	Kāinga Ora	MUZ-P9	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.294	Kāinga Ora	MUZ-P10	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.295	Kāinga Ora	MUZ-R1	<p>Amend:</p> <p>3. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>1. Compliance is not achieved with MUZ-R1-1.b.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of the infringed standard.</p> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>An application under this rule where compliance is not achieved with <u>MUZ-S2</u>, <u>MUZ-S3</u> or <u>MUZ-S6</u> is precluded from being publicly notified in accordance with section 95A of the RMA.</li> </ul> <p>An application under this rule where compliance is not achieved with <u>MUZ-S4</u> or <u>MUZ-S5</u> is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</p>	n/a	Accept	Agree with submitter	Yes
OS76.296	Kāinga Ora	MUZ-R14	Retain as notified	n/a	Accept	Agree with submitter	No
OS50.6	Dept. of Corrections	MUZ-R15	Retain Rule MUZ-R15.	n/a	Accept	Agree with submitter	No
OS76.297	Kāinga Ora	MUZ-R18	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.298	Kāinga Ora	MUZ-R19	<p>Amend:</p> <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p>	3.9.4	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<del>a. No more than three residential units occupy the site; and b. a. Compliance is achieved with MUZ-S5</del>				
OS76.299	Kāinga Ora	MUZ-R19	Amend: <del>2. Activity status: Restricted discretionary</del> Where: 1. <del>Compliance is not achieved with MUZ-R19-1.a.</del> Matters of discretion are restricted to: 1. <del>The matters in MUZ-P7.</del> Notification: <del>An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</del> [consequential changes to numbering]	3.9.4	Reject	See body of report	No
OS58.76	FENZ	MUZ-R24	Retain as drafted	n/a	Accept	Agree with submitter	No
OS76.301	Kāinga Ora	MUZ-S2	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.302	Kāinga Ora	MUZ-S3	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.303	Kāinga Ora	MUZ-S4	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.304	Kāinga Ora	MUZ-S5	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.305	Kāinga Ora	MUZ-S6	Retain as notified	n/a	Accept	Agree with submitter	No
<b>CCZ- City Centre Zone / MCZ - Metropolitan Centre Zone</b>							
OS23.1	James Baigent	General	[Not specified, refer to original submission]  While no specific decision sought, the submitter raised the following matter(s): <i>Strongly support housing intensification in the city centre. The city centre is a wasteland at night and having more people living among it and close to it will be transformative. The city centre has infrastructure and services already in place and the environmental impact of significant housing intensification in Porirua CBD would be limited.</i>	n/a	Accept	Agree with submitter	No
OS76.29 <sup>106</sup>	Kāinga Ora	General	Increase height limit to 53m.	3.10.6	Accept	See body of report	Yes
FS37.12	Toka Tū Ake EQC		<i>Opposed</i>  <i>This submission should be disallowed when regarding areas that are at risk from natural hazards, particularly liquefaction in the event of an earthquake.</i>  <i>Reasons:</i> <i>The Metropolitan Centre Zone and parts of the surrounding High Density Residential Zone in Variation 1 to the Porirua Proposed District Plan are currently zoned in an area which is at high risk from liquefaction in an earthquake. Porirua is at risk from</i>				

<sup>106</sup> Opposed by Roger Gadd [FS75.52]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<i>earthquake shaking from numerous faults in the Wellington Region. Liquefaction is likely to occur in Porirua during a Wellington Fault earthquake, which has an 11% chance of rupture in the next 100 years. T&amp;T research undertaken for Toka Tū Ake in 2022 finds that liquefaction damage increases with the height, size and irregularity of a building (see Appendix 2). Toka Tū Ake therefore opposes increasing building height limits or residential density in areas of high liquefaction risk, as liquefaction or lateral spreading damage to foundations or lower levels of a building renders the entire building unfit for purpose and uninhabitable. MBIE planning for liquefaction guidance recommends restricting subdivision and development of vulnerable buildings in areas at high risk from liquefaction. See Appendix 1 for Wellington Regional Council Liquefaction Potential map of Porirua overlaid with the proposed district plan zones.</i>				
OS76.31 <sup>107</sup>	Kāinga Ora	General	Alter activity status of some activities to reflect change in zoning. [For area rezoned from LFRZ to MCZ]. [Refer to original submission for full decision requested, including attachment]	3.10.5	Reject	See body of report	No
OS76.32 <sup>108</sup>	Kāinga Ora	General	Revisions to notification preclusion statements.	3.10.5	Reject	See body of report	No
OS76.307	Kāinga Ora	General	Retain the MCZ as notified.	n/a	Accept	Agree with submitter	No
OS76.309	Kāinga Ora	General	It is acknowledged that this includes the area identified as the Whitireia Tertiary Education Precinct, which is also sought to be rehoused into the MCZ, with consequential changes to provisions to reflect the shift in chapters.	3.10.1	Reject	See body of report	No
OS76.310	Kāinga Ora	General	Consequential amendments will be required as a result of submission and changes to the planning maps.	3.10.1	Reject	See body of report	No
OS76.311	Kāinga Ora	General	Retain as notified [chapter introduction]	n/a	Accept	Agree with submitter	No
OS76.333	Kāinga Ora	General	Amendments sought:  Relocate Whitireia Tertiary Education Precinct from LFRZ to the MCZ, with all consequential changes.	3.10.1	Reject	See body of report	No
OS76.312	Kāinga Ora	MCZ-O1	Retain as notified	n/a	Accept	Agree with submitter	No
OS114.29	TROTR	MCZ-O1	MCZ-O1 and MCZ-O2 could reflect these goals that the NPS-UD is, in essence, trying to achieve when the intensification and densification proposals were released. However, it is quite difficult to separate and identify these goals in the objectives of the MCZ. Whilst the Zone Chapter does a good job to explain how the MCZ is significant in terms of commercial, community, recreational, and residential activities which is describing what	3.10.3	Reject	See body of report	No

