

30 September 2022

Attn: Hamilton City Council
Private Bag 3110,
Hamilton 3240
Submission via email: haveyoursay@hcc.govt.nz

**KĀINGA ORA – HOMES AND COMMUNITIES SUBMISSION ON PROPOSED
PLAN CHANGE 12 (ENABLING HOUSING SUPPLY) TO THE OPERATIVE
HAMILTON CITY DISTRICT PLAN UNDER CLAUSE 5 (INTENSIFICATION
PLANNING INSTRUMENT) OF SCHEDULE 1 OF
THE RESOURCE MANAGEMENT ACT 1991**

This is a submission on Proposed Plan Change 12 – Enabling Housing Supply (“PC12”) to the Operative Hamilton City District Plan (“the Plan” or “the District Plan”), prepared by Hamilton City District Council (“the Council” or “HCC”):

Kāinga Ora does not consider it can gain an advantage in trade competition through this submission. In any event, Kāinga Ora is directly affected by an effect of the subject matter of the submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

The specific provisions of the proposal that this submission relates to:

PC12 to the District Plan in its entirety.

This document and the Appendices attached is Kāinga Ora submission on PC12.

The Kāinga Ora submission is:

1. Kāinga Ora Homes and Communities (“**Kāinga Ora**”) is a Crown Entity and is required to give effect to Government policies. Kāinga Ora has a statutory objective that requires it to contribute to sustainable, inclusive, and thriving communities that:
 - a) Provide people with good quality, affordable housing choices that meet diverse needs; and
 - b) Support good access to jobs, amenities and services; and
 - c) Otherwise sustain or enhance the overall economic, social, environmental and cultural well-being of current and future generations.
2. Because of these statutory objectives, Kāinga Ora has interests beyond its role as a public housing provider. This includes a role as a landowner and developer of residential housing and as an enabler of quality urban developments through increasing the availability of build-ready land across the Waipā district.
3. Kāinga Ora therefore has an interest in PC12 and how it:
 - (a) Gives effect to the National Policy Statement on Urban Development (“**NPS-UD**”) and The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (“**the Housing Supply Act**”);
 - (b) Minimises barriers that constrain the ability to deliver housing development across public housing, affordable housing, affordable rental, and market housing; and
 - (c) Provides for the provision of services and infrastructure and how this may impact on the existing and planned communities, including Kāinga Ora housing developments.
4. By way of an overview, the Kāinga Ora submission seeks amendments to PC12 in the following (without limitation) key areas:
 - (a) **Chapter 1 – Plan Overview** – Amendments are sought to ensure consistency with the overall Kāinga Ora submission, and to ensure that the notification rules/ flowchart is updated to account for the required notification preclusions under Clause 5 of Schedule 3A of the Housing Supply Act. This is particularly important as the subdivision chapter contains no rules relating to notification (both within the District Plan or PC12).

(b) **Chapter 2 - Strategic Framework** – Amendments are sought to ensure that the strategic objectives and associated policies of PC12 align with the NPS-UD and the Housing Supply Act:

- i. The notified provisions and walkable catchments applied in PC12, particularly in relation to the City Centre and larger urban centres are considered insufficient, small and unduly reduce the opportunities for the level of intensification otherwise required under the NPS-UD in the most accessible areas of Hamilton.
- ii. There is limited justification or analysis provided within the s32 assessment for the walkable catchments that have been applied, and little or no assessment of the area's accessibility to services, employment, education and recreation opportunities which should influence the spatial extent of zoning application and the intensity of development enabled therein. In particular to giving effect to and enabling higher forms of residential living and density in the Hamilton urban environment.
- iii. Amendments are sought from Kāinga Ora to reflect the above principles and ensure consistency in relation to the proposed spatial extent of zones (and heights-enabled) in Hamilton and the District Plan. The spatial changes are outlined in **Appendix 2**.
- iv. A range of additional amendments are sought to ensure the strategic framework aligns with the overall Kāinga Ora submission, and that the mandatory objectives and policies that apply to all residential zones under Schedule 3A of the Housing Supply Act are included.

(c) **Chapter 3 – Structure Plan Areas** – Amendments are sought throughout the residential chapters in relation to the heights enabled, to ensure consistency across the structure plan areas in light of the requirements under the Housing Supply Act.

Amendments are also sought within the underlying residential zones to ensure the mandatory objectives and policies under Clause 3A of the Housing Supply Act are reflected within Structure Plan areas.

- (d) **Chapter 4 – Residential Zones** – Amendments are sought to the General Residential, Medium Density Residential and High Density Residential zones to ensure the provisions are consistent with Policy 6(b) of the NPS-UD and acknowledge that intensification in accordance with the planned built form of the zone is not an adverse effect of itself.

A range of amendments are sought by Kāinga Ora to ensure effective and efficient use of notification exclusions consistent with schedule 3A of the Housing Supply Act, and the removal of duplicated standards and/or onerous requirements which are otherwise managed through assessment criteria.

- (e) **Chapter 4 – Medium Density Residential Zone (“MDRZ”)** – Amendments are sought to the spatial extent of the MDRZ consistent with the overall Kāinga Ora submission, to reflect walkable catchments, areas adjacent to the High Density Residential Zone, corridors with frequent transport routes, and proximity to other services, employment opportunities and the like, in a manner consistent with the principles of the NPS-UD. This includes seeking a defined and distinct spatial hierarchy and distinction between the proposed residential zones and enabled heights, by enabling up to 6 dwellings per site as a permitted activity.

- (f) **Chapter 4 – High Density Residential Zone (“HDRZ”)** – Amendments are sought to the spatial extent of the HDRZ consistent with the overall Kāinga Ora submission, to reflect walkable catchments corridors with frequent transport routes and/or ease of micro-mobility usage, and proximity to other services, employment opportunities and the like; in a manner consistent with the principles of the NPS-UD. This includes seeking a defined and distinct spatial hierarchy and distinction between the proposed residential zones by enabling up to 6 dwellings per site as a permitted activity in the HDRZ and increased heights sought within 400m/5-10min, 800m/10min and 1200m/15min walkable catchments of the Central City Zone staggered up to 43m nearest to the Central City Zone.

Greater application of the HDRZ for up to 6 storey development is also proposed around key centres to ensure that the benefits of intensification and access to amenities and transport options are fully realised.

- (g) **Chapter 5 – Special Character Zones and Chapter 19 – Historic Heritage** – Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment (“PC9”), which Kāinga Ora

opposed the approach of establishing 'Historic Heritage Areas' in its entirety. Kāinga Ora is seeking the spatial application of residential zones to be applied across the Hamilton region, regardless of the nature and extent of the current and proposed 'Historic Heritage Areas' set out by Council in PC9. Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones, consistent with the relief sought in PC9. Kāinga Ora considers that the proposed changes across PC9 and PC12 are not qualifying matters, as the assessments in its view, do not meet the requirements under s6, s77I, s77J, s77K, and/or s77L of the RMA.

- (h) **Chapter 6 – Business 1 to 7 Zones** – Amendments are sought for consistency across the Business zones with the overall Kāinga Ora submission, and include enabling greater building heights within centre zones (through amendments to the height overlay) to ensure a level of built-form consistency with the greater heights sought to be enabled within the HDRZ and its spatial extent as shown on the proposed planning maps (in **Appendix 2**). Amendments are also sought to ensure residential units within business zones achieve a minimum level of amenity through minimum unit sizes.
- (i) **Chapter 7 – Central City Zone** – Amendments are sought for consistency with the overall Kāinga Ora submission's proposed amendments to the spatial extents of residential zones (and heights enabled therein). The spatial changes sought are outlined in **Appendix 2**. Amendments are also sought to ensure that minimum apartment sizes are maintained to ensure that undersized apartments are avoided to achieve a well-functioning environment, as well as consistency across the zones in respect of standards that apply to residential units.
- (j) **Chapter 13 – Rototuna Town Centre Zone** – Kāinga Ora generally supports the changes proposed in PC12 which ensures the zone is consistent with the enabling principles of the NPS-UD and other chapters of the Plan. Additional amendments are sought to ensure consistency with the overall Kāinga Ora submission and to introduce the mandatory objectives and policies under Clause 3A of the Housing Supply Act. Kāinga Ora also seeks an increase in height of the Rototuna Town Centre zone to 24m. This height increase is commensurate of further changes sought to rezone the residential land within 400m/5 minute walking catchment of the Rototuna Town Centre to High Density Residential Zone and rezone the residential land within 400-800m/10 minute walking catchment of the Rototuna

Town Centre to Medium Density Residential Zone. The spatial changes are outlined in **Appendix 2**.

- (k) **Chapter 18 – Transport Corridor Zone** – Kāinga Ora generally supports the proposed amendments to the zone.
- (l) **Chapter 23 – Subdivision** – Amendments are sought to ensure that the subdivision provisions provide for controlled activity subdivision in the General Residential, Medium Density Residential and High Density Residential zones, along with corresponding amendments (as-sought under Chapter 1) to include notification exclusions as required under Clause 3A of the Housing Supply Act.

A range of other amendments are sought for consistency with the overall Kāinga Ora submission, and to ensure that vacant lot subdivision requirements better-align with the higher-density development that is proposed to be enabled under PC12.

- (m) **Chapter 24 – Financial Contributions** – Whilst Kāinga Ora absolutely supports and understands the statutory requirement to give effect to Te Ture Whaimana and provide for the betterment of the Waikato River, Kāinga Ora is opposed to the proposed provisions and financial contribution for giving effect to Te Ture Whaimana O Te Awa o Waikato - The Vision and Strategy for the Waikato River ('Te Ture Whaimana') as-notified and **seeks that the full set of provisions proposed on the Financial Contributions is deleted, reviewed and proposed in a separate plan change process or reconsidered through a pre-hearing mediation process with submitters and Waikato-Tainui and the Waikato River Authority prior to the hearing of PC12:**

- i. Kāinga Ora seeks to ensure that any such financial contribution is fully justified both in terms of the purpose and the quantum of contribution, for when it is levied.
- ii. Kāinga Ora does not support monies collected to be paid to Council or a Council established group where the intent and purpose for collecting those monies is unclear. Kāinga Ora has noted in the Section 32 evaluation analysis provided with PC12 as notified that the proposed financial contributions and provision for funds will go to the Hamilton City Council 'Nature in the City' programme, Kāinga Ora notes that the policy for this fund is related to biodiversity and is not underpinned by or seeks to give

effect to Te Ture Whaimana. Kāinga Ora considers that the proposed financial contribution must be deleted in its entirety until a specific policy is developed to address Te Ture Whaimana.

- iii. Kāinga Ora considers that the proposed approach by Council is not considered to be in the spirit of Te Ture Whaimana and does not acknowledge the role that the Waikato River Authority plays in the management of the Waikato River, and the ties between that authority and local iwi through board representation.
 - iv. In respect of the use of financial contributions, there is an opportunity for a joint-management approach to be achieved that can deliver an enhanced outcome for the Waikato River. It is an option that has not been explored by the Council within the s32 analysis to PC12 and in giving effect to Te Ture Whaimana in a manner that is consistent with the strategic objectives of the plan that seek to 'restore and protect communities' relationships with the Waikato River, including their economic, social, cultural and spiritual relationships¹.
 - v. Kāinga Ora seeks the full package of provisions are deleted, and reviewed outside of PC12 and then any changes or inclusion for financial contributions should be proposed in a separate plan change. Kāinga Ora notes that alternatively, this could be undertaken through a pre-hearing mediation process with submitters and Waikato-Tainui and the Waikato River Authority prior to the hearing of PC12.
- (n) **Section 18 – Financial Contributions – General** – Kāinga Ora seeks that the financial contributions relating to three waters & transport network improvements and capacity upgrades are reconsidered and replaced with clear provisions which are not levied in a blanket approach more-akin to development contributions.
- i. Kāinga Ora support the general purpose of Financial Contributions; however, 'development contributions' already apply to developments to contribute towards three waters & transport network improvements and capacity upgrades, and any additional contributions should not be sought

¹ Strategic Framework – proposed policy 2.2.2c

for these aspects of development, except where required to create capacity within the local catchment, at the point of connection for the development.

- ii. Kāinga Ora opposes the inclusion of a financial contribution relating to parks/reserves/open space network and streetscape amenity. Whilst the intensification of Hamilton City will contribute to a change in character and amenity, this is not considered to be an adverse effect that requires offsetting through financial payments.
- (o) **Chapter 25.12 – Solid Waste** – Amendments are sought to remove policies that are inconsistent with the Kāinga Ora submission on associated rules within the residential chapters.
- (p) **Chapter 25.13 – Three Waters** – Amendments are sought to ensure that three waters infrastructure provisions are effective and efficient in managing the effects of ongoing development and intensification enabled under PC12, including:
- i. Kāinga Ora is of the view that the provision of adequate three waters infrastructure for any development is not sufficient to deliver the purpose of ‘betterment’ that is required by Te Ture Whaimana as a qualifying matter. Te Ture Whaimana seeks the ‘betterment’ of the Waikato River, whereas the purpose of the Infrastructure Capacity Overlay is to manage adverse effects of urban development.
 - ii. Thereby infrastructure (and associated overlays) should not be used as limiting factors for the application of intensification across the city but rather as a matter to be considered alongside development that exceeds permitted thresholds of the District Plan (i.e., the number of dwellings).
 - iii. **Kāinga Ora therefore seeks the deletion of the Infrastructure Capacity Overlay and associated provisions in PC12 in its entirety**, with infrastructure capacity requirements being assessed through Restricted Discretionary activities under the relevant zone, (i.e., 4+ dwellings in the General Residential Zone and 7+ dwellings in either the Medium or High Density Residential zones).
- (q) **Chapter 25.14 – Transportation** – Amendments are sought to ensure efficient and effective plan administration, and to remove standards that are already addressed through other Acts or would frustrate the encouragement of public

transport use, mode shift through micro-mobility and active transport modes, and the positive effects that will have on Greenhouse Gas emissions under Policy 1(e) of the NPS-UD.

- (r) **Chapter 25.15 – Urban Design** – Kāinga Ora generally supports the amended provisions, which reflect the wider design aspirations for Hamilton and would seek to ensure ‘well-functioning urban environments’ as-required under Objective (1) of the NPS-UD.
- (s) **Appendices** – References to Design Guides are deleted across the plan and provisions are updated to reflect design outcomes sought, external design guides are referenced as a guidance note, or guidance is streamlined and simplified. Kāinga Ora seeks the design guides are guidance that is provided outside of the Plan and can be updated on best practice without the need to undertake a Schedule 1 of the RMA process every time it needs to be updated. Kāinga Ora seeks the design guides are removed out of the District Plan.
- (t) Any consequential changes necessary to give effect to the changes highlighted above or in the appendices attached.

5. The changes sought are made to:

- (a) Ensure that Kāinga Ora can carry out its statutory obligations;
- (b) Ensures that the proposed provisions are the most appropriate way to achieve the purpose of the Resource Management Act 1991;
- (c) Reduce interpretation and processing complications for decision makers so as to provide for plan enabled development;
- (d) Provide clarity for all plan users; and
- (e) Allow Kāinga Ora to fulfil its urban development functions as required under the Kāinga Ora–Homes and Communities Act 2019.

6. The relief and amendments sought from Kāinga Ora can be found in more detail in:

- (a) **Appendix 1** – Table 1: Identifies the specific submission points and amendments that Kāinga Ora either supports, opposes or seeks amendment to PC12;

- (b) **Appendix 2** – Identifies the proposed spatial extent of zones that Kāinga Ora either supports or seeks amendments to, including proposed height overlays for business zones and heights sought within the HDRZ;
- (c) **Appendix 3** – Identifies the infrastructure capacity overlay which Kāinga Ora opposes and seeks deletion.

Kāinga Ora seeks the following decision from Hamilton City District Council:

That the specific amendments, additions or retentions which are sought as specifically outlined in **this submission document and Appendix 1-3**, are accepted and adopted into PC12, including such further, alternative or consequential relief as may be necessary to fully achieve the relief sought in this submission.

Kāinga Ora wishes to be heard in support of their submission.

Kāinga Ora seeks to work collaboratively with the Council and wishes to discuss its submission on PC12 to address the matters raised in its submission.

If others make a similar submission, Kāinga Ora are happy to consider presenting a joint case at a hearing.


.....
Brendon Liggett
Manager – Development Planning
Kāinga Ora – Homes and Communities

ADDRESS FOR SERVICE: *Kāinga Ora – Homes and Communities,*
PO Box 74598, Greenlane, Auckland 1051.
Email: developmentplanning@kaingaora.govt.nz

Appendix 1: Decisions sought on PC12

The following table sets out the amendments sought to the PC12 and also identifies those provisions that Kāinga Ora supports.

Table 1 Key

Identifier	Text or Amendments made by:
Black text	Operative District Plan provisions/text
<u>Green underlined highlighted green:</u>	PC12 additions as notified by Hamilton City Council
Red strikethrough highlighted text	PC12 deletions as notified by Hamilton City Council
<u>Red underlined</u>	Proposed additional text sought by Kāinga Ora
Red strikethrough	Deletions proposed by Kāinga Ora

Kāinga Ora changes sought to PC12

n.b. Control + click on the content item to jump to section

Contents

Chapter 1 – Plan Overview	5
1.1.2 Statutory Context of the District Plan and Relationships with Other Plans	5
1.1.2.1 The Resource Management Act 1991.....	5
1.1.2.2 Integration of the Plan with Other Plans and Documents.....	6
1.1.3 Plan Structure	7
Notification / Non-notification Rules.....	7
1.1.11 Local Authority Cross-Boundary Issues.....	8
Chapter 2 – Strategic Framework.....	9
2.1 Purpose.....	9
2.2 Objectives and Policies: Strategic Framework.....	10
Chapter 3.5 Rototuna Structure Plan	26
Chapter 3.6 Rotokauri Structure Plan.....	26
Chapter 3.7 Ruakura Structure Plan	26
Chapter 3.8 Te Awa Lakes Structure Plan.....	27
Chapter 4.1 – Residential Zones	27
4.1.1 Purpose.....	28
4.1.2 Objectives and Policies: All Residential Zones	30
Chapter 4.2 – General Residential Zone	42
4.2.1 - Purpose.....	42
4.2.2 – Objectives and Policies: General Residential Zone	42
4.2.3 Rules – General Residential Zone	44
4.3.2.1 Activity Status Table	44
4.2.4 Rules – Notification.....	47
4.2.5 Rules – General Standards – General Residential Zone.....	48
4.2.6 Rules – Specific Standards	62
4.2.7 Rules – Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria	63
4.3 Medium Density Residential Zone.....	66
4.3.1 Purpose.....	66
4.3.2 Objectives and Policies: Medium Density Residential Zone	67
4.3.3 Rules – Medium Density Residential Zone	75
4.3.3.1 Activity Status Table	75
4.3.3.2 Rules – Notification.....	78
4.3.4 Rules – General Standards – Medium Density Residential Zone.....	79
4.3.5 Rules – Specific Standards	97

4.3.6 Controlled Activities: Matters of Control.....	98
4.3.7 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria.....	98
4.4 High Density Residential Zone	100
4.4.1 Purpose.....	100
4.4.2 Objectives and Policies: High Density Residential Zone	102
4.4.3 Rules – General Standards – High Density Residential Zone	104
4.4.3.1 – Activity Status Table.....	104
4.4.4 Rules – Notification.....	106
4.4.5 Rules – General Standards.....	107
4.4.6 Rules – Specific Standards	120
4.4.7 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria	121
4.5 Large Lot Residential Zone.....	123
4.5.1 Purpose.....	123
Chapter 5 – Special Character Zones	124
5.1 Purpose.....	124
5.1.1.1 Special Residential Zone	125
5.1.1.1 Claudelands West	125
5.1.1.2 Hamilton East.....	126
Chapter 6 – Business 1 to 7 Zones.....	127
6.1 Purpose.....	127
6.2 Objectives and Policies: Business 1 to 7 Zones.....	127
Sub-regional Centres	127
Suburban Centers	127
Neighbourhood Centres	128
Out-of-Centre Development – Commercial Fringe Zone.....	128
Frankton Commercial Fringe Zone	129
6.3 Rules – Activity Status Table	130
6.4 Rules – General Standards.....	130
6.6 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria – General Standards ..	135
Chapter 7 Central City Zone 1.....	136
7.1 Purpose.....	136
7.2 Objectives and Policies: Central City Zone.....	136
7.3 Rules – Activity Status.....	137
7.4 Rules – General Standards.....	137
7.5 Rules – Specific Standards	139
Chapter 13 – Rototuna Town Centre.....	141
Chapter 18 – Transport Corridor Zone	144
18.1 Purpose.....	144

Chapter 19 – Historic Heritage	144
19.3 Rules – Activity Status Table.....	144
19.6 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria.....	150
.....	151
Chapter 23 – Subdivision	151
23.1 Purpose.....	151
23.3 Objectives and Policies: Subdivision.....	151
23.1 Rules – Activity Status Tables	153
23.6.8 Subdivision in the Medium Density Residential Zones and Rototuna Town Centre Zone (excluding Rotorua North Medium Density Residential Zone).....	159
23.9 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria.....	173
Chapter 24 – Financial Contributions	174
24.1 Background.....	174
24.2 General Purpose of Financial Contributions.....	174
24.3 Objectives and Policies	175
24.4 Financial Contributions Rules	176
24.4.1 General Rules.....	176
24.4.2 Financial Contributions Rules	177
24.4.3 Non-Residential Development.....	179
Chapter 25.12 Solid Waste	181
12.12.2 Objectives and Policies	181
Chapter 25.13 Three Waters	181
25.13.1 Purpose.....	181
25.13.2 Objectives and Policies: Three Waters	183
25.13.3 Rules – Activity Status Table.....	189
25.13.4 – Rules – General Standards.....	189
25.13.5 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria.....	197
Chapter 25.14 Transportation	198
24.14.1 Purpose.....	198
25.14.4 Rules – General Standards.....	202
Chapter 25.15 Urban Design.....	209
25.15.1 Purpose.....	209
Appendices	210
Appendix 1.1 Definitions	210
Appendix 1.2 Information Requirements	210
Appendix 1.3 – Assessment Criteria	212
Appendix 2 – Structure Plans.....	213
Appendix 4 – Special Character Zones.....	213

Appendix 5 - Central City Zone	214
Appendix 7 – Rototuna Town Centre Zone	214
Appendix 15 – Transportation	214
Appendix 18 – Financial Contributions.....	214

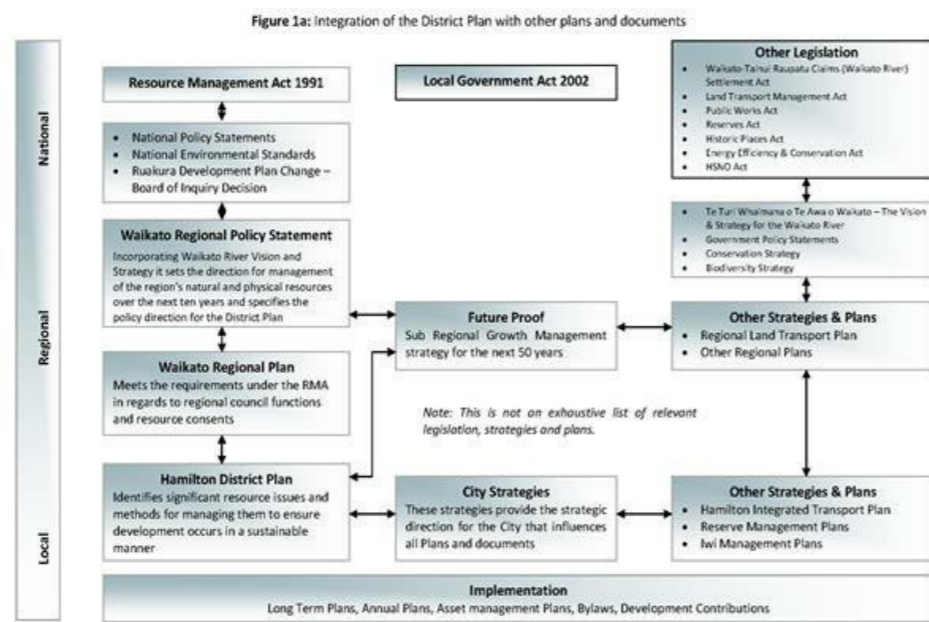
Table 1

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
1.		All of PC12			
Chapter 1 – Plan Overview					
1.1.2 Statutory Context of the District Plan and Relationships with Other Plans					
1.1.2.1 The Resource Management Act 1991					
2.	1.1.2.1	<p>The District Plan is prepared by Hamilton City Council in response to its obligations under the Act. The District Plan applies to the whole of Hamilton City, as it existed at notification date, and as shown in the Planning Maps. This District Plan will replace the operative Hamilton and Waikato District Plans that previously applied within the boundaries of the City.</p> <p>The District Plan meets the Council’s functions under the Act, particularly Part 2, Sections 31, 72, 74 and, 75 and <u>77G</u>, Schedule 1 <u>and Schedule 3A</u>. Section 31 of the Act sets out Council’s functions in terms of how it is to be put into effect. These are summarised as:</p> <ul style="list-style-type: none"> a. To achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources. b. Control effects of the use, development or protection of land, including for the purpose of: <ul style="list-style-type: none"> i. Avoiding or mitigating natural hazards. ii. Matters relating to hazardous substances and the use of contaminated land. iii. The maintenance of indigenous biodiversity. c. Control the emission and effects of noise. d. Control effects of activities on the surface of lakes and rivers. <p><u>Section 77G requires Hamilton City Council as a Tier 1 authority, to incorporate the MDRS, set out in Schedule 3A of the RMA, into all relevant residential zones. A territorial authority may amend the requirements to be less enabling if a Qualifying Matter applies.</u> This District Plan has and subsequent plan changes have been prepared in accordance with Section 32 of the Act.</p>	Oppose in part	While Kāinga Ora is not opposed in principle to the proposed amendments (to incorporate reference to the new statutory requirements under the Housing Supply Act); for the reasons outlined within the Kāinga Ora submission it is questioned whether the Plan does in-fact ‘meet’ those statutory obligations based on the as-notified PC12 provisions.	Retain as-notified, subject to the relief sought in the overall Kāinga Ora submission being sufficiently addressed.

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
1.1.2.2 Integration of the Plan with Other Plans and Documents					
3.	1.1.1.2	<p><u>Te Ture Whaimana o Te Awa o Waikato - The Vision and Strategy for the Waikato River</u></p> <p>As part of the Waikato-<u>Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (Settlement Act)</u> between the Crown and Waikato-Tainui, <u>Te Ture Whaimana o Te Awa o Waikato – The Vision and Strategy for the Waikato River</u> ('Vision and Strategy') has been developed. The Vision and Strategy was developed by the Guardians Establishment Committee (which included representatives of the Waikato River iwi and communities), recorded in the Settlement Act and will be periodically reviewed by the Waikato River Authority. It is the primary direction-setting document for the Waikato River and <u>activities within</u> its catchments <u>which include affecting the lower reaches of the Waipa-Waikato River</u>.</p> <p>The Vision and Strategy (April 2011) is set out in Volume 2, Appendix 10: Waikato River Corridor and Gully Systems.</p> <p>Under Section 11 of the Settlement Act, the Vision and Strategy is deemed in its entirety to be part of the Regional Policy Statement without the need for public consultation. Section 75(3) of the Resource Management Act requires the District Plan to give effect to the Regional Policy Statement.</p> <p>The Vision and Strategy is to be interpreted in a manner that best furthers the Overarching Purpose of the Waikato River Settlement; To restore and protect the health and wellbeing of the Waikato River for future generations.</p> <p>The Settlement Act confirms that the Vision and Strategy prevails over any inconsistent provisions of any National Policy Statement or New Zealand Coastal Policy Statement. A rule included in the District Plan for the purposes of giving effect to the Vision and Strategy prevails over a National Environmental Standard or Water Conservation Order if the rule is more stringent.</p> <p><u>Section 77I of the Act specifically identifies Te Ture Whaimana as a Qualifying Matter.</u></p>	Support	Kāinga Ora supports giving effect to Te Ture Whaimana O Te Awa o Waikato - The Vision and Strategy for the Waikato River, regional strategies.	Include the proposed provisions as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
4.		<p>p. <u>Three-Waters Connections Policy (or subsequent policy)</u></p> <p><u>The Three Waters Connection Policy provides clarity on Councils approach to service connections to the city's water, wastewater and stormwater networks for private properties. This document assists Council in complying with its resource consents issued by Waikato Regional Council, such as the management of Councils allocation of municipal water supply.</u></p> <p><u>To achieve this, both service connections and high water users may require additional approvals which sit outside of the conventional resource management planning process. The Three-Waters Connection Policy outlines what matters Councils will consider when considering an application for service connections, as well as the matters for considerations for high water user agreement applications.</u></p>	Support in part	Kāinga Ora supports the amendments as-notified, to the extent they remain consistent with the relief sought in the Kāinga Ora submission on the 'three waters' and 'financial contributions' chapters.	Retain as-notified, to the extent the policy remains consistent with the relief sought in the Kāinga Ora submission on the 'three waters' and 'financial contributions' chapters.

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
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Figure 1a: Integration of the District Plan with other plans and documents

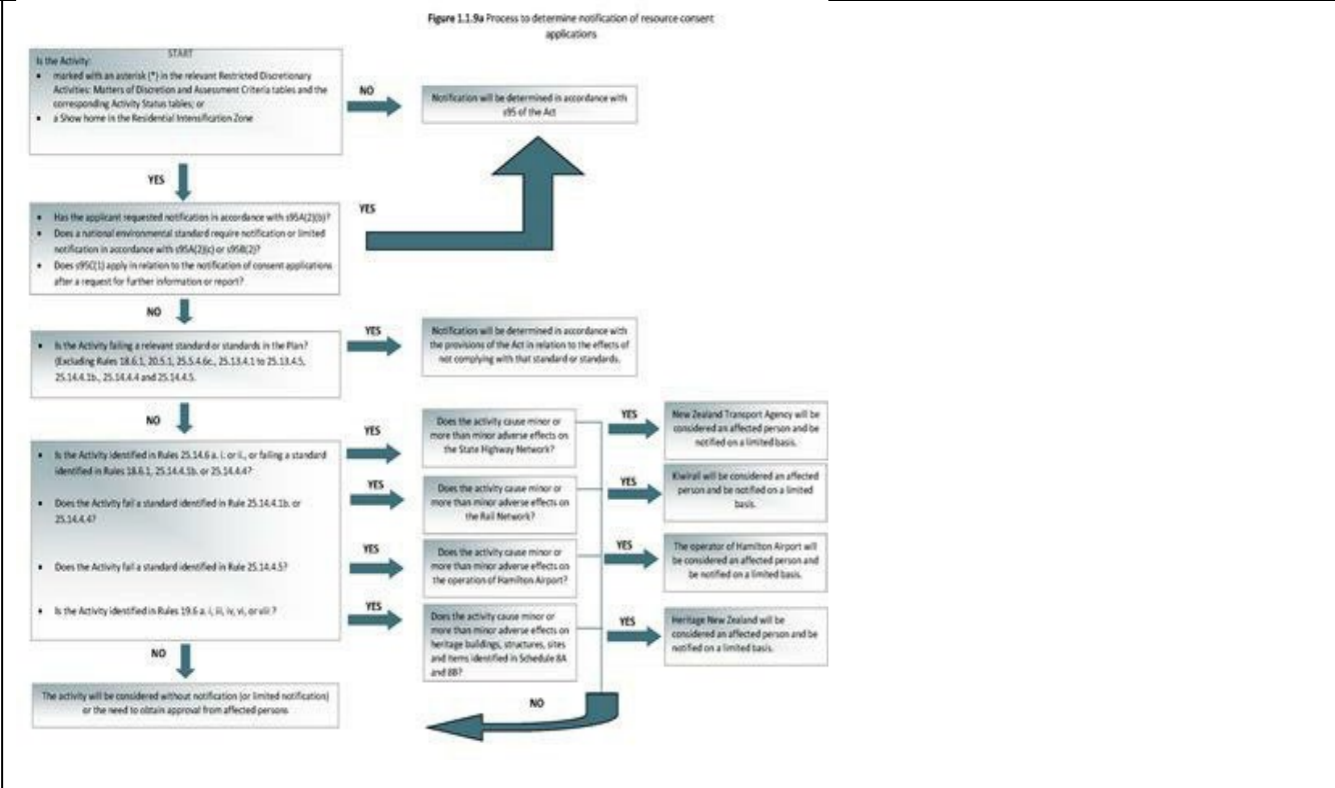


1.1.3 Plan Structure

5.	1.1.9	<p>Notification / Non-notification Rules</p> <p>The following flowchart is used to determine the notification, limited notification, or non-notification of a resource consent application, except where identified specifically in a chapter.</p>	Oppose in part	<p>Kāinga Ora opposes the operative notification process diagram as it needs to be updated both to reflect the relief sought in the Kāinga Ora submission (relating to notification exclusions in residential zones) and to account for the required notification preclusions under Clause 5 of Schedule 3A of the Housing Supply Act. This is particularly important as the subdivision chapter contains no rules relating to notification (either within the operative District Plan or under PC12).</p>	<p>Amend the notification process diagram and/or include notification exclusions as required by Clause 5 of Schedule 3A of the Housing Supply Act, and in relation to the Kāinga Ora submission on the General, Medium and High-Density Residential zones. The notification diagram must also include the required notification exclusions for subdivision activities.</p>
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ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought
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1.1.11 Local Authority Cross-Boundary Issues

6.	1.1.11	<p>m. <u>The interests of mana whenua that extend beyond the city.</u></p> <p>The processes that Council will use to resolve any issues that cross territorial boundaries include:</p> <ol style="list-style-type: none"> Consult with other councils on consent applications, or plan change requests, where a potential cross-boundary effect may occur or where a potential effect may occur which may fall within the functions of the Regional Council, especially when applications raise matters related to the above issues. Encourage applicants, where activities have effects beyond the boundaries of the City, or which might give rise to effects that are not within Council's resource management functions, to consult with the affected council. Liaise with other councils where the effects of activities cross territorial boundaries, to determine the most appropriate methods to achieve integrated resource management outcomes. <u>Engage with mana whenua where activities have effects beyond the boundaries of the city, or</u> 	Support	Kāinga Ora supports ongoing engagement with mana whenua.	Retain as notified.
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		<p><u>downstream effects.</u></p> <p>e. Initiate and participate in joint hearings with other councils as needed.</p> <p>f. Maintain an ongoing dialogue with other councils to harmonise resource management standards and processes.</p> <p>g. Make submissions, where appropriate, on plans and policy statements prepared by other councils.</p> <p>h. Identify opportunities for the transfer or sharing of functions between councils, where this would result in more efficient, effective and integrated resource management.</p>			
Chapter 2 – Strategic Framework					
2.1 Purpose					
7.	2.1.a.	a. The principal purpose of this chapter is to provide clear and strong links between the District Plan, <u>Te Ture Whaimana O Te Awa o Waikato - The Vision and Strategy for the Waikato River, regional strategies</u> and the City's Strategies, which are listed in Chapter 1: Plan Overview, Section 1.1.2.2 – Integration of the Plan with Other Plans and Documents. To this end, this chapter sets out the strategic objectives and policies for Hamilton City. Other chapters contain objectives, policies and rules that implement and support this strategic policy framework.	Support	Kāinga Ora supports giving effect to Te Ture Whaimana O Te Awa o Waikato - The Vision and Strategy for the Waikato River, regional strategies.	Include the proposed provisions as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
8.	<u>2.1.b</u>	<u>b. The Waikato River, including its catchment (i.e. whole city) is a defining feature of the City and its recognition and protection is guided by Te Ture Whaimana. Land use and development activities in the city are intrinsically linked with the river. The river is also recognised through s6 of RMA as a matter of national importance.</u>	Support	Kāinga Ora supports giving effect to Te Ture Whaimana O Te Awa o Waikato - The Vision and Strategy for the Waikato River, regional strategies.	Include the proposed provisions as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
9.	2.1.d	<p>d. The proposed shape and growth of the City is based on the Future Proof growth and implementation strategy and the Hamilton Urban Growth Strategy and is represented in Figure 2.1a below. Both the Future Proof strategy and the Waikato Regional Policy Statement include urban limits in order to give effect to the Future Proof sub-regional settlement pattern. The urban limits aim to achieve a more compact urban form over time. This chapter reinforces the City's strategy of encouraging a compact and sustainable city by increasing <u>residential</u> development densities within identified urban areas, such as:</p> <ol style="list-style-type: none"> 1. Within the Central City, suburban and neighbourhood centres. 2. Near to hospitals, tertiary education and specialised training facilities. 3. Parks and open spaces. 	Support	Kāinga Ora supports the amendment to clarify the City's strategy to encourage a compact and sustainable city by increasing residential development densities.	Include the proposed provisions as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.

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10.	<u>2.1.e.</u>	e. Schedule 3A of the RMA requires all residential areas give effect to the MDRS standards, to achieve well-functioning urban environments which enable current and future communities to provide for their wellbeing, health and safety. In some circumstances qualifying matters may modify the MDRS and these qualifying matters are identified in the Plan.	Support	Kāinga Ora supports the amendment as it clarifies the relationship between the MDRS requirements and how they might be modified by certain 'qualifying matters' – consistent with the intent of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 ('HSAA').	Include the proposed provisions as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
2.2 Objectives and Policies: Strategic Framework					
11.	2.2.1	<p>Fangata</p> <p><u>Mana</u> Whenua: Waikato-Tainui</p> <p>Objective 2.2.9.1 Resource management priorities are developed in partnership with <u>tangata mana</u> whenua.</p>	Support	Kāinga Ora supports the amendments which refer to the broader concept of 'mana whenua' rather than a particular Iwi. This is consistent with how actual and/or potential effects on 'mana whenua values' are dealt with in other statutory planning documents throughout New Zealand.	Include the proposed provisions (objectives, policies and explanation) as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
12.	2.2.1a-d	<p>2.2.9a.1a The relationship <u>tangata mana</u> whenua have with the City is recognised and promoted.</p> <p>2.2.9b.1b Development considers effects on the unique <u>tangata mana</u> whenua relationships, values, aspirations, roles and responsibilities with respect to an area.</p> <p>2.2.9c.1c As part of the development process, decisions on land use, subdivision and development include ongoing consultation and collaboration with <u>tangata mana</u> whenua where appropriate.</p> <p>2.2.9d.1d Development <u>Where required, development</u> and the decisions associated with developments <u>where required</u> are to consider any relevant Iwi Management Plan.</p> <p>Explanation <i>The relationship between <u>tangata mana</u> whenua and the whenua awa, moana, maunga, taiao katoa (land, waterways, ocean, and mountains) and wider environment is acknowledged. These objectives and policies seek to ensure that the values, principles, aspirations, roles and responsibilities and the place of <u>tangata mana</u> whenua are reflected and incorporated into strategy, governance and implementation of the District Plan. The policies envisage involvement of <u>tangata mana</u> whenua in managing the use, development, and protection of their ancestral taonga.</i></p>	Support	Kāinga Ora supports the amendments which refer to the broader concept of 'mana whenua' rather than a particular Iwi. This is consistent with how actual and/or potential effects on 'mana whenua values' are dealt with in other statutory planning documents throughout New Zealand.	Include the proposed provisions (objectives, policies and explanation) as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.