<sup>107</sup> Opposed by Roger Gadd [FS75.50]<sup>108</sup> Opposed by Roger Gadd [FS75.49]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			Porirua Metropolitan City Centre looks like right now; this is not acknowledging or explaining the reasons as to realising intensification and densification.				
OS76.313	Kāinga Ora	MCZ-O2	Retain as notified.	n/a	Accept	Agree with submitter	No
OS114.30	TROTR	MCZ-O2	MCZ-O1 and MCZ-O2 could reflect these goals that the NPS-UD is, in essence, trying to achieve when the intensification and densification proposals were released. However, it is quite difficult to separate and identify these goals in the objectives of the MCZ. Whilst the Zone Chapter does a good job to explain how the MCZ is significant in terms of commercial, community, recreational, and residential activities which is describing what Porirua Metropolitan City Centre looks like right now; this is not acknowledging or explaining the reasons as to realising intensification and densification.	3.10.3	Reject	See body of report	No
OS76.314	Kāinga Ora	MCZ-P1	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.315	Kāinga Ora	MCZ-P2	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.317	Kāinga Ora	MCZ-P4	Amend: Provide for other activities including larger-scale activities where: <ol style="list-style-type: none"> <li>1. Any significant adverse effects can be avoided, remedied or mitigated;</li> <li>2. The activity is consistent with the planned urban built environment and purpose of the zone;</li> <li>3. For any retirement village: <ol style="list-style-type: none"> <li>a. On-site amenity for residents is provided, which reflects the nature of and diverse needs of residents of the village; and</li> </ol> </li> <li>4. <del>Any potential reverse sensitivity effects on the continued operation of non-residential activities are minimised.</del></li> </ol>	n/a	Accept	Agree with submitter	Yes
OS78.7	Oil Companies	MCZ-P4	Support	n/a	Accept	Agree with submitter	No
OS76.318	Kāinga Ora	MCZ-P5	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.319	Kāinga Ora	MCZ-P6	Retain as notified.	n/a	Accept	Agree with submitter	No
OS76.321	Kāinga Ora	MCZ-P8	Retain as notified	n/a	Accept	Agree with submitter	No
OS114.32	TROTR	MCZ-P9	[Not specified, refer to original submission]  While no specific decision sought, the submitter raised the following matter(s): <i>It seems that Policy MCZ-P9 is at odds with the NPS-UD parking requirements. Ground level parking is still parking?</i>	3.10.4	Reject	See body of report	No
OS76.323	Kāinga Ora	MCZ-R1	Amend: ... 3. Activity status: <b>Restricted discretionary</b> Where: <ol style="list-style-type: none"> <li>1. Compliance is not achieved with MCZ-R1-1.b.</li> </ol>	3.10.5	Accept in part	See body of report	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			Matters of discretion are restricted to: 1. The matters of discretion of the infringed standard. <b>Notification:</b> An application under this rule where compliance is not achieved with <u>MCZ-S2</u> , <u>MCZ-S3</u> , <u>MCZ-S4</u> , <u>MCZ-S5</u> , or <u>MCZ-S6</u> is precluded from being publicly <b>and limited</b> notified in accordance with sections <u>95A</u> <b>and</b> <u>95B</u> of the RMA.				
OS76.324	Kāinga Ora	MCZ-R12	Amend: 2. Activity status: <b>Restricted discretionary</b> Where: 1. Compliance is not achieved with <u>MCZ-S4</u> . Matters of discretion are restricted to 1. The matters of discretion of the infringed standard. <b>Notification:</b> An application under this rule is precluded from being publicly <b>and limited</b> notified in accordance with sections <u>95A</u> <b>and</b> <u>95B</u> of the RMA.	3.10.5	Reject	See body of report	No
OS76.325	Kāinga Ora	MCZ-R13	Retain as notified	n/a	Accept	Agree with submitter	No
OS50.7	Dept. of Corrections	MCZ-R14	Retain Rule MCZ-R14.	n/a	Accept	Agree with submitter	No
OS76.326	Kāinga Ora	MCZ-R18	Amend: 1. Activity status: <b>Restricted discretionary Permitted</b> <b>Matters of discretion are restricted to:</b> <b>The matters in MCZ-P4.</b>	3.10.5	Reject	See body of report	No
OS76.327	Kāinga Ora	MCZ-R19	Amend: 1. Activity status: <b>Restricted discretionary Permitted</b>  <b>Matters of discretion are restricted to:</b> <b>The matters in MCZ-P4.</b>  <b>Notification:</b> <b>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</b>	3.10.5	Reject	See body of report	No
OS58.84	FENZ	MCZ-R20	Retain as drafted	n/a	Accept	Agree with submitter	No
OS76.328	Kāinga Ora	MCZ-R25	Amend: 1. Activity status: <b>Discretionary Permitted</b>	3.10.5	Reject	See body of report	No
OS76.329	Kāinga Ora	MCZ-S1	Amend: 1. All buildings and structures must not exceed a maximum height above ground level of <b>53m50m</b> .	3.10.6	Accept	See body of report	Yes
OS81.29	Waka Kotahi	MCZ-S1	Retain as notified.	n/a	Accept	Agree with submitter	No
OS76.330	Kāinga Ora	MCZ-S2	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.331	Kāinga Ora	MCZ-S3	Retain as notified	n/a	Accept	Agree with submitter	No
OS76.332	Kāinga Ora	MCZ-S4	Retain as notified	n/a	Accept	Agree with submitter	No
<b>GIZ – General Industrial Zone</b>							
OS84.2	Oyster Management Limited	General	Supports the amendments to the provisions in the General Industrial zone in Variation 1 where those provisions: (a) will give effect to the objectives and policies of the NPS-UD;	n/a	Accept	Agree with submitter	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			(b) will contribute to well-functioning urban environments; (c) are consistent with the sustainable management of physical resources and the purpose and principles of the Resource Management Act 1991 (RMA); (d) will meet the requirements to satisfy the criteria of section 32 of the RMA; (e) will meet the reasonably foreseeable needs of future generations; and (f) are consistent with sound resource management practice.				
OS58.90	FENZ	GIZ-R14	Retain as drafted	n/a	Accept	Agree with submitter	No

## Appendix C. Report Author's Qualifications and Experience

I hold the following qualifications: A BA(Hons) in Town & Country Planning (University of Manchester, UK), a Bachelor of Planning (with Credit) in Town & Country Planning (University of Manchester, UK) and a MSc in Environmental Assessment and Management (Oxford Brookes University, UK). I am a Chartered Town Planner and have been a Member of the Royal Town Planning Institute (UK) since 1991.

I have 32 years' experience in working as a planner for local government and the Hertfordshire Constabulary (UK). My work experience includes, amongst other matters, the interpretation and application of Regional Policy, input into statutory processes under the Resource Management Act 1991, as well as policy formulation. This includes appearing at a number of hearings (plan changes and subdivision) providing expert planning evidence on urban growth and urban form, land use-transport integration and the management of natural hazard risk. I have also been involved in Environment Court mediation involving the management of natural hazard risk.

I have been employed by the Porirua City Council since December 2017 as a Principal Policy Planner within the Environment and City Planning Team. Before then, I was employed as a:

- Strategy and Policy Planner at Selwyn District Council and where I worked on their review of the Selwyn District plan from January 2016 to November 2017; and
- Principal Planner at the Canterbury Regional Council ("CRC") and where I was employed in their District Plan Liaison team from 2008 until March 2015.

Before joining the Canterbury Regional Council in 2008, I held a number of positions, including as a Principal Planner and a team leader (consents), for various district councils in the UK. I was also employed by the Hertfordshire Police Authority as their Planning Obligations Manager, a post which involved seeking improved integration between land use planning and delivery of policing service and police infrastructure in district plans.