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		<p>Te Whakakitenqa o Waikato-Tainui Te Kauhanganui Incorporated is the recognised Iwi Authority <u>mandated local iwi authority</u> for 33 registered Waikato-Tainui hapu <u>hapuu</u> within the rohe of Waikato Tainui. Waikato-Tainui has signed two major settlements with the Crown, the Waikato Raupatu Claims Settlement Act (1995) and the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010. The 1995 Settlement created the Waikato Raupatu Lands Trust and the 2010 Settlement created the Waikato Raupatu River Trust <u>and the Waikato River Authority.</u></p> <p>It is acknowledged that local hapu Ngaati Wairere, Ngaati Waiwere have strong links Maahanga, Ngaati Hauaa, Ngaati Tamainupoo and Ngaati Korokii-Kahukura, who hold a historical and traditional bond with the land natural and physical landscapes within the City's boundaries Hamilton. This hapu occupied Kirikiriroa in the 1830s when missionaries first arrived. Ngaati Waiwere is related Mana whenua advocates commemorating traditional landmarks, sharing of historical stories to many other Tainui hapu including Ngaati Tamainupo, Ngaati Mahanga, Ngaati Haua, Ngaati Koroki build positive and vibrant relationship between Maaori and non-Maaori, and Ngaati Mahuta who also have a far reaching relationship to the area further environmental protection and enhancement.</p>			
13.	2.2.2	<p>The Te Awa O Waikato River</p> <p>Objective</p> <p>2.2.10.2</p> <p>a. The health and wellbeing of the Waikato River is restored and protected so that it may sustain abundant life and prosperous communities.</p> <p>Policies</p> <p>2.2.10b</p> <p>Promote an integrated, holistic and coordinated approach to the management of the natural, physical, cultural and historic resources of the Waikato River.</p>	Support in part	Kāinga Ora supports as-notified, giving effect to Te Ture Whaimana O Te Awa o Waikato - The Vision and Strategy for the Waikato River.	Include the proposed provisions (objectives, policies and explanation) as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
14.	2.2.2.a-b	<p>Objective</p> <p>2.2.8</p> <p>b. The health and wellbeing of the Waikato River is restored and protected and the River is celebrated as being at the heart of the region's identity and <u>recognised as</u> a feature of national importance.</p>	Support in part	Kāinga Ora supports as-notified, giving effect to Te Ture Whaimana O Te Awa o Waikato - The Vision and Strategy for the Waikato River. This includes the consequential deletion of existing objective 2.2.8 and associated policies in order to include these under the proposed provisions.	Include the proposed provisions (objectives, policies and explanation) as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
15.	2.2.2a	<p>Policies</p> <p>2.2.8a</p> <p><u>The.2a</u></p> <p><u>Realise opportunities to restore and protect the</u> natural character, <u>amenity, and the indigenous aquatic and terrestrial biodiversity</u> of the Waikato River, <u>gully system by:</u></p> <p>i. <u>Managing activities in the Natural Open Space Zone and Waikato Riverbank</u> and <u>its margins is preserved</u> <u>Gully Hazard</u></p>	Oppose	Whilst Kāinga Ora support giving effect to Te Ture Whaimana, it is considered that a financial contribution as required by Chapter 24, that is proposed to be levied for the purpose of giving effect to Te Ture Whaimana as notified is opposed. It is noted that the Section 32 analysis for financial contributions implies that the fund will go	<ol style="list-style-type: none"> 1. Retain policy as notified with amendments subject to relief sought under chapter 24 and amendments shown in column. 2. Include the proposed policies as-notified, to the extent they are consistent with the overall

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		<p><u>Area.</u></p> <p>ii. <u>Identifying and protected from inappropriate subdivision, land use managing Significant Natural Areas.</u></p> <p>iii. <u>Preparing and development implementing Integrated Catchment Management Plans.</u></p> <p>iv. Require financial contributions from developments to fund works to restore and protect the Waikato River.</p> <p>v. <u>Requiring new subdivision and development to incorporate water-sensitive techniques to reduce demand for water supply and wastewater disposal and to manage stormwater.</u></p> <p>vi. <u>Limiting the area of impermeable surface to sustain ground-water recharge and stream flow and reduce the volume of contaminants discharged to surface water.</u></p> <p>vii. <u>Managing residential intensification and infrastructure provision to ensure the latter has sufficient capacity to support the former.</u></p> <p>viii. <u>Managing activities to avoid, and where that is not possible, remedy and/or mitigate, river and stream bank erosion, river and stream bed scouring and deposition</u></p>		<p>to the Hamilton City Council 'Nature in the City' programme. Kāinga Ora notes that the policy for this fund is related to biodiversity and is not underpinned by or seeks to give effect to Te Ture Whaimana. It is considered that the financial contribution must be deleted in its entirety until a specific policy is developed to address Te Ture Whaimana.</p> <p>Further, it is considered that this approach does not acknowledge the role that the Waikato River Authority plays in the management of the Waikato River, and the ties between that authority and local iwi through board representation.</p> <p>Kāinga Ora notes that the use of the term 'avoid' in Policy 2.2.2a.viii is contrary to the directive under Environmental Defence Society Inc v New Zealand King Salmon Company. Amendments are proposed to qualify its use in the context of the stated effects.</p>	<p>submission and relief sought by Kāinga Ora, while making the tracked amendments to qualify the use of the term 'avoid'.</p> <p>3. Amendments sought in column.</p>
16.	2.2.2b	<p>2.2.2b The natural, 2b <u>Restore and protect the cultural, heritage spiritual, social and amenity values economic relationships of Waikato-Tainui with the Waikato River are protected by:</u></p> <p>i. <u>Providing for all the activities, enjoyed infrastructure, amenities, and enhanced services necessary to achieve a well- functioning city to support personal, community, and environmental wellbeing.</u></p> <p>ii. <u>Implementing the Joint Management Agreement with Waikato Tainui.</u></p> <p>iii. <u>Providing for active involvement of mana whenua in freshwater management, including decision-making processes and implementing maatauranga Maaori, including cultural monitoring.</u></p> <p>iv. <u>Identifying and providing for mana whenua freshwater and other values and aspirations through the preparation and implementation of Integrated Catchment Management Plans and Structure Plans.</u></p> <p>v. <u>Implementing Policy 2.2.2a.</u></p>	Oppose in part	Kāinga Ora supports as-notified, giving effect to Te Ture Whaimana O Te Awa o Waikato - The Vision and Strategy for the Waikato River, and enabling papakāinga housing across all residential zones.	Include the proposed provisions (objectives, policies and explanation) as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.

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		vi. <u>Identifying, and managing activities within, natural hazard areas.</u> vii. <u>Realising opportunities to maintain and enhance public access to and along the Waikato River, including through the retention of existing, and creation of new, esplanade reserves.</u> viii. <u>Providing for customary activities within Open Space Zones.</u> ix. <u>Identifying, respecting and protecting archaeological sites, taonga and sites of significance to Maaori and providing for their recognition.</u> x. <u>Providing for papakainga development within Residential Zones and Community Facilities Zone.</u> xi. <u>Enabling public art in selected Zones.</u>			
17.	2.2.2c	2.2.8c Access.2c <u>Restore and connections protect communities' relationships with the Waikato River, are maintained including their economic, social, cultural and enhanced spiritual relationships by:</u> i. <u>Implementing Policies 2.2.2a and 2.2.2b.</u> ii. <u>Identifying and protecting heritage sites and buildings.</u>	Support	Kāinga Ora supports giving effect to Te Ture Whaimana O Te Awa o Waikato - The Vision and Strategy for the Waikato River.	Include the proposed provisions as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
18.	Explanation	Explanation The 'Te Ture Whaimana o Te Awa o Waikato' – The Vision and Strategy for the Waikato River (refer to Volume 2, Appendix 10) is the primary direction-setting document for the Waikato River and its catchments. The vision is for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces for generations to come. <u>The Waikato River is an outstanding a natural feature in Hamilton City and the Waikato region that is of strategic importance to New Zealand's social, cultural, environmental, and economic wellbeing. The river and its margins catchments contain significant habitats of indigenous fauna and vegetation, and it is are recognised as an area of high amenity value, with a natural, cultural and heritage significance. Restoring, protecting and enhancing the health and wellbeing of the river and its margins are essential to ensure the quality of this resource is available for future generations. The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 will work in conjunction with the Resource Management Act to provide direction for planning documents to restore and protect the health and wellbeing of the Waikato River for future generations.</u>	Support	Kāinga Ora supports giving effect to Te Ture Whaimana O Te Awa o Waikato - The Vision and Strategy for the Waikato River.	Include the proposed provisions as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
19.	2.2.3	Towards a Sustainable City Objective 2.2.1.3 Hamilton is characterised by an increasingly sustainable urban form.	Support	Kāinga Ora generally supports the stated goal of urban intensification and the land use efficiency that results from redevelopment of existing urbanised areas in realising a 'compact' model of urban development.	Include the proposed provisions (objectives, policies and explanation) as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.

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20.	2.2.3a-3c	<p>Policies</p> <p>2.2.1a-3a Development makes use of the identified opportunities for urban intensification.</p> <p>2.2.1b-3b Development is designed and located to minimise energy use and carbon dioxide production, by:</p> <ul style="list-style-type: none"> i. Minimising the need for private motor vehicle use. ii. Encouraging <u>Prioritising</u> walking, cycling and the use of passenger <u>public</u> transport. iii. Maximising opportunities for people to live, work and play within their local area. <p>2.2.1c-3c Land use zoning and subdivision controls will be used as methods to achieve the sustainable use of the City's land resources including providing for separation, proximity and agglomeration of land uses.</p> <p>Explanation</p> <p><i>Hamilton is growing steadily. The City's strategic documents – the Hamilton Urban Growth Strategy (HUGS), the Waikato Regional Policy Statement, Access Hamilton, Future Proof, and Hamilton's City Design Guide Vista – aim to manage this growth by establishing an increasingly 'compact city', where development is concentrated so land and infrastructure can be provided and used efficiently. The aim is to have at least 50% of new residential growth occur within existing parts of the City in the next 20 years. This growth management will ensure positive effects on physical resources, where less land <u>land for housing</u> will be used for housing <u>more efficiently</u>, where there is better energy efficiency, and an increase in the cost-effectiveness of infrastructure including roads, Passenger <u>public</u> transport, water services, energy and telecommunications. Public space, including reserves, roads, walkways and cycleways, will complement higher-density areas.</i></p>	Support	Kāinga Ora generally supports the stated goal of urban intensification and the land use efficiency that results from redevelopment of existing urbanised areas in realising a 'compact' model of urban development.	Include the proposed provisions (objectives, policies and explanation) as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
21.	2.2.4	<p>Objective</p> <p>2.2.2.4 Urban <u>Greenfield urban</u> development takes place within areas identified for this purpose in a manner which uses land and infrastructure most efficiently.</p>	Support	Kāinga Ora generally supports the stated goal of urban intensification and the land use efficiency that results from redevelopment of existing urbanised areas in realising a 'compact' model of urban development. As such Kāinga Ora also supports the proposed amendments to objective 2.2.4 which reframes the largely-existing objectives and policies to focus on <i>greenfield</i> development.	Include the proposed provisions (objectives, policies and explanation) as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.

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22.	2.2.4a-d	<p>Policies</p> <p>2.2.2a <u>2.2.4a</u> Development shall occur in locations that are consistent with the growth management policies of the Waikato Regional Policy Statement.</p> <p>2.2.2b <u>2.2.4b</u> Any development that is within an identified growth area is to be undertaken in general accordance with an approved Structure Plan.</p> <p>2.2.2c <u>2.2.4c</u> The release of land for urban development will not be allowed unless appropriate infrastructure is available and the servicing of this land does not compromise the efficiency and sustainability of planned infrastructure.</p> <p>2.2.2d <u>2.2.4d</u> The subdivision or use of any rural land within an identified growth area shall not compromise future urban development.</p>	Support	Kāinga Ora also supports the proposed amendments which give effect to objective 2.2.4 which reframes the largely-existing objectives and policies to focus on <i>greenfield</i> development.	Include the proposed provisions (objectives, policies and explanation) as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
23.	Explanation	<p>Explanation</p> <p><i>Development is to occur as provided for within the growth management policies of the Waikato Regional Policy Statement which takes into account policies from Future Proof and the Hamilton Urban Growth Strategy.</i></p> <p><i>Any significant area of new land to be rezoned for urban development is to be supported by Structure Plans that provide information on land use and infrastructure, transport links, <u>public transport, mitigation of climate change through emissions reduction</u>, management of amenity, ecological, heritage values, natural character, natural hazards, stormwater and tangata whenua values.</i></p> <p><i>When the original growth cells identified in the plan are substantially developed, new growth cells will be identified through financially programmed works for infrastructure.</i></p> <p><i>Council's Long Term Plan or Annual Plan sets out the programme for providing infrastructure to service growth. Where a developer wishes to pursue development ahead of Council's programmes a development agreement will need to be entered into with Council to ensure that the infrastructure is provided in a way which is efficient and sustainable from a city-wide perspective. In these cases it is anticipated that developers will bear the full costs of infrastructure provision.</i></p> <p><i>To ensure infrastructure is available and does not compromise the efficiency and sustainability of planned infrastructure assessments will be undertaken utilising Integrated Catchment Management Plans, Water Impact Assessments, and Integrated Transport Assessments.</i></p> <p><i>This approach will enable growth in areas that are not funded for infrastructure to be funded by developers under Development Agreements between all parties. The reason for Council's approach is due to its inability to fund infrastructure necessary to support the development of the growth cells all at once. This will enable the sustainable management of growth for the social and economic wellbeing of the community and meeting the needs of future generations.</i></p>	Oppose in part	Kāinga Ora considers that the reference in the explanation requiring that the full cost of development be borne on the developer is misleading and does not relate to the effects of development.	Delete the reference to developers bearing the full costs of infrastructure provision, as shown in the tracked amendments.

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24.	2.2.5	<p>Urban Design Approach</p> <p>Objective</p> <p>2.2.3.5</p> <p>Promote safe, compact, sustainable, good quality urban environments that respond positively to their local context, <u>recognising that further change may occur through intensification</u></p>	Support	Kāinga Ora supports the proposed amendments to the provisions, as they account for the recognition of changing amenity values in urban environments. This is consistent with Policy 6(b) of the National Policy Statement of Urban Development 2020 ('NPS-UD').	Include the proposed provisions (objectives, policies and explanation) as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
25.	2.2.5a-d	<p>Policies</p> <p>2.2.3a <u>5a</u></p> <p>Development responds to best practice urban design and sustainable development principles, appropriate to its context.</p> <p>2.2.3b <u>5b</u></p> <p>Development responds to Low Impact Urban Design and Development and Crime Prevention Through Environmental Design (CPTED) principles.</p> <p>2.2.3c <u>5c</u></p> <p>Development enhances civic, natural heritage, cultural, ecology and surrounding public space networks.</p> <p><u>2.2.5d</u></p> <p><u>Development considers the objectives and policies in Chapter 25.15.</u></p> <p>Explanation</p> <p><i>Sustainability needs to be integrated into urban design to protect and enhance local amenity and reduce deterioration of the environment. Optimising the use of existing space and infrastructure by promoting a safe and compact city, and requiring development to be located so it is integrated with existing facilities, infrastructure, public open spaces and transport corridors and is sympathetic to natural resources will help ensure a sustainable urban environment.</i></p>	Support	Kāinga Ora supports the proposed amendments to the provisions, as they account for the recognition of changing amenity values in urban environments. This is consistent with Policy 6(b) of the National Policy Statement of Urban Development 2020 ('NPS-UD').	Include the proposed provisions (objectives, policies and explanation) as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
26.	2.2.6	<p>Central City, Business and Industry</p> <p>Objective</p> <p>2.2.4.6</p> <p>Establish and maintain a hierarchy of viable and vibrant business centres that provide a focus for retail, commercial and entertainment activities and serve the social, cultural, environmental and economic needs of the community.</p>	Support in part	Kāinga Ora supports enabling policies that provide support for residential land use activities within business zones.	Include the proposed provisions (objectives, policies and explanation) as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.

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27.	2.2.6a-6c	<p>Policies</p> <p>2.2.4a.6a Business activity and development shall locate in the most appropriate centre for its role, according to the following hierarchy: —</p> <ul style="list-style-type: none"> i. The Central City is the primary business centre, serving the City and wider region, and is the preferred location for commercial, civic and social activities. ii. The Base and Chartwell complement the Central City, to serve large parts of the City and adjoining districts, and contain primarily retailing, entertainment and services. <p>Suburban centres, to provide convenience goods, community services, facilities and employment to serve immediate suburban catchments</p> <ul style="list-style-type: none"> iv. Ruakura Retail Centre, to serve the Ruakura Structure Plan area and adjacent catchment. iii. Neighbourhood centres, to contain retailing and service activities to serve immediate residential catchments. <p>2.2.4b.6b The distribution, type, scale and intensity of activities outside the Central City does not undermine the viability, vitality and vibrancy of the Central City, its amenity values, or role in meeting the needs of the region.</p> <p>2.2.4c.6c Significant large format retail development beyond the identified out of centre zones is not envisaged for the Plan period.</p>	Support in part	Kāinga Ora supports enabling policies that provide support for residential land use activities within business zones.	Include the proposed provisions (objectives, policies and explanation) as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
28.	2.2.6d	<p>2.2.6d <u>Residential activity above ground floor commercial uses is encouraged enabled where it can be shown to support the business centres and meet the day-to-day needs of residents, achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.</u></p> <p>Explanation</p> <p><i>A hierarchy of business centres provides structure and context to the functioning of the urban area and its transport network. It provides a clear framework within which public and private investment can be prioritised and made, and provides a basis for regeneration and intensification initiatives.</i></p> <p><i>The Regional Policy Statement calls for the Central City to be recognised and enhanced as the primary commercial, civic and social centre of the Future Proof Area. It encourages the greatest diversity, scale and intensity of activities to encourage and provide for the vitality and amenity of the Central City. It is important to ensure that activities outside the Central City do not undermine the City's core function.</i></p> <p><i>The Central City forms the Regional Centre of Hamilton and is the dominant commercial, civic and social centre for the City</i></p>	Support in part	Kāinga Ora considers that policy 2.2.6d requires amendment to refer to 'enabling' residential activities, given that apartments are proposed to be 'permitted' (subject to compliance with standards) under Chapter 6.3yy 'apartments'.	Amend policy 2.2.6d as shown in the tracked amendments.

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		<p>and region and the focal point for the majority of the City's workforce. However the previous planning framework has enabled an unplanned dispersal of retail and office development which has contributed to the underperformance of some elements of the Central City with consequential effects on its function, amenity and vitality. It is important that future development in other parts of Hamilton does not adversely impact the important role of the Central City as the primary centre for the Waikato region.</p> <p>Retailing activity is a significant component of activities that serve the City and wider region including commerce, government, education, health and medicine and entertainment.</p> <p>City growth and demand projections indicate that the hierarchy of business centres can adequately cater for growth in the Central City, the Sub-Regional and Suburban Centres through a mix of new and more intensive redevelopment of centres.</p>															
29.	2.2.8	<p>Residential Development</p> <p>Objective 2.2.6.8 Sufficient feasible, reasonably expected to be realised development capacity for housing is provided to meet the bottom lines in the table below:</p> <table border="1" data-bbox="587 1150 1641 1377"> <thead> <tr> <th colspan="4">Housing bottom lines (number of dwellings)</th> </tr> <tr> <th>Area</th> <th>Short to Medium 1-10 years (2020-2030)</th> <th>Long term 11-30 years (2031-2050)</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Hamilton City</td> <td>14,300</td> <td>28,800</td> <td>43,100</td> </tr> </tbody> </table> <p>Explanation The National Policy Statement on Urban Development 2020 requires housing bottom lines as an objective in the District Plan. These housing bottom lines are in accordance with the Future Proof Housing Development Capacity Assessment 2021</p> <p>Objective 2</p> <p><u>a relevant residential zone provides for a variety of housing types and sizes that respond to—</u> <u>(i) housing needs and demand; and</u> <u>(ii) the neighbourhood's planned urban built character, including 3-storey buildings.</u></p> <p>Policy 2</p> <p><u>Apply the MDRS across all relevant residential zones in the district plan except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga):</u></p>	Housing bottom lines (number of dwellings)				Area	Short to Medium 1-10 years (2020-2030)	Long term 11-30 years (2031-2050)	Total	Hamilton City	14,300	28,800	43,100	Support in part	<p>Kāinga Ora generally supports housing bottom lines as-required by the NPS-UD, noting that these are 'minimum' targets.</p> <p>Kāinga Ora seeks that the required objectives and policies under Schedule 3A of the RMA (as-modified by the Housing Supply Act) are included. Those objectives and policies apply to all relevant residential zones and therefore it is appropriate they are included in the 'strategic framework' section of the District Plan.</p>	Amend the proposed provisions (objectives, policies and explanation) to reflect the other mandatory objectives and policies that must be included under schedule 3A of the Housing Supply Act, which do not appear to have been included in relevant residential zones under PC12. Refer to the tracked amendments.
Housing bottom lines (number of dwellings)																	
Area	Short to Medium 1-10 years (2020-2030)	Long term 11-30 years (2031-2050)	Total														
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30.	2.2.9	<p>Objective</p> <p>2.2.7-9 A range of housing types and densities is available to meet the <u>housing needs of and demand and a diverse range of people and communities</u> <u>neighbourhood's planned urban built character.</u></p>	Support	Kāinga Ora supports the proposed amendments to the provisions, as they account for the recognition of changing amenity values in urban environments. This is consistent with Policy 6(b) of the National Policy Statement of Urban Development 2020 ('NPS-UD').	Include the proposed provisions (objectives, policies and explanation) as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
31.	2.2.9a-b	<p>Policies</p> <p>2.2.7a-9a Residential development provides for <u>enables a range variety</u> of household choices and the diversity of <u>meets diverse</u> cultural and social needs.</p> <p>2.2.7b-9b Higher-density residential development is <u>areas are</u> located within and close to <u>the walkable catchment of</u> the Central City, suburban and neighbourhood <u>adjacent to identified commercial</u> centres, hospitals, tertiary education facilities and parks, <u>open spaces, and other</u> <u>to support these areas</u> of high social amenity.</p> <p>Explanation</p> <p><u>Schedule 3A of the RMA prescribes specific residential standards (MDRS), to ensure a housing needs and demands are met through a variety of housing choices. The National Policy Statement on Urban Development also requires high-growth councils to enable high density in areas where good access to a range of activities exists.</u></p> <p>Hamilton Urban Growth Strategy acknowledges the need to balance intensification and differing household needs. Cultural diversity is mentioned in Vista. The Environmental Sustainability Strategy advocates for environmentally sensitive design, to mitigate the effects of increased urban density.</p> <p>The District Plan identifies a number of <u>recognises the areas around within and close to the Central City that and identified commercial centres</u> are suitable for medium and <u>higher density residential development.</u></p>	Support in part	Kāinga Ora supports the amendments as-notified, to the extent they are consistent with the overall submission on the spatial extent of the proposed Medium Density Residential Zone and High Density Residential zone. Kāinga Ora consider the policies as-notified are consistent with the Kāinga Ora position on those zones.	Include the proposed provisions as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
32.	2.2.10	<p>Hamilton's Identity, Character and Heritage</p> <p>Objective</p> <p>2.2.11.10 Hamilton's unique character <u>history</u>, heritage and identity are reflected in its built environment.</p>	Oppose	Kāinga Ora opposes the proposed amendments to the objectives and associated policies. Consistent with the Kāinga Ora submission on PC9, the assessment methodology utilised to identify 'history heritage areas' conflates issues of special character and inappropriately elevates existing and proposed areas under PC9 to 'heritage' status under section 6 of the RMA.	Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment ("PC9"). Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones, consistent with the relief sought in PC9. Kāinga Ora considers that the proposed changes across PC9 and PC12 are not qualifying matters, as the assessments in its view, do not meet the requirements

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					under s6, s77I, s77J, s77K, and/or s77L of the RMA.
33.	2.2.10a-d	<p>Policies</p> <p>2.2.11a.10a</p> <p>Development is sensitive to and enhances Hamilton's identity and character <u>heritage values</u>.</p> <p>2.2.11b.10b</p> <p>Development enhances <u>is sensitive to and protects</u> Hamilton's unique character areas, precincts <u>identified built heritage</u> and projects through urban design and public art <u>historic heritage areas</u>.</p> <p>2.2.11c.10c</p> <p>Development is sensitive to and protects Hamilton's archaeological and cultural heritage sites, structures, areas, landscapes and places.</p> <p>2.2.11d.10d</p> <p>Development provides for the protection of historic and cultural heritage from inappropriate subdivision, use and development.</p> <p>Explanation</p> <p><i>This objective and policies aim to promote characteristics and <u>historic</u> values that are unique to Hamilton, and seek to ensure that development and growth reflects these. Council plans to develop Local Area Plans to assist in the development of some areas to reflect its character, identity and heritage through quality urban design.</i></p>	Oppose	Kāinga Ora opposes the proposed amendments to the objectives and associated policies. Consistent with the Kāinga Ora submission on PC9, the assessment methodology utilised to identify 'history heritage areas' conflates issues of special character and inappropriately elevates existing and proposed areas under PC9 to 'heritage' status under section 6 of the RMA.	<p>Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment ("PC9"). Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones, consistent with the relief sought in PC9.</p> <p>Kāinga Ora considers that the proposed changes across PC9 and PC12 are not qualifying matters, as the assessments in its view, do not meet the requirements under s6, s77I, s77J, s77K, and/or s77L of the RMA.</p>
34.	2.2.12	<p>Resource Efficiency</p> <p>Objective</p> <p>2.2.13.12</p> <p>Efficient use and development of natural and physical resources, especially land, buildings and infrastructure.</p>	Support	Kāinga Ora supports the proposed amendments as they are consistent with the NPS-UD requirements under Policy 1(e).	Include the proposed provisions as-notified.
35.	2.2.12a-d	<p>Policies</p> <p>2.2.13a.12a</p>	Support	Kāinga Ora supports the proposed amendments as they are consistent with the NPS-UD requirements under Policy 1(e).	Include the proposed provisions as-notified.

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		<p>Development enables and encourages waste minimisation and efficient use of resources through design and construction methods</p> <p>2.2.13b <u>12b</u></p> <p>Buildings should be designed so they can be adapted in the future for a range of uses.</p> <p>2.2.13c <u>12c</u></p> <p>Development is designed to consider and adapt to the expected effects of climate change <u>by:</u></p> <ul style="list-style-type: none"> i. <u>Reducing embodied and operational carbon to minimise greenhouse gas emissions.</u> ii. <u>Planning for development and resource use to withstand predicted extreme weather events</u> <p>2.2.13d-12d</p> <p>Development enables and encourages the efficient use of resources and recognises the benefits resulting from integrated land use planning.</p> <p>Explanation</p> <p><i>Efficient use and development of resources is a principle of the Act and contributes to sustainable management. The Regional Policy Statement seeks for the use and development of natural and physical resources to occur at a rate that is efficient and minimises waste. In accordance with this, the City's Access Hamilton and Environmental Sustainability Strategies emphasise that development in Hamilton needs to be managed sustainably. This objective and policies provides the strategic framework to ensure Hamilton can achieve a more sustainable and quality urban environment. It is recognised with the design of buildings that it will not always be possible to adapt to a range of uses. These include specialised buildings for manufacturing and dwellings.</i></p>			
36.	2.2.13	<p>Integrate Land Use, Transport and Infrastructure</p> <p>Objective</p> <p>2.2.14.13</p> <p>Land use and development is integrated with the provision of infrastructure (including transport, Three Waters services and open space).</p>	Support	Kāinga Ora supports the proposed amendments as they are consistent with the NPS-UD requirements under Policy 1(e) as well as promoting alternative transport modes.	Include the proposed provisions as-notified.
37.	2.2.13a-f	<p>Policies</p> <p>2.2.14a.13a</p> <p>Development shall not compromise the safe, efficient, and effective operation and use of existing or planned infrastructure.</p>	Support	Kāinga Ora supports the proposed amendments as they are consistent with the NPS-UD requirements under Policy 1(e) as well as promoting alternative transport modes.	Include the proposed provisions as-notified.

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		<p>2.2.14b.13b</p> <p>Development allows for future infrastructure needs, including maintenance, upgrading and co-location where appropriate.</p> <p>2.2.14c.13c</p> <p>New development connects well with existing development and infrastructure.</p> <p>2.2.14d.13d</p> <p>Development does not result in incompatible adjacent land uses with respect to existing or planned infrastructure.</p> <p>2.2.14e.13e</p> <p>Rail, cycle, pedestrian, passenger <u>public</u> transport, <u>micro-mobility</u>, and motorised vehicle networks are well connected and integrated across and beyond the City <u>city</u>.</p> <p>2.2.14f.13f</p> <p>Development should promote <u>prioritises</u> strong connections to, and use of, passenger <u>public</u> transport and active modes of transport <u>walking, cycling, and micro-mobility</u>.</p> <p>Explanation</p> <p><i>The objective and policies promote sustainable management under the Act and the Regional Policy Statement. Specific to the Hamilton context, the objective and policies derive from several of the City <u>city</u>'s Strategies <u>strategies</u>, including Access Hamilton, the Environmental Sustainability Strategy <u>Council's transport strategy</u>, the Economic Development Strategy <u>Agenda</u> and the Hamilton Urban Growth Strategy.</i></p> <p><i>Council's Long Term Plan or Annual Plan and the National Land Transport Programme sets out the programme for providing infrastructure to service growth. Where a developer wishes to pursue development ahead of Council's or Waka Kotahi NZTA <u>NZ Transport Agency</u>'s programmes, a development agreement will need to be entered into with Council, or Waka Kotahi NZTA <u>NZ Transport Agency</u>, with respect to the state highway network, to ensure that the infrastructure is provided in a way which is safe, efficient and sustainable from a City <u>city</u>-wide and network perspective.</i></p> <p><i>The integration of land use, transport and infrastructure is an essential means of ensuring development effectively and efficiently uses resources. Structure plans, Integrated Transport Assessments, <u>Travel Plans</u>, Integrated Catchment Management plans, Water Impact Assessments and the Open Space Strategy will be used to ensure development does not compromise existing or planned infrastructure.</i></p>			
38.	2.2.13	<p>City Urban Form</p> <p>Objective</p> <p>2.2.14</p> <p>i. <u>A well-functioning urban environment that enables all people and communities to provide for their social,</u></p>	Oppose in part	Kāinga Ora generally supports the inclusion of the objective and associated policies, being reflective of the requirements of the NPS-UD and prioritisation of accessibility to	1. Amend the objective, associated policies and explanation to reflect accepted walkable catchments so as to ensure an appropriate spatial-enablement of intensification opportunities in accordance with the NPS-UD. Reconsider the 'zone

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		<p><u>economic, and cultural wellbeing, and for their health and safety, now and into the future.</u></p> <p>ii. <u>City urban form that enables people to satisfy most of their daily needs within a nominal 10-minute walk from home and all other daily needs within a nominal 20-minute one-way cycle, micro-mobility, or bus ride from home.</u></p>		<p>public transport and alternative transport modes.</p> <p>However, Kāinga Ora considers that the walkable catchments proposed, represent a reduction in generally-accepted distances. The 400m and 200m distances being applied are very small and unduly reduce the opportunities for the level of intensification otherwise required under the NPS-UD, particularly in relation to 'metropolitan centres' which are similar to 'sub-regional centres' under the ODP. There is insufficient justification or analysis within the s32 assessment as to the walkable catchments that have been applied, and the effect that consequentially has on the spatial extent of intensification under relevant zones.</p> <p>As such the provisions should be amended to provide for high density development of 'at least' 6 storeys within 1200m of the Central City (policy 3(C)(ii)), 800m of the sub-regional centre of Chartwell and 800m surrounding key public transport spines (Ulster Street, Te Rapa Road, Peach Grove, Hukanui and the Orbiter routes). Additionally, high density development should be provided for within 400-800m of the following Town Centres:</p> <ul style="list-style-type: none"> - Rototuna (North) - Ruakura - Rotokauri - Peacocke - Five Crossroads - Thomas Road 	<p>equivalency' analysis undertaken and whether sub-regional centres are more-appropriately classified as 'metropolitan zone-equivalents' for the purposes of application of the NPS-UD and MDRS requirements, and walkable catchments.</p> <p>2. Amend the provisions to reflect the maps supplied under Appendix 2.</p>

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				- Frankton - Hamilton East (Grey Street) - Dinsdale An additional policy should be drafted to refer to the application of Medium Density developments, consistent with schedule 3A of the RMA (As-modified by the Housing Supply Act).	
39.	2.2.14a-14i	<p><u>Policies</u></p> <p><u>2.2.14a</u> Provide for residential and mixed-use developments of unlimited height within the Central City Zone.</p> <p><u>2.2.14b</u> Provide for high-density residential developments within a nominal 800m <u>1200m</u> walking distance of the Central City Zone, <u>allowing for up to 12 storeys within a nominal 400m walking distance of the city centre, and 8 storeys within a nominal 400m-800m walking distance of the city centre.</u></p> <p><u>2.2.14ba</u> <u>Provide for high density residential developments of up to 10 stories within a nominal 400m walking distance and up to 6 stories within a nominal 400m-800m walking distance of the Ulster Street / Te Rapa Spine to recognise the corridor's link from the city to Te Rapa as a sub-regional centre and its future use as a rapid transit corridor.</u></p> <p><u>2.2.14bb</u> <u>Provide for high density residential developments of up to 12 storeys along Clyde Street and Claudelands Road – Hamilton East to recognise the ease of accessibility and close proximity to the city centre, including amenities such as schools and frequent bus routes to the university.</u></p> <p><u>2.2.14c</u> Provide for <u>high density medium-density</u> residential developments within a nominal 400m walking distance and <u>medium density residential developments of a nominal 400m-800m walking distance</u> of the Sub-regional Centre at Chartwell and the Suburban Centres at Thomas Road, Lynden Court, Five Cross Roads, Clyde Street East, Hamilton East, Glenview, Frankton, Hillcrest and Dinsdale.</p> <p><u>2.2.14d</u> Enable higher density residential development within a nominal 200m <u>400m</u> walking distance of Nawton Suburban Centre.</p>	Oppose in part	<p>Kāinga Ora considers that the walkable catchments utilised, particularly in relation to the City Centre and larger suburban centres are small and unduly reduce the opportunities for the level of intensification otherwise required under the NPS-UD, in the most accessible areas of Hamilton. There is no justification or analysis within the s32 assessment as to the walkable catchments that have been applied, or two any assessment of an area's accessibility.</p> <p>The proposed amendments to zone extents and height overlays have taken into account several factors which contribute to the level of accessibility of a given area consistent with the objectives and policies of the NPS-UD. In particular to giving effect to and enabling higher forms of residential living and density in the Hamilton urban environment. These include:</p> <ul style="list-style-type: none"> - Apply the High Density Residential Zone (HDRZ) around a 400m walkable catchment of the Rototuna Town centre. Apply the Medium Density Residential Zone (MDRZ) between 400m-800m of the centre. - Apply the High Density Residential 	<ol style="list-style-type: none"> 1. Amend the objective, associated policies and explanation to reflect accepted walkable catchments so as to ensure an appropriate spatial-enablement of intensification opportunities in accordance with the NPS-UD and the mapping provided within Appendix 2 of this submission. 2. Delete and replace the spatial extent of all operative residential zones¹ and all operative special character zones² with the General Residential, Medium Density Residential, and High Density Residential zoning and height variation controls as shown in the planning maps provided within Appendix 2 of this submission. 3. Apply the High Density Residential Zone (HDRZ) around a 400m walkable catchment of the Rototuna Town centre. Apply the Medium Density Residential Zone (MDRZ) between 400m-800m of the centre. 4. Apply the High Density Residential Zone (HDRZ) around a 400m walkable catchment of the Thomas Road centre. Apply the Medium Density

¹ The operative residential zones replaced include General Residential, Residential Intensification, Large Lot, Medium Density Residential, Rotokauri North Medium Density Residential, Ruakura Medium Density Residential, Te Awa Lakes Medium Density Residential.

² The operative special character zones replaced include Rototuna North East Character, Special Residential Zone, Special Heritage Zone, Special Natural Zone, Templeview Zone, Peacocke Character Zone.

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		<p>2.2.14e Require subdivision to create: <u>a connected, legible, and universally accessible transport network, and neighbourhoods that:</u> <u>a. are permeable to, and prioritise, walking, cycling, micro-mobility and public transport, and</u> <u>b. enable local trips to be undertaken without a private vehicle.</u></p> <p>2.2.14f Improve the permeability of neighbourhoods for, and give access priority to, pedestrians, cyclists, and micro-mobility users.</p> <p>2.2.14g Improve the amenity and safety of activity nodes and travel routes to them to make them safer and more attractive for pedestrians, cyclists, and micro-mobility users.</p> <p>2.2.14h Ensure there is sufficient development capacity in respect of business land to meet the expected demands of the city.</p> <p>2.2.14i Support the renewal and revitalisation of business centres to make them more attractive to customers.</p> <p>Explanation <u>Getting around a growing city by car will become harder as the city intensifies. To achieve a well-functioning city and minimise greenhouse gas emissions, alternatives to travel by car must be promoted. Policies 2.2.14a to 2.2.14d identify parts of the city where intensification will support transport mode shift and reduce reliance on cars for travel.</u> <u>If people were able to satisfy most of their daily needs within a 10-minute walk from home, then they would be able to reduce their car use and greenhouse gas emissions. Health and social benefits would also accrue from the population being more active. An average pedestrian walks about 800m in 10 minutes.</u> <u>Improving the amenity and safety of suburban, and neighbourhood centres, community facilities, and routes to them will make them more attractive for pedestrians, cyclists, and micro-mobility users. In some locations, providing new links for pedestrians, cyclists and micro-mobility users will shorten journey times and make these modes more appealing for local trips. Renewing business centres and community facilities will also attract more pedestrians, cyclists, and micro-mobility users.</u> <u>As residential areas intensify, the increased population may enable viable businesses to establish locally to service the intensified neighbourhood. Neighbourhood centres may need to adapt or expand to accommodate these new</u></p>		<p>Zone (HDRZ) around a 400m walkable catchment of the Thomas Road centre. Apply the Medium Density Residential Zone (MDRZ) between 400m-800m of the centre.</p> <ul style="list-style-type: none"> - Apply HDRZ around a 400m walkable catchment of Chartwell. Apply the MDRZ between 400m-800m of the Chartwell centre. - Apply HDRZ along the Hukanui/Peachgrove spine. - Apply HDRZ around a 400m walkable catchment of Five Cross Roads centre. Apply the MDRZ between 400m-800m of the Five Cross Roads centre. - Apply HDRZ around a 400m walkable catchment of Dinsdale centre. Apply the MDRZ between 400m-800m of Dinsdale centre. - Apply HDRZ around a 400m walkable catchment of the Hillcrest centre. Apply the MDRZ between 400m-800m of the Hillcrest centre. - Apply HDRZ with a height variation control of up to 10 storeys (36m) within 400m walkable catchment of the Ulster Street/Te Rapa Road spine and apply HDRZ to a 400m-800m walkable catchment of this spine recognizing its future role as a rapid transport corridor. - Apply a height variation control of up to 12 storeys (43m) within a 400m walkable catchment of the City Centre zone. Apply a height variation control 	<p>Residential Zone (MDRZ) between 400m-800m of the centre.</p> <ol style="list-style-type: none"> 5. Apply HDRZ around a 400m walkable catchment of Chartwell. Apply the MDRZ between 400m-800m of the Chartwell centre. 6. Apply HDRZ along the Hukanui/Peachgrove spine. 7. Apply HDRZ around a 400m walkable catchment of Five Cross Roads centre. Apply the MDRZ between 400m-800m of the Five Cross Roads centre. 8. Apply HDRZ around a 400m walkable catchment of Dinsdale centre. Apply the MDRZ between 400m-800m of Dinsdale centre. 9. Apply HDRZ around a 400m walkable catchment of the Hillcrest centre. Apply the MDRZ between 400m-800m of the Hillcrest centre. 10. Apply HDRZ with a height variation control of up to 10 storeys (36m) within 400m walkable catchment of the Ulster Street/Te Rapa Road spine and apply HDRZ to a 400m-800m walkable catchment of this spine recognizing its future role as a rapid transport corridor. 11. Apply a height variation control of up to 12 storeys (43m) within a 400m walkable catchment of the City Centre zone. Apply a height variation control of up to 8 storeys (29m) within a 400m-800m walkable catchment of the city centre zone. 12. Apply additional height of 6-12 storeys within Hamilton East along Clyde

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		<p><u>businesses.</u></p> <p><u>People may not be able to satisfy all their needs within their neighbourhood. Therefore, each neighbourhood needs to have ready access to public transport services and routes for cyclists and micro-mobility users that provide a high level of accessibility and connect to goods and services that are not available in the neighbourhood and employment. An objective and policies supporting this city-wide connectivity are set out in Chapter 25.14.</u></p>		<p>of up to 8 storeys (29m) within a 400m-800m walkable catchment of the city centre zone.</p> <ul style="list-style-type: none"> - Apply additional height of 6-12 storeys within Hamilton East along Clyde Street. Apply MDRZ within a 400m-800m walkable catchment of the HDRZ around Clyde Street. <p>Amendments are sought to reflect the above principles and ensure consistency in relation to the proposed spatial extent of zones (and heights-enabled) in Hamilton and the District Plan. The spatial changes are outlined in Appendix 2.</p>	<p>Street. Apply MDRZ within a 400m-800m walkable catchment of the HDRZ around Clyde Street.</p> <p>13. Accept the planning maps and changes sought in Appendix 2.</p> <p>14. Retain all other zoning as notified that is not subject to any change sought from Kāinga Ora submission.</p>
Chapter 3.5 Rototuna Structure Plan					
40.		All of Chapter 3.5 Rototuna Structure Plan	Support in part	Kāinga Ora generally supports the proposed provisions as-notified, to the extent they are consistent with the overall Kāinga Ora submission on the relevant residential and town centre zone provisions that apply to the Rototuna Structure Plan Area. Notably the additional heights proposed within the Rototuna Town Centre, HDRZ within 400m walking catchment of the centre and MDRZ within 400-800m walking catchment of the centre.	Retain the provisions as-notified, subject to the relief sought in the Kāinga Ora submission on underlying zone and relevant city-wide provisions that apply, including the additional heights requested as shown in Appendix 2 .
Chapter 3.6 Rotokauri Structure Plan					
41.		All of Chapter 3.6 Rotokauri Structure Plan	Support in part	Kāinga Ora generally supports the proposed provisions as-notified, to the extent they are consistent with the overall Kāinga Ora submission on the relevant residential zone provisions that apply to the Rotokauri Structure Plan Area.	Retain the provisions as-notified, subject to the relief sought in the Kāinga Ora submission on underlying zone and relevant city-wide provisions that apply.
Chapter 3.7 Ruakura Structure Plan					

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42.		All of Chapter 3.7 Ruakura Structure Plan	Support in part	Kāinga Ora generally supports the proposed provisions as-notified, to the extent they are consistent with the overall Kāinga Ora submission on the relevant residential zone provisions that apply to the Ruakura Structure Plan Area.	Retain the provisions as-notified, subject to the relief sought in the Kāinga Ora submission on underlying zone and relevant city-wide provisions that apply.
Chapter 3.8 Te Awa Lakes Structure Plan					
43.		All of Chapter 3.8 Te Awa Lakes Structure Plan	Support in part	Kāinga Ora generally supports the proposed provisions as-notified, to the extent they are consistent with the overall Kāinga Ora submission on the relevant residential zone provisions that apply to the Te Awa Lakes Structure Plan Area.	Retain the provisions as-notified, subject to the relief sought in the Kāinga Ora submission on underlying zone and relevant city-wide provisions that apply.
Chapter 4.1 – Residential Zones					
44.	Planning Maps	Spatial Extents of the General, Medium Density and High-Density Residential zones		<ol style="list-style-type: none"> 1. Kāinga Ora generally supports the approach to implement the NPS-UD and the Housing Supply Act by incorporating an intensification provisions into the district plan. The Kāinga Ora submission as a whole seeks improvements to better align with national direction. 2. Amendments are sought to spatial extent and heights enabled. It is noted that Council have not reviewed the business zones to respond to the Centres Hierarchy required by the National Planning Standards. Kāinga Ora acknowledge this and seek to work with Council when such a plan change is undertaken. 3. Heights and spatial extents of zones as sought by Kāinga Ora are shown within the maps shown as Appendix 2. 4. Delete and replace the spatial extent of all operative residential zones³ and all operative special character zones⁴ with the General Residential, Medium Density Residential, and High Density Residential zoning and height variation controls as shown in the planning maps provided within Appendix 2 of this submission. 5. Kāinga Ora seek that these maps are incorporated within the District Plan Maps, including the business zone height variations for ease of reference. More detail in regard to the business zone heights is provided within the Chapter 6 and 7 submission. 6. Kāinga Ora seek the following principles to be applied: <ul style="list-style-type: none"> - Apply the High Density Residential Zone (HDRZ) around a 400m walkable catchment of the Thomas 	

³ The operative residential zones replaced include General Residential, Residential Intensification, Large Lot, Medium Density Residential, Rotokauri North Medium Density Residential, Ruakura Medium Density Residential, Te Awa Lakes Medium Density Residential.

⁴ The operative special character zones replaced include Rototuna North East Character, Special Residential Zone, Special Heritage Zone, Special Natural Zone, Templeview Zone, Peacocke Character Zone.

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Road centre. Apply the Medium Density Residential Zone (MDRZ) between 400m-800m of the centre. <ul style="list-style-type: none"> - Apply HDRZ around a 400m walkable catchment of Chartwell. Apply the MDRZ between 400m-800m of the Chartwell centre. - Apply HDRZ along the Hukanui/Peachgrove spine. - Apply HDRZ around a 400m walkable catchment of Five Cross Roads centre. Apply the MDRZ between 400m-800m of the Five Cross Roads centre. - Apply HDRZ around a 400m walkable catchment of Dinsdale centre. Apply the MDRZ between 400m-800m of Dinsdale centre. - Apply HDRZ with a height variation control of up to 10 storeys (36m) within 400m walkable catchment of the Ulster Street/Te Rapa Road spine and apply HDRZ to a 400m-800m walkable catchment of this spine recognizing its future role as a rapid transport corridor. - Apply a height variation control of up to 12 storeys (43m) within a 400m walkable catchment of the City Centre zone. Apply a height variation control of up to 8 storeys (29m) within a 400m-800m walkable catchment of the city centre zone. - Apply additional height of 6-12 storeys within Hamilton East along Clyde Street. Apply MDRZ within a 400m-800m walkable catchment of the HDRZ around Clyde Street. - Apply HDRZ and MDRZ around Hamilton Lake and north of Waikato hospital. 					
4.1.1 Purpose					
45.	4.1.1	<p><u>All Residential Zones</u></p> <p><u>The Residential Zones assist in creating a compact City. The Central City Zone also contributes significantly to the residential strategy by providing opportunities for higher-density living in the Central City (see Chapter 7: Central City Zone).</u></p> <p><u>The city has a finite amount of residential land. To accommodate more people, Council needs to develop the land it has more efficiently. The key is to provide a range of section sizes and household choices, including smaller sections and more compact living environments (such as townhouses and apartments).</u></p> <p><u>District Plan provides for four Residential Zones (shown on the Planning Maps) that promote opportunities for different dwelling densities and housing typologies. These are:</u></p> <p style="margin-left: 40px;">4.2 <u>General Residential Zone.</u></p> <p style="margin-left: 40px;">4.3 <u>Medium Density Residential Zone.</u></p> <p style="margin-left: 80px;"><u>4.3A Peacocke Medium Density Residential Zone</u></p> <p style="margin-left: 40px;">4.4 <u>High Density Residential Zone.</u></p>	Support	Kāinga Ora supports the overall purpose on the residential zones as-notified.	Include the proposed provisions as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.

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		<p style="text-align: center;">4.5 <u>Large Lot residential Zone.</u></p> <p>The provisions of this chapter are designed to assist in meeting the density targets of the Regional Policy Statement.</p>			
46.	<u>4.1.1</u>	<p><u>Vision and Strategy (Te Ture Whaimana)</u></p> <p>The Vision and Strategy - Te Ture Whaimana o Te Awa o Waikato is the primary direction-setting document for activities within the Waikato and Waipa River catchments.</p> <p>Development within the residential zones have the potential to adversely affect the health and well-being of the Waikato River and its tributaries particularly with regards to the potential impacts of increased impervious surfaces, vegetation clearance, earthworks and residential intensification within the Waikato River catchment. Te Ture Whaimana requires betterment (restoration and protection) and this must be proportionate to the impact of the application/development on the catchment.</p>	Support	Kāinga Ora supports giving effect to Te Ture Whaimana O Te Awa o Waikato - The Vision and Strategy for the Waikato River, regional strategies.	Include the proposed provisions as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
47.	<u>4.1.1</u>	<p><u>Historic Heritage</u></p> <p>District Plan identifies a number historic heritage buildings and historic heritage areas within the residential areas that will have specific rules for the development of these area to ensure the retention of their historic values(see Chapter 19: Historic Heritage). These areas are identified through an overlay rules within Chapter 19 take preference over Chapter 4.</p>	Oppose	<p>Kāinga Ora opposes the proposed referencing to historic heritage areas for the reasons outlined in its submissions on PC9.</p> <p>Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment ("PC9"), which Kāinga Ora opposed the approach of establishing 'Historic Heritage Areas' in its entirety.</p> <p>As such the amendments proposed by Kāinga Ora in this submission to PC12 seek to ensure the operative District Plan provisions are retained and not amended as part of PC9 or PC12 until Council undertakes a full analysis and evaluation of existing 'character' areas as a 'qualifying matter' rather than inappropriately identifying large areas of the city as 'historic heritage'.</p> <p>Any such assessment (as historic heritage or character) requires a site-by-site analysis as per the legislative requirements of ss77J-L of the Housing Supply Act, and any protections should be managed by way of an overlay, rather than 'downzoning' land contrary to the NPS-UD intent. All of which needs to and should form part of a s32</p>	<p>Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment ("PC9"). Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones, consistent with the relief sought in PC9.</p> <p>Kāinga Ora considers that the proposed changes across PC9 and PC12 are not qualifying matters, as the assessments in its view, do not meet the requirements under s6, s77I, s77J, s77K, and/or s77L of the RMA.</p>

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				evaluation to support any such proposed change to the District Plan.	
48.	<u>4.1.1</u>	<p>Residential Precincts</p> <p><u>A number of residential precincts have been established within the residential zones where specific objectives, policies and rules have been introduced. A precinct spatially identifies and manages an area where additional place-based provisions apply to modify or refine aspects of the policy approach or outcomes anticipated in the underlying residential zone.</u></p> <p><u>Design and layout of residential units and buildings are critically important. All residential development must address potential adverse environmental effects and ensure a quality urban environment is achieved through high quality urban design.</u></p> <p><u>Good standards of amenity create a pleasant and attractive living environment, and in doing so contribute to wider neighbourhood amenity. Residential amenity means the many qualities and attributes that allow people to enjoy living where they do – such as visual attributes, sunlight, good access, low noise levels and safe environment including the provision of usable, practical and function living space both internally and externally.</u></p> <p><u>All Residential Zones are intended to be primarily for residential purposes and other activities need to maintain residential character and amenity.</u></p> <p><u>In addition to residential activities, some small-scale non-residential activities, such as home-based business and home stays, are appropriate in residential areas. A limited range of non-residential activities that support communities, such as schools and health centres, can potentially establish within the zones. However, this is subject to their compatibility with the anticipated residential character and amenity.</u></p>	Support in part	Kāinga Ora supports area-based precinct plans, to the extent they are consistent with the relief sought in the overall Kāinga Ora submission and give effect to the minimum density requirements and standards of MDRS.	Include the proposed provisions as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
4.1.2 Objectives and Policies: All Residential Zones					
49.	<u>4.1.2.1</u>	<p>Objective</p> <p><u>4.1.2.1</u></p> <p><u>Ensure that development within the Residential Zones gives effect to The Vision and Strategy - Te Ture Whaimana o Te Awa o Waikato.</u></p>	Support	Kāinga Ora supports giving effect to Te Ture Whaimana O Te Awa o Waikato - The Vision and Strategy for the Waikato River, regional strategies.	Include the proposed provisions as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
50.	<u>4.1.2.1a</u>	<p>Policies</p> <p><u>4.1.2.1a</u></p>	Support in part	Consistent with the Kāinga Ora submissions on the 'strategic framework' chapter, Kāinga Ora notes that the use of the term 'avoid' in Policy 4.1.2.1a is contrary to the	Include the Policy as-notified with the tracked amendments sought.

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		Avoid development where the direct or cumulative effects on the three waters infrastructure network cannot be mitigated to an acceptable level.		directive under Environmental Defence Society Inc v New Zealand King Salmon Company Ltd [2014] NZSC 38 ("King Salmon") concerning the term 'avoid'. As the policy uses 'avoid', there cannot be any exceptions to what is tantamount to a prohibited activity and the policy is unclear as to what would be appropriate mitigation. Council should ensure the use of 'avoid' in this context is appropriate with the wider policy framework and is not-contrary to other enabling provisions.	
51.	<u>4.1.2.1b</u>	<u>4.1.2.1b</u> Developments and activities in the Residential Zones must give effect to the outcomes in the The Vision and Strategy - Te Ture Whaimana o Te Awa o Waikato through developments and activities by being designed and operated to contribute to the overall protection and restore restoration of the health and wellbeing of the River and betterment of the Awa.	Support in part	Kāinga Ora supports the intent of the policy but considers that it can be amended to better-relate to individual developments and their 'contribution' to the overall health of the Waikato River. Kāinga Ora also consider that this policy should include the need for betterment as directed by Te Ture Whaimana.	Include the Policy as-notified with the tracked amendments sought.
52.	<u>4.1.2.1c</u>	<u>4.1.2.1c</u> The health and wellbeing of the Waikato River is restored and protected by controlling density, building size, site permeability and appropriate mitigation of earthworks, and by maintaining, and where appropriate enhancing access to the Waikato River.	Support in part	Kāinga Ora does not support the use of terminology which requires certain features to be both 'maintained and enhanced'. This implies that both outcomes must be achieved at the same time. While it is accepted that this is terminology used within the RMA, Kāinga Ora consider it appropriate to amend the proposed wording. Kāinga Ora also consider that the health and well-being of the Waikato River can be restored and protected without the need to control density, but rather through a focus on ensuring appropriate infrastructure measures are incorporated, including stormwater quality measures to protect the Awa.	Include the Policy as-notified with the tracked amendments sought.

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53.	<u>4.1.2.1d</u>	<p><u>4.1.2.1d</u></p> <p><u>Where development is adjoining gullies that convey stormwater to the Waikato River, a comprehensive treatment train approach to stormwater treatment, indigenous wetland and landscape planting, and ecological restoration of the gullies will be required to enhance and protect the ecological values of the gully network.</u></p>	Support	Kāinga Ora supports giving effect to Te Ture Whaimana through managing potential effects 'at source'.	Include the Policy as-notified.
54.	<u>4.1.2.1e</u>	<p><u>4.1.2.1e</u></p> <p><u>Water-sensitive techniques are incorporated into new development to reduce demand on water supplies, wastewater disposal and to manage stormwater.</u></p>	Support	Kāinga Ora supports giving effect to Te Ture Whaimana through managing potential effects 'at source'.	Include the Policy as-notified.
55.		<p><u>Explanation</u></p> <p><u>The 'Te Ture Whaimana o Te Awa o Waikato' – The Vision and Strategy for the Waikato River is the primary direction-setting document for the Waikato River and its catchments. The vision is for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces for generations to come.</u></p> <p><u>Development within the residential zones have the potential to adversely affect the health and well-being of the Waikato River and its tributaries. Te Ture Whaimana o Te Awa o Waikato requires betterment (restoration and protection) therefore the potential impacts of increased impervious surfaces, vegetation clearance, earthworks and residential intensification within the Waikato River catchment need to be avoided, remedied or mitigated.</u></p>	Support in part	Kāinga Ora supports the explanation, subject to any consequential amendments being made to reflect submissions on the associated objectives and policies.	Include the explanation as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora
56.	4.1.2.2	<p><u>Objective</u></p> <p><u>4.1.2.2</u></p> <p><u>Development maximises the use of land by providing a range of housing typologies that are consistent with the neighbourhood's planned urban built character while ensuring the provision of infrastructure services as part of any development.</u></p>	Support	Kāinga Ora supports the objective.	Include the objective as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
57.	<u>4.1.2.2a</u>	<p><u>Policies</u></p> <p><u>4.1.2.2a</u></p> <p><u>Any development must:</u></p> <p><u>i. Provide an adequate level of infrastructure and services appropriate for the proposed development,</u></p> <p><u>ii. Takes into account and will not compromise the infrastructural needs of anticipated future development.</u></p> <p><u>iii. Not occur unless appropriate infrastructure and/or infrastructure capacity is available to service the proposed development, or it can be satisfactorily serviced through an alternative means where existing three waters infrastructure capacity and/or level of service is insufficient.</u></p>	Oppose in part	Kāinga Ora does not support policy 4.1.2.2a (ii) as the information threshold that would be required to prove such a requirement is inappropriate through a resource consent process. It is also speculative as to the exact nature and extent of future development which is unknowable to the public. Council is required to ensure a level of infrastructure provision to accommodate permitted levels of development in exercising its duties under the Local Government Act 2002 ('LGA'). Kāinga Ora considers that the balance of policies	Include the policies with amendments sought and delete policy 4.1.2.2a (ii). Consequential renumbering of policies will be required.

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		<p>iv. <u>Ensures that the capacity, efficiency, performance and sustainability of the wider infrastructure network is not compromised.</u></p> <p>v. <u>Uses public infrastructure ahead of private infrastructure where appropriate.</u></p> <p>4.1.2.2b</p> <p><u>Residential development will use land and infrastructure efficiently by:</u></p> <p>i. <u>Staging and sequencing development in accordance with the relevant Structure Plan.</u></p> <p>ii. <u>Otherwise complying with the relevant Structure Plan.</u></p> <p>4.1.2.2c</p> <p><u>Residential development shall achieve densities that are consistent with the growth management policies of the Waikato Regional Policy Statement and Future Proof.</u></p>		<p>appropriately deal with infrastructure capacity issues.</p> <p>Kāinga Ora seek that alternative means to service the development should be allowed so that innovative services can be incorporated which can often have increased environmental benefits i.e. stormwater ponds in larger developments.</p>	
58.	<u>4.1.2.2d</u>	<p>4.1.2.2d</p> <p><u>New buildings and activities shall mitigate effects on and from regionally significant infrastructure</u></p>	Oppose	Kāinga Ora is opposed to provisions concerning reverse sensitivity, that require mitigation for effects generated by other activities (whether infrastructure or otherwise). Effects should be managed 'at source' as far as practicable.	Delete the policy as-notified.
59.	<u>4.1.2.2e</u>	<p>4.1.2.2e</p> <p><u>Residential land uses should be managed to avoid potential effects, such as noise, from arterial transport corridors and state highways.</u></p>	Oppose	<p>Kāinga Ora is opposed to provisions concerning reverse sensitivity, that require mitigation for effects generated by other activities (whether infrastructure or otherwise). Effects should be managed 'at source' as far as practicable.</p> <p>Kāinga Ora also notes that the use of the term 'avoid' is contrary to the directive under Environmental Defence Society Inc v New Zealand King Salmon Company Ltd [2014] NZSC 38 ("King Salmon") concerning the term 'avoid'. As the policy uses 'avoid', there cannot be any exceptions to what is tantamount to a prohibited activity and the policy is unclear as to what would be appropriate mitigation. Council should ensure the use of 'avoid' in this context is appropriate with the wider policy</p>	Delete the policy as-notified.

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				framework and is not-contrary to other enabling provisions.	
60.	<u>4.1.2.2f</u>	<p>4.1.2.2f</p> <p>New residential development must be able to be adequately serviced in terms of Three Waters infrastructure, with the exception of the Ruakura Structure Plan area Large Lot Residential Zone.</p>	Oppose	Kāinga Ora considers that the policy is effectively a repeat of 4.1.2.2a and should therefore be deleted. The Ruakura reference can be included in the former policy.	Delete the policy as-notified.
61.		<p>Explanation</p> <p><u>Not only do the residential areas need to have an adequate level of infrastructure available to enable development to occur, but they need to ensure that any development does not undermine that ability to accommodate the anticipated future increase in residential densities in the residential zones.</u></p> <p><u>Development densities provided for within the growth management policies of the Waikato Regional Policy Statement which takes into account policies from Future Proof and the Hamilton Urban Growth Strategy. Complying with staging ensures that infrastructure can be planned in advance of development and the effects of increased densities can be better managed. Infrastructure includes Three Waters and transport networks, as well as social infrastructure like libraries and community halls.</u></p> <p><u>Council will assess any new service connection against the Regional Infrastructure Technical Specifications, the Three Waters Connection Policy, as well as any other relevant matter considered necessary to make a determination on an application to connect.</u></p> <p>Alternative or innovative means to service development shall also be considered where these means achieve the same or better standards when compared to traditional servicing requirements under the Regional Infrastructure Technical Specifications.</p> <p><u>The use of land can be affected by the presence of infrastructure. Not only does residential development need to have an adequate level of servicing available, but it needs to respond to regionally significant infrastructure, such as telecommunication infrastructure or the national electricity grid, either existing or planned.</u></p> <p>The policies recognise the need to manage residential land uses around regionally significant infrastructure, both existing and proposed – both to manage the effects that residential activities and structures can have on the infrastructure, as well as the adverse effects that the infrastructure can have on residential uses.</p>	Support in part	<p>While Kāinga Ora supports the explanation, the final paragraph should be deleted until the associated policies are also removed, or re-drafted in response to the Kāinga Ora submission.</p> <p>Kāinga Ora seek that alternative means to service the development should be allowed so that innovative services can be incorporated which can often have increased environmental benefits i.e. stormwater ponds in larger developments.</p>	Include the explanation as-notified with the tracked amendments sought.

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62.	4.1.2.3	<p>Objective</p> <p>4.1.2.3</p> <p><u>The Residential Zones and development within these zones positively contribute to achieving a well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.</u></p>	Support	Kāinga Ora supports the policies as they are required under Schedule 3A of the Housing Supply Act.	Include the policies as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
63.	4.1.2.3a-d	<p>Policies</p> <p>4.1.2.3a</p> <p><u>Apply the Medium Density Residential Standards (MDRS) across all relevant residential zones in the district plan except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga).</u></p> <p>4.1.2.3b</p> <p><u>Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.</u></p> <p>4.1.2.3c</p> <p><u>Enable housing to be designed to meet the day-to-day needs of residents.</u></p> <p>4.1.2.3d</p> <p><u>Provide for developments not meeting permitted activity status, while encouraging high-quality developments.</u></p>	Support	Kāinga Ora supports the policies as they are required under Schedule 3A of the Housing Supply Act.	Include the policies as-notified, to the extent they are consistent with the overall submission and relief sought by Kāinga Ora.
64.	4.1.2.4	<p>Objective</p> <p>4.1.2.4</p> <p><u>Residential activities remain the dominant activity in the Residential Zones and non-residential activities remain compatible with residential amenity values.</u></p>	Support	Kāinga Ora supports the objective and the need to ensure that non-residential activities within residential zones are appropriate and do not conflict with the amenity values to be expected in such zones.	Include the objective as-notified, to the extent consistent with the overall submission and relief sought by Kāinga Ora.
65.	4.1.2.4a-e	<p>Policies</p>	Support	Kāinga Ora supports the policies and the need to ensure that non-residential activities within residential zones are	Include the policies as-notified, to the extent consistent with the overall

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		<p><u>4.1.2.4a</u> Manage the effects of non-residential activities, while recognizing that there are social, economic and environmental benefits to be had from locally available non-residential activities within neighbourhoods.</p> <p><u>4.1.2.4b</u> Home-based businesses must:</p> <ul style="list-style-type: none"> <u>i. Be ancillary to the residential activity of the site.</u> <u>ii. Maintain a residential scale and visual appearance and have operational characteristics that are compatible with residential amenity values.</u> <u>iii. Take place within residential units or ancillary buildings.</u> <u>iv. Involve no outdoor storage of vehicles (other than those associated with staff or customers), equipment or goods visible from a public place.</u> <p><u>4.1.2.4c</u> Community facilities (including schools) and community support activities (including managed care facilities and residential centres) must:</p> <ul style="list-style-type: none"> <u>i. Serve a local social or cultural need, or wider educational needs for the community.</u> <u>ii. Be compatible with anticipated residential amenity.</u> <p><u>4.1.2.4d</u> Non-residential activities must only serve the local residential area and be of a size that reflects the anticipated residential amenity of the neighbourhood.</p> <p><u>4.1.2.4e</u> Visitor facilities such as accommodation and conference facilities should be located primarily in the Visitor Facilities Precinct.</p> <p>Explanation Non-residential activities have the potential to generate significant adverse effects in residential areas. Provided home-based businesses – where residential uses still occupy the majority of the residential unit – do not generate off-site effects, they are an acceptable form of non-residential activity. Home-based businesses often perform an incubator role that allows small businesses to become established. Once the home-based business has become established and grown to a certain size, it is more appropriate for it to relocate in either a Business or Industrial Zone. The policy seeks to prevent conversion of sites or buildings into purely business use.</p>		appropriate and do not conflict with the amenity values to be expected in such zones.	submission and relief sought by Kāinga Ora.

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		Some other non-residential activities may be appropriate in the Residential Zones. These include community facilities that perform a social or cultural function, such as schools, churches and community halls, as well as emergency service facilities.			
66.	4.1.2.5	<p>Objective</p> <p>4.1.2.5 Residential development incorporates sustainable features and technologies.</p>	Support	Kāinga Ora supports the objective and associated policies, being consistent with the requirements of the NP-SUD and reduction if greenhouse gas emissions.	Include the objective and associated policies as-notified, to the extent consistent with the overall submission and relief sought by Kāinga Ora.
67.	4.1.2.4a-b	<p>Policies</p> <p>4.1.2.5a Development must encourage the efficient use of energy and water, by:</p> <ul style="list-style-type: none"> i. Incorporating water-sensitive techniques. ii. Off-setting the effects of loss of permeable surface iii. Reducing the use of reticulated electricity. iv. Utilizing solar energy. v. Providing for electric mobility and its associated charging infrastructure. vi. Considering alternative means to service development that are innovative and serve for the betterment of the Awa. <p>4.1.2.5b Ensure development implements methods and technologies to minimise the effects on climate change.</p> <p>Explanation This objective encourages new residential dwellings to use water and energy-efficient technologies and both will range in scale appropriate to the building. Residential units, for example, may wish to install solar panels on the roof and install a rainwater tank and provide infrastructure requirements for electric vehicles. Apartment buildings have the ability to incorporate more sophisticated technologies.</p>	Support	<p>Kāinga Ora supports the efficient use of energy and water, being consistent with the requirements of the NPSUD and reduction of greenhouse gas emissions.</p> <p>Kāinga Ora seek that alternative means to service the development should be allowed so that innovative services can be incorporated which can often have increased environmental benefits i.e. stormwater ponds in larger developments.</p>	<p>Amendments sought for an additional policy matter.</p> <p>Include the policies, to the extent consistent with the overall submission and relief sought by Kāinga Ora.</p>
68.	4.1.2.6	<p>Objective</p>	Support	Kāinga Ora supports the objective as-notified.	Include the policies as-notified, to the extent consistent with the overall

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		<p><u>4.1.2.6</u> Residential developments are designed and developed to create an attractive and safe urban environment, providing a level of amenity consistent with the planned urban environment:</p> <ul style="list-style-type: none"> i. On site for residents; ii. On adjoining sites; and iii. For the transport corridor and public open spaces. 			submission and relief sought by Kāinga Ora.
69.	<u>4.1.2.6a</u>	<p>Policies</p> <p><u>4.1.2.6a</u></p> <p><u>Ensure that all development achieves a legible public 'front' for access, and a private 'back' so as to positively contribute to a well-defined hierarchy of public and private spaces.</u></p> <p>Ensure that all development has a public 'front', where neighbours and visitors will access and primarily experience the development from and a private 'back', where public access is restricted and by invitation only. Require development to compatibly configure its fronts and backs with those of adjacent development so as to positively contribute the amenity of well defined public and publicly accessible spaces, and private spaces.</p>	Support in part	Kāinga Ora considers that the requirement to design development to essentially 'mimic' adjacent development is overly restrictive and does not allow for context-driven design response. The policy also needs to be consolidated as it reads as two policies.	Include the Policy as-notified with the tracked amendment sought.
70.	<u>4.1.2.6b</u>	<p><u>4.1.2.6b</u></p> <p>Require buildings and structures adjacent to the boundary of public and publicly accessible areas (including transport corridors) to incorporate CPTED principles.</p>	Support	Kāinga Ora supports the policy as-notified.	Include the policy as-notified, to the extent consistent with the overall submission and relief sought by Kāinga Ora.
71.	<u>4.1.2.6c</u>	<p><u>4.1.2.6c</u></p> <p>Building and development design achieves quality on-site amenity by providing:</p> <ul style="list-style-type: none"> i. Buildings located close to the front boundary and/or the boundary adjoining the space that the public will gain access from and which the development will front. ii. Visually-obvious Legible front doors and habitable room windows facing the public front. iii. Practical and functional internal and external living area. iv. Private, useable outdoor living areas that are located to the rear of the site where it is practicable to do so v. <u>Appropriate levels of A</u>access to sunlight and daylight throughout the year. vi. Adequate service areas to accommodate typical residential living requirements. vii. Public access and, where offered, parking and manoeuvring areas on-site contribute positively to on-site amenity and meet the needs, safety and convenience of residents. 	Support in part	Kāinga Ora considers that the policies can be amended to ensure greater design flexibility where site context may requires it.	Include the Policy as-notified with the tracked amendments sought.

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		<p>viii. <u>Energy-efficient and sustainable design technologies where compatible with the scale and form of residential development.</u></p> <p>ix. <u>Sufficient outlook to create a sense of visual and acoustic privacy.</u></p> <p>x. <u>Avoidance where practical, of the visual dominance of site and building frontages by garages or parking areas.</u></p> <p>xi. <u>Limit the number of vehicle crossings to prioritise pedestrian and cyclist safety and amenity on public roads or publicly accessible spaces used to give access to development.</u></p> <p>xii. <u>Use of private rear / service lanes, separate to the space forming the public front, associated with narrow-frontage dwellings so as to achieve (9) and (10).</u></p> <p>xiii. <u>High quality landscaping to add visual amenity.</u></p>			
72.	<u>4.1.2.6b</u>	<p><u>4.1.2.6d</u></p> <p><u>Ensure each residential unit is provided with adequate storage space and service areas to accommodate typical residential living requirements.</u></p>	Support	Kāinga Ora supports the policy as-notified.	Include the policy as-notified, to the extent consistent with the overall submission and relief sought by Kāinga Ora.
73.	<u>4.1.2.6e</u>	<p>4.1.2.6e</p> <p>Ensure development is designed to avoid unreasonable adverse noise effects occurring between residential units or from non-residential activities on the site or from adjoining sites.</p>	Oppose	Kāinga Ora is opposed to provisions concerning reverse sensitivity, that require mitigation for effects generated by other activities (whether infrastructure or otherwise). Effects should be managed 'at source' as far as practicable. The policy is directed at managing effects which are otherwise managed through Chapter 25.8 Noise and Vibration.	Delete the policy as-notified.
74.	<u>4.1.2.6f</u>	<p>4.1.2.6f</p> <p>Vegetation and trees should be retained wherever possible.</p>	Oppose	The policy reads as a form of general tree protection which is contrary to established caselaw on the matter. Kāinga Ora consider it appropriate to delete the policy, as the need for 'landscaping' and its inherent contribution to amenity values is acknowledged in Policy 4.1.2.6g.	Delete the policy as-notified.
75.	<u>4.1.2.6g</u>	<p>4.1.2.6g</p> <p>Encourage the siting of buildings to take advantage of aspect, topography and site conditions.</p>	Oppose	The policy is a function of giving effect to the various other design-related policies under 4.1.2.6 as therefore should be deleted.	Delete the policy as-notified.

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76.	<u>4.1.2.6h</u>	<u>4.1.2.6h</u> Require the provision of landscaping to mitigate potential adverse effects of activities and to contribute to the overall amenity of residential areas.	Support	Kāinga Ora supports the policy and the need to ensure landscaping is incorporated into development to ensure amenity values.	Include the policy as-notified, to the extent consistent with the overall submission and relief sought by Kāinga Ora.
77.	<u>4.1.2.6i</u>	4.1.2.6i Ensure vehicle crossings are minimised on road frontages where narrow dwellings are proposed and where shared paths and separated cycle ways are located.	Oppose	Kāinga Ora opposes the policy as the issue is managed through Chapter 14-Transport, and may conflict with the number of crossings otherwise enabled per-site under 25.14.4.1 (Quantity of vehicle crossings).	Delete the policy as-notified.
78.	<u>4.1.2.6j</u>	<u>4.1.2.6j</u> Ensure any development <u>is well designed and</u> minimises building bulk and visual dominance effects on adjoining sites, including minimising opportunities for overlooking adjoining properties.	Oppose in part	The policy is too-subjective in its requirement for 'any' development to be 'well-designed'. Kāinga Ora consider the policy should be amended to avoid such a reference.	Include the policy as-notified with the tracked amendment.
79.	<u>Ex</u>	Explanation <u>Good design of housing is critically important to on-site and off-site amenity, especially where there is higher-density housing. The policies identify the features important for residential development, regardless of what form the dwelling may take, e.g. single, duplex or apartment.</u> <u>Important design features include access to sunlight, outdoor living space, storage space, space for waste and recycling, visual connectivity to public spaces such as the street, and privacy.</u> <u>Incorporation of these features will ensure functional and high-quality living environments for the occupants.</u> <u>How buildings relate to a street or public accessible space (such as a private road or accessway) can have a major bearing on people's perception of the safety of an area. Cumulative effects of development should contribute positively to the streetscape and amenity. The urban amenity expected by residents can be positively or negatively altered by development.</u>	Support in part	Kāinga Ora supports the explanation, subject to any consequential amendments to give effect to the Kāinga Ora submission on the associated policies.	Include the explanation as-notified, to the extent consistent with the overall submission and relief sought by Kāinga Ora.
80.	<u>4.1.2.7</u>	Objective <u>4.1.2.7</u> Buildings and activities at the interface of residential zones with significant natural areas will be managed to ensure the ecological values of these areas are protected.	Support	Kāinga Ora supports the objective as-notified.	Include the objective as-notified, to the extent consistent with the overall submission and relief sought by Kāinga Ora.
81.	<u>4.1.2.7a</u>	Policies <u>4.1.2.7a</u>	Support	Kāinga Ora supports the policy as-notified.	Include the policy as-notified, to the extent consistent with the overall submission and relief sought by Kāinga Ora.

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		<p><u>Adverse effects of adjoining development on identified significant natural areas shall be managed through limiting earthworks and controlling vegetation maintenance to reduce the impact on their ecological values.</u></p> <p>Explanation</p> <p><u>Residential development adjoining areas of significant natural values have the potential to adversely affect the values of these areas and the ecological function and health of these areas as a result these affects needed to be addressed before development can occur.</u></p>			
82.	4.1.2.8	<p>Objective</p> <p>4.1.2.8</p> <p>Buildings and activities within a Historic Heritage Area will be managed to ensure the heritage values of these areas are retained.</p>	Oppose	Kāinga Ora opposes the proposed objectives and associated policies. Consistent with the Kāinga Ora submission on PC9, the assessment methodology utilised to identify 'history heritage areas' conflates issues of special character and inappropriately elevates existing and proposed areas under PC9 to 'heritage' status under section 6 of the RMA.	<p>Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment ("PC9"). Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones, consistent with the relief sought in PC9.</p> <p>Kāinga Ora considers that the proposed changes across PC9 and PC12 are not qualifying matters, as the assessments in its view, do not meet the requirements under s6, s77I, s77J, s77K, and/or s77L of the RMA.</p> <p>Deletion of proposed provisions sought.</p>
83.	4.1.2.8a	<p>Policies</p> <p>4.1.2.8a</p> <p>Non-residential activities shall only be established within any identified historic heritage area when the activity maintains the heritage values of the area through built form and scale.</p> <p>Explanation</p> <p>Non-residential uses within identified historic heritage areas should be discouraged unless they can retain the historic value of the area through the design of the built form and scale of the proposed activities.</p>	Oppose	Kāinga Ora opposes the proposed objectives and associated policies. Consistent with the Kāinga Ora submission on PC9, the assessment methodology utilised to identify 'history heritage areas' conflates issues of special character and inappropriately elevates existing and proposed areas under PC9 to 'heritage' status under section 6 of the RMA.	<p>Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment ("PC9"). Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones, consistent with the relief sought in PC9.</p> <p>Kāinga Ora considers that the proposed changes across PC9 and PC12 are not qualifying matters, as the assessments in</p>

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					its view, do not meet the requirements under s6, s77I, s77J, s77K, and/or s77L of the RMA. Deletion of proposed provisions sought.
Chapter 4.2 – General Residential Zone					
4.2.1 - Purpose					
84.	<u>4.2.1</u>	<p>The General Residential Zone is the most common residential zone in Hamilton. Its purpose is to provide for housing supply and choice, while enabling up to three dwellings per site up to three storeys high in a manner that balances the amenity values of existing residents with the needs of new members of the community. These provisions are primarily derived from the Government's requirements including through its National Policy Statements and National Environmental Standard.</p> <p>The zone applies to both existing residential areas and greenfield areas, and it anticipates a wide range of housing types and densities will occur. The zone also provides for residentially compatible business activity including home businesses and other commercial or community activities.</p>	Oppose in part	Kāinga Ora considers that the purpose statement places an emphasis on the amenity values of existing residents, which is in-part contrary to Policy 6(b) of the NPS-UD which recognises that intensification and development may detract from the existing amenity values enjoyed by some persons.	Amend the purpose of the general residential zone to be consistent with the NPS-UD and consistent with the mandatory objectives and policies under schedule 3A of the Enabling Housing Supply Amendment Act ('Housing Supply Act'). Amendments sought.
4.2.2 – Objectives and Policies: General Residential Zone					
85.	<u>4.2.2.1</u>	<p>Objective</p> <p><u>4.2.2.1</u> Promote comprehensive and integrated development for the establishment of 4 or more residential dwellings within the General Residential Zone.</p>	Support	Kāinga Ora supports the objective as-notified.	Include the objective as-notified.
86.	<u>4.2.2.1a-d</u>	<p>Policies</p> <p><u>4.2.2.1a</u> The development achieves higher density in conjunction with high quality amenity through a comprehensive planning approach that is informed by the relevant structure plan and related rules.</p> <p>4.2.2.1b incorporate universal access principles into residential development.</p> <p><u>4.2.2.1c</u> Encourage subdivision and land use to be undertaken concurrently.</p> <p><u>4.2.2.1d</u> Land is developed in accordance with structure and master planning, including coordination with staging and provision of</p>	Oppose in part	Kāinga Ora opposes universal access requirements within the District Plan. Universal access requirements are already managed through the Building Act. It is onerous and unjustified to require a minimum number of universally accessible units for <i>all</i> development and this is better provided in response to market demand. There is insufficient s32 analysis on the compliance costs of such a requirement for all residentially-zoned development across the City.	Amend the policies as-notified to delete 4.2.2.1b.

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		<u>infrastructure.</u>			
87.	4.2.2.2	<p>Objective</p> <p>4.2.2.2</p> <p><u>The General Residential Zone and development within it provide for a variety of housing types and sizes that respond to</u></p> <p>i. <u>Housing needs and demand; and</u></p> <p>ii. <u>The neighbourhood's planned urban built character, including 1 to 3 storey buildings.</u></p>	Support	Kāinga Ora supports the objective as-notified, being consistent with the requirements of the Housing Supply Act.	Include the objective as-notified.
88.	4.2.2.2a	<p>Policies</p> <p>4.2.2.2a</p> <p><u>Enable a variety of housing typologies with a mix of densities within the zone, including 1, 2 and 3-storey attached and detached residential units.</u></p>	Support	Kāinga Ora supports the policy as-notified, being consistent with the requirements of the Housing Supply Act.	Include the policy as-notified.
89.	4.2.2.2b	<p>4.2.2.2b</p> <p>Recognise that development in accordance with the General Residential Zone will have adverse effects, in some instances substantial, on existing development and neighbours, and (except where a neighbour has provided written approval to a proposal):</p> <p>i. Subject to (ii) below, ensure that development with that generates adverse effects, greater than those enabled by the General Residential Zone on a neighbour, will achieve an equivalent or greater overall standard of on-site amenity for that neighbour that is consistent with the objectives and policies for all residential zones under 4.1.2. for that neighbour compared to development in accordance with what the General Residential Zone could be reasonably anticipated to result in.</p> <p>ii. Where a proposal cannot satisfy (i) above, avoid adverse effects beyond those that could result from development in accordance with what the General Residential Zone could be reasonably anticipated to result in except where substantial off-setting positive effects are proposed.</p>	Oppose	<p>Kāinga Ora acknowledge that future development will result in changes to the existing environment. However, the policy overstates the potential effects of such changes in a manner contrary to Policy 6(b) of the NPS-UD. This policy recognises that intensification and development may detract from the existing amenity values enjoyed by some persons, and that such changes in built form are not, of themselves, an adverse effect.</p> <p>The policy infers that development beyond permitted standards will have an adverse effect and is speculative as to what level of amenity can 'reasonably' be anticipated to be achieved on adjacent sites under the permitted standards. Issues of site context are highly-relevant to what is 'reasonable' in such circumstances and cannot be generalised in a policy. As such the policy as-notified places too-great an emphasis on permitted development as a measure of</p>	Include the policy with the tracked amendments sought.

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				<p>effects, and should focus on the broader design principles and outcomes that are referenced in the objectives and policies applying to all residential zones under Chapter 4.1.</p> <p>Kāinga Ora do not support reference to the 'avoidance' of effects, for the reasons outlined in Environmental Defence Society Inc v New Zealand King Salmon Company Ltd [2014] NZSC 38 ("King Salmon").</p>																												
90.	<u>4.2.2.2c</u>	<p><u>4.2.2.2c</u></p> <p><u>Higher-density residential development is located close to neighbourhood centres, parks, open spaces, and other areas of high social amenity.</u></p>	Support	Kāinga Ora supports the policy as-notified, being consistent with the requirements of the Housing Supply Act.	Include the policy as-notified.																											
4.2.3 Rules – General Residential Zone																																
4.3.2.1 Activity Status Table																																
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		I. <u>Residential centre</u>	<u>D</u>		
		Commercial Activities and Structures			
		m. <u>Home-based business</u>	<u>P</u>		
		n. <u>Homestay accommodation</u>	<u>P</u>		
		o. <u>Show homes</u>	<u>P</u>		
		p. <u>Childcare facility</u>	<u>P</u>		
		i. <u>up to 5 children</u>	<u>RD</u>		
		ii. <u>six or more children</u>	<u>RD</u>		
		q. <u>Dairy</u>	<u>RD</u>		
		r. <u>Visitor accommodation</u>	<u>RD</u>		
		s. <u>Tertiary education and specialised training facility</u>	<u>RD</u>		
		t. <u>Health care service</u>	<u>D</u>		
		u. <u>Places of assembly</u>	<u>D</u>		
		v. <u>Offices (other than as a home-based business)</u>	<u>NC</u>		
		w. <u>Service industry</u>	<u>NC</u>		
		x. <u>Light industry</u>	<u>NC</u>		
		y. <u>Restaurants</u>	<u>NC</u>		
		z. <u>Licensed premises</u>	<u>NC</u>		
		aa. <u>Conference facility</u>	<u>NC</u>		
		Community Activities and Structures			
		bb. <u>Temporary activities</u>	<u>P</u>		
		cc. <u>Informal recreation</u>	<u>P</u>		
		dd. <u>Organised recreation</u>	<u>P</u>		
		ee. <u>Community centre</u>	<u>RD</u>		
		ff. <u>Places of worship</u>	<u>RD</u>		
		gg. <u>General recreation</u>	<u>D</u>		
		hh. <u>Marae (Accept when provided as part of a papakainga development)</u>	<u>D</u>		
		ii. <u>Marae provided as part of a papakainga development</u>	<u>RD*</u>		
		jj. <u>School</u>	<u>D</u>		
		kk. <u>Passenger transport facilities</u>	<u>NC</u>		
		ll. <u>Club Rooms</u>	<u>NC</u>		

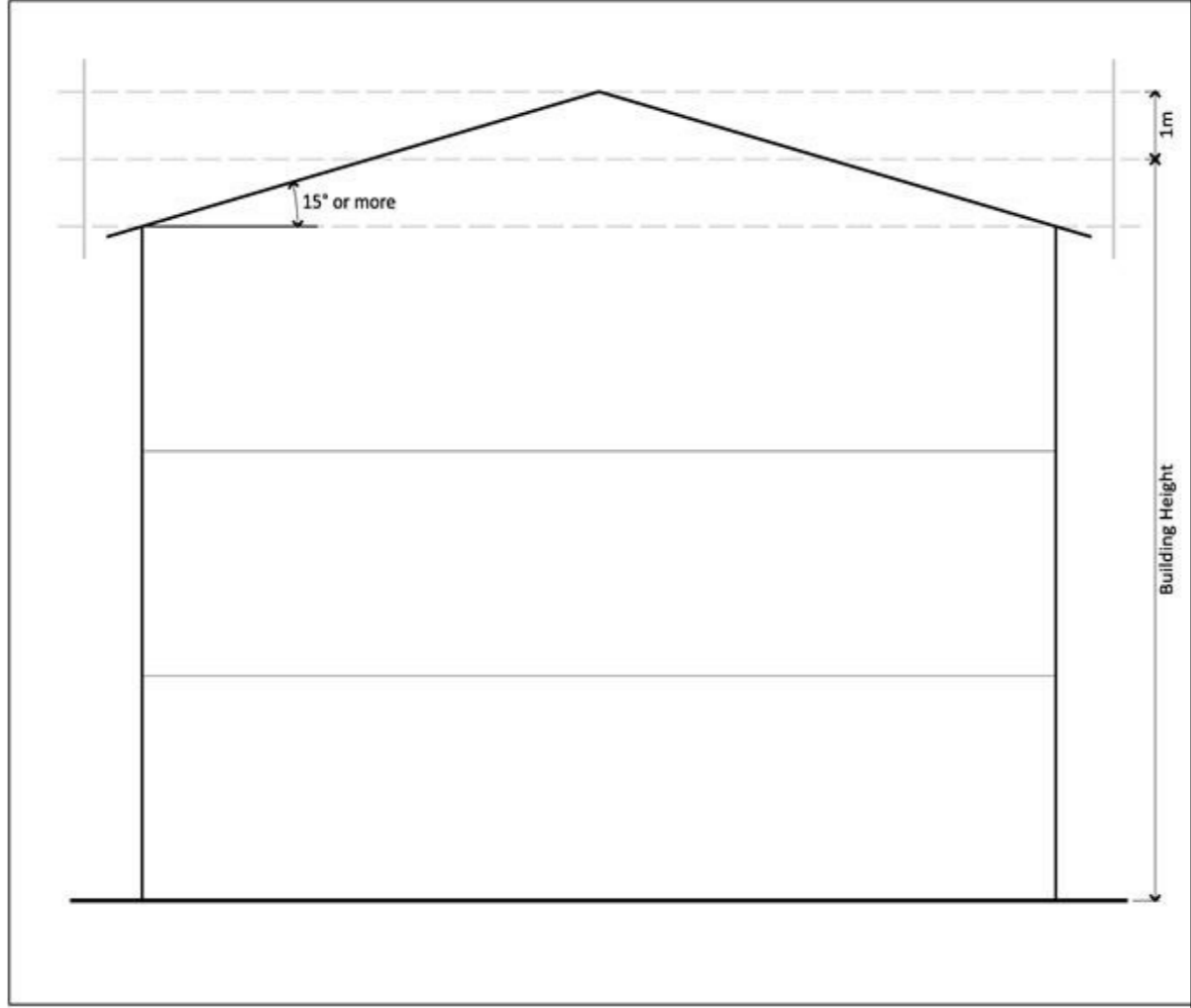
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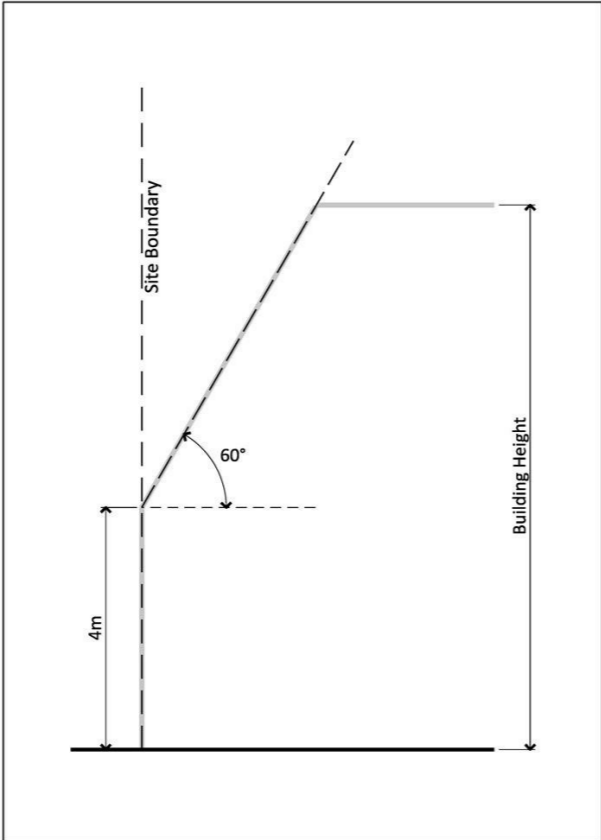
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		<p>Note</p> <ol style="list-style-type: none"> For activities and buildings in the Electricity National Grid Corridor see Chapter 25.7: City-wide – Network Utilities and the Electricity National Grid Corridor. Refer to Chapter 1.1.9 for activities marked with an asterisk (*) Refer to Chapter 1.1.8 for sites subject to a site, feature or overlay 			
4.2.4 Rules – Notification					
94.	4.2.4	<p><u>Except as set out below, all proposals for consent will be subject to the normal notification tests of the RMA 1991 as set out in Chapter 1.1.9:</u></p> <ol style="list-style-type: none"> <u>Any application for resource consent involving 1, 2 or 3 dwellings per site which complies with the following is precluded from being publicly notified:</u> <ul style="list-style-type: none"> <u>4.2.5.2 Building Coverage</u> <u>4.2.5.3 Permeability and Landscaping (only in relation to b)</u> <u>4.2.5.4 Building Height</u> <u>4.2.5.5 Height in relation to Boundary</u> <u>4.2.5.6 Building Setbacks (only in relation to a, c and e)</u> <u>4.2.5.8 Public Interface</u> <u>4.2.5.9 Outlook Space</u> <u>Any application for resource consent involving four or more dwellings per site, that comply with the standards listed in 4.2.4.i is precluded from being either publicly or limited notified.</u> <u>Any application for resource consent involving up to three, or four or more dwellings per site, which does not comply with the standards listed in 4.2.4.i, but complies with 4.2.5.4 Building Height and 4.2.5.3 Building Coverage is precluded from being publicly notified.</u> <p><u>Note 1: For the avoidance of doubt, any application for resource consent identified in 4.2.4 which does not comply with those standards under 4.2.5 not otherwise listed above, would be subject to the exclusions provided the requirements of either i, ii or iii are met.</u></p> <p><u>Note 2: Any application qualifying under 4.2.4 i, ii or iii that requires resource consent/s under other sections on the District Plan shall be considered in an 'unbundled' manner for the purposes of notification assessment and determination under s95 of the RMA.</u></p> <p>i. Proposals for 1 to 3 dwellings on a site that infringe no more than two of the standards set out in 4.2.5 excluding the height in relation to boundary standard, and where the degree of infringement of each of the standards is no greater than 10% of the standard(s) in question, shall be processed without public or limited notification.</p> <p>ii. Proposals for 1 to 3 dwellings on a site that infringe no more than two of the standards set out in 4.2.5 excluding the height in relation to boundary standard but to an extent greater than specified in (i) above, or that infringe the height in relation to boundary standard, or that otherwise infringe three or more of the standards set out in 4.2.5 (including the height in relation to boundary standard), may be limited notified to the owners and occupants of adjoining sites.</p>	Oppose	<p>Kāinga Ora opposes the notification provisions as they do not give effect to the notification preclusions that are required under schedule 3A of the Housing Supply Act. The notification exclusions are required in order to enable residential intensification.</p> <p>In addition, the provisions set a percentage threshold for where the degree of infringement will or will not be subject to limited or mandatory public notification. This is not considered appropriate as the use of a percentage value in reference to notification assessments may conflate the effects of a non-compliance through the degree or extent of infringement. Whether a proposal or an infringement is appropriate or not needs to be subject to an assessment that is particular to the locational characteristics of a development.</p> <p>Kāinga Ora appreciates the intent of the 'percentages' approach, however, 'boundary activities' are already provided for as a process in the RMA.</p>	<ol style="list-style-type: none"> Amend the notification provisions to be consistent with (at least) the notification exclusions under Schedule 3A of the Housing Supply Act and remove references to 'infringements' and 'percentages'. Kāinga Ora has suggested an approach in the tracked amendments to 4.2.4 – notification. Such changes ensure consistency with the Housing Supply Act and the added 'note' provides clarity in administration of those provisions. Kāinga Ora considers that any application which involves resource consents under other parts of the plan (i.e. earthworks, vegetation removal, flooding etc) should not result in the 'bundling' of activities that otherwise meet the requirements of 4.2.4. Such an approach provides elevated Commercial risk to redevelopment and intensification. The suggested 'note' seeks to account for this situation.

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<p>Proposals for 4 or more dwellings that do not comply with one or more of the standards set out in 4.2.5, but where the extent of infringement is greater than 10% of the standard(s) in question and less than 25% of the standard(s) in question may be limited notified to the owners and occupants of adjoining sites.</p> <p>iii. Proposals for 4 or more dwellings that do not comply with one or more of the standards set out in 4.2.5, but where the extent of infringement is greater than 25% of the standard(s) in question may be publicly notified.</p>											
<p>4.2.5 Rules – General Standards – General Residential Zone</p>											
95.	4.2.5	<p>The following standards apply in the General Residential Zone, except where sites are located within a:</p> <p>i. Historic Heritage Area then any standards in Chapter 19 will take preference.</p>	Oppose	<p>Kāinga Ora opposes the reference to historic heritage areas. Consistent with the Kāinga Ora submission on PC9, the assessment methodology utilised to identify 'history heritage areas' conflates issues of special character and inappropriately elevates existing and proposed areas under PC9 to 'heritage' status under section 6 of the RMA.</p>	<p>Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment ("PC9"). Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones, consistent with the relief sought in PC9.</p> <p>Kāinga Ora considers that the proposed changes across PC9 and PC12 are not qualifying matters, as the assessments in its view, do not meet the requirements under s6, s77I, s77J, s77K, and/or s77L of the RMA.</p>						
96.	4.2.5.1	<p>Density</p> <table border="1" data-bbox="430 1444 1641 1575"> <thead> <tr> <th data-bbox="430 1444 1121 1493">Activity</th> <th data-bbox="1121 1444 1641 1493">Net site area (minimums unless otherwise stated)</th> </tr> </thead> <tbody> <tr> <td data-bbox="430 1493 1121 1535">Residential centres and Rest homes</td> <td data-bbox="1121 1493 1641 1535">75m² per resident</td> </tr> <tr> <td data-bbox="430 1535 1121 1575">Managed care facilities</td> <td data-bbox="1121 1535 1641 1575">100m² per resident</td> </tr> </tbody> </table> <p>Note:</p> <p>Refer to Chapter 25.13 – Three Water Infrastructure Capacity Overlay relating to density requirements. Refer to Chapter 19 – For activities within any Historic Heritage Areas relating to density requirements.</p>	Activity	Net site area (minimums unless otherwise stated)	Residential centres and Rest homes	75m ² per resident	Managed care facilities	100m ² per resident	Support in part	<p>Kāinga Ora support there being no density standard for residential units and activities.</p> <p>Kāinga Ora opposes the reference to the Infrastructure Capacity Overlay consistent with relief sought under chapter 25 of the proposed plan change.</p> <p>Kāinga Ora also opposes the reference to Historic Heritage Areas. Consistent with the Kāinga Ora submission on PC9, the assessment methodology utilised to identify 'history heritage areas' conflates issues of special character and inappropriately elevates existing and proposed areas under</p>	<ol style="list-style-type: none"> 1. Remove reference to historic heritage areas, consistent with the overall Kāinga Ora submission. 2. Delete the note, consistent with Kāinga Ora submission.
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Residential centres and Rest homes	75m ² per resident										
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97.	4.2.5.2	<p>Building Coverage</p> <table border="1" data-bbox="433 684 1641 978"> <thead> <tr> <th data-bbox="433 684 1121 726">Activity</th> <th data-bbox="1121 684 1641 726">Net site area (minimums unless otherwise stated)</th> </tr> </thead> <tbody> <tr> <td data-bbox="433 726 1121 831">a. All residential units (except for terrace housing units and apartment units where onsite parking is provided and accessed by a rear lane then 4.2.5.2. b. applies).</td> <td data-bbox="1121 726 1641 831">50%</td> </tr> <tr> <td data-bbox="433 831 1121 936">b. Maximum building coverage for any terrace housing units and apartments where onsite parking is provided and accessed by a rear lane</td> <td data-bbox="1121 831 1641 936">60%</td> </tr> <tr> <td data-bbox="433 936 1121 978">c. All other activities</td> <td data-bbox="1121 936 1641 978">40%</td> </tr> </tbody> </table> <p>Notes</p> <p><u>Rainwater tanks with a capacity of <10,500 litres are exempt from the calculation of building coverage (Refer to Chapter 25.13).</u></p> <p>Refer to Chapter 19—For activities within any Historic Heritage Areas relating to site coverage.</p>	Activity	Net site area (minimums unless otherwise stated)	a. All residential units (except for terrace housing units and apartment units where onsite parking is provided and accessed by a rear lane then 4.2.5.2. b. applies).	50%	b. Maximum building coverage for any terrace housing units and apartments where onsite parking is provided and accessed by a rear lane	60%	c. All other activities	40%	Support in part	<p>Kāinga Ora supports the building coverage standard being in accordance with the MDRS requirements, and the greater level of coverage enabled under 4.2.5.2.b.</p> <p>Kāinga Ora opposes the reference to Historic Heritage Areas. Consistent with the Kāinga Ora submission on PC9, the assessment methodology utilised to identify 'history heritage areas' conflates issues of special character and inappropriately elevates existing and proposed areas under PC9 to 'heritage' status under section 6 of the RMA.</p>	Include the standard as-notified subject to the deletion of the note, consistent with Kāinga Ora submission on PC9.													
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98.	4.2.5.3	<p>Permeability and Landscaping</p> <table border="1" data-bbox="433 1241 1576 1787"> <thead> <tr> <th data-bbox="433 1241 988 1283">Activity</th> <th data-bbox="988 1241 1495 1283">Standard</th> <th data-bbox="1495 1241 1576 1283"></th> </tr> </thead> <tbody> <tr> <td data-bbox="433 1283 988 1325">a. Permeable surface</td> <td data-bbox="988 1283 1495 1325">Minimum 30% of a site</td> <td data-bbox="1495 1283 1576 1325"></td> </tr> <tr> <td data-bbox="433 1325 988 1440">b. A residential unit at ground floor level must have a landscaped area of a minimum of 20% of the total site with grass or plants, and can include the canopy of a tree regardless of the ground treatment below them.</td> <td data-bbox="988 1325 1495 1440"></td> <td data-bbox="1495 1325 1576 1440"></td> </tr> <tr> <td data-bbox="433 1440 988 1524">c. On front, corner sites and through sites, landscaping planted in grass, shrubs and trees required forward of the front building line.</td> <td data-bbox="988 1440 1495 1524"></td> <td data-bbox="1495 1440 1576 1524"></td> </tr> <tr> <td data-bbox="433 1524 988 1608">i. Single residential units and duplex residential units and apartment buildings</td> <td data-bbox="988 1524 1495 1608">Minimum 50% Minimum 40%</td> <td data-bbox="1495 1524 1576 1608"></td> </tr> <tr> <td data-bbox="433 1608 988 1692">ii. Terrace housing with a residential unit frontage width 7.5m or greater</td> <td data-bbox="988 1608 1495 1692">Minimum 30%</td> <td data-bbox="1495 1608 1576 1692"></td> </tr> <tr> <td data-bbox="433 1692 988 1787">iii. Terrace housing with a residential unit frontage width of less than 7.5m</td> <td data-bbox="988 1692 1495 1787"></td> <td data-bbox="1495 1692 1576 1787"></td> </tr> </tbody> </table>	Activity	Standard		a. Permeable surface	Minimum 30% of a site		b. A residential unit at ground floor level must have a landscaped area of a minimum of 20% of the total site with grass or plants, and can include the canopy of a tree regardless of the ground treatment below them.			c. On front, corner sites and through sites, landscaping planted in grass, shrubs and trees required forward of the front building line.			i. Single residential units and duplex residential units and apartment buildings	Minimum 50% Minimum 40%		ii. Terrace housing with a residential unit frontage width 7.5m or greater	Minimum 30%		iii. Terrace housing with a residential unit frontage width of less than 7.5m			Oppose in part	<p>Kāinga Ora supports the inclusion of a permeable surface standard, and the requirements for landscaped area in accordance with the MDRS.</p> <p>However, Kāinga Ora does not support the additional inclusion of front yard landscaping requirements and considers the landscaping requirements of the MDRS to be sufficient in ensuring the delivery of amenity.</p> <p>Kāinga Ora does not support the reference in the 'note' section to historic heritage areas, consistent with its overall submission on both PC12 and PC9.</p>	<p>Include the provisions as-notified with the proposed amendments identified, including the deletion of front yard landscaping provisions ci – ciii.</p> <p>Amendments sought.</p>
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99.	4.2.5.3	<p>d. Urban trees</p>	Oppose	Kāinga Ora opposes the requirements for urban trees and minimum planting sizes across the residential zones. The standard is	Delete the urban trees standard and associate 'notes' as-notified, and any																					

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought										
		<p>Each development shall provide trees in an unobstructed area within the site, clear of any required vehicle access and manoeuvring, regardless of the ground treatment below the canopy of the tree, at the rate set out below:</p> <table border="1" data-bbox="439 661 1587 1018"> <tr> <td>i. Detached residential unit</td> <td><u>Two per residential unit</u></td> </tr> <tr> <td>ii. Duplex residential unit</td> <td><u>Two per residential unit</u></td> </tr> <tr> <td>iii. Terrace housing unit</td> <td><u>One per residential unit</u></td> </tr> <tr> <td>iv. Apartment buildings</td> <td><u>Minimum of one tree per site with an additional tree for every 200m² of site area.</u></td> </tr> <tr> <td>v. All other activities</td> <td><u>Minimum of one tree per site with an additional tree for every 200m² of site area.</u></td> </tr> </table> <p>e. Specimen trees shall be planted as per 4.2.5.3d at a planted size of at least 80L.</p> <p>Note:</p> <ul style="list-style-type: none"> Requirements set out in 4.2.5.3 a can include the area required in 4.2.5.3 d Requirements set out in 4.2.5.3 b can include the area required in 4.2.5.3 c and d If the development retains an existing mature tree (or trees) of at least 6m in height within the design, then this can be traded in place of a tree or trees required under 4.2.5.3 d. at a ratio of 1:1. <u>The management of stormwater generated from impermeable surfaces is controlled by Rule 25.13.4.2A in the Three Waters Chapter.</u> <u>Rainwater tanks with a capacity of <10,500 litres are exempt from the calculation of permeable surface (Refer to Chapter 25.13).</u> Refer to Chapter 19 – For activities within any Historic Heritage Areas relating to permeability requirements. 	i. Detached residential unit	<u>Two per residential unit</u>	ii. Duplex residential unit	<u>Two per residential unit</u>	iii. Terrace housing unit	<u>One per residential unit</u>	iv. Apartment buildings	<u>Minimum of one tree per site with an additional tree for every 200m² of site area.</u>	v. All other activities	<u>Minimum of one tree per site with an additional tree for every 200m² of site area.</u>		<p>not an efficient or effective method in achieving the objectives of the zone, as there will be ongoing compliance costs associated with ensuring that trees are retained post-development. This will likely require consent notices and/or covenants on titles which is costly and has not been sufficiently accounted for in Council's s32 analysis. The standard may also be difficult to enforce and monitor for permitted activity development where a resource consent is not required.</p>	<p>other changes necessary to give effect to the relief sought.</p>
i. Detached residential unit	<u>Two per residential unit</u>														
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100.	4.2.5.4	<p>Building Height</p> <table border="1" data-bbox="439 1564 1587 1648"> <thead> <tr> <th>Activity</th> <th>Building Height</th> <th>Maximum Storeys</th> </tr> </thead> <tbody> <tr> <td>a. General Residential Zone</td> <td><u>11m</u></td> <td><u>3</u></td> </tr> </tbody> </table> <p><u>Buildings must not exceed a building height identified in 4.2.5.4 a, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more.</u></p>	Activity	Building Height	Maximum Storeys	a. General Residential Zone	<u>11m</u>	<u>3</u>	Support in part	<p>Kāinga Ora supports the inclusion of the height standard in accordance with the MDRS requirements.</p> <p>Kāinga Ora does not support the reference in the 'note' section to historic heritage areas, consistent with its overall submission on both PC12 and PC9.</p>	<p>Included the provisions as-notified with the proposed amendments identified.</p> <p>Delete note.</p>				
Activity	Building Height	Maximum Storeys													
a. General Residential Zone	<u>11m</u>	<u>3</u>													

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		 <p data-bbox="783 1514 1086 1539">Figure 4.2.5.4 a Building Height</p>			
		<p data-bbox="427 1556 492 1581"><u>Notes:</u></p> <p data-bbox="427 1606 1341 1631"><u>Refer to Chapter 19 – For activities within any Historic Heritage Areas relating to building height.</u></p>			
101.	4.2.5.5	<p data-bbox="403 1661 724 1686">Height in Relation to Boundary</p> <p data-bbox="403 1711 664 1736">General Residential Zone</p> <p data-bbox="427 1764 1549 1881"><u>Buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way</u></p>	Support	Kāinga Ora supports the inclusion of the height in relation to boundary standard in accordance with the MDRS requirements.	Include the standard as-notified.

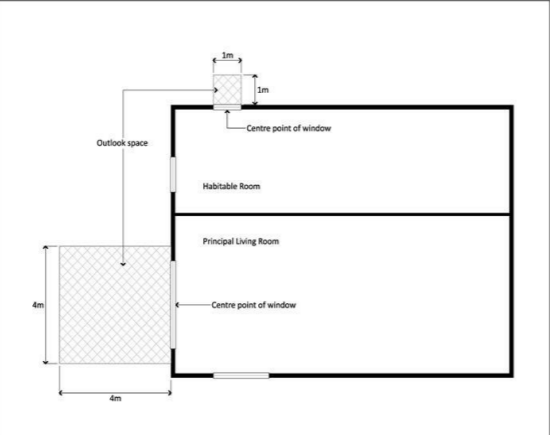
ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought								
		<p><u>This standard does not apply to:</u></p> <ul style="list-style-type: none"> i. <u>A boundary with a road</u> ii. <u>Existing or proposed internal boundaries within a site</u> iii. <u>Site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</u>  <p>Figure 4.2.5.5 a Height in Relation to Boundary</p>			<p>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</p>								
102.	<u>4.2.5.6</u>	<p>Building Setback</p> <table border="1" data-bbox="433 1682 1590 1911"> <thead> <tr> <th><u>Building setback from</u></th> <th><u>Minimum distance</u></th> </tr> </thead> <tbody> <tr> <td>a. <u>Transport corridor boundary</u></td> <td><u>1.5m</u></td> </tr> <tr> <td>b. <u>Where a garage is provided and the garage door or carport facing towards a transport corridor shall be set back from the transport corridor boundary.</u></td> <td><u>5m</u></td> </tr> <tr> <td>c. <u>Side yards</u></td> <td><u>1m</u></td> </tr> </tbody> </table>	<u>Building setback from</u>	<u>Minimum distance</u>	a. <u>Transport corridor boundary</u>	<u>1.5m</u>	b. <u>Where a garage is provided and the garage door or carport facing towards a transport corridor shall be set back from the transport corridor boundary.</u>	<u>5m</u>	c. <u>Side yards</u>	<u>1m</u>	Support in part	Kāinga Ora supports the inclusion of those the building setback standards in accordance with the MDRS requirements, subject to deletion of the reference in the 'note' section to historic heritage areas, consistent with its overall submission on both PC12 and PC9.	Include the standard as-notified with the proposed amendments, including any consequential amendments necessary to give effect to the relief sought in the Kāinga Ora submission.
<u>Building setback from</u>	<u>Minimum distance</u>												
a. <u>Transport corridor boundary</u>	<u>1.5m</u>												
b. <u>Where a garage is provided and the garage door or carport facing towards a transport corridor shall be set back from the transport corridor boundary.</u>	<u>5m</u>												
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		<p>d. <u>One side yard per site where:</u></p> <ul style="list-style-type: none"> i. <u>Legal provision is made for access and maintenance; and</u> ii. <u>Neighbours consent is obtained; and</u> iii. <u>The opposite side yard is a minimum of 2m. OR, It is a common/party wall</u> 				
		e. <u>Rear yard</u>				
		f. <u>Rear yard where it adjoins a rear lane.</u>				
		<p>g. <u>Side and rear yard setbacks may be reduced where:</u></p> <ul style="list-style-type: none"> i. <u>The written consent of the owners adjoining the relevant setback or setbacks is obtained; or</u> ii. <u>It is proposed to site a building within the 1m setback and:</u> <ul style="list-style-type: none"> a. <u>The building is less than 10m² in area; and</u> b. <u>The building is less than 2m in height; and</u> c. <u>The building will not be connected to electricity supply; and</u> d. <u>There is no discharge of stormwater onto neighbouring land from the building; and</u> e. <u>No more than one building is established on a site in accordance with this rule; except where notional boundaries are shown for an approved subdivision, one accessory building can exist for each notional lot.</u> 				
		h. <u>Internal vehicle access serving up to three residential units on a site (excluding access to an ancillary residential unit).</u>		<u>No part of a building (including eaves) shall extend over or encroach into an internal vehicle access.</u>		
		i. <u>Internal vehicle access serving more than three residential units on a site</u>		<u>Setback of Residential Units = 1m</u>		
		j. <u>Waikato Riverbank and Gully Hazard Area</u>		<u>6m (applies to buildings and swimming pools)</u>		
		k. <u>Waikato Expressway (Designation E90 or E90a) (except within the Rototuna North East Residential Precinct)</u>		<u>40m measured from the actual carriageway edge of the Waikato Expressway</u>		
		The following setbacks shall apply within the Rototuna North East Residential Zone				

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		<p>I. <u>The setback for all habitable buildings within the Rototuna North East Residential Precinct adjoining the Waikato Expressway shall be the 55dBLAeq(24hr) contour line from the Waikato Expressway carriageway boundary determined at the time of subdivision.</u></p> <p>m. <u>All non-habitable buildings shall be set back minimum of 10m from the actual carriageway edged of the Waikato Expressway.</u></p> <p>Note:</p> <p>i. <u>Refer to chapter 21 and 22 for objectives and policies relevant to the setback from the Waikato Riverbank and Gully Hazard Area.</u></p> <p>ii. <u>The above standards do not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</u></p> <p>iii. <u>Rear and side yard requirements do not apply to rainwater tanks with a capacity of <10,500 litres (Refer to Chapter 25.13.4.2A)</u></p> <p>iv. Refer to Chapter 19 – For activities within any Historic Heritage Areas relating to building setback.</p>																							
103.	4.2.5.7	<p>Boundary Fences and Walls</p> <table border="1" data-bbox="433 1142 1623 1890"> <thead> <tr> <th data-bbox="433 1142 1121 1188">Rules</th> <th data-bbox="1121 1142 1623 1188">Requirements</th> </tr> </thead> <tbody> <tr> <td data-bbox="433 1188 1121 1285">a. <u>Front and side boundary fences or walls located forward of the front building line of the residential unit.</u></td> <td data-bbox="1121 1188 1623 1285"><u>Maximum height 1.2m or 1.5m provided 50% of that part over 1.2m is visually permeable</u></td> </tr> <tr> <td data-bbox="433 1285 1121 1381">b. <u>Boundary fences or walls adjoining Open Space Zone.</u></td> <td data-bbox="1121 1285 1623 1381"><u>1.5m (with 50% permitted at 1.8m provided 50% of that part over 1.5m is visually permeable).</u></td> </tr> <tr> <td data-bbox="433 1381 1121 1428">c. <u>All other boundary fences or walls.</u></td> <td data-bbox="1121 1381 1623 1428"><u>Maximum height 1.8m</u></td> </tr> <tr> <td colspan="2" data-bbox="433 1428 1623 1474">d. <u>Where a retaining wall and front fence are proposed, the maximum height of the combined structure measured from the bottom to top, shall be no more than 1.5m before the following shall apply:</u></td> </tr> <tr> <td colspan="2" data-bbox="433 1474 1623 1591">i. <u>Between 1.5m – 2.5m: A horizontal step at least 1m in depth shall be integrated into the structures no more than 1.2m above the level of the street boundary.</u></td> </tr> <tr> <td colspan="2" data-bbox="433 1591 1623 1709">ii. <u>Between 2.51m – 3.5m: Two horizontal steps, each at least 1m in depth, shall be integrated into the structures no more than 1.2m above the ground level at the base of each 'step'.</u></td> </tr> <tr> <td colspan="2" data-bbox="433 1709 1623 1793">iii. More than 3.5m: discretionary activity</td> </tr> <tr> <td colspan="2" data-bbox="433 1793 1623 1839">e. <u>This rule shall not apply to any fence and/or wall which:</u></td> </tr> <tr> <td colspan="2" data-bbox="433 1839 1623 1890">i. <u>Following construction will be located at or below the natural ground level of the land that existed</u></td> </tr> </tbody> </table>	Rules	Requirements	a. <u>Front and side boundary fences or walls located forward of the front building line of the residential unit.</u>	<u>Maximum height 1.2m or 1.5m provided 50% of that part over 1.2m is visually permeable</u>	b. <u>Boundary fences or walls adjoining Open Space Zone.</u>	<u>1.5m (with 50% permitted at 1.8m provided 50% of that part over 1.5m is visually permeable).</u>	c. <u>All other boundary fences or walls.</u>	<u>Maximum height 1.8m</u>	d. <u>Where a retaining wall and front fence are proposed, the maximum height of the combined structure measured from the bottom to top, shall be no more than 1.5m before the following shall apply:</u>		i. <u>Between 1.5m – 2.5m: A horizontal step at least 1m in depth shall be integrated into the structures no more than 1.2m above the level of the street boundary.</u>		ii. <u>Between 2.51m – 3.5m: Two horizontal steps, each at least 1m in depth, shall be integrated into the structures no more than 1.2m above the ground level at the base of each 'step'.</u>		iii. More than 3.5m: discretionary activity		e. <u>This rule shall not apply to any fence and/or wall which:</u>		i. <u>Following construction will be located at or below the natural ground level of the land that existed</u>		Oppose in part	<p>Kāinga Ora supports the standard as-notified, subject to deletion of the reference in the 'note' section to historic heritage areas, consistent with its overall submission on both PC12 and PC9.</p> <p>Kāinga Ora does not support retaining walls above 3.5m as a discretionary activity being listed in the standard. This should be accounted for in the zone activity table as a non-compliance with a general standard.</p>	Include the standard as-notified with the proposed amendments identified.
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		<p style="text-align: right;"><u>prior to construction commencing; or</u></p> <p>ii. <u>Is internal to a proposed development and does not result in any fence or wall which has a height of 1.8m or more in relation to natural ground level of any adjoining external property boundary not in common ownership.</u></p> <p>Note 1.</p> <ol style="list-style-type: none"> 1. <u>Any retaining wall which is higher than 1.5m and load bearing is not subject to this standard and will be considered, for the purpose of assessment, as a building.</u> 2. <u>Any fence and/or wall that is taller than 2.5m is not subject to this standard and will be considered, for the purpose of assessment, as a building.</u> 3. <u>For the purpose of the Building Act 2004 any retaining wall with a fall height greater than 1.0m requires the provision of a fall protection fence or similar of not less than 1.0m high. For the purpose of this rule this fall protection will be considered as an integral part of the retaining wall and the combined height will be assessed as the overall height of both structures.</u> 4. Refer to Chapter 19 – For activities within a Historic Heritage Areas relating to boundary fences and walls. 			
104.	4.2.5.8	<p>Public Interface for one to three residential units on a site</p> <p>a. <u>Where a residential unit is facing the street it must have:</u> <u>A minimum 20% of the street-facing façade at ground level in glazing. This can be in the form of clear-glazed windows or doors.</u></p>	Support in part	Kāinga Ora supports the standards, being consistent with the MDRS requirements. However, in accordance with the submission relating to 4.2.5.8.b, Kāinga Ora request that reference to 1-3 units be removed and the standard applied to any level of residential development.	Include the standard as-notified with the proposed amendments identified.
105.	4.2.5.8	<p>Public Interface for four or more residential units on a site</p> <p>b. Where a residential unit is facing the street it must have:</p> <p>i. A minimum 20% of the street-facing façade at ground level in glazing. This can be in the form of clear-glazed windows or doors.</p> <p>ii. At least one habitable room of the residential unit shall have a clear-glazed window facing the transport corridor from which vision toward the transport corridor is not blocked by any accessory building.</p> <p>iii. For corner and through sites this shall be required only on the frontage from which pedestrian access is provided (front door).</p>	Oppose	Kāinga Ora generally supports the need to ensure development of 4+ units manage effects in relation to outlook and the broader design-related issues regarding interface and engagement with the public streetscape; however, consider the public interface standard of the MDRS, as imposed for up to 3 units, is sufficient.	Delete 4.2.5.8.b in accordance with the relief sought under 4.2.5.8a
106.	4.2.5.8	<p>c. All residential developments comprising 4 or more residential units must have pedestrian access from a transport corridor to the front door of each residential unit, or to the single front door and lobby of an apartment building. This pedestrian access must:</p> <p>Be step-free and separate from and clear of any obstructions, carriageway, vehicle parking space (including any parked</p>	Oppose	Kāinga Ora opposes c – e as they are overly-prescriptive as general development standards. There are a range of site-contextual factors that would determine whether such requirements are	Delete 4.2.5.8.c-e and include in non-statutory design guidelines or assessment criteria.

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		<p>i. vehicle overhang or nose in space), cycle parking space, service area, loading space, or vehicle manoeuvring area, except:</p> <p>A. As provided for in d ii, or</p> <p>B. Where the pedestrian access must cross a carriageway.</p> <p>ii. Have lighting to meet the requirements set out in Chapter 25.6.</p> <p>d. A pedestrian access serving between 4 and 15 residential units must be at least 1.5m wide, except:</p> <p>i. Where the pedestrian access is adjacent to any building wall or fence, it must be at least:</p> <p>A. 1.8m wide, or</p> <p>B. 1.65m wide with a 0.75m wide landscape strip provided on one side of the path between it and either the building wall or the fence, or</p> <p>ii. Where the residential development comprises only 4 or 5 residential units, the pedestrian access may be shared in a carriageway that serves those 4 or 5 residential units only, is at least 3.5m wide, and within a legal width of at least 4m.</p> <p>e. A pedestrian access serving more than 15 residential units must be at least 1.8m wide, except where the pedestrian access is adjacent to any building wall or fence, a 0.75m wide landscape strip must be provided on one side of the path between it and either the building wall or the fence.</p> <p>Note <u>Landscaping must be in accordance with Rule 25.5.4.4 a-d.</u></p>		appropriate. These are general design principles that are better-accommodated within non-statutory design guidelines (which sit outside of the District Plan) or assessment criteria.									
107.	4.2.5.9	<p>Outlook Space</p> <table border="1" data-bbox="430 1665 1626 1862"> <thead> <tr> <th colspan="2">Outlook</th> </tr> </thead> <tbody> <tr> <td>a.</td> <td>An outlook space must be provided from all habitable room windows.</td> </tr> <tr> <td>b.</td> <td>A principal living room of a dwelling must have an outlook space with a minimum dimension of 4m depth and 4m width.</td> </tr> <tr> <td>c.</td> <td>All other habitable rooms must have an outlook space of 1m in depth and 1m in width.</td> </tr> </tbody> </table>	Outlook		a.	An outlook space must be provided from all habitable room windows.	b.	A principal living room of a dwelling must have an outlook space with a minimum dimension of 4m depth and 4m width.	c.	All other habitable rooms must have an outlook space of 1m in depth and 1m in width.	Support	Kāinga Ora supports the standard and clarification under 'j', being consistent with the MDRS requirements.	Include the standard as-notified.
Outlook													
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		<p>d. <u>The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.</u></p> <p>e. <u>The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.</u></p> <p>f. <u>Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.</u></p> <p>g. <u>Outlook spaces required from different rooms within the same building may overlap, and may also overlap where they are on the same wall plane in the case of a multi-storey building.</u></p> <p>h. <u>Outlook spaces may be under or over a balcony.</u></p> <p>i. <u>Outlook spaces must:</u></p> <ul style="list-style-type: none"> i. <u>Be clear and unobstructed by buildings; and</u> ii. <u>Not extend over an outlook spaces or outdoor living space required by another dwelling.</u> <p>j. <u>To clarify an outlook space can be:</u></p> <ul style="list-style-type: none"> a. <u>Above or below another outlook space (in a vertical configuration);</u> b. <u>Under buildings, such as balconies; and</u> <p><u>Over driveways or footpaths within the site, as long as it is not obstructed by structures such as fences.</u></p> <p>Figure 4.2.5.9 a Outlook</p> 			
108.	4.2.5.10	<p>Outdoor Living Area</p> <p>Outdoor living area per residential unit</p> <p>a. <u>Outdoor living areas shall have minimum areas and dimensions as follows:</u></p>	Support	Kāinga Ora supports the standard, being consistent with the MDRS requirements.	Include the standard as-notified.

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>				
		<p>A residential unit at ground floor level must have an outdoor living space that is at least 20m². This may comprise a combination of ground floor, balcony, patio or roof terrace space that:</p> <ul style="list-style-type: none"> v. <u>Where located at ground level, has no dimension less than 3m.</u> vi. <u>Where provided in the form of a balcony, patio or roof terrace, is at least 8m² and has a minimum dimension of 1.8m; and</u> vii. <u>Is accessible from the residential unit, and may be:</u> <ul style="list-style-type: none"> 1. <u>Grouped cumulatively by area in 1 communally accessible location; or</u> 2. <u>Located directly adjacent to the unit;</u> viii. <u>For four or more residential units, is readily accessible from the principal living room; and</u> ix. <u>Is free of buildings, parking spaces, and servicing and manoeuvring areas.</u> <p>A residential unit above ground floor level must have an outdoor living space in the form of a balcony, patio or roof terrace that</p> <ul style="list-style-type: none"> i. <u>Is at least 8m² and has a minimum dimension of 1.8 metres.</u> ii. <u>Is accessible from the residential unit, and may be</u> <ul style="list-style-type: none"> 1. <u>Grouped cumulatively by area in 1 communally accessible location; or</u> 2. <u>Located directly adjacent to the unit.</u> <p>b. <u>The above standards do not apply to managed care facilities or rest homes. Refer to Rule 4.2.6.5 and Rule 4.2.6.8</u></p>							
109.	<u>4.2.5.10</u>	<p>Waste Management and Service Areas</p> <table border="1" data-bbox="433 1556 1626 1906"> <thead> <tr> <th data-bbox="433 1556 1026 1598">Description</th> <th data-bbox="1026 1556 1626 1598">Minimum requirements per residential unit</th> </tr> </thead> <tbody> <tr> <td data-bbox="433 1598 1026 1906">a. <u>Residential Unit</u></td> <td data-bbox="1026 1598 1626 1906"> <p><u>All residential units</u></p> <ul style="list-style-type: none"> i. <u>5m² per residential unit.</u> ii. <u>Minimum dimension 1.5m</u> <p><u>For 4 or more residential units the following also apply:</u></p> <ul style="list-style-type: none"> i. <u>No waste storage or collection point shall occur within the front yard setback</u> ii. <u>Spaces can be provided for each individual unit or</u> </td> </tr> </tbody> </table>	Description	Minimum requirements per residential unit	a. <u>Residential Unit</u>	<p><u>All residential units</u></p> <ul style="list-style-type: none"> i. <u>5m² per residential unit.</u> ii. <u>Minimum dimension 1.5m</u> <p><u>For 4 or more residential units the following also apply:</u></p> <ul style="list-style-type: none"> i. <u>No waste storage or collection point shall occur within the front yard setback</u> ii. <u>Spaces can be provided for each individual unit or</u> 	Oppose	Kāinga Ora consider this to be assessment criteria rather than a standard to provide for flexibility.	Delete the standard in its entirety.
Description	Minimum requirements per residential unit								
a. <u>Residential Unit</u>	<p><u>All residential units</u></p> <ul style="list-style-type: none"> i. <u>5m² per residential unit.</u> ii. <u>Minimum dimension 1.5m</u> <p><u>For 4 or more residential units the following also apply:</u></p> <ul style="list-style-type: none"> i. <u>No waste storage or collection point shall occur within the front yard setback</u> ii. <u>Spaces can be provided for each individual unit or</u> 								

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		<p>accommodate the minimum area without impeding parking:</p> <p>v. For any apartment development the storage area for rubbish, recycling, and food scraps must be at ground level or in a basement.</p> <p>vi. The maximum walking distance from any entrance to each residential unit within an apartment building to the storage area for rubbish, recycling and food scraps should not exceed 30 metres (lift travel distance excluded).</p> <p>e. These standards do not apply to managed care facilities or rest homes. Refer to Rule 4.2.6.5 and Rule 4.2.6.8</p> <p><u>Note</u></p> <p><u>Contact Council's Waste and Resource Recovery Team for advice on bin management in the transport corridor.</u></p>													
110.	4.2.5.12	<p>For apartment developments containing four or more residential units</p> <p>a. Each residential unit shall be provided with a storage area located at or below ground floor level, readily accessible to that residential unit, secure and weatherproof.</p> <p>b. The storage areas for each residential unit shall meet the following volume requirements:</p> <table border="1" data-bbox="433 1371 1626 1633"> <thead> <tr> <th><u>Unit Type</u></th> <th><u>Minimum storage area volume</u></th> </tr> </thead> <tbody> <tr> <td>i. Studio unit</td> <td>3m³</td> </tr> <tr> <td>ii. One bedroom unit</td> <td>4m³</td> </tr> <tr> <td>iii. Two bedroom unit</td> <td>5m³</td> </tr> <tr> <td>iv. Three or more bedroom unit</td> <td>6m³</td> </tr> </tbody> </table> <p>The minimum dimensions for width and depth shall be 1.2m and the minimum height shall be 1.8m.</p>	<u>Unit Type</u>	<u>Minimum storage area volume</u>	i. Studio unit	3m³	ii. One bedroom unit	4m³	iii. Two bedroom unit	5m³	iv. Three or more bedroom unit	6m³	Support	Kāinga Ora consider this to be assessment criteria rather than a standard to provide for flexibility.	Delete the standard in its entirety.
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111.	4.2.5.13	<p>Accessory Buildings, Vehicle Access, and Vehicle Parking</p> <p>Accessory buildings, vehicle access and vehicle parking for four or more residential units on a site</p> <p><u>a. Any accessory building either attached or detached must be setback at least 1m from the front building line of the residential unit.</u></p>	Oppose in part	<p>Kāinga Ora generally supports the need to manage the number of vehicle crossings and garages to public streets.</p> <p>Kāinga Ora does not however, support the requirement for a consent notice (which</p>	<p>1. Include the standard as-notified, subject to deletion of the 'consent notice' reference. Amendments sought.</p>										

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
		<p>b. <u>Where the residential unit has a frontage width facing a street or a publicly accessible on-site access way (for pedestrians) equal to or greater than 12m: two single-width or one double-width garage or car port spaces, and one driveway / parking pad up to 6m wide, maximum can be provided.</u></p> <p>c. <u>Where the residential unit has a frontage width facing a street or a publicly accessible on-site access way (for pedestrians) greater than 7.5m but less than 12m: one single-width garage or car port space, and one driveway / parking pad up to 3.5m wide can be provided.</u></p> <p>d. <u>Where the residential unit has a frontage width facing a street or a publicly accessible on-site access way (for pedestrians) equal to or less than 7.5m: no garage or car port spaces within the dwelling's frontage is permitted and any vehicle access and garaging is to be provided by a rear lane.</u></p> <p>e. <u>For any duplex and/or terrace housing development containing no more than 6 residential units where the individual residential units have a frontage width equal to or less than 7.5m then one external parking pad may be provided in the front yard up to 3.5m wide and no less than 5.5m deep for each residential unit where the following are met:</u></p> <p style="padding-left: 40px;">i. <u>It must be an unenclosed parking pad and shall not be enclosed into a carport or garage at any time. Any relating subdivision consent shall record this on the record of title as a consent notice.</u></p> <p style="padding-left: 40px;">ii. <u>Access to the parking pads shall be restricted to local roads or publicly accessible on-site access ways of no less than 7m in width.</u></p> <p style="padding-left: 40px;">iii. The development must comply with the requirements for permeable surface standards in Rule 4.2.5.3 and the boundary fencing and wall standards in Rule 4.2.5.7, and</p> <p style="padding-left: 40px;">iv. Each residential unit must have at least one habitable room with clear glazed window facing the local road.</p> <p>f. Where an on-site vehicle parking area includes more than 4 parking spaces,</p> <p style="padding-left: 40px;">i. <u>The parking area shall be landscaped at the rate of 1 tree per 5 parking spaces, planted within or immediately adjacent to the parking spaces. 4.2.5.13 f takes preference over the requirements in Rule 25.5.4.6 Internal planting.</u></p> <p>Note:</p> <p>1. <u>The combine width of vehicle crossings and any parking spaces are to be measured along the front boundary where it adjoins the transport corridor.</u></p>		<p>can only be imposed under a subdivision consent) under a s9 land use rule. The reference to a consent notice should therefore be deleted.</p> <p>The duplication of standards relating to permeable surfaces and public interface is not required and Kāinga Ora request that this be deleted.</p> <p>Kāinga Ora does not support the inclusion of planting requirements associated with vehicle parking spaces on-site. This is overly onerous and the landscaping requirements for a site, as imposed through the MDRS, are sufficient.</p>	<p>2. Delete standards e.iii-iv and rely upon these standards as included under 4.2.5.3 and 4.2.5.8 subject to the relief sought.</p> <p>3. Delete standard 4.2.5.13.f.</p>
112.	4.2.5.14	<p>Built Form</p> <p>Activity</p> <p>a. <u>No wall which is parallel to or up to an angle of 30° to any external boundary except the road frontage shall exceed 15m in length without there being a step in (or out) plan of at least 1.8m depth and 4m in length.</u></p>	Support	Kāinga Ora supports the standard and the need to ensure that the increased built form enabled by the MDRS height in relation to boundary standard is not exacerbated through excessive unrelieved building length.	Include that standard as-notified.

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113.	<u>4.2.5.15</u>	<p>Universal Access</p> <div style="border: 1px solid black; padding: 5px;"> <p>For applications including 10 or more residential units</p> <p>a. At least 10% of residential units on a site shall be designed to provide convenient wheelchair access including:</p> <ul style="list-style-type: none"> i. Access from a street to an entry door (which may be a front, back or side door) using gradients no greater than 1:20 and has a level (stepless) transition from inside to outside; ii. Doorways that are at least 810mm (door leaf 860mm) wide to fit a wheelchair iii. At least one bedroom and accessible bathroom be located at ground level and on the same level as the kitchen and living room; <p><i>Note: Where the assessment of the number of accessible units results in a fractional number, any fraction under one-half shall be disregarded and fractions of one-half or greater shall be considered as one residential unit.</i></p> </div>	Oppose	Kāinga Ora opposes the standard. Universal access requirements are already managed through the Building Act. It is onerous and unjustified to require a minimum number of universally accessible units for <i>all</i> development and this is better provided in response to market demand. There is insufficient s32 analysis on the compliance costs of such a requirement for all residentially-zoned development across the City.	Delete the standard as-notified.
4.2.6 Rules – Specific Standards					
114.	<u>4.2.6.6</u>	<p>Relocated Buildings</p> <p>a. Any relocated building intended for use as a dwelling (excluding previously used accessory buildings) must have previously been designed, built and used as a dwelling;</p> <p>b. A building inspection report shall accompany the application for a building consent. That report is to identify all reinstatement works that are to be completed to the exterior of the building;</p> <p>c. All reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within six months of the building being delivered to the site. Reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations;</p> <p>d. The proposed owner of the relocated building must certify that the reinstatement work will be completed within the six month period;</p>	Oppose	Kāinga Ora opposes the standard as requirements of the standard can all be addressed appropriately under the Building Act.	Delete the standard as-notified.
115.	<u>4.2.6.8</u>	<p>Rest Homes</p> <p>a. <u>Maximum occupancy shall be 10 residents (including live-in staff).</u></p> <p>b. The maximum density for rest homes shall be one person per 75m² of net site area.</p> <p>c. <u>An outdoor living area shall be provided that:</u></p> <ul style="list-style-type: none"> i. <u>Is for the exclusive use of the residents.</u> ii. <u>Is readily accessible to all residents.</u> 	Support in part	Kāinga Ora does not support the inclusion of a density requirement for rest homes, which is an inefficient requirement for a permitted activity. Where a maximum of 10 persons can be accommodated as a permitted activity in compliance with all relevant standards, would be sufficient to ensure an appropriate level of amenity and	Amend the standard as-notified to remove the density requirement. Amendments sought.

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		<ul style="list-style-type: none"> iii. <u>Is free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.</u> iv. <u>Has a maximum area of impermeable surfaces not exceeding 60% of the outdoor living area.</u> d. <u>The outdoor living area shall be provided communally which shall comprise:</u> <ul style="list-style-type: none"> i. <u>At least 12m² per resident.</u> ii. <u>A minimum dimension of not less than 4m.</u> iii. <u>At least capable of containing a 6m-diameter circle.</u> iv. <u>At least 60% provided at ground level, and any outdoor living space that is not at ground level is provided on upper floor decks wider than 1m.</u> e. <u>A service area shall be provided with areas and dimensions as follows:</u> <ul style="list-style-type: none"> i. <u>Minimum area of 20m².</u> ii. <u>Minimum dimension of 3m.</u> iii. <u>Provided that where a fully equipped laundry (both washing and drying machines) is provided in rest home, then the service area can be reduced to a minimum of 16m² with a minimum dimension of 2m.</u> <p><u>A Waste Container Management Plan shall be prepared for the site.</u></p>		to sufficiently-enable housing associated with aged-care.	
116.	<u>4.2.6.9</u>	<p>Visitor Accommodation</p> <ul style="list-style-type: none"> a. <u>Maximum occupancy for visitor accommodation shall be 12 guests.</u> b. <u>Visitor accommodation shall not provide for the sale of liquor through an ancillary facility such as a bar or a restaurant.</u> 	Support	Kāinga Ora supports the standard as-notified.	Include the standard as-notified.
117.	<u>4.2.6.10</u>	<p>Pruning and maintenance of a tree where the trunk is located within a Significant Natural Area and the canopy overhangs the boundary of the Significant Natural Area in Schedule 9C (Volume 2, Appendix 9).</p> <ul style="list-style-type: none"> a. Shall comply with the following: <ul style="list-style-type: none"> Maximum amount of foliage to be removed per tree per calendar year is 15% Maximum thickness (cross-section) of any branch or root that may be cut is 50mm. 	Oppose	Kāinga Ora opposes the standard as it is already an activity identified in Chapter 25.2 – Earthworks and Vegetation removal. Specifically, 25.2.3K Rules – Activity Status Table as-proposed under PC9. An additional standard achieving the same outcome is therefore not required.	Delete the standard as-notified.
4.2.7 Rules – Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria					
118.	4.2.7	<ul style="list-style-type: none"> a. <u>In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters referenced below, to which Council has restricted the exercise of its discretion. Assessment Criteria within Volume 2, Appendix 1.3 provide for assessment of applications as will any relevant objectives and policies. In addition, when considering any Restricted Discretionary Activity located within the Natural Open Space Zone, Waikato Riverbank and Gully Hazard Area, or Significant Natural Area, Council will also restrict its discretion to Waikato River Corridor or Gully System Matters (see the objectives and policies of Chapter 21: Waikato River Corridor and Gully Systems).</u> 	Oppose in part	Kāinga Ora generally supports the referencing of the established assessment criteria under the operative provisions – to the extent they are consistent with the overall Kāinga Ora submission.	<ol style="list-style-type: none"> 1. Amend the matters of discretion for residential dwellings, to refine the scope of any assessment and ensure assessment relates to the planned urban built-form character of the zone consistent with the NPS-UD and the overall Kāinga Ora submission.

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Four or more residential units on a site but complying with the standards*</u> </td> <td data-bbox="955 709 1641 1192"> <u>B – Design and Layout</u> <ul style="list-style-type: none"> <u>The extent to which the development delivers quality on-site amenity and occupant privacy that is appropriate for its scale.</u> <u>C – Character and Amenity</u> <ul style="list-style-type: none"> <u>The extent to which the scale, form, and appearance of the development is compatible with the planned urban built form character of the neighbourhood.</u> <u>The extent to which the development contributes to a safe and attractive public realm and streetscape.</u> <u>J – Three Waters Capacity and Techniques</u> <ul style="list-style-type: none"> <u>The effects on three waters infrastructure, achieved by demonstrating that at the point of connection the infrastructure has the capacity to service the development.</u> </td> </tr> <tr> <td data-bbox="433 1192 955 1633"> <u>ii. 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This approach seeks to ensure the appropriate assessment is undertaken (within the scope of the proposed matter of discretion), given Kāinga Ora opposition to, and sought-deletion of, the proposed infrastructure constraint overlay (refer to submission on Chapter 25). Consequential changes to other listed activities and associated matters of discretion may be required should the relief sought in relation to the infrastructure constraint overlay be granted.</p>	<ol style="list-style-type: none"> Insert an additional matter of discretion in relation to three waters infrastructure for four or more dwellings per site. This approach seeks to ensure the appropriate assessment is undertaken (within the scope of the proposed matter of discretion), given Kāinga Ora opposition to, and sought-deletion of, the proposed infrastructure constraint overlay (refer to submission on Chapter 25). Consequential changes to other listed activities and associated matters of discretion may be required should the relief sought in relation to the infrastructure constraint overlay be granted. Include the balance of provisions as-notified to the extent they are consistent with the overall Kāinga Ora submission.
Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)												
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4.3 Medium Density Residential Zone					
4.3.1 Purpose					
119.	<u>4.3.1</u>	<p><u>Its purpose is to provide for housing supply and choice in a manner that meets the future needs of the community. The Medium Density Residential Zone is a reasonably high-intensity zone enabling a greater intensity of development than the General Residential Zone. previously provided for. Medium density development This provides a number of benefits, including a more efficient use of land and infrastructure and the ability to foster walkable communities, which provide for access to services, jobs and daily needs within a walkable or cyclable distance. The thresholds of what is anticipated are primarily derived from the Government's requirements including through its National Policy Statements.</u></p> <p><u>Over time, the appearance of the medium density neighbourhoods will change, with development typically up to five storeys in a variety of sizes and forms, including detached dwellings, terrace housing and apartments. It also provides for more housing options, such as one or two person homes, smaller families and opportunities for retirees to downsize. Increased density supports public transport and viable commercial centres, increasing the number of people within a walkable catchment.</u></p> <p><u>The Medium Density Residential Zone applies to existing residential areas that have been identified as suitable to accommodate higher (medium) density development. These areas are located to the north of the Central City and within 400m-800m walkable catchment adjacent to the following Business Centres:</u></p> <ul style="list-style-type: none"> • <u>Chartwell</u> • <u>Hamilton East</u> • <u>Five Cross Roads</u> • <u>University</u> • <u>Thomas Road</u> • <u>Dinsdale</u> • <u>Glenview</u> • <u>Nawton</u> <p><u>The zone also provides for residentially-compatible business activity including home businesses and other commercial or community activities.</u></p> <p><u>Where resource consent is required for 4 or more dwellings, the plan places particular emphasis on achieving the anticipated urban built character of the Medium Density Residential Zone while achieving attractive and safe street and public open spaces. As well as managing the effects of development on adjoining neighbouring sites, including visual amenity, privacy and access to daylight, and ensuring a high quality on-site living environments.</u></p>	Support in part	<p>Kāinga Ora considers that the purpose can be refined by removing the reference to what the District Plan previously-provided for, and distinguishing between what the General Residential Zone proposes to enable. Past development intensities are not relevant in reference to what the Plan now seeks to enable.</p> <p>Kāinga Ora also seek changes in accordance with the maps in Appendix 2 showing the MDRZ within 400m-800m walkable catchment of the centres listed. AS a result of the proposed expansion of the HDRZ and its spatial application, consequential changes to the notified extent of the MDRZ are also proposed under the Kāinga Ora submission.</p>	Amend the purpose statement for the zone as shown in the tracked amendments, including any consequential amendments necessary to give effect to the relief sought in the Kāinga Ora submission.

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
		<p><u>Ruakura and Te Awa Lakes Residential Precincts</u></p> <p><u>Activities within a Development Area can proceed on a staged basis if stages have been defined as part of the resource consent granted.</u></p> <p><u>Applications for resource consent for a Development Area should be in accordance with the relevant structure plan, relevant design guide, the information requirements in Appendix 1.2.2.8 of Volume 2 and any other relevant rule in the District Plan.</u></p> <p><u>Where an application for resource consent for a Development Area requires consent for a number of activities with a variety of activity status, for the purposes of assessment, the activities will be bundled and the most onerous activity status will apply to the entire application.</u></p> <p><u>Where resource consent for Development Activities is required in the Ruakura and Te Awa Residential Precinct, these consents should be applied for concurrently to achieve coordinated and integrated development.</u></p> <p><u>Peacocke Precinct</u></p> <p><u>For any development within the Peacocke Precinct Chapter 4A Peacocke Medium Density Residential Zone will apply.</u></p>			
4.3.2 Objectives and Policies: Medium Density Residential Zone					
120.	4.3.2.1	<p>Objective</p> <p><u>4.3.2.1</u></p> <p><u>Promote comprehensive and integrated development for the development of 4 7 or more residential units within the Medium Density Residential Zone.</u></p>	Support in part	Kāinga Ora supports the objective as-notified, however seeks a change to reflect that up to 6 dwellings should be permitted within the MDRZ.	Include the objective as-notified with amendments shown.
121.	4.3.2.1a-f	<p>Policies</p> <p><u>4.3.2.1a</u></p> <p><u>The development achieves higher density in conjunction with high quality amenity through a masterplanning approach that is informed by the relevant structure plan and related rules.</u></p> <p><u>4.3.2.1b</u></p> <p><u>incorporate universal access principles into any development.</u></p> <p><u>4.3.2.1c</u></p> <p><u>Encourage subdivision and land use to be undertaken concurrently.</u></p>	Oppose in part	<p>Whilst Kāinga Ora supports comprehensive developments, master planning can only be undertaken where greenfield or larger scale developments are possible and does not account for smaller sites.</p> <p>Kāinga Ora opposes universal access requirements within the District Plan. Universal access requirements are already managed through the Building Act. It is onerous and unjustified to require a minimum number of universally accessible units for <i>all</i> development and this is better</p>	<p>Amend the policies as-notified and delete 4.3.2.1b.</p> <p>Amendments sought.</p>

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		<p>4.3.2.1d <u>Land is used in accordance with structure and master planning, including coordination with staging and provision of infrastructure where applicable to greenfield developments or large scale brownfield developments.</u></p> <p>4.3.2.1e <u>Where on site car parking is provided ensure:</u></p> <ul style="list-style-type: none"> i. <u>Where possible combined vehicle crossing where vehicle access is not from a rear lane;</u> ii. <u>The visual dominance of garage doors and carparking is minimised;</u> iii. <u>That the effects of car parking on public space and streetscapes are minimised by avoiding parking forward of the residential unit;</u> iv. <u>Vehicle crossings are minimised on road frontages where narrow dwellings are proposed and where shared paths and separated cycle ways are located.</u> <p>4.3.2.1f <u>Enable residential development that:</u></p> <ul style="list-style-type: none"> i. <u>Are on sites:</u> <ul style="list-style-type: none"> a. <u>Of a sufficient size and dimension to accommodate the proposed number of residential units; and</u> b. <u>Where there is sufficient frontage to public space, and with private space to the rear; and</u> ii. <u>Through site layout, building design and landscaping:</u> <ul style="list-style-type: none"> a. <u>Clearly delineate public and private space;</u> b. <u>Promote passive surveillance of adjoining public spaces;</u> c. <u>Avoid bland featureless elevations, high blank walls and non-permeable fencing to public spaces; and</u> d. <u>Orientate habitable rooms, balconies and entrances to public space.</u> 		<p>provided in response to market demand. There is insufficient s32 analysis on the compliance costs of such a requirement for all residentially-zoned development across the City.</p>	
122.	4.3.2.2	<p>Objective 4.3.2.2 <u>The Medium Density Residential Zone and development within it provide for a variety of housing types and sizes that respond to:</u></p> <ul style="list-style-type: none"> i. <u>Housing needs and demand; and</u> ii. <u>The neighbourhood's planned urban built character, including 3 up to 5 storey buildings.</u> 	Oppose in part	<p>Kāinga Ora does not support the reference to 'three' storey buildings in policies that refer to the heights of buildings enabled in the zone. This is inconsistent with the intent of the NPS-UD and the Kāinga Ora submission on the maximum building heights enabled in the Medium Density Residential Zone.</p>	<p>Amend the objective as-shown in the tracked amendments, to reflect the level of development enabled within the zone and consistent with the Kāinga Ora submission on maximum building heights enabled in the Medium Density Residential Zone.</p>

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123.	<u>4.3.2.2a</u>	<p><u>4.3.2.2a</u></p> <p>Enable a variety of housing typologies with a mix of densities within the zone, including 3 to 5 storey terrace residential units and up to 5 storey apartment buildings.</p>	Oppose in part	Kāinga Ora does not support the reference to 'three' storey buildings in policies that refer to the heights of buildings enabled in the zone. This is inconsistent with the intent of the NPSUD and the Kāinga Ora submission on the maximum building heights enabled in the Medium Density Residential Zone.	Amend the objective as-shown in the tracked amendments, to reflect the level of development enabled within the zone and consistent with the Kāinga Ora submission on maximum building heights enabled in the Medium Density Residential Zone.
124.	<u>4.3.2.2b</u>	<p><u>4.3.2.2b</u></p> <p>Recognise that development in accordance with the Medium Density Residential Zone will have adverse effects, in some instances substantial, on existing development and neighbours, and (except where a neighbour has provided written approval to a proposal):</p> <p><u>i. Subject to (ii) below, ensure that development with which generates adverse effects greater than those enabled by the Medium Density Residential Zone on a neighbour, will achieve an equivalent or greater overall standard of on-site amenity for that neighbour that is consistent with the objectives and policies for all residential zones under 4.1.2. compared to development in accordance with what the Medium Density Residential Zone could be reasonably anticipated to result in.</u></p> <p>ii. Where a proposal cannot satisfy (i) above, avoid adverse effects beyond those that could normally result from development in accordance with what the Medium Density Residential Zone could be reasonably anticipated to result in except where substantial off-setting positive effects.</p>	Oppose	<p>Kāinga Ora acknowledge that future development will result in changes to the existing environment. However, the policy overstates the potential effects of such changes in a manner contrary to Policy 6(b) of the NPS-UD. This policy recognises that intensification and development may detract from the existing amenity values enjoyed by some persons, and that such changes in built form are not, of themselves, an adverse effect.</p> <p>The policy infers that development beyond permitted standards will have an effect and is speculative as to what level of amenity can 'reasonably' be anticipated to be achieved on adjacent sites under the permitted standards. Issues of site context are highly-relevant to what is 'reasonable' in such circumstances and cannot be generalised in a policy. As such the policy as-notified places too-great an emphasis on permitted development as a measure of effects, and should focus on the broader design principles and outcomes that are referenced in the objectives and policies applying to all residential zones under Chapter 4.1.</p> <p>Kāinga Ora do not support reference to the 'avoidance' of effects, for the reasons outlined in Environmental Defence Society</p>	Amend the policy as-shown in the tracked amendments.

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				Inc v New Zealand King Salmon Company Ltd [2014] NZSC 38 (“King Salmon”).	
125.	4.3.2.3	<p>Ruakura Residential Precinct</p> <p>Objective</p> <p>4.3.2.3</p> <p><u>The Medium-Density Residential Zone in the Ruakura Residential Precinct includes an Integrated Retail Development providing services and community facilities capable of meeting the day to day needs of the immediate neighbourhood.</u></p>	Support in part	Kāinga Ora supports the objective as-notified however notes that the objectives and policies mandatory under the MDRS need to be included within all residential zones.	<ol style="list-style-type: none"> 1. Include the objective as-notified. 2. Include the mandatory objectives and policies of the MDRS within the Precinct chapter.
126.	4.3.2.3a-c	<p>Policies</p> <p>4.3.2.3a</p> <p><u>An Integrated Retail Development limited in size shall be provided for in a location central to the Ruakura Medium-Density Residential Development.</u></p> <p>4.3.2.3b</p> <p><u>Activities within the Integrated Retail Development shall principally serve their immediate neighbourhood.</u></p> <p>4.3.2.3c</p> <p><u>The scale and nature of activities within the Ruakura Integrated Retail Development shall not generate significant adverse amenity effects on surrounding residential areas and transport networks.</u></p> <p>Explanation</p> <p><u>The Ruakura Integrated Retail Development Centre will provide a range of everyday goods and services and essentially serve a walk-in population. Being situated in a planned residential area it is essential that the range and scale of activities is compatible with neighbouring residential activity and local amenity values.</u></p>	Support in part	Kāinga Ora supports the policies as-notified however notes that the objectives and policies mandatory under the MDRS need to be included within all residential zones.	<ol style="list-style-type: none"> 1. Include the policy as-notified. 2. Include the mandatory objectives and policies of the MDRS within the Precinct chapter.
127.	4.3.2.4	<p>Te Awa Lakes Residential Precinct</p> <p>Objective</p> <p>4.3.2.4</p> <p><u>The Medium-Density Residential Zone within the Te Awa Lakes Residential Precinct area enables a comprehensively designed residential development incorporating a component of affordable housing and integrated with the adjacent adventure park tourist and recreation attraction, the Waikato River, and nearby communities, all contributing to an attractive gateway to the city.</u></p>	Support in part	<p>Kāinga Ora supports the objective but seeks that any reference to affordable housing and associated policies and rules, are removed from the District Plan.</p> <p>While Kāinga Ora understand such provisions have ‘rolled over’ from the operative District Plan, the inclusions of affordability requirements is not appropriate now that the Housing Accords and Special Housing Areas Act (“HASAA”) has been repealed. The NPS-UD seeks to enable</p>	<ol style="list-style-type: none"> 1. Delete the reference to affordable housing. 2. Include the mandatory objectives and policies of the MDRS within the Precinct chapter.

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				<p>housing supply to promote affordability across the full spectrum of residential development, such that the 'affordability' requirements of HASHAA are no longer appropriate and may in fact frustrate the development sector's ability to deliver housing.</p> <p>Kāinga Ora supports the policies as-notified however notes that the objectives and policies mandatory under the MDRS need to be included within all residential zones.</p>	
128.	4.3.2.4a-e	<p>Policies</p> <p>4.3.2.4a <u>A range of housing types, including higher densities, are enabled to provide a choice of living environments, connected to other communities through multi-modal and non-motorised transport.</u></p> <p>4.3.2.4b <u>The development achieves higher density in conjunction with high quality amenity through a masterplanned approach that is informed by the Te Awa Lakes Structure Plan and related rules.</u></p> <p>4.3.2.4c The development provides affordable housing through the higher density and by specifying that a minimum percentage of new homes do not exceed a maximum purchase price.</p> <p>4.3.2.4d Development is sensitive to the Waikato River interface through lower density development and building setbacks.</p> <p>4.3.2.4e <u>The development will protect and enhance the ecological and cultural values of the site through protection of an archaeological site, a comprehensive treatment train approach to stormwater treatment, indigenous wetland and landscape planting, maintenance of high water quality in the lakes and ecological restoration of the adjoining gully that conveys stormwater to the Waikato River.</u></p> <p>Explanation</p>	Support in part	<p>Kāinga Ora supports the policies but seeks that any reference to affordable housing and associated policies and rules, are removed from the District Plan.</p> <p>While Kāinga Ora understand such provisions have 'rolled over' from the operative District Plan, the inclusions of affordability requirements is not appropriate now that the Housing Accords and Special Housing Areas Act ('HASHAA') has been repealed. The NPSUD seeks to enable housing supply to promote affordability across the full spectrum of residential development, such that the 'affordability' requirements of HASHAA are no longer appropriate and may in fact frustrate the development sector's ability to deliver housing.</p>	Delete the reference to affordable housing and setback policy to Waikato River.

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		<p><u>These objective and policies reflect the unique location of the Te Awa Lakes Medium-Density Residential Zone and its integration with the adventure park, the masterplanning that underpins it and the opportunity afforded for it to integrate into its surrounding activities and features and nearby communities, while achieving high levels of residential amenity and ecological protection and enhancement. An important aspect of the policies is to ensure that, as far as practicable, residential development does not result in reverse sensitivity effects on existing and future industrial activities. The zone is consistent with the purpose and principles of the Te Awa Lakes Structure Plan.</u></p>			
129.	4.3.2.5	<p>Rototuna Town Centre Precinct</p> <p>Objective</p> <p>4.3.2.5</p> <p><u>Residential development within the Medium Density Residential Zone of the Rototuna Town Centre Precinct will be undertaken to ensure a compact, well designed, and functional residential developments with high levels of amenity.</u></p>	Support in part	Kāinga Ora supports the objective as-notified however notes that the objectives and policies mandatory under the MDRS need to be included within all residential zones.	<ol style="list-style-type: none"> 1. Include the objective as-notified. 2. Include the mandatory objectives and policies of the MDRS within the Precinct chapter.
130.	4.3.2.5a-c	<p>Policies</p> <p>4.3.2.5a</p> <p><u>Ensure that high and medium residential development establish in the locations shown on the Rototuna Town Centre Precinct.</u></p> <p>4.3.2.5b</p> <p><u>Use the Rototuna Town Centre Design Guide to implement quality residential design and living environments within the identified medium density residential areas of the Rototuna Town Centre Precinct.</u></p> <p>4.3.2.5c</p> <p><u>Ensure that residential development within the Rototuna Town Centre Precinct delivers densities consistent with those promoted by the NPS-UD.</u></p> <p>Explanation</p> <p><u>The layout of residential developments particularly in terms of privacy, setbacks, sunlight/daylight open space and service needs, are important to the quality and desirability of medium to high density residential development. However, there needs to be flexibility in how these aspects are addressed to ensure high quality design outcomes and an efficient use of the site. Buildings and structures also need to be of a size and scale that might be expected as part of a town centre and that are compatible with surrounding residential areas.</u></p> <p><u>The way in which buildings interface with public spaces can have a major bearing on how these spaces are used and their overall amenity value. Encouraging strong visual connections between public spaces and adjoining residential</u></p>	Support	Kāinga Ora supports the policies as-notified however notes that the objectives and policies mandatory under the MDRS need to be included within all residential zones.	<ol style="list-style-type: none"> 1. Include the policies as-notified. 2. Include the mandatory objectives and policies of the MDRS within the Precinct chapter.

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		<u>activities can lead to a greater sense of personal safety for the users of these spaces. This in turn promotes greater use and enjoyment of the spaces themselves.</u>			
131.	4.3.2.6	<p>Rotokauri North Residential Precinct</p> <p>Objective</p> <p>4.3.2.6</p> <p><u>Development within the Rotokauri North Residential Precinct enables a medium density residential environment which has high levels of amenity and allows for a range of housing typologies.</u></p>	Support	Kāinga Ora supports the objective as-notified however notes that the objectives and policies mandatory under the MDRS need to be included within all residential zones.	<ol style="list-style-type: none"> 1. Include the objective as-notified. 2. Include the mandatory objectives and policies of the MDRS within the Precinct chapter.
132.	4.3.2.6a-i	<p>Policies</p> <p>4.3.2.6a</p> <p><u>Enable a medium-density residential urban form and character for four or more dwellings which is defined by:</u></p> <ol style="list-style-type: none"> i. <u>Clearly delineating between public and private spaces;</u> ii. <u>Ensuring building bulk is located towards the road frontage and side boundaries of lots, with less development within the rear yards (excluding rear lane accessed garaging);</u> iii. <u>Ensuring there is sufficient space between the rear of opposing dwellings to provide rear yards for outdoor living with privacy and reasonable solar access;</u> iv. <u>Ensuring opportunities for convenient, comfortable and safe interaction at the public space / private property boundary interface through the provision of low fence heights and enabling visually open porch structures extending into the front yard;</u> v. <u>Providing high quality, safe, interconnected and accessible public spaces rather than relying on large private outdoor spaces.</u> <p>4.3.2.6b</p> <p><u>Encourage a diverse range of residential developments:</u></p> <ol style="list-style-type: none"> i. <u>Near the Business 6 Zone within the Residential Medium-Density Overlay on the Structure Plan Figure 2- 8A; and</u> ii. <u>Near collector roads, natural open space, parks and reserves</u> <p>4.3.2.6c</p> <p><u>Enable higher site coverage for terrace housing and apartments in the Rotokauri North Residential Precinct where any onsite parking is accessed by a rear lane and stormwater is managed appropriately.</u></p> <p>4.3.2.6d</p>	Support	Kāinga Ora supports the policies as-notified however notes that the objectives and policies mandatory under the MDRS need to be included within all residential zones.	<ol style="list-style-type: none"> 1. Include the policies as-notified. 2. Include the mandatory objectives and policies of the MDRS within the Precinct chapter.

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		<p><u>Encourage duplex residential units on sites where:</u></p> <ul style="list-style-type: none"> i. <u>There is sufficient road frontage width;</u> ii. <u>There is a combined vehicle crossing where vehicle access is not from a rear lane; and</u> iii. <u>Car parking dominance and adverse effects of car parking on public space and streetscapes are minimised.</u> <p>4.3.2.6e</p> <p><u>Encourage terrace housing and apartments that:</u></p> <ul style="list-style-type: none"> i. <u>Are on sites:</u> <ul style="list-style-type: none"> a. <u>Of a sufficient size and dimension to accommodate the proposed number of residential units; and</u> b. <u>Where there is sufficient frontage to public space, and with private space to the rear; and</u> ii. <u>Through site layout, building design and landscaping:</u> <ul style="list-style-type: none"> a. <u>Clearly delineate public and private space;</u> b. <u>Promote passive surveillance of adjoining public spaces;</u> c. <u>Avoid bland featureless elevations, high blank walls and non-permeable fencing to public spaces.</u> <p>4.3.2.6f</p> <p><u>Control road façade elements to ensure dwellings relate to the road, including height controls, presence of a front door, sufficient glazing, ability to establish verandas / porches, landscaping provision, fencing heights, garage setbacks, and the control of garage in proportion to the façade width.</u></p> <p>4.3.2.6g</p> <p><u>Enable the development and use of rear lanes, including opportunities for rear garaging/parking and habitable areas above the garage, especially where lot or dwelling frontage widths are narrow.</u></p> <p>4.3.2.6h</p> <p><u>Require outdoor living spaces that are:</u></p> <ul style="list-style-type: none"> i. <u>Commensurate with medium density development; and</u> ii. <u>Supported by opportunities to utilise front porches for outdoor living (as transitional spaces and to enable interaction with the street).</u> <p>4.2.2.6i</p> <p><u>Enable service areas within side and rear yards, carports and garages.</u></p>			

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		<p>Explanation</p> <p>The objective and policies reflect the overall design approach for the development of the Rotokauri North Residential Precinct, which is to create a well-planned medium-density living environment that enables a variety of lifestyle and housing choices (and therefore a range of price points and provision of affordable housing).</p> <p>The provisions recognise that the environment seeks to create liveable and useable spaces: dwellings are encouraged to create public fronts which address the street and encourage interaction, and back yards are provided for private outdoor living spaces. The achievement of this pattern of development is important to establishing a high-quality medium-density living environment.</p>			

4.3.3 Rules – Medium Density Residential Zone

4.3.3.1 Activity Status Table

133.	4.3.3.1	<p>The following activity status table does not apply in the Peacocke Precinct (Refer to 4.3A).</p> <table border="1" data-bbox="430 1171 1626 1904"> <thead> <tr> <th data-bbox="430 1171 1409 1245">Activity</th> <th data-bbox="1409 1171 1626 1245">Medium Density Residential Zone</th> </tr> </thead> <tbody> <tr> <td data-bbox="430 1245 1409 1318">If the activity is subject to a site, feature or overlay then Chapter 1.1.8 Activity Status Defaults needs to be considered.</td> <td data-bbox="1409 1245 1626 1318"></td> </tr> <tr> <td data-bbox="430 1318 1409 1360">a. Accessory building</td> <td data-bbox="1409 1318 1626 1360"><u>P</u></td> </tr> <tr> <td data-bbox="430 1360 1409 1402">b. Ancillary residential structures</td> <td data-bbox="1409 1360 1626 1402"><u>P</u></td> </tr> <tr> <td data-bbox="430 1402 1409 1444">c. Emergency housing for up to 10 residents</td> <td data-bbox="1409 1402 1626 1444"><u>P</u></td> </tr> <tr> <td data-bbox="430 1444 1409 1486">d. Residential activities</td> <td data-bbox="1409 1444 1626 1486"><u>P</u></td> </tr> <tr> <td data-bbox="430 1486 1409 1528">e. 1 to 3 residential units on a site <u>Up to 6 dwellings on a site</u></td> <td data-bbox="1409 1486 1626 1528"><u>P</u></td> </tr> <tr> <td data-bbox="430 1528 1409 1570">f. 4 <u>7</u> or more residential units on a site</td> <td data-bbox="1409 1528 1626 1570">RD*</td> </tr> <tr> <td data-bbox="430 1570 1409 1612">g. Papakainga containing 1 to 3 residential units <u>up to 6 residential units</u></td> <td data-bbox="1409 1570 1626 1612"><u>P</u></td> </tr> <tr> <td data-bbox="430 1612 1409 1654">h. Papakainga containing 4 <u>7</u> or more residential units</td> <td data-bbox="1409 1612 1626 1654">RD*</td> </tr> <tr> <td data-bbox="430 1654 1409 1696">i. Rest home (Except within the Ruakura and Rotokauri North Residential Precincts)</td> <td data-bbox="1409 1654 1626 1696">RD</td> </tr> <tr> <td data-bbox="430 1696 1409 1738">j. Rest home within the Ruakura and Rotokauri North Precincts</td> <td data-bbox="1409 1696 1626 1738"><u>D</u></td> </tr> <tr> <td data-bbox="430 1738 1409 1780">k. Retirement Village</td> <td data-bbox="1409 1738 1626 1780">RD</td> </tr> <tr> <td data-bbox="430 1780 1409 1822">l. Managed care facilities (Except within the Ruakura and Rotokauri North Residential Precincts)</td> <td data-bbox="1409 1780 1626 1822"><u>P</u></td> </tr> <tr> <td data-bbox="430 1822 1409 1864"> i. Up to 9 residents</td> <td data-bbox="1409 1822 1626 1864"><u>D</u></td> </tr> <tr> <td data-bbox="430 1864 1409 1904"> ii. 10 or more residents (excluding emergency housing)</td> <td data-bbox="1409 1864 1626 1904"></td> </tr> </tbody> </table>	Activity	Medium Density Residential Zone	If the activity is subject to a site, feature or overlay then Chapter 1.1.8 Activity Status Defaults needs to be considered.		a. Accessory building	<u>P</u>	b. Ancillary residential structures	<u>P</u>	c. Emergency housing for up to 10 residents	<u>P</u>	d. Residential activities	<u>P</u>	e. 1 to 3 residential units on a site <u>Up to 6 dwellings on a site</u>	<u>P</u>	f. 4 <u>7</u> or more residential units on a site	RD*	g. Papakainga containing 1 to 3 residential units <u>up to 6 residential units</u>	<u>P</u>	h. Papakainga containing 4 <u>7</u> or more residential units	RD*	i. Rest home (Except within the Ruakura and Rotokauri North Residential Precincts)	RD	j. Rest home within the Ruakura and Rotokauri North Precincts	<u>D</u>	k. Retirement Village	RD	l. Managed care facilities (Except within the Ruakura and Rotokauri North Residential Precincts)	<u>P</u>	i. Up to 9 residents	<u>D</u>	ii. 10 or more residents (excluding emergency housing)		Support in part	<p>Kāinga Ora supports the proposed activities which are generally consistent with the level of development and nature of activities encouraged under the Operative District Plan frameworks.</p> <p>However, Kāinga Ora seeks an increased threshold at which point resource consent is required for residential development in the MDRZ. Aligned with and giving effect to the planned urban built environment in the Medium Density Residential Zone is providing a greater intensity of buildings than anticipated in the General Residential Zone. A difference in enabled permitted residential units is required between the GRZ and MDRZ to incentivise and enable more residential units at a higher-form. The propose approach also seeks to ensure that the MDRZ and its spatial applications around centres (both as-notified and proposed in the Kāinga Ora submission) make an efficient use of land in accordance with the NPS-UD.</p>	<ol style="list-style-type: none"> Amend 4.3.3.1 e-h to provide an increased threshold at which point resource consent is required for residential and papakāinga development in the MDRZ. Aligned with and giving effect to the planned urban built environment in the Medium Density Residential Zone is providing a greater intensity of buildings than anticipated in the General Residential Zone. Include the balance of activities under 4.3.3.1 and associated activity status' as-notified, to the extent they are consistent with the overall relief sought in the Kāinga Ora submission.
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		m. <u>Managed care facilities within the Ruakura and Rotokauri North Residential Precincts</u>	<u>D</u>	Kāinga Ora also seeks similar activity status' that apply to Papakāinga housing, and the restricted discretionary status for Marae provided as part of Papakāinga housing development.	
		n. <u>Residential centre</u>	<u>D</u>		
		<u>Commercial Activities and Structures</u>			
		o. <u>Home-based business</u>	<u>P</u>		
		p. <u>Homestay accommodation</u>	<u>P</u>		
		q. <u>Show homes</u>	<u>RD*</u>		
		r. <u>Childcare facility (Except within the Ruakura and Rotokauri North Residential Precincts)</u>	<u>P</u>		
		i. <u>Up to 5 children</u>	<u>RD*</u>		
		ii. <u>Six or more children</u>			
		s. <u>Childcare facility within the Ruakura and Rotokauri North Residential Precincts</u>	<u>C</u>		
		i. <u>up to 5 children</u>	<u>RD</u>		
		ii. <u>Six or more children</u>			
		t. <u>One Integrated Retail Development within the Ruakura Residential Precinct in accordance with the general location identified on Figure 2.14 Ruakura Structure Plan – Land Use (Appendix 2)</u>	<u>RD</u>		
		u. <u>Dairy (Except within the Ruakura Residential Precinct)</u>	<u>RD</u>		
		v. <u>Dairy within the Ruakura Residential Precinct</u>	<u>C</u>		
		w. <u>One Service Station (fronting Pardoia Boulevard – Ruakura Residential Precinct)</u>	<u>D</u>		
		x. <u>Health care service</u>	<u>D</u>		
		y. <u>Places of assembly</u>	<u>D</u>		
		z. <u>Visitor accommodation</u>	<u>D</u>		
		aa. <u>Offices (other than as a home-based business or except when complying with s.)</u>	<u>NC</u>		
		bb. <u>Service industry</u>	<u>NC</u>		
		cc. <u>Light industry</u>	<u>NC</u>		
		dd. <u>Restaurants</u>	<u>NC</u>		
		ee. <u>Licensed premises</u>	<u>NC</u>		
		ff. <u>Conference facility</u>	<u>NC</u>		
		gg. <u>Tertiary education and specialised training facility</u>	<u>NC</u>		
		<u>Community Activities and Structures</u>			
		hh. <u>Temporary activities</u>	<u>P</u>		
		ii. <u>Informal recreation</u>	<u>P</u>		
		jj. <u>Organised recreation</u>	<u>P</u>		

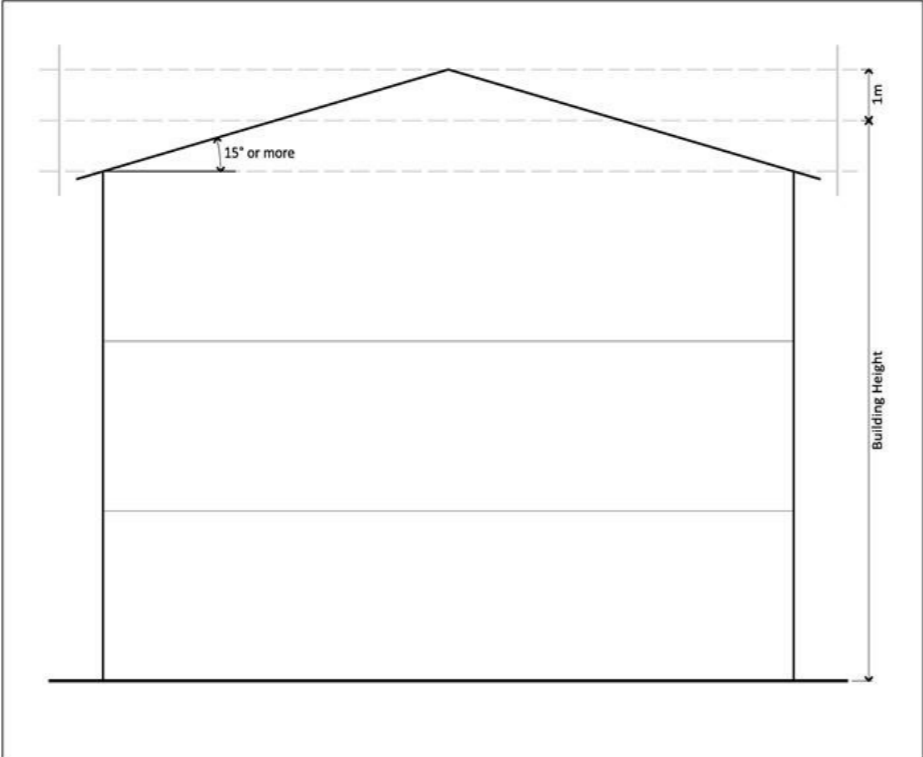
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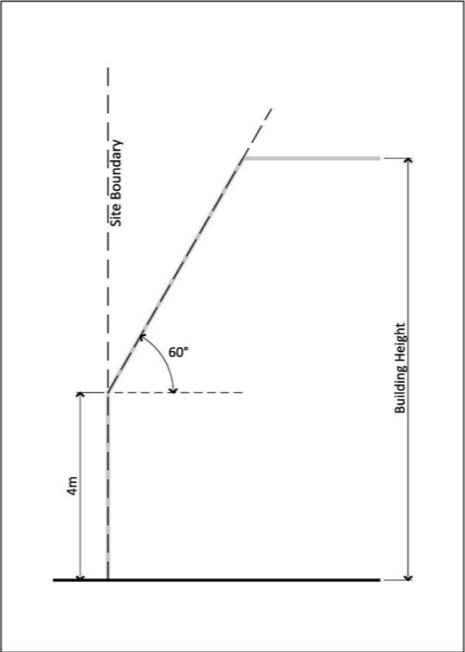
ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
		<p>Development activities - Te Awa Lakes Development Areas Q and R</p> <p>iii. Earthworks and vegetation removal <u>D</u></p> <p>jjj. Construction of roads, pedestrian paths and cycle routes <u>D</u></p> <p>kk. Installation of three waters infrastructure <u>D</u></p> <p>lll. Works relating to open space establishment <u>D</u></p> <p>Note</p> <p>1. For activities and buildings in the Electricity National Grid Corridor see Chapter 25.7: City-wide – Network Utilities and the Electricity National Grid Corridor.</p> <p>2. Refer to Chapter 1.1.9 for activities marked with an asterisk (*)</p>			
4.3.3.2 Rules – Notification					
135.	4.3.3.2	<p>a. Except as set out below, all proposals for consent will be subject to the normal notification tests of the RMA as set out in Chapter 1.1.9:</p> <p>i. Any application for resource consent involving up to six dwellings per site which complies with the following is precluded from being publicly notified:</p> <ul style="list-style-type: none"> • 4.3.4.2 Building Coverage • 4.3.4.3 Permeability and Landscaping (only in relation to b) • 4.3.4.4 Building Height • 4.3.4.5 Height in relation to Boundary • 4.3.4.6 Building Setbacks (only in relation to a, b and d) • 4.3.4.8 Public Interface • 4.3.4.9 Outlook Space <p>ii. Any application for resource consent involving seven or more dwellings per site, that comply with the standards listed in 4.2.4.i is precluded from being either publicly or limited notified.</p> <p>iii. Any application for resource consent involving up to six, or seven or more dwellings per site, which does not comply with the standards listed in 4.2.4.i, but complies with 4.2.5.4 Building Height and 4.2.5.3 Building Coverage is precluded from being publicly notified.</p> <p>Note 1: For the avoidance of doubt, any application for resource consent identified in 4.3.3.2 which does not comply with those standards under 4.3.4 not otherwise listed above, would be subject to the exclusions provided the requirements of either i, ii or iii are met.</p> <p>Note 2: Any application qualifying under 4.3.3.2 i, ii or iii that requires resource consent/s under other sections on the District Plan shall be considered in an 'unbundled' manner for the purposes of notification assessment and determination under s95 of the RMA.</p>	Oppose	<p>Kāinga Ora opposes the notification provisions as they do not give effect to the notification preclusions that are required under schedule 3A of the Housing Supply Act. The notification exclusions are required in order to enable residential intensification.</p> <p>In addition, the provisions set a percentage threshold for where the degree of infringement will or will not be subject to limited or mandatory public notification. This is not considered appropriate as the use of a percentage value in reference to notification assessments may conflate the effects of a non-compliance through the degree or extent of infringement. Whether a proposal or an infringement is appropriate or not needs to be subject to an assessment that is particular to the locational characteristics of a development.</p> <p>Kāinga Ora appreciates the intent of the 'percentages' approach, however, 'boundary activities' are already provided for as a process in the RMA.</p>	<ol style="list-style-type: none"> Amend the notification provisions to be consistent with (at least) the notification exclusions under Schedule 3A of the Housing Supply Act and remove references to 'infringements' and 'percentages'. Kāinga Ora has suggested an approach in the tracked amendments to 4.2.4 – notification. Such changes ensure consistency with the Housing Supply Act and the added 'note' provides clarity in administration of those provisions. Kāinga Ora considers that any application which involves resource consents under other parts of the plan (i.e. earthworks, vegetation removal, flooding etc) should not result in the 'bundling' of activities that otherwise meet the requirements of 4.2.4. Such an approach provides elevated Commercial risk to redevelopment and intensification. The suggested 'note' seeks to account for this situation.

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>								
<p>i. Proposals for 1, 2 or 3 dwellings on a site that infringe no more than two of the rules in 4.3.3, excluding the height in relation to boundary standard, and where the degree of infringement of each of the standards is no greater than 10% of the standard(s) in question, shall be processed without public or limited notification.</p> <p>ii. Proposals for 1, 2 or 3 dwellings on a site that infringe no more than two of the rules in 4.3.3, excluding the height in relation to boundary standard but to an extent greater than specified in (i) above, or that infringe the height in relation to boundary standard, or that otherwise infringe three or more of the rules in 4.3.3. (including the height in relation to boundary standard), shall be limited notified to the owners and occupants of adjoining sites.</p> <p>iii. Proposals for 4 or more dwellings that do not comply with one or more of the rules in 4.3.3, but where the extent of infringement is greater than 10% of the standard(s) in question and less than 25% of the standard(s) in question shall be limited notified to the owners and occupants of adjoining sites.</p> <p>iv. Proposals for 4 or more dwellings that do not comply with one or more of the rules in 4.3.3, but where the extent of infringement is greater than 25% of the standard(s) in question shall be publicly notified.</p>													
<p>4.3.4 Rules – General Standards – Medium Density Residential Zone</p>													
136.	4.3.4	<p>Density</p> <p>a. The following standards do not apply in the Medium Density Zone: Peacocke Residential Precinct (Refer to 4.3A).</p>											
137.	4.3.4.1	<p>Building Coverage</p> <table border="1" data-bbox="433 1304 1614 1524"> <thead> <tr> <th>Activity</th> <th>Net site area (minimums unless otherwise stated)</th> </tr> </thead> <tbody> <tr> <td>Residential centres</td> <td>75m² per resident</td> </tr> <tr> <td>Rest homes</td> <td>50m² per resident</td> </tr> <tr> <td>Managed care facilities</td> <td>100m² per resident</td> </tr> </tbody> </table> <p>Note:</p> <p>Refer to Chapter 25.13 – Three Waters relating to density requirements within the Three Waters Infrastructure Capacity Overlay</p>	Activity	Net site area (minimums unless otherwise stated)	Residential centres	75m ² per resident	Rest homes	50m ² per resident	Managed care facilities	100m ² per resident	Support	Kāinga Ora support there being no density standard for residential units and activities.	Remove reference to historic heritage areas, consistent with the Kāinga Ora submission. Delete note, as per reasons stated previously.
Activity	Net site area (minimums unless otherwise stated)												
Residential centres	75m ² per resident												
Rest homes	50m ² per resident												
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138.	4.3.4.2	<p>Building Coverage</p> <table border="1" data-bbox="433 1738 1614 1890"> <thead> <tr> <th>Activity</th> <th>Building Coverage</th> </tr> </thead> <tbody> <tr> <td>a. All residential units (except for terrace housing units and apartment units where onsite parking is provided and accessed by a rear lane then 4.3.4.2. b. applies).</td> <td>50%</td> </tr> </tbody> </table>	Activity	Building Coverage	a. All residential units (except for terrace housing units and apartment units where onsite parking is provided and accessed by a rear lane then 4.3.4.2. b. applies).	50%	Support	Kāinga Ora supports the building coverage standard being in accordance with the MDRS requirements, and the greater level of coverage enabled under 4.3.4.2.b.	Include the standard as-notified.				
Activity	Building Coverage												
a. All residential units (except for terrace housing units and apartment units where onsite parking is provided and accessed by a rear lane then 4.3.4.2. b. applies).	50%												

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought																
		<p>b. Maximum building coverage for any terrace housing units and apartments where onsite parking is provided and accessed by a rear lane 60%</p> <p>Note:</p> <p><u>Rainwater tanks with a capacity of <10,500 litres are exempt from the calculation of building coverage (Refer to Chapter 25.13).</u></p>			<p>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</p>																
139.	4.3.4.3	<p>Permeable Surface and Landscaping</p> <table border="1" data-bbox="433 835 1605 1199"> <thead> <tr> <th data-bbox="433 835 1314 877">Activity</th> <th data-bbox="1314 835 1605 877">Standard</th> </tr> </thead> <tbody> <tr> <td data-bbox="433 877 1314 926">a. Permeable surface</td> <td data-bbox="1314 877 1605 926">30%</td> </tr> <tr> <td data-bbox="433 926 1314 995">b. A residential unit at ground floor level must have a landscaped area of a minimum of 20% of the total site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.</td> <td data-bbox="1314 926 1605 995"></td> </tr> <tr> <td data-bbox="433 995 1314 1064">c. On front, corner and through sites, landscaping planted in grass, shrubs and trees required forward of the front building line (except sites within the Rotokauri North Residential Precinct).</td> <td data-bbox="1314 995 1605 1064"></td> </tr> <tr> <td data-bbox="433 1064 1314 1113">i. Single residential unit and duplex residential units and apartment buildings</td> <td data-bbox="1314 1064 1605 1113">Minimum 50%</td> </tr> <tr> <td data-bbox="433 1113 1314 1161">ii. Terrace housing with a residential unit frontage width 7.5m or greater</td> <td data-bbox="1314 1113 1605 1161">Minimum 40%</td> </tr> <tr> <td data-bbox="433 1161 1314 1199">iii. Terrace housing with a residential unit frontage width of less than 7.5m</td> <td data-bbox="1314 1161 1605 1199">Minimum 30%</td> </tr> </tbody> </table>	Activity	Standard	a. Permeable surface	30%	b. A residential unit at ground floor level must have a landscaped area of a minimum of 20% of the total site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.		c. On front, corner and through sites, landscaping planted in grass, shrubs and trees required forward of the front building line (except sites within the Rotokauri North Residential Precinct).		i. Single residential unit and duplex residential units and apartment buildings	Minimum 50%	ii. Terrace housing with a residential unit frontage width 7.5m or greater	Minimum 40%	iii. Terrace housing with a residential unit frontage width of less than 7.5m	Minimum 30%	Oppose in part	<p>Kāinga Ora supports the inclusion of a permeable surface standard, and the requirements for landscaped area in accordance with the MDRS.</p> <p>However, Kainga Ora does not support the additional inclusion of front yard landscaping requirements and considers the landscaping requirements of the MDRS to be sufficient in ensuring the delivery of amenity.</p>	<p>Included the provisions as-notified subject to the deletion of front yard landscaping provisions ci – ciii.</p> <p>Amendments sought.</p>		
Activity	Standard																				
a. Permeable surface	30%																				
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140.	4.3.4.3	<table border="1" data-bbox="433 1247 1605 1772"> <tbody> <tr> <td data-bbox="433 1247 1314 1388">d. Urban trees Each development shall provide trees in an unobstructed area within the site, clear of any required vehicle access and manoeuvring, regardless of the ground treatment below the canopy of the tree, at the rate set out below:</td> <td data-bbox="1314 1247 1605 1388"></td> </tr> <tr> <td data-bbox="433 1388 1314 1436">i. Detached residential unit</td> <td data-bbox="1314 1388 1605 1436">Two per residential unit.</td> </tr> <tr> <td data-bbox="433 1436 1314 1484">ii. Duplex residential units</td> <td data-bbox="1314 1436 1605 1484">Two per residential unit</td> </tr> <tr> <td data-bbox="433 1484 1314 1533">iii. Terrace housing units</td> <td data-bbox="1314 1484 1605 1533">One per residential unit</td> </tr> <tr> <td data-bbox="433 1533 1314 1625">iv. Apartment Buildings</td> <td data-bbox="1314 1533 1605 1625">Minimum of one tree per site with an additional tree for every 150m² of site area.</td> </tr> <tr> <td data-bbox="433 1625 1314 1738">v. All other activities</td> <td data-bbox="1314 1625 1605 1738">Minimum of one tree per site with an additional tree for every 200m² of site area.</td> </tr> <tr> <td colspan="2" data-bbox="433 1738 1314 1772">Specimen trees shall be planted as per 4.3.4.3 d. at a planted size of at least 80L</td> </tr> </tbody> </table> <p>Sites within the Rotokauri North Residential Precinct</p> <table border="1" data-bbox="433 1822 1605 1892"> <tbody> <tr> <td data-bbox="433 1822 1314 1892">e. <u>Permeability forward of the building line of the residential unit (including porch) planted in grass, shrubs and trees:</u></td> <td data-bbox="1314 1822 1605 1892"></td> </tr> </tbody> </table>	d. Urban trees Each development shall provide trees in an unobstructed area within the site, clear of any required vehicle access and manoeuvring, regardless of the ground treatment below the canopy of the tree, at the rate set out below:		i. Detached residential unit	Two per residential unit.	ii. Duplex residential units	Two per residential unit	iii. Terrace housing units	One per residential unit	iv. Apartment Buildings	Minimum of one tree per site with an additional tree for every 150m² of site area.	v. All other activities	Minimum of one tree per site with an additional tree for every 200m² of site area.	Specimen trees shall be planted as per 4.3.4.3 d. at a planted size of at least 80L		e. <u>Permeability forward of the building line of the residential unit (including porch) planted in grass, shrubs and trees:</u>		Oppose	<p>Kāinga Ora opposes the requirements for urban trees and minimum planting sizes across the residential zones. The standard is not an efficient or effective method in achieving the objectives of the zone, as there will be ongoing compliance costs associated with ensuring that trees are retained post-development. This will likely require consent notices and/or covenants on titles which is costly and has not been sufficiently accounted for in Council's s32 analysis. The standard may also be difficult to enforce and monitor for permitted activity development where a resource consent is not required.</p>	<p>Delete the urban trees standard and associated 'notes' as-notified, and any other changes necessary to give effect to the relief sought.</p>
d. Urban trees Each development shall provide trees in an unobstructed area within the site, clear of any required vehicle access and manoeuvring, regardless of the ground treatment below the canopy of the tree, at the rate set out below:																					
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ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought												
		<table border="1"> <tr> <td data-bbox="430 548 1311 590">i. Sites 350m² or larger</td> <td data-bbox="1311 548 1626 590">Minimum 50%</td> </tr> <tr> <td data-bbox="430 590 1311 632">ii. Sites less than 350m²</td> <td data-bbox="1311 590 1626 632">Minimum 40%</td> </tr> </table> <p>Note: <u>Requirements set out in 4.3.4.3 a can include the area required in 4.2.5.3 d. Requirements set out in 4.3.4.3 b can include the area required in 4.2.5.3 c and d.</u> <u>If the development retains an existing mature tree (or trees) of at least 6m in height each within the design, then this can be traded in place of a tree or trees required under 4.3.4.3 d at a ratio of 1:1.</u> <u>The management of stormwater generated from impermeable surfaces is controlled by Rule 25.13.4.2A in the Three Waters Chapter.</u> <u>Rainwater tanks with a capacity of <10,500 litres are exempt from the calculation of permeable surface (Refer to Chapter 25.13).</u></p>	i. Sites 350m ² or larger	Minimum 50%	ii. Sites less than 350m ²	Minimum 40%			<p>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</p>								
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141.	4.3.4.4	<p>Building Height</p> <table border="1"> <thead> <tr> <th data-bbox="430 989 1113 1031"></th> <th data-bbox="1113 989 1409 1031">Maximum Building Height</th> <th data-bbox="1409 989 1626 1031">Maximum Storeys</th> </tr> </thead> <tbody> <tr> <td data-bbox="430 1031 1113 1104">a. <u>Medium Density Residential Zone (Except within the Rotokauri North Residential Precinct)</u></td> <td data-bbox="1113 1031 1409 1104"><u>18-16.5m</u></td> <td data-bbox="1409 1031 1626 1104"><u>5</u></td> </tr> <tr> <td data-bbox="430 1104 1113 1178">b. <u>Medium Density Residential Zone within the Rotokauri North Residential Precinct</u></td> <td data-bbox="1113 1104 1409 1178"><u>11m</u></td> <td data-bbox="1409 1104 1626 1178"><u>-</u></td> </tr> <tr> <td data-bbox="430 1178 1113 1283">c. <u>Rotokauri North Residential Precinct – within the 'Residential Medium Density Overlay' as shown on Figure 2-8A of the Rotokauri North Structure Plan</u></td> <td data-bbox="1113 1178 1409 1283"><u>15m</u></td> <td data-bbox="1409 1178 1626 1283"><u>-</u></td> </tr> </tbody> </table> <p><u>Buildings must not exceed the heights identified in rule 4.3.3.4 a, b or c, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more.</u></p>		Maximum Building Height	Maximum Storeys	a. <u>Medium Density Residential Zone (Except within the Rotokauri North Residential Precinct)</u>	<u>18-16.5m</u>	<u>5</u>	b. <u>Medium Density Residential Zone within the Rotokauri North Residential Precinct</u>	<u>11m</u>	<u>-</u>	c. <u>Rotokauri North Residential Precinct – within the 'Residential Medium Density Overlay' as shown on Figure 2-8A of the Rotokauri North Structure Plan</u>	<u>15m</u>	<u>-</u>	Support in part	<p>While Kāinga Ora support the inclusion of a greater height limit to distinguish the zone from the General Residential zone, a 18m height limit (plus the 1m roof form allowance) is more-accommodating of typical 5 storey development when building and inter-floor services are taken into consideration.</p> <p>Kāinga Ora considers that such a height limit should be applied across the zone, and that here is insufficient justification (in light of the NPS-UD) as to why heights should be reduced in Rotokauri North. In addition, Kāinga Ora does not consider it relevant or appropriate to restrict the number of 'storeys' a building may contain, when the built-form outcome remains the same in reference to the height otherwise provided for.</p>	Amend the standards to provide for a 18m maximum height limit with the notified 1m roof form allowance and remove references to the maximum number of 'storeys' in the standard itself.
	Maximum Building Height	Maximum Storeys															
a. <u>Medium Density Residential Zone (Except within the Rotokauri North Residential Precinct)</u>	<u>18-16.5m</u>	<u>5</u>															
b. <u>Medium Density Residential Zone within the Rotokauri North Residential Precinct</u>	<u>11m</u>	<u>-</u>															
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ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought
		 <p data-bbox="872 1270 1187 1299">Figure 4.3.4.4 a Building Height.</p>			<p data-bbox="2341 296 2763 516"><i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i></p>
142.	4.3.4.5	<p data-bbox="403 1318 724 1346">Height in Relation to Boundary</p> <div data-bbox="433 1367 1626 1860" style="border: 1px solid black; padding: 5px;"> <p data-bbox="442 1381 1516 1451">Medium Density Residential - Height in Relation to Boundary (except for sites within the Rotokauri North Residential Precinct containing four or more residential units)</p> <p data-bbox="442 1493 1012 1520">a. For single and duplex residential units on a site;</p> <p data-bbox="442 1577 1605 1703">Buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown on the following Figure 4.3.4.5 a. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way</p> <p data-bbox="442 1759 765 1787">This standard does not apply to:</p> <ul style="list-style-type: none"> <li data-bbox="531 1801 863 1829">i. A boundary with a road; <li data-bbox="620 1843 1279 1871">ii. Existing or proposed internal boundaries within a site; or </div>	Oppose	Kāinga Ora seeks a more enabling HIRTB control to reflect the higher density outcomes sought for the zone and for national consistency across Tier 1 authorities.	Amend the standard as shown in the tracked amendments.

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
		<p>iii. Site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed</p> <hr/> <p>b. For buildings three or more attached residential units on a site that adjoins a transport corridor, another site in the Medium Density Zone or High Density Zone or the following zones, any Business Zone, any Open Space Zones;</p> <p>i. Within the first 20 meters of the site measured from the transport corridor boundary 4.3.4.5 a. will not apply along the side boundaries.</p> <p>ii. Within the first 20 meters of the site measured from the transport corridor boundary the following shall apply:</p> <p>a. All parts of a building less than 11m in height (or up to 3 storeys) shall be setback from the side yard boundary a minimum of 1 meter as required by Rule 4.3.4.6 b;</p> <p>b. All parts of a building greater than 11m in height (or greater than 3 storeys) shall be setback from the side boundary a minimum of 4 meters.</p> <p>iii. Site that adjoin any other zone then 4.3.4.5 a. will apply.</p> <div data-bbox="813 1102 1246 1711" data-label="Diagram">  <p>The diagram illustrates a building's height relative to a site boundary. A vertical dashed line represents the 'Site Boundary'. A horizontal dashed line extends from the base of the site boundary. A solid line representing the building's height rises from the base of the site boundary at a 60-degree angle to the horizontal. A vertical dimension line indicates the building height is 4m. A horizontal dimension line indicates the setback distance from the site boundary to the building's edge.</p> </div> <p>Figure 4.3.4.5 a Height in Relation to Boundary:</p> <p>Within the Rotokauri North Residential Precinct the following shall apply to sites containing four or more residential units:</p>			

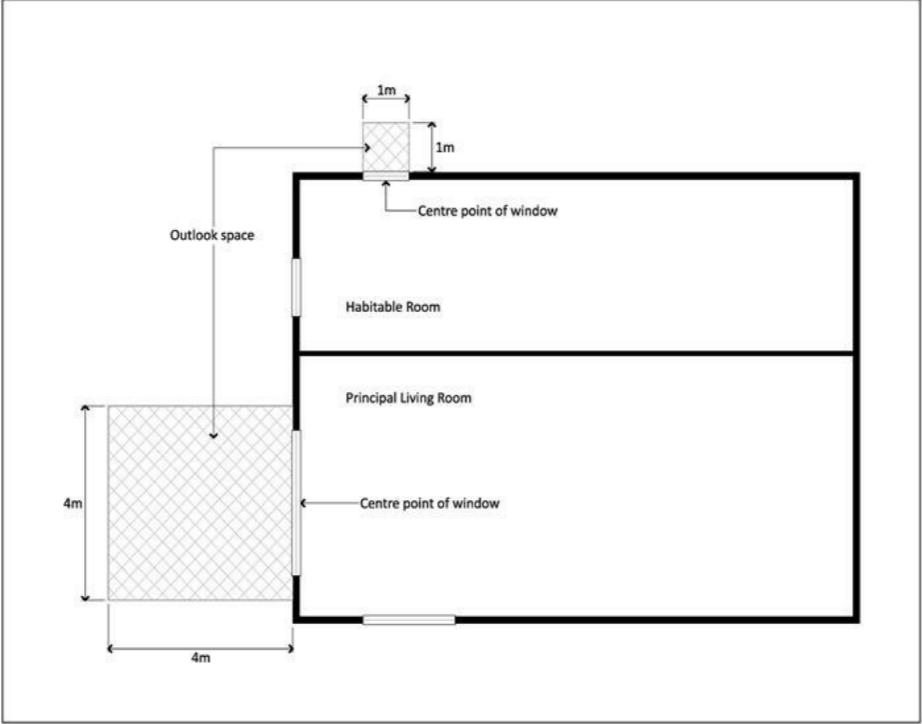
ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>								
		<p>a. No part of any building shall protrude through a height control plane rising at an angle of either:</p> <ul style="list-style-type: none"> i. 45 degrees (for east or west boundaries) ii. 55 degrees (for north boundaries); or iii. 35 degrees (for southern boundaries) <p>a. <u>Buildings must not project beyond a 60-degree recession plane measured from a point 6m vertically above ground level along the side boundaries;</u></p> <p>b. <u>Apply a 4m + 60° on boundaries at where the MDRZ interfaces with a lower zone hierarchy being:</u></p> <ul style="list-style-type: none"> <u>- General Residential Zone;</u> <u>- Special Heritage Zone;</u> <u>- Special Character Zone;</u> <u>- Large Lot Residential Zone; and</u> <u>- Special Natural Zone;</u> <p>b. <u>Except that no height control plane shall apply:</u></p> <ul style="list-style-type: none"> <u>i. Where a boundary adjoins a rear lane.</u> <u>ii. Where there is existing or proposed internal boundaries within a site.</u> <u>iii. Where there is an existing or proposed common wall between two buildings on adjacent sites.</u> <p>c. The height control plane applies only along any side boundary that is within 8m of the rear boundary, and any rear boundary.</p>											
143.	4.3.4.6	<p>Building Setbacks</p> <table border="1" data-bbox="430 1543 1626 1906"> <thead> <tr> <th data-bbox="430 1543 1350 1585">Building setback from</th> <th data-bbox="1350 1543 1626 1585">Minimum distance</th> </tr> </thead> <tbody> <tr> <td data-bbox="430 1585 1350 1827"> <u>a. Transport Corridor Boundary</u> <u>i. A single storey unenclosed verandah / patio / porch space attached to a residential unit</u> <u>ii. Other than provided for above</u> </td> <td data-bbox="1350 1585 1626 1827"> <u>1m</u> <u>1.5m</u> </td> </tr> <tr> <td data-bbox="430 1827 1350 1869"><u>b. Side yard</u></td> <td data-bbox="1350 1827 1626 1869"><u>1m</u></td> </tr> <tr> <td data-bbox="430 1869 1350 1906"><u>c. One side yard per site where:</u></td> <td data-bbox="1350 1869 1626 1906"><u>0m</u></td> </tr> </tbody> </table>	Building setback from	Minimum distance	<u>a. Transport Corridor Boundary</u> <u>i. A single storey unenclosed verandah / patio / porch space attached to a residential unit</u> <u>ii. Other than provided for above</u>	<u>1m</u> <u>1.5m</u>	<u>b. Side yard</u>	<u>1m</u>	<u>c. One side yard per site where:</u>	<u>0m</u>	Support in part	Kāinga Ora supports the inclusion of those the building setback standards in accordance with the MDRS requirements.	Include the standard as-notified with the proposed amendment, including any consequential amendments necessary to give effect to the relief sought in the Kāinga Ora submission.
Building setback from	Minimum distance												
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<u>b. Side yard</u>	<u>1m</u>												
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		<p>i. <u>Legal provision is made for access and maintenance; and</u> ii. <u>Neighbours consent is obtained; and</u> iii. <u>The opposite side yard is a minimum of 2m or</u> <u>It is a common/party wall</u></p>			
		d. <u>Rear yard (except where it adjoins a rear land)</u>	<u>1m</u>		
		e. <u>Rear yard where it adjoins a rear lane</u>	<u>0m</u>		
		f. <u>Side and rear yard setbacks may be reduced where,</u> <p>i. <u>The written consent of the owners adjoining the relevant setback or setbacks is obtained; or</u> iii. <u>It is proposed to site a building within the 1m setback and: The building is less than 10m² in area; and</u> iv. <u>The building is less than 2m in height; and</u> v. <u>The building will not be connected to electricity supply; and</u> vi. <u>There is no discharge of stormwater onto neighbouring land from the building; and</u></p> <u>No more than one building is established on a site in accordance with this rule; except where notional boundaries are shown for an approved subdivision, one accessory building can exist for each notional lot.</u>			
		g. <u>Waikato Riverbank and Gully Hazard Area</u>	<u>6m (applies to buildings and swimming pools)</u>		
		Setback from the Waikato Expressway within the Rototuna Town Centre Precinct			
		h. <u>All buildings within the Rototuna Town Centre Precinct shall be setback a minimum of 15 metres from the boundary of the Waikato Expressway (Designation E90 and E90a).</u>			
		In the Rotokauri North Residential Precinct the following applies for four or more residential units on a site:			
		i. <u>Rear yard for a building exceeding 5m in height</u>	<u>8m</u>		
		j. <u>Rear yard for a building up to 5m in height and single storey only</u>	<u>3m</u>		
		k. <u>No rear yard setback applies to a building up to a height of 7m where the site adjoins a rear lane</u>			
		Orientation of residential units in Te Awa Lakes Residential Precinct			
		l. <u>Within 200m of the Waikato Expressway carriageway, habitable rooms shall be orientated away from the Expressway.</u>			
		Note			
		1. <u>Refer to chapter 21 and 22 for objectives and policies relevant to the setback from the Waikato Riverbank and Gully Hazard Area.</u>			
		<u>Rear and side yard requirements do not apply to rainwater tanks with a capacity of <10,500 litres (Refer to Chapter 25.13).</u>			

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144.	4.3.4.7	<p>Boundary and Walls</p> <table border="1" data-bbox="433 611 1626 1850"> <thead> <tr> <th data-bbox="433 611 557 653">Rules</th> <th data-bbox="557 611 1184 653"></th> <th data-bbox="1184 611 1626 653">Requirements</th> </tr> </thead> <tbody> <tr> <td data-bbox="433 653 557 768">a.</td> <td data-bbox="557 653 1184 768">Front and side boundary fences or walls located forward of the front building line of the residential unit.</td> <td data-bbox="1184 653 1626 768">Maximum height 1.2m or 1.5m provided 50% of that part over 1.2m is visually permeable.</td> </tr> <tr> <td data-bbox="433 768 557 873">b.</td> <td data-bbox="557 768 1184 873">Boundary fences or walls adjoining Open Space Zone</td> <td data-bbox="1184 768 1626 873">1.5m (with 50% permitted at 1.8m provided 50% of that part over 1.5m is visually permeable).</td> </tr> <tr> <td data-bbox="433 873 557 915">c.</td> <td data-bbox="557 873 1184 915">All other boundary fences or walls</td> <td data-bbox="1184 873 1626 915">Maximum height 1.8m</td> </tr> <tr> <td data-bbox="433 915 557 1272">d.</td> <td data-bbox="557 915 1184 1272"> <p>Where a retaining wall and front boundary fence are proposed, the maximum height of the combined structure measured from the bottom to top, shall be no more than 1.5m before the following shall apply:</p> <p>i. Between 1.5m – 2.5m: A horizontal step at least 1m in depth shall be integrated into the structures no more than 1.2m above the level of the street boundary.</p> <p>ii. Between 2.6m – 3.5m: Two horizontal steps, each at least 1m in depth, shall be integrated into the structures no more than 1.2m above the ground level at the base of each 'step'.</p> <p>iii. More than 3.5m: discretionary activity.</p> </td> <td data-bbox="1184 915 1626 1272"></td> </tr> <tr> <td data-bbox="433 1272 557 1535">e.</td> <td data-bbox="557 1272 1184 1535"> <p>This rule shall not apply to any fence and/or wall which:</p> <p>i. Following construction will be located at or below the natural ground level of the land that existed prior to construction commencing; or</p> <p>Is internal to a proposed development and does not result in any fence or wall which has a height of 2m or more in relation to natural ground level of any adjoining external property boundary not in common ownership.</p> </td> <td data-bbox="1184 1272 1626 1535"></td> </tr> <tr> <td colspan="3" data-bbox="433 1535 1626 1577">For boundary fences and walls the following heights within the Ruakura Residential Precinct also apply</td> </tr> <tr> <td data-bbox="433 1577 557 1713">f.</td> <td data-bbox="557 1577 1184 1713">Front and side boundary fences or walls located forward of the front building line of the residential unit surrounding north facing Outdoor Living Areas that face a transport corridor.</td> <td data-bbox="1184 1577 1626 1713">1.8m (with 50% or more of the fence visually permeable).</td> </tr> <tr> <td data-bbox="433 1713 557 1850">g.</td> <td data-bbox="557 1713 1184 1850">For sites adjoining an Open Space Area as shown on Figure 2-14: Ruakura Structure Plan – Land Use (Appendix 2), fences or walls located between the residential unit and the Area boundary.</td> <td data-bbox="1184 1713 1626 1850">1.5m (with 50% permitted at 1.8m provided 50% of that part over 1.5m is visually permeable).</td> </tr> <tr> <td colspan="3" data-bbox="433 1850 1626 1892">For boundary fences and walls the following heights within the Te Awa Lakes Residential Precinct also apply</td> </tr> </tbody> </table>	Rules		Requirements	a.	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This should be accounted for in the zone activity table as a non-compliance with a general standard.	<p>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</p> <p>Include the standard as-notified with the proposed amendments, including any consequential amendments necessary to give effect to the relief sought in the Kāinga Ora submission.</p> <p>Amendments sought.</p>
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145.	4.3.4.8	<p data-bbox="409 1308 572 1339">Public Interface</p> <table border="1"> <tr> <td colspan="2" data-bbox="439 1360 1626 1402">Public interface for one to three residential units on a site</td> </tr> <tr> <td data-bbox="439 1413 557 1560">a.</td> <td data-bbox="572 1413 1626 1560"> <p data-bbox="587 1423 1151 1444">Where a residential unit is facing the street it must have:</p> <p data-bbox="587 1497 1626 1560">i. A minimum 20% of the street-facing façade at ground level in glazing. This can be in the form of clear-glazed windows or doors.</p> </td> </tr> <tr> <td colspan="2" data-bbox="439 1570 1626 1602">Public Interface for four or more residential units on a site</td> </tr> <tr> <td data-bbox="439 1612 557 1833">b.</td> <td data-bbox="572 1612 1626 1833"> <p data-bbox="587 1623 1151 1644">Where a residential unit is facing the street it must have:</p> <p data-bbox="587 1654 1626 1717">i. A minimum 20% of the street-facing façade at ground level in glazing. This can be in the form of clear-glazed windows or doors.</p> <p data-bbox="587 1728 1626 1833">ii. At least one habitable room of the residential unit shall have a clear glazed window facing the transport corridor from which vision toward the transport corridor is not blocked by any accessory building. For corner and through sites this shall be required only on the frontage from which pedestrian access to the front door is provided.</p> </td> </tr> </table>	Public interface for one to three residential units on a site		a.	<p data-bbox="587 1423 1151 1444">Where a residential unit is facing the street it must have:</p> <p data-bbox="587 1497 1626 1560">i. A minimum 20% of the street-facing façade at ground level in glazing. This can be in the form of clear-glazed windows or doors.</p>	Public Interface for four or more residential units on a site		b.	<p data-bbox="587 1623 1151 1644">Where a residential unit is facing the street it must have:</p> <p data-bbox="587 1654 1626 1717">i. A minimum 20% of the street-facing façade at ground level in glazing. This can be in the form of clear-glazed windows or doors.</p> <p data-bbox="587 1728 1626 1833">ii. At least one habitable room of the residential unit shall have a clear glazed window facing the transport corridor from which vision toward the transport corridor is not blocked by any accessory building. For corner and through sites this shall be required only on the frontage from which pedestrian access to the front door is provided.</p>	Support in part	Kāinga Ora supports the standards, being consistent with the MDRS requirements, and the need to ensure development of 4+ units manage effects in relation to outlook and the broader design-related issues regarding interface and engagement with the public streetscape; however, consider the public interface standard of the MDRS, as imposed for up to 3 units, is sufficient.	Include the standard as-notified but delete the public interface standard.							
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146.	4.3.4.9	<p>Outlook Space</p> <table border="1" data-bbox="433 611 1626 1478"> <thead> <tr> <th colspan="2" data-bbox="433 611 1626 653">Outlook for all residential units</th> </tr> </thead> <tbody> <tr> <td data-bbox="433 653 528 695">a.</td> <td data-bbox="528 653 1626 695"><u>An outlook space must be provided from all habitable room windows.</u></td> </tr> <tr> <td data-bbox="433 695 528 772">b.</td> <td data-bbox="528 695 1626 772"><u>A principal living room of a residential unit must have an outlook space with a minimum dimension of 4m depth and 4m width.</u></td> </tr> <tr> <td data-bbox="433 772 528 814">c.</td> <td data-bbox="528 772 1626 814"><u>All other habitable rooms must have an outlook space of 1m in depth and 1m in width.</u></td> </tr> <tr> <td data-bbox="433 814 528 892">d.</td> <td data-bbox="528 814 1626 892"><u>The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.</u></td> </tr> <tr> <td data-bbox="433 892 528 970">e.</td> <td data-bbox="528 892 1626 970"><u>The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.</u></td> </tr> <tr> <td data-bbox="433 970 528 1047">f.</td> <td data-bbox="528 970 1626 1047"><u>The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.</u></td> </tr> <tr> <td data-bbox="433 1047 528 1125">g.</td> <td data-bbox="528 1047 1626 1125"><u>Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.</u></td> </tr> <tr> <td data-bbox="433 1125 528 1203">h.</td> <td data-bbox="528 1125 1626 1203"><u>Outlook spaces required from different rooms within the same building may overlap, and may also overlap where they are on the same wall plane in the case of a multi-storey building.</u></td> </tr> <tr> <td data-bbox="433 1203 528 1245">i.</td> <td data-bbox="528 1203 1626 1245"><u>Outlook spaces may be under or over a balcony.</u></td> </tr> <tr> <td data-bbox="433 1245 528 1367">j.</td> <td data-bbox="528 1245 1626 1367"> <u>Outlook spaces must:</u> i. <u>Be clear and unobstructed by buildings; and</u> ii. <u>Not extend over an outlook spaces or outdoor living space required by another residential unit.</u> </td> </tr> <tr> <td data-bbox="433 1367 528 1478">k.</td> <td data-bbox="528 1367 1626 1478"> <u>To clarify an outlook space can be:</u> i. <u>Above or below another outlook space (in a vertical configuration);</u> ii. <u>Under buildings, such as balconies; and</u> </td> </tr> </tbody> </table>	Outlook for all residential units		a.	<u>An outlook space must be provided from all habitable room windows.</u>	b.	<u>A principal living room of a residential unit must have an outlook space with a minimum dimension of 4m depth and 4m width.</u>	c.	<u>All other habitable rooms must have an outlook space of 1m in depth and 1m in width.</u>	d.	<u>The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.</u>	e.	<u>The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.</u>	f.	<u>The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.</u>	g.	<u>Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.</u>	h.	<u>Outlook spaces required from different rooms within the same building may overlap, and may also overlap where they are on the same wall plane in the case of a multi-storey building.</u>	i.	<u>Outlook spaces may be under or over a balcony.</u>	j.	<u>Outlook spaces must:</u> i. <u>Be clear and unobstructed by buildings; and</u> ii. <u>Not extend over an outlook spaces or outdoor living space required by another residential unit.</u>	k.	<u>To clarify an outlook space can be:</u> i. <u>Above or below another outlook space (in a vertical configuration);</u> ii. <u>Under buildings, such as balconies; and</u>	Support	Kāinga Ora supports the standards, being consistent with the MDRS requirements.	Include the standard as-notified.
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b.	<u>A principal living room of a residential unit must have an outlook space with a minimum dimension of 4m depth and 4m width.</u>																												
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d.	<u>The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.</u>																												
e.	<u>The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.</u>																												
f.	<u>The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.</u>																												
g.	<u>Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.</u>																												
h.	<u>Outlook spaces required from different rooms within the same building may overlap, and may also overlap where they are on the same wall plane in the case of a multi-storey building.</u>																												
i.	<u>Outlook spaces may be under or over a balcony.</u>																												
j.	<u>Outlook spaces must:</u> i. <u>Be clear and unobstructed by buildings; and</u> ii. <u>Not extend over an outlook spaces or outdoor living space required by another residential unit.</u>																												
k.	<u>To clarify an outlook space can be:</u> i. <u>Above or below another outlook space (in a vertical configuration);</u> ii. <u>Under buildings, such as balconies; and</u>																												

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought
		 <p style="text-align: center;">Figure 4.3.4.9 a Outlook Space</p> <p>Notes:</p> <p><u>To clarify an outlook space can be:</u></p> <ol style="list-style-type: none"> 1. <u>above or below another outlook space (in a vertical configuration);</u> 2. <u>under buildings, such as balconies; and</u> <p><u>over driveways or footpaths within the site, as long as it is not obstructed by structures such as fences</u></p>			<p>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</p>
147.	4.3.4.10	<p>Outdoor Living Area</p> <div style="border: 1px solid black; padding: 5px;"> <p>Outdoor living area per residential unit</p> <p>a. <u>Outdoor living areas shall have minimum areas and dimensions as follows:</u></p> <p><u>a. A residential unit at ground floor level must have an outdoor living space that is at least 20m². This may comprise a combination of ground floor, balcony, verandah, porch, patio or roof terrace space that:</u></p> <ol style="list-style-type: none"> <u>i. Where located at ground level, has no dimension less than 3m</u> <u>ii. Where provided in the form of a balcony, patio, verandah, porch or roof terrace, is at least 8m² and has a minimum dimension of 1.8m; and</u> <u>iii. Is accessible from the residential unit</u> </div>	Support	Kāinga Ora supports the standards, being consistent with the MDRS requirements.	Include the standard as-notified.

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>				
		<p>iv. <u>May be:</u></p> <ol style="list-style-type: none"> 1. <u>Grouped cumulatively by area in 1 communally accessible location; or</u> 2. <u>Located directly adjacent to the unit;</u> <p>v. <u>For four or more residential units, it is readily accessible from the principal living room; and</u></p> <p>vi. <u>Is free of buildings, parking spaces, and servicing and manoeuvring areas</u></p> <p><u>b. A residential unit above ground floor level must have an outdoor living space that is at least 8m² and has a minimum dimension of 1.8 metres. This outdoor space can be provided in the form of a balcony, patio, or roof terrace and:</u></p> <ol style="list-style-type: none"> i. <u>Must be accessible from the residential unit</u> ii. <u>May be:</u> <ol style="list-style-type: none"> 1. <u>Grouped cumulatively by area in 1 communally accessible location; or</u> 2. <u>Located directly adjacent to the unit.</u> <p>Outdoor living area per residential unit In the Rotokauri North Precinct the following applies:</p> <p><u>b. The outdoor living area may comprise two distinct areas where an unenclosed verandah / porch of minimum 8m² and with a minimum dimension of 1.8m is provided at the front of the residential unit on the ground floor, and a minimum 12m² living area with a minimum dimension of 3m is provided to the rear of the residential unit.</u></p> <p><u>The outdoor living area standards in Rule 4.3.4.10 do not apply to managed care facilities or rest homes. See Rule 4.3.5.5 and Rule 4.3.5.8</u></p>							
148.	<u>4.3.4.11</u>	<p>Waste Management and Service Area</p> <table border="1" data-bbox="430 1507 1626 1894"> <thead> <tr> <th data-bbox="430 1507 905 1549"><u>Description</u></th> <th data-bbox="905 1507 1626 1549"><u>Minimum requirements per residential unit.</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="430 1549 905 1894"><u>a. Residential units</u></td> <td data-bbox="905 1549 1626 1894"> <p>All residential units</p> <ol style="list-style-type: none"> i. Minimum of 5m² per residential unit ii. Minimum dimension 1.5m <p>For 4 or more residential units the following shall also apply:</p> <ol style="list-style-type: none"> i. No waste storage or collection point shall occur within the front yard setback ii. Spaces can be provided for each individual unit or cumulatively on a communal basis </td> </tr> </tbody> </table>	<u>Description</u>	<u>Minimum requirements per residential unit.</u>	<u>a. Residential units</u>	<p>All residential units</p> <ol style="list-style-type: none"> i. Minimum of 5m² per residential unit ii. Minimum dimension 1.5m <p>For 4 or more residential units the following shall also apply:</p> <ol style="list-style-type: none"> i. No waste storage or collection point shall occur within the front yard setback ii. Spaces can be provided for each individual unit or cumulatively on a communal basis 	Oppose	Kāinga Ora consider that this standard is better suited as assessment criteria to allow for design flexibility.	Delete the standard in its entirety.
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		<p>iii. A Waste Container Management Plan shall be prepared for the site.</p> <p><u>b. Community centres and visitor accommodation.</u></p> <p>iii. A Waste Container Management Plan shall be prepared for the site.</p> <p><u>e. Dairies (may be indoor or outdoor)</u></p> <p><u>d. All service areas</u></p> <p><u>e. The waste management and service area standards in Rule 4.3.4.11 do not apply to managed care facilities or rest homes. See Rule 4.3.5.5 and Rule 4.3.5.8</u></p> <p>Note: <u>Contact Council's Waste and Resource Recovery Team for advice on waste container management in the transport corridor.</u></p>			
		<p>iii. A Waste Container Management Plan shall be prepared for the site.</p> <p>i. Minimum of 10m²</p> <p>ii. Minimum dimension 1.5m</p> <p>iii. A Waste Container Management Plan shall be prepared for the site.</p> <p>i. Minimum 10m²</p> <p>ii. Minimum dimension 1.5m</p> <p>iii. Readily accessible to service vehicles</p> <p>iv. Indoor service area separately partitioned</p> <p>v. Outdoor service area; all-weather dust-free surface</p> <p>vi. A Waste Container Management Plan shall be prepared for the site.</p> <p>i. Clothes drying areas shall be readily accessible from each residential unit</p> <p>ii. Service areas shall be screened so they are not visible from a legal road, ground floor of adjoining residential sites, open space zones and public walkways by vegetation or fencing in accordance with Section 25.5</p> <p>iii. Rubbish and recycling areas required for each residential unit shall be located where bins can be moved for roadside collection without requirement for them to be moved through the residential unit (excluding garages)</p> <p>iv. Service areas may be located within garages where it is demonstrated that there is sufficient room to accommodate the minimum area without impeding parking</p> <p>v. For any apartment development the storage area for rubbish, recycling, and food scraps must be at ground level or in a basement</p> <p>vi. The maximum walking distance from any entrance to each residential unit within an apartment building to the storage area for rubbish, recycling and food scraps should not exceed 30 metres (lift travel distance excluded).</p>			

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149.	<u>4.3.4.12</u>	<p>Storage Area</p> <p>a. Each residential unit shall be provided with a storage area located at or below ground floor level, readily accessible to that residential unit, secure and weatherproof.</p> <p>b. The storage areas for each residential unit shall meet the following volume requirements:</p> <table border="1" data-bbox="433 800 1578 1012"> <thead> <tr> <th><u>Unit Type</u></th> <th><u>Minimum storage area volume</u></th> </tr> </thead> <tbody> <tr> <td>i. Studio unit</td> <td>3m³</td> </tr> <tr> <td>ii. One bedroom unit</td> <td>4m³</td> </tr> <tr> <td>iii. Two bedroom unit</td> <td>5m³</td> </tr> <tr> <td>iv. Three or more bedroom unit</td> <td>6m³</td> </tr> </tbody> </table> <p>d. The minimum dimensions for width and depth shall be 1.2m and the minimum height shall be 1.8m.</p>	<u>Unit Type</u>	<u>Minimum storage area volume</u>	i. Studio unit	3m³	ii. One bedroom unit	4m³	iii. Two bedroom unit	5m³	iv. Three or more bedroom unit	6m³	Oppose	Kāinga Ora consider that this standard is better suited as assessment criteria to allow for design flexibility.	Delete the standard in its entirety.
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150.	<u>4.3.4.13</u>	<p>Accessory Buildings, Vehicle Access, and Vehicle Parking</p> <table border="1" data-bbox="433 1251 1623 1738"> <thead> <tr> <th colspan="2"><u>Accessory buildings, vehicle access and vehicle parking for four or more residential units on a site</u></th> </tr> </thead> <tbody> <tr> <td><u>a.</u></td> <td><u>Any accessory building either attached and detached must be setback at least 1m from the front building line of the residential unit.</u></td> </tr> <tr> <td><u>b.</u></td> <td><u>Where a residential unit has a frontage width facing a street or a publicly accessible on-site access way (for pedestrians) equal to or greater than 12m: two single-width or one double-width garage or car port spaces, and one driveway / parking pad up to 6m wide, maximum can be provided.</u></td> </tr> <tr> <td><u>c.</u></td> <td><u>Where the residential unit has a frontage width facing a street or a publicly accessible on-site access way (for pedestrians) greater than 7.5m but less than 12m: one single-width garage or car port space, and one driveway / parking pad up to 3.5m wide may be provided.</u></td> </tr> <tr> <td><u>d.</u></td> <td><u>Where the residential unit has a frontage width facing a street or a publicly accessible on-site access way (for pedestrians) equal to or less than 7.5m: no garage or car port spaces within the residential unit's frontage is permitted and any vehicle access and garaging is to be provided by a rear lane (Except when 4.3.4.12 d. or for duplex residential units within the Rotokauri North Residential Precinct, then 4.3.4.12 f. applies).</u></td> </tr> </tbody> </table>	<u>Accessory buildings, vehicle access and vehicle parking for four or more residential units on a site</u>		<u>a.</u>	<u>Any accessory building either attached and detached must be setback at least 1m from the front building line of the residential unit.</u>	<u>b.</u>	<u>Where a residential unit has a frontage width facing a street or a publicly accessible on-site access way (for pedestrians) equal to or greater than 12m: two single-width or one double-width garage or car port spaces, and one driveway / parking pad up to 6m wide, maximum can be provided.</u>	<u>c.</u>	<u>Where the residential unit has a frontage width facing a street or a publicly accessible on-site access way (for pedestrians) greater than 7.5m but less than 12m: one single-width garage or car port space, and one driveway / parking pad up to 3.5m wide may be provided.</u>	<u>d.</u>	<u>Where the residential unit has a frontage width facing a street or a publicly accessible on-site access way (for pedestrians) equal to or less than 7.5m: no garage or car port spaces within the residential unit's frontage is permitted and any vehicle access and garaging is to be provided by a rear lane (Except when 4.3.4.12 d. or for duplex residential units within the Rotokauri North Residential Precinct, then 4.3.4.12 f. applies).</u>	Oppose in part	<p>Kāinga Ora generally supports the need to manage the number of vehicle crossings and garages to public streets.</p> <p>The duplication of standards relating to permeable surfaces and public interface is not required and Kāinga Ora request that this be deleted.</p> <p>Kāinga Ora does not support the inclusion of planting requirements associated with vehicle parking spaces on-site (and associated consent notice requirements). This is overly onerous and the landscaping requirements for a site, as imposed through the MDRS, are sufficient.</p> <p>Amendments sought.</p>	<ol style="list-style-type: none"> 1. Include the standard as-notified, subject to deletion of the 'consent notice' reference. 2. Delete standards e.iii-iv and rely upon these standards as included under 4.2.5.3 and 4.2.5.8 subject to the relief sought. 3. Delete standard 4.2.5.13.f. 4. Delete onerous consent notice requirement under 4.2.5.13.g.i.
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		<p><u>e.</u> For any duplex and/or terrace housing development containing no more than 6 residential units where the individual residential units have a frontage width equal to or less than 7.5m then one external parking pad may be provided in the front yard up to 3.5m wide and no less than 5.5m deep for each residential unit where the following are met:</p> <p><u>i.</u> It must be an unenclosed parking pad and shall not be enclosed into a carport or garage at any time;</p> <p><u>ii.</u> Access to the parking pads shall be restricted to local roads or publicly accessible on-site access ways of no less than 7m in width;</p> <p>iii. The development must comply with the requirements for permeable surface standards in Rule 4.2.5.3 and the boundary fencing and wall standards in Rule 4.3.4.7; and</p> <p>iv. Each residential unit must have at least one habitable room with clear glazed window facing the local road.</p> <p>f. Where an on-site vehicle parking area includes more than 4 parking spaces, the parking area shall be</p> <p>i. Landscaped at the rate of 1 tree per 5 parking spaces, planted within or immediately adjacent to the parking spaces;</p> <p>Rule 4.3.3.12 f. takes preference over the requirements in Rule 25.5.4.6 Internal planting.</p> <p>Accessory buildings, vehicle access and vehicle parking for four or more residential units on a site within the Rotokauri North Residential Precinct the following rules also apply</p> <p><u>g.</u> For duplex residential units that have a frontage width facing a local street or a publicly accessible on-site access way with a width equal to or less than 7.5m, and have a habitable room with clear glazed window facing the transport corridor, the following apply:</p> <p><u>i.</u> Each residential unit within the duplex unit may only have one car parking space. It must be an unenclosed parking pad and shall not be enclosed into a carport or garage at any time. The related subdivision consent shall record this on the record of title as a consent notice.</p> <p><u>ii.</u> The car park for each residential unit must be at least 2.5m x 5.5m, be located next to one another and be accessed from a single double-width vehicle crossing.</p> <p><u>iii.</u> The vehicle crossing must be located at one side of the site and both parking spaces must be contained within 6.5m of the relevant side boundary.</p> <p><u>iv.</u> Clauses i to iii do not apply to any duplex dwelling where vehicle access is obtained from a rear lane.</p> <p><u>h.</u> On a site where the transportation corridor boundary is:</p>			

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		<table border="1" style="width: 100%;"> <tr> <td style="width: 20px;"></td> <td>i. <u>12.5m or greater the garage door width shall not exceed 6m of the front building line.</u></td> </tr> <tr> <td></td> <td>ii. <u>Less than 12.5m, only a single garage door up to 3.5m wide is allowed on the front building line.</u></td> </tr> <tr> <td>i.</td> <td><u>If the garage door does not face the transport corridor, a minimum of 20% of the garage façade facing the transport corridor must be glazed. This rule does not apply to garages or carports facing a rear lane.</u></td> </tr> </table> <p>Note:</p> <p>1. <u>The combine width of vehicle crossings and any parking spaces are to be measured along the front boundary where it adjoins the transport corridor.</u></p>		i. <u>12.5m or greater the garage door width shall not exceed 6m of the front building line.</u>		ii. <u>Less than 12.5m, only a single garage door up to 3.5m wide is allowed on the front building line.</u>	i.	<u>If the garage door does not face the transport corridor, a minimum of 20% of the garage façade facing the transport corridor must be glazed. This rule does not apply to garages or carports facing a rear lane.</u>			
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151.	4.3.4.14	<p>Built Form</p> <p><u>For any terrace housing or apartment development containing four <u>seven</u> or more residential units</u></p> <p>a. <u>No wall which is parallel to or up to an angle of 30o to any external boundary except the road frontage shall exceed 15m in length without there being a step in (or out) plan of at least 1.8m depth and 4m in length.</u></p>	Support	<p>Kāinga Ora supports the standard and the need to ensure that the increased built form enabled by the height in relation to boundary standard is not exacerbated through excessive unrelieved building length.</p> <p>A small amendment is sought to align with the relief sought by Kāinga Ora within its submission.</p>	<p>Include that standard as-notified with amendment.</p> <p>Amendments sought.</p>						
152.	4.3.4.15	<p>Universal Access</p> <table border="1" style="width: 100%;"> <tr> <td colspan="2"><u>For applications including 10 or more residential units</u></td> </tr> <tr> <td>a.</td> <td><u>At least 10% of residential units on a site shall be designed to provide convenient wheelchair access including:</u></td> </tr> <tr> <td></td> <td> <p>i. <u>Access from a street to an entry door (which may be a front, back or side door) using gradients no greater than 1:20 and has a level (stepless) transitions from inside to outside.</u></p> <p>ii. <u>Doorways that are at least 810mm (door leaf 860mm) wide to fit a wheelchair.</u></p> <p>iii. <u>At least one bedroom and accessible bathroom be located at ground level and on the same level as the kitchen and living room.</u></p> </td> </tr> </table>	<u>For applications including 10 or more residential units</u>		a.	<u>At least 10% of residential units on a site shall be designed to provide convenient wheelchair access including:</u>		<p>i. <u>Access from a street to an entry door (which may be a front, back or side door) using gradients no greater than 1:20 and has a level (stepless) transitions from inside to outside.</u></p> <p>ii. <u>Doorways that are at least 810mm (door leaf 860mm) wide to fit a wheelchair.</u></p> <p>iii. <u>At least one bedroom and accessible bathroom be located at ground level and on the same level as the kitchen and living room.</u></p>	Oppose	<p>Kāinga Ora opposes the standard. Universal access requirements are already managed through the Building Act. It is onerous and unjustified to require a minimum number of universally accessible units for <i>all</i> development and this is better provided in response to market demand. There is insufficient s32 analysis on the compliance costs of such a requirement for all residentially-zoned development across the City.</p>	Delete the standard as-notified.
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		<p><u>Note:Where the assessment of the number of accessible units results in a fractional number, any fraction under one half shall be disregarded and fractions of one half or greater shall be considered as one residential unit.</u></p>													
153.	4.3.4.16	<p>River Interface Overlay in Te Awa Lakes Residential Precinct</p> <table border="1" data-bbox="433 1094 1626 1335"> <thead> <tr> <th colspan="2">River interface overlay</th> </tr> </thead> <tbody> <tr> <td>a.</td> <td><u>The minimum area of land (net site area) required in respect of each residential unit adjoining any existing or proposed esplanade reserve adjacent to the Waikato River shall be 1,000m².</u></td> </tr> <tr> <td>b.</td> <td><u>The maximum height of a building or structure is 8m.</u></td> </tr> <tr> <td>c.</td> <td><u>The General Residential Zone Rules in 4.2.5.2, 4.2.5.3 and 4.2.5.5 shall apply.</u></td> </tr> <tr> <td>d.</td> <td><u>The following rules do not apply to this overlay 4.3.4.1, 4.3.4.2, 4.3.4.3 and 4.3.4.5.</u></td> </tr> </tbody> </table>	River interface overlay		a.	<u>The minimum area of land (net site area) required in respect of each residential unit adjoining any existing or proposed esplanade reserve adjacent to the Waikato River shall be 1,000m².</u>	b.	<u>The maximum height of a building or structure is 8m.</u>	c.	<u>The General Residential Zone Rules in 4.2.5.2, 4.2.5.3 and 4.2.5.5 shall apply.</u>	d.	<u>The following rules do not apply to this overlay 4.3.4.1, 4.3.4.2, 4.3.4.3 and 4.3.4.5.</u>	Support	Kāinga Ora supports the existing requirements and need to ensure an appropriate interface with the Waikato River.	Retain as-notified, including any consequential amendments necessary to give effect to the relief sought in the Kāinga Ora submission.
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c.	<u>The General Residential Zone Rules in 4.2.5.2, 4.2.5.3 and 4.2.5.5 shall apply.</u>														
d.	<u>The following rules do not apply to this overlay 4.3.4.1, 4.3.4.2, 4.3.4.3 and 4.3.4.5.</u>														
154.	4.3.4.17	<p>Affordable Housing</p> <table border="1" data-bbox="433 1402 1626 1894"> <thead> <tr> <th colspan="2">Affordable housing in the Te Awa Lakes Residential Precinct</th> </tr> </thead> <tbody> <tr> <td>a.</td> <td><u>i. At least 10% of the residential units of the total Development Yield of 892 (+/- 10%) shall be sold on the open market at a price that is no more than 90% of the average Hamilton city residential house value, as shown in the most recent June figures published by Quotable Value (www.qv.co.nz) at the date of sale and purchase agreement (to transfer the property to the buyer).</u></td> </tr> <tr> <td></td> <td><u>ii. The buyer must not, at the time of purchase, own a residential unit either solely or jointly with another person (including as a trustee of a trust).</u></td> </tr> <tr> <td></td> <td><u>iii. All Consent applications shall include details of the location, number and percentage of any affordable housing units or allotments and shall include details of the cumulative total of affordable residential unit sales to date to demonstrate that 10% of affordable residential units of the total Development Yield will be achieved.</u></td> </tr> </tbody> </table>	Affordable housing in the Te Awa Lakes Residential Precinct		a.	<u>i. At least 10% of the residential units of the total Development Yield of 892 (+/- 10%) shall be sold on the open market at a price that is no more than 90% of the average Hamilton city residential house value, as shown in the most recent June figures published by Quotable Value (www.qv.co.nz) at the date of sale and purchase agreement (to transfer the property to the buyer).</u>		<u>ii. The buyer must not, at the time of purchase, own a residential unit either solely or jointly with another person (including as a trustee of a trust).</u>		<u>iii. All Consent applications shall include details of the location, number and percentage of any affordable housing units or allotments and shall include details of the cumulative total of affordable residential unit sales to date to demonstrate that 10% of affordable residential units of the total Development Yield will be achieved.</u>	Oppose	While Kāinga Ora understand such provisions have 'rolled over' from the operative District Plan, the inclusion of affordability requirements is not appropriate now that the Housing Accords and Special Housing Areas Act ('HASHAA') has been repealed. The NPSUD seeks to enable intensification and a consequential increase in housing supply to promote affordability across the full spectrum of residential development, such that the 'affordability' requirements of HASHAA are no longer appropriate and may in fact frustrate the development sector's ability to deliver housing.	Delete the standard as-notified.		
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ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
		<p>iv. Where parent fee simple titled sections or 'super lots' for future duplex or apartment units are proposed, the unit yield and future subdivision opportunity for individual fee simple titled sections shall be identified for the purpose of identifying the affordable housing yield in accordance with ii and iii above.</p> <p>v. A consent notice or other legal mechanism shall be placed on the computer freehold register for each affordable residential unit and/or fee simple titled section at the time of subdivision s224 (c) certification, requiring that the provision in 4.3.4.16 a.i above is to be met for three years from the date of issue of title.</p> <p>vi. Not less than 9 of the Development Areas shall include a minimum 10% affordable housing component.</p> <p>Any non-compliance with this rule shall be a Discretionary Activity.</p>			
155.	4.3.4.18	<p>Development Rules in the Ruakura Residential Precinct</p> <p>a. <u>Activities listed in 4.3.3.1 Rules – Activity Status Table – Medium Density Residential Zone which are undertaken in the Ruakura Residential Precinct shall comply with Rules 3.7.4.1, 3.7.4.2, 3.7.4.3, 3.7.4.4, 3.7.4.5 and 3.7.5 in Chapter 3: Structure Plans.</u></p>	Support	Kāinga Ora support the specific precinct standards that apply, which account for the place-based planning processes that have already taken place.	Retain as-notified, including any consequential amendments necessary to give effect to the relief sought in the Kāinga Ora submission.
156.	4.3.4.19	<p>Development Rules in Te Awa Lakes Residential Precinct</p> <p>a. <u>Resource consent applications for activities listed in a) 4.3.3.1 Activity Status Table – Development Activities - Te Awa Lakes Development Areas Q and R shall be obtained for the entire development (which may be staged) of not less than one of the Development Areas in Figure 2-21, together with any adjacent Development Areas or parts of Development Areas, in conjunction with land use, subdivision and development under any other rule of the Medium- Density Residential Zone.</u></p> <p>b. <u>It is anticipated that resource consents for Development Activities will obtained at the same time to ensure that development within Te Awa Lakes is comprehensively planned from the outset and integrated and coordinated with development yet to occur.</u></p> <p>c. <u>A resource consent application shall provide the information required by Information Requirements 1.2.2.21 – Development Consent - Te Awa Lakes Residential Precinct - Medium-Density Residential Zone (Volume 2, Appendix 1).</u></p> <p>d. <u>Resource consent applications will be assessed in accordance with the functions of the Hamilton City Council prescribed in Section 31 of the Resource Management Act. Consents may also be required from Waikato Regional Council under the Waikato Regional Plan e.g. for stormwater discharge.</u></p> <p>e. <u>Applications for any restricted discretionary activity identified with an asterisk(*) in the relevant zone chapter shall be considered without notification or the need to obtain approval from affected persons.</u></p> <p>f. <u>Resource consent applications shall demonstrate the minimum freeboard heights specified in Rule 22.5.6 c shall be complied with, based on a level of 16.13m RL for the 1% annual exceedance probability event.</u></p>	Support	Kāinga Ora support the specific precinct standards that apply, which account for the place-based planning processes that have already taken place.	Retain as-notified, including any consequential amendments necessary to give effect to the relief sought in the Kāinga Ora submission.

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
		<p><u>g.</u> <u>Activities listed in 4.3.3.1 Rules – Activity Status Table – Medium Density Residential zone which are undertaken in the Te Awa Lakes Structure Plan Area shall comply with rules 3.8.5.1, 3.8.5.2, 3.8.5.3, 3.8.5.4, 3.8.5.5 and 3.8.6 in Chapter 3, Structure Plans.</u></p>			
4.3.5 Rules – Specific Standards					
157.	<u>4.3.5.7</u>	<p>Rest Home (Except in the Ruakura and Rotokauri North Residential Precinct)</p> <p><u>a. Maximum occupancy shall be 10 residents (including live-in staff).</u></p> <p>b. The maximum density for rest homes shall be one person per 50m² of net site area.</p> <p><u>c. An outdoor living area shall be provided that:</u></p> <p><u>i. Is for the exclusive use of the residents. ii. Is readily accessible to all residents.</u></p> <p><u>iii. Is free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.</u></p> <p><u>iv. Has a maximum area of impermeable surfaces not exceeding 60% of the outdoor living area.</u></p> <p><u>d. The outdoor living area shall be provided communally which shall comprise:</u></p> <p><u>i. At least 12m² per resident.</u></p> <p><u>ii. A minimum dimension of not less than 4m.</u></p> <p><u>iii. At least capable of containing a 6m-diameter circle.</u></p> <p><u>iv. At least 60% provided at ground level, and any outdoor living space that is not at ground level is provided on upper floor decks wider than 1m.</u></p> <p><u>e. A service area shall be provided with areas and dimensions as follows:</u></p> <p><u>i. Minimum area of 20m².</u></p> <p><u>ii. Minimum dimension of 3m.</u></p> <p><u>iii. Provided that where a fully equipped laundry (both washing and drying machines) is provided in rest home, then the service area can be reduced to a minimum of 16m² with a minimum dimension of 2m.</u></p> <p><u>iv. And a Waste Container Management Plan shall be prepared for the site.</u></p>	Support in part	Kāinga Ora does not support the inclusion of a density requirement for rest homes, which is an inefficient requirement for a permitted activity. Where a maximum of 10 persons can be accommodated as a permitted activity in compliance with all relevant standards, would be sufficient to ensure an appropriate level of amenity and to sufficiently-enable housing associated with aged-care.	Amend the standard as-notified to remove the density requirement, which is inconsistent with the principles of the NPS-UD. Amendments sought.
158.	<u>4.3.5.9</u>	<p>Pruning and maintenance of a tree where the trunk is located within a Significant Natural Area and the canopy overhangs the boundary of a SNA in Schedule 9C (Volume 2, Appendix 9)</p> <p>a. Shall comply with the following:</p>	Oppose	Kāinga Ora opposes the standard as it is already an activity identified in Chapter 25.2 – Earthworks and Vegetation removal. Specifically, 25.2.3K Rules – Activity Status Table as-proposed under PC9. An	Delete the standard as-notified.

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		<p>i. Maximum amount of foliage to be removed per tree per calendar year is 15%</p> <p>ii. Maximum thickness (cross-section) of any branch or root that may be cut is 50mm.</p>		additional standard achieving the same outcome is therefore not required.											
4.3.6 Controlled Activities: Matters of Control															
159.	4.3.6	<p><u>In determining any application for resource consent for a controlled activity, the Council shall reserve its control over the following matters.</u></p> <table border="1" data-bbox="430 907 1605 1165"> <thead> <tr> <th data-bbox="430 907 1077 993">Activity</th> <th data-bbox="1077 907 1605 993">Matter of Control (Refer to Volume 2, Appendix 1.3.2)</th> </tr> </thead> <tbody> <tr> <td data-bbox="430 993 1077 1035"><u>Childcare facility for up to five children</u></td> <td data-bbox="1077 993 1605 1035">F – Ruakura</td> </tr> <tr> <td data-bbox="430 1035 1077 1077"><u>Dairy</u></td> <td data-bbox="1077 1035 1605 1077">F – Ruakura</td> </tr> <tr> <td data-bbox="430 1077 1077 1119"><u>Community centre</u></td> <td data-bbox="1077 1077 1605 1119">F – Ruakura</td> </tr> <tr> <td data-bbox="430 1119 1077 1165"><u>Relocated buildings</u></td> <td data-bbox="1077 1119 1605 1165">F – Ruakura</td> </tr> </tbody> </table>	Activity	Matter of Control (Refer to Volume 2, Appendix 1.3.2)	<u>Childcare facility for up to five children</u>	F – Ruakura	<u>Dairy</u>	F – Ruakura	<u>Community centre</u>	F – Ruakura	<u>Relocated buildings</u>	F – Ruakura	Support	Kāinga Ora support the provision.	Retain as-notified.
Activity	Matter of Control (Refer to Volume 2, Appendix 1.3.2)														
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<u>Dairy</u>	F – Ruakura														
<u>Community centre</u>	F – Ruakura														
<u>Relocated buildings</u>	F – Ruakura														
4.3.7 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria															
160.	4.3.7	<p><u>In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters referenced below, to which Council has restricted the exercise of its discretion. Assessment Criteria within Volume 2, Appendix 1.3 provide for assessment of applications as will any relevant objectives and policies. In addition, when considering any Restricted Discretionary Activity located within the Natural Open Space Zone, Waikato Riverbank and Gully Hazard Area, or Significant Natural Area, Council will also restrict its discretion to Waikato River Corridor or Gully System Matters (see the objectives and policies of Chapter 21: Waikato River Corridor and Gully Systems)</u></p> <table border="1" data-bbox="430 1522 1605 1911"> <thead> <tr> <th data-bbox="430 1522 937 1608">Activity Specific</th> <th data-bbox="937 1522 1605 1608">Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)</th> </tr> </thead> <tbody> <tr> <td data-bbox="430 1608 937 1843">i. 4 7 or more dwellings on a site</td> <td data-bbox="937 1608 1605 1843"> B – Design and Layout C - Character and Amenity J – Three Waters Capacity and Techniques <ul style="list-style-type: none"> The extent and effects on the three waters infrastructure, achieved by demonstrating that at the point of connection the infrastructure has the capacity to service the development. </td> </tr> <tr> <td data-bbox="430 1843 937 1911">ii. Infringements of one or more standards – up to 3 6 dwellings per site</td> <td data-bbox="937 1843 1605 1911">B – Design and Layout</td> </tr> </tbody> </table>	Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)	i. 4 7 or more dwellings on a site	B – Design and Layout C - Character and Amenity J – Three Waters Capacity and Techniques <ul style="list-style-type: none"> The extent and effects on the three waters infrastructure, achieved by demonstrating that at the point of connection the infrastructure has the capacity to service the development. 	ii. Infringements of one or more standards – up to 3 6 dwellings per site	B – Design and Layout	Oppose in part	<p>Kāinga Ora supports the referencing of the established assessment criteria under the operative provisions – to the extent they are consistent with the overall Kāinga Ora submission including the amendments to allow for up to 6 dwellings as a permitted activity.</p> <p>However, in light of the NPS-UD and acknowledgement that existing environments will change in response to the planned urban built form character and amenity that is prescribed, Kāinga Ora consider that the existing matters of discretion need to be reframed to account for this when assessing enabled residential development of up to 6 dwellings per site where standards are infringed as sought by Kāinga Ora.</p>	<ol style="list-style-type: none"> Amend the matters of discretion for residential dwellings, to refine the scope of any assessment and ensure assessment relates to the planned urban built-form character of the zone consistent with the NPS-UD and the overall Kāinga Ora submission. Insert an additional matter of discretion in relation to three waters infrastructure for seven or more dwellings per site. This approach seeks to ensure the appropriate assessment is undertaken (within the scope of the proposed matter of discretion), given Kāinga Ora opposition to, and sought-deletion of, the proposed infrastructure constraint overlay (refer 				
Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)														
i. 4 7 or more dwellings on a site	B – Design and Layout C - Character and Amenity J – Three Waters Capacity and Techniques <ul style="list-style-type: none"> The extent and effects on the three waters infrastructure, achieved by demonstrating that at the point of connection the infrastructure has the capacity to service the development. 														
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		<ul style="list-style-type: none"> <u>The extent to which the development delivers quality on-site amenity and occupant privacy that is appropriate for its scale.</u> <p><u>C - Character and Amenity</u></p> <ul style="list-style-type: none"> <u>The extent to which the scale, form, and appearance of the development is compatible with the planned urban built form character of the neighbourhood.</u> <u>The extent to which the development contributes to a safe and attractive public realm and streetscape.</u> <p><u>J – Three Waters Capacity and Techniques</u></p> <ul style="list-style-type: none"> <u>The extent and effects on the three waters infrastructure, achieved by demonstrating that at the point of connection the infrastructure has the capacity to service the development.</u> <p>Except in relation to non-compliance with Rule 4.3.4.3 a, where matters of discretion will be limited to JJ - Stormwater Quantity and Quality.</p>		Kāinga Ora also propose an additional matter of discretion in relation to three waters infrastructure for seven or more dwellings per site. This approach seeks to ensure the appropriate assessment is undertaken (within the scope of the proposed matter of discretion), given Kāinga Ora opposition to, and sought-deletion of, the proposed infrastructure constraint overlay (refer to submission on Chapter 25). Consequential changes to other listed activities and associated matters of discretion may be required should the relief sought in relation to the infrastructure constraint overlay be granted.	to submission on Chapter 25). As a consequence, assessment criterion (iii) is a duplication and sought to be deleted as it is no longer required.
		iii. Infringements of one or more standards – 4 or more dwellings per site	B – Design and Layout C – Character and Amenity		3. Consequential changes to other listed activities and associated matters of discretion may be required should the relief sought in relation to the infrastructure constraint overlay be granted.
		iv. Childcare facility for 6 or more children	B – Design and Layout C - Character and Amenity		4. Include the provisions as-notified to the extent they are consistent with the overall Kāinga Ora submission.
		v. Community centre (Except in the Ruakura and Rotokauri North Residential Precinct)	B – Design and Layout C - Character and Amenity		
		vi. Dairy	B – Design and Layout C - Character and Amenity		
		vii. Papakainga*	B – Design and Layout C - Character and Amenity		
		viii. Marae provided as part of a papakainga development*	B – Design and Layout C - Character and Amenity B – Design and Layout C - Character and Amenity		
		ix. Rest home (Except within the Ruakura and Rotokauri North Residential Precincts)	B – Design and Layout C - Character and Amenity		
		x. Show Home	B – Design and Layout C - Character and Amenity		
		xi. Retirement Village	B – Design and Layout C - Character and Amenity		

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		<p>xii. Any earthworks within the root protection zone of a tree where the trunk is located within a Significant Natural Area in Schedule 9c (Volume 2, Appendix 9)</p> <p>Ruakura Residential Precinct</p> <p>xiii. One Integrated Retail Development in accordance with the general location identified on Figure 2-14 Ruakura Structure Plan – Land Use (Appendix 2)*</p> <p><i>Note</i> 1. Refer to Chapter 1.1.9 for activities marked with an asterisk</p>			
4.4 High Density Residential Zone					
4.4.1 Purpose					
161.	<u>4.4.1</u>	<p>The High Density Residential Zone is predominantly for residential activities with high concentration and bulk of buildings, such as apartments, and other compatible activities. This Zone provides for the greatest heights and densities within Hamilton City, thereby contributing to housing choice. Buildings of at least 6 storeys can be readily anticipated within this Zone, including adjacent to pre-existing 1 to 2 storey detached dwellings. As a result, the character of the Zone is anticipated to change substantially over time.</p> <p>The Zone is applied in areas that are within a walkable catchment of the edge of the Central City Zone as well as identified centres, to ensure that High Density development and residents therein have convenient access housing, jobs, community services, natural spaces and open spaces by way of public transport or active transport modes. Greater height is enabled where there is walkable access to the Central City Zone and/or ease of access through active transport modes and public transport.</p> <p>The High Density Residential Zone has a Visitor Facilities Precinct which recognises the existing visitor accommodation around Ulster Street. This area includes the sites fronting Ulster Street, from Mill Street to Beetham Park and provides for a high-density mix of visitor and permanent residential accommodation in the form of multi-unit and apartment developments. Ancillary activities often accompany visitor accommodation, such as conference facilities and restaurants.</p> <p>The design and layout of sites and buildings in the High Density Residential Zone are critically important. Resource consent is required to ensure that development provides for high quality urban design and visually attractive buildings, and that adequate on-site amenity and privacy consistent with the expected urban built character of the Zone is provided for.</p>	Support in part	<p>Kāinga Ora generally supports the purpose statement. Being consistent with the NPSUD Policy 3(c) requirement to provide for 'at least' six storey development.</p> <p>In that context and consistent with the overall Kāinga Ora submission on the Strategic Framework and spatial extent of the Residential Zones, Kāinga Ora submits that it is appropriate to provide for greater than 6 storey development. Kāinga Ora considers that the walkable catchments proposed, represent a reduction in generally-accepted distances. The 400m and 200m distances being applied are very small and unduly reduce the opportunities for the level of intensification otherwise required under the NPS-UD, particularly in relation to 'metropolitan centres' which are similar to 'sub-regional centres' under the ODP. There is insufficient justification or analysis within the s32 assessment as to the walkable catchments that have been</p>	<p>Amend the purpose statement to reflect the Kāinga Ora submission seeking 'greater than 6 storeys' height within 800m of the City Centre through and additional height overlay, and the proposed extended spatial extent of the zone as shown on the maps within Appendix 2 to the Kāinga Ora submission.</p> <p>Amendments sought.</p>

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		<p><u>The Plan places particular emphasis on the importance of development integrating with and positively contributing to the quality, safety, and convenience of publicly accessible spaces. These include publicly-owned roads and parks, but also privately owned spaces that are primarily intended to provide public access to development, and that development in turn fronts on to or addresses.</u></p>		<p>applied, and the effect that consequentially has on the spatial extent of intensification under relevant zones.</p> <p>As such the provisions should be amended to provide for high density development of 'at least' 6 storeys within 1200m of the Central City (policy 3(C)(ii)), 800m of the sub-regional centre of Chartwell and 800m surrounding key public transport spines (Ulster Street, Te Rapa Road, Peach Grove, Hukanui and the Orbiter routes). Additionally, high density development should be provided for within 400-800m of the following Town Centres:</p> <ul style="list-style-type: none"> - Rototuna (North) - Ruakura - Rotokauri - Peacocke - Five Crossroads - Thomas Road - Frankton - Hamilton East (Grey Street) - Dinsdale <p>Appendix 2 to the submission provides the proposed spatial extent of the HDRZ, consequential changes to other affected zones, and height overlay sought by Kāinga Ora.</p>	

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4.4.2 Objectives and Policies: High Density Residential Zone					
162.	4.4.2.1	<p>Objective</p> <p>4.4.2.1</p> <p><u>The High Density Residential Zone and development within it:</u></p> <p><u>a. Provides for high density living that contributes to housing choice in areas with good accessibility to the Central City via public transport and active modes.</u></p> <p><u>b. Provides for a range of housing typologies that are consistent with an intended high density urban character of at least 6 storeys.</u></p>	Support	Kāinga Ora supports the objective as-notified, being consistent with the requirements of the NP-SUD.	Include the objective as-notified.
163.	4.4.2.1a-b	<p>Policies</p> <p>4.4.2.1a</p> <p><u>Enable a variety of housing typologies, including multi-storey apartment buildings.</u></p> <p>4.4.2.1b</p> <p><u>Require the height, bulk, density and appearance of development to contribute to a high density urban character of at least 6 storeys, with greater height enabled in identified locations that are in proximity to the Central City.</u></p> <p>Explanation</p> <p><u>This objective and associated policies recognise the role and function of the High Density Residential Zone as being able to accommodate high density residential uses, including multi-storey apartment buildings.</u></p> <p><u>The National Policy Statement on Urban Development requires high-growth Councils to enable the provision of high density in areas that are considered to have good access to a range of activities, including employment, recreation and services, by way of active and public transport. The High Density Residential Zone is located in proximity to the Central City, which is the City's primary centre for commercial, civic and social activities, and the region's cultural and recreational hub.</u></p> <p><u>By requiring new developments to contribute to a high density urban character, development within this Zone will collectively contribute to increasing housing choice and variety. Development will also, across time, concentrate the population of Hamilton to support the viability of alternative transportation modes, including active transport and public transport.</u></p>	Support in part	Kāinga Ora supports the policies as-notified, being consistent with the requirements of the Housing Supply Act.	<p>Include the policies and explanation as-notified, with the proposed amendment to reflect the Kāinga Ora submission.</p> <p>Amendments sought.</p>

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164.	<u>4.4.2.2</u>	<p>Objective</p> <p><u>4.4.2.2</u></p> <p><u>Development within the High Density Residential Zone incorporates best practice urban design principles that contribute to an attractive, liveable and functional high density environment.</u></p>	Support	Kāinga Ora supports the objective as-notified, and the need to ensure 'well-functioning environments' to accommodate the level of intensity anticipated in the zone.	Include the objective as-notified.
165.	<u>4.4.2.2a-c</u>	<p>Policies</p> <p><u>4.4.2.2a</u></p> <p><u>Enable developments that contribute to a well-designed high density environment, including through the use of height, design and scale, visually interesting roof profiles, recesses and projections, fenestration and façade treatments.</u></p> <p><u>4.4.2.2b</u></p> <p><u>Require developments adjoining existing pedestrian and cycling thoroughfares (such as walkways) to connect to and interface with these in a manner that is useable, practical and safe.</u></p> <p><u>4.4.2.2c</u></p> <p><u>Require developments to provide for functional and useable on-site amenities, including accessible storage space that meet household requirements.</u></p> <p>Explanation</p> <p><u>This objective and associated policies recognise the importance of best practice urban design in a high density environment. Development within this Zone may require a specific design response in terms of scale, height, materials and form to ensure that it positively contributes to a high density environment.</u></p> <p><u>In situations where developments adjoin existing walkways or thoroughfares, pedestrian and cycling connectivity to these spaces should be provided. Over time, this will enhance the off-road pedestrian and cycling network in this Zone, contribute to neighbourhood permeability and improve connectivity and walkability for users.</u></p> <p><u>It is critical that developments in the High Density Residential Zone are designed to provide functional on-site amenities, including storage space. These spaces should be of a size that are able to meet the demand of the households, and should be located where they be easily accessed, such as the basement or ground floor of the building.</u></p>	Support	Kāinga Ora supports the policies as-notified, and the need to ensure 'well-functioning environments' to accommodate the level of intensity anticipated in the zone.	Include the policies as-notified.

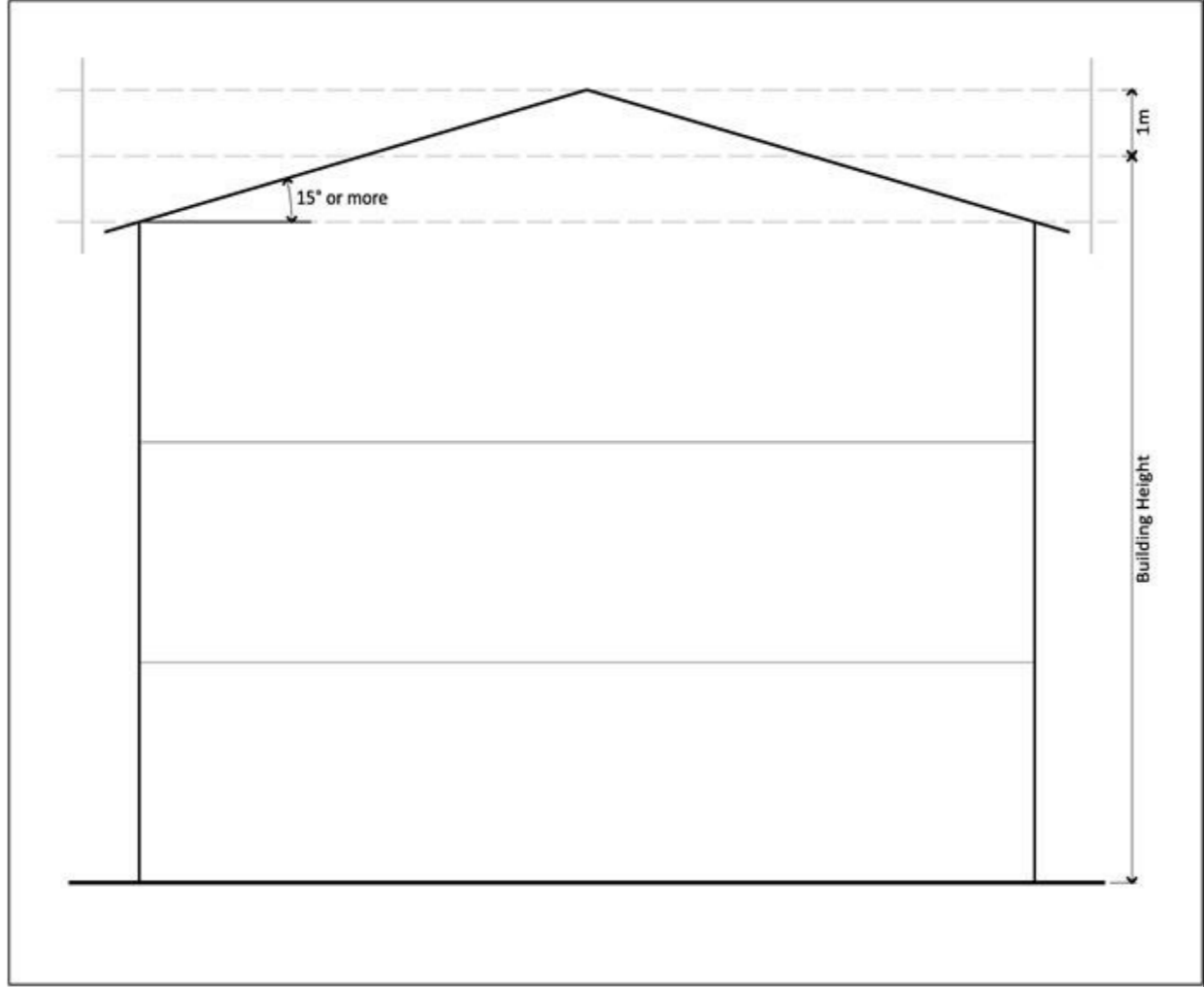
ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>																																																						
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4.4.3.1 – Activity Status Table																																																											
166.	4.4.3.1	<table border="1"> <thead> <tr> <th data-bbox="439 699 1270 737">Activity</th> <th data-bbox="1270 699 1641 737">High Density Residential Zone</th> </tr> </thead> <tbody> <tr><td data-bbox="439 737 1270 779">a. Accessory building</td><td data-bbox="1270 737 1641 779"><u>P</u></td></tr> <tr><td data-bbox="439 779 1270 821">b. Ancillary residential structures</td><td data-bbox="1270 779 1641 821"><u>P</u></td></tr> <tr><td data-bbox="439 821 1270 863">c. Emergency housing for up to 10 residents</td><td data-bbox="1270 821 1641 863"><u>P</u></td></tr> <tr><td data-bbox="439 863 1270 905">d. Residential activities</td><td data-bbox="1270 863 1641 905"><u>P</u></td></tr> <tr><td data-bbox="439 905 1270 947">e. One residential unit on a site</td><td data-bbox="1270 905 1641 947">NC</td></tr> <tr><td data-bbox="439 947 1270 989">f. 2 Up to 6 residential units on a site</td><td data-bbox="1270 947 1641 989">DP</td></tr> <tr><td data-bbox="439 989 1270 1031">g. <u>3</u> 7 or more residential units on a site</td><td data-bbox="1270 989 1641 1031"><u>RD*</u></td></tr> <tr><td data-bbox="439 1031 1270 1073"><u>[new activity] Papakāinga containing up to 6 residential units</u></td><td data-bbox="1270 1031 1641 1073"><u>P</u></td></tr> <tr><td data-bbox="439 1073 1270 1115">h. Papakāinga containing <u>4</u> 7 or more residential units</td><td data-bbox="1270 1073 1641 1115"><u>RD*</u></td></tr> <tr><td data-bbox="439 1115 1270 1157">i. Rest home</td><td data-bbox="1270 1115 1641 1157"><u>RD*</u></td></tr> <tr><td data-bbox="439 1157 1270 1199">j. Managed care facilities</td><td data-bbox="1270 1157 1641 1199"><u>P</u></td></tr> <tr><td data-bbox="439 1199 1270 1241">i. Up to 10 residents (excluding emergency housing)</td><td data-bbox="1270 1199 1641 1241"><u>D</u></td></tr> <tr><td data-bbox="439 1241 1270 1283">ii. 11 or more residents (excluding emergency housing)</td><td data-bbox="1270 1241 1641 1283"></td></tr> <tr><td data-bbox="439 1283 1270 1325">k. Residential centre</td><td data-bbox="1270 1283 1641 1325"><u>D</u></td></tr> <tr><td data-bbox="439 1325 1270 1367">l. Retirement Village</td><td data-bbox="1270 1325 1641 1367"><u>RD*</u></td></tr> <tr><td colspan="2" data-bbox="439 1367 1641 1409">Commercial Activities and Structures</td></tr> <tr><td data-bbox="439 1409 1270 1451">m. Home-based business</td><td data-bbox="1270 1409 1641 1451"><u>P</u></td></tr> <tr><td data-bbox="439 1451 1270 1493">n. Homestay accommodation</td><td data-bbox="1270 1451 1641 1493"><u>P</u></td></tr> <tr><td data-bbox="439 1493 1270 1535">o. Show homes</td><td data-bbox="1270 1493 1641 1535"><u>RD</u></td></tr> <tr><td data-bbox="439 1535 1270 1577">p. Childcare facility</td><td data-bbox="1270 1535 1641 1577"><u>P</u></td></tr> <tr><td data-bbox="439 1577 1270 1619">i. Up to 5 children</td><td data-bbox="1270 1577 1641 1619"><u>RD</u></td></tr> <tr><td data-bbox="439 1619 1270 1661">ii. Six or more children</td><td data-bbox="1270 1619 1641 1661"></td></tr> <tr><td data-bbox="439 1661 1270 1703">q. Dairy on the ground floor of a building</td><td data-bbox="1270 1661 1641 1703"><u>RD</u></td></tr> <tr><td data-bbox="439 1703 1270 1745">r. Dairy on upper floor of a building</td><td data-bbox="1270 1703 1641 1745"><u>NC</u></td></tr> <tr><td data-bbox="439 1745 1270 1787">s. Health care service</td><td data-bbox="1270 1745 1641 1787"><u>D</u></td></tr> <tr><td data-bbox="439 1787 1270 1829">t. Places of assembly</td><td data-bbox="1270 1787 1641 1829"><u>D</u></td></tr> </tbody> </table>	Activity	High Density Residential Zone	a. Accessory building	<u>P</u>	b. Ancillary residential structures	<u>P</u>	c. Emergency housing for up to 10 residents	<u>P</u>	d. Residential activities	<u>P</u>	e. One residential unit on a site	NC	f. 2 Up to 6 residential units on a site	DP	g. <u>3</u> 7 or more residential units on a site	<u>RD*</u>	<u>[new activity] Papakāinga containing up to 6 residential units</u>	<u>P</u>	h. Papakāinga containing <u>4</u> 7 or more residential units	<u>RD*</u>	i. Rest home	<u>RD*</u>	j. Managed care facilities	<u>P</u>	i. Up to 10 residents (excluding emergency housing)	<u>D</u>	ii. 11 or more residents (excluding emergency housing)		k. Residential centre	<u>D</u>	l. Retirement Village	<u>RD*</u>	Commercial Activities and Structures		m. Home-based business	<u>P</u>	n. Homestay accommodation	<u>P</u>	o. Show homes	<u>RD</u>	p. Childcare facility	<u>P</u>	i. Up to 5 children	<u>RD</u>	ii. Six or more children		q. Dairy on the ground floor of a building	<u>RD</u>	r. Dairy on upper floor of a building	<u>NC</u>	s. Health care service	<u>D</u>	t. Places of assembly	<u>D</u>	Oppose in part	<p>Kāinga Ora opposes 4.4.3.1 e and f as-notified. While the intent of discouraging lower-density residential development in a High-Density Residential Zone ('HDRZ') is understood, it is contrary to the NPS-UD and purpose of the Housing Supply Act to preclude, rather than enable, up to at least three dwellings per site in relevant residential zones.</p> <p>Kāinga Ora seeks an increased threshold at which point resource consent is required for residential development in the HDRZ, consistent with the approach proposed in the MDRZ. The proposed approach also seeks to ensure that the HDRZ and its spatial application around the City Centre (both as-notified and proposed in the Kāinga Ora submission) make an efficient use of land in accordance with the NPS-UD and maximises opportunities for intensification. Kāinga Ora considers that the proposed amendments to the MDRZ and HDRZ provide a clear spatial hierarchy to those zones.</p> <p>Kāinga Ora also seeks similar activity status' that apply to Papakāinga housing, and the restricted discretionary status for Marae provided as part of Papakāinga housing development for consistency across the residential zones.</p> <p>Kāinga Ora considers that clarification should be provided for the 'relocated buildings' (4.3.3.1.ss) activity to ensure it does not apply to off-site manufacturing of modular-style buildings, which are an increasingly common construction approach. While Kāinga Ora is opposed to</p>	<ol style="list-style-type: none"> Amend 4.4.3.1 e-h to delete activities for 1 and 2 dwellings on a site, and provide an increased threshold at which point resource consent is required for residential and papakāinga development in the HDRZ. Include the balance of activities under 4.4.3.1 and associated activity status' as-notified (with proposed tracked amendment to 4.3.3.1.ss), to the extent they are consistent with the overall relief sought in the Kāinga Ora submission.
Activity	High Density Residential Zone																																																										
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		<u>u. Visitor accommodation outside the Visitors Facilities Precinct</u>	<u>RD</u>	<p>restrictions of relocated buildings in lower intensity residential zones, the proposed NC status is supported in the context of a high-density residential zone that seeks to enable the greatest opportunities for intensification and land use efficiency.</p> <p>Kāinga Ora supports in part the balance of activities and associated activity status' as-notified, to the extent they are consistent with the overall Kāinga Ora submission.</p>	
		<u>v. Visitor accommodation in the Visitor Facilities Precinct</u>	<u>P</u>		
		<u>w. Offices (other than as a home-based business)</u>	<u>NC</u>		
		<u>x. Service industry</u>	<u>NC</u>		
		<u>y. Light industry</u>	<u>NC</u>		
		<u>z. Restaurants</u>	<u>D</u>		
		<u>aa. Restaurants ancillary to visitor accommodation in the Visitor Facilities Precinct</u>	<u>P</u>		
		<u>bb. Conference facility outside the Visitors Facilities Precinct</u>	<u>D</u>		
		<u>cc. Conference facility in the Visitors Facilities Precinct</u>	<u>P</u>		
		<u>dd. Tertiary education and specialised training facility</u>	<u>D</u>		
		Communities Activities and Structures			
		<u>ee. Informal recreation</u>	<u>P</u>		
		<u>ff. Organised recreation</u>	<u>P</u>		
		<u>gg. Community centre</u>	<u>D</u>		
		<u>hh. General recreation</u>	<u>D</u>		
		<u>ii. Places of worship</u>	<u>D</u>		
		<u>jj. Marae (Accept when provided as part of a papakainga development)</u>	<u>D</u>		
		<u>kk. Marae when provided as part of a papakainga development</u>	<u>RD*</u>		
		<u>ll. School</u>	<u>D</u>		
		<u>mm. Passenger transport facilities</u>	<u>NC</u>		
		<u>nn. Clubrooms</u>	<u>NC</u>		
		All Activities and Structures			
		<u>oo. Demolition or removal of a building</u>	<u>P</u>		
		<u>pp. Maintenance, repair and alterations and additions to existing buildings</u>	<u>P</u>		
		<u>qq. Any earthworks within the root protection zone of a tree where the trunk is located within a Significant Natural Area (SNA) in Schedule 9C (Volume 2, Appendix 9)</u>	<u>RD</u>		

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		<table border="1"> <tr> <td data-bbox="433 552 1270 646">rr. Pruning and maintenance a tree within a Significant Natural Area where the canopy overhangs the boundary of the Significant Natural Area in Schedule 9C (Volume 2, Appendix 9)</td> <td data-bbox="1270 552 1626 646">P</td> </tr> <tr> <td data-bbox="433 646 1270 720">ss. Relocated buildings (not including off-site manufacturing of modular buildings)</td> <td data-bbox="1270 646 1626 720">NC</td> </tr> <tr> <td data-bbox="433 720 1270 762">tt. Emergency service facilities</td> <td data-bbox="1270 720 1626 762">D</td> </tr> <tr> <td data-bbox="433 762 1270 835">uu. Any boundary wall and fence equal to or less than 1.5m high as per Rule 4.4.5.7</td> <td data-bbox="1270 762 1626 835">P</td> </tr> <tr> <td data-bbox="433 835 1270 877">vv. Any boundary wall and fence over 3.5m high as per Rule 4.4.5.7</td> <td data-bbox="1270 835 1626 877">D</td> </tr> </table> <p>Note</p> <p>a. <i>For activities and buildings in the Electricity National Grid Corridor see Chapter 25.7: City-wide – Network Utilities and the Electricity National Grid Corridor.</i></p> <p>b. <i>Refer to Chapter 1.1.9 for activities marked with an asterisk (*)</i></p>	rr. Pruning and maintenance a tree within a Significant Natural Area where the canopy overhangs the boundary of the Significant Natural Area in Schedule 9C (Volume 2, Appendix 9)	P	ss. Relocated buildings (not including off-site manufacturing of modular buildings)	NC	tt. Emergency service facilities	D	uu. Any boundary wall and fence equal to or less than 1.5m high as per Rule 4.4.5.7	P	vv. Any boundary wall and fence over 3.5m high as per Rule 4.4.5.7	D			
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4.4.4 Rules – Notification															
167.	<u>4.4.4</u>	<p>Except as set out below, all proposals for consent will be subject to the normal notification tests of the RMA as set out in Chapter 1.1.9:</p> <p>i. Any application for resource consent involving up to six dwellings per site which complies with the following is precluded from being publicly notified:</p> <ul style="list-style-type: none"> • 4.4.5.2 Building Coverage • 4.4.5.3 Permeability and Landscaping (only in relation to b) • 4.4.5.4 Building Height • 4.4.5.5 Height in relation to Boundary • 4.4.5.6 Building Setbacks (only in relation to a, b and c) • 4.4.5.8 Public Interface (only in relation to a) • 4.4.5.9 Outlook Space <p>ii. Any application for resource consent involving seven or more dwellings per site, that comply with the standards listed in 4.4.4.i is precluded from being either publicly or limited notified.</p> <p>iii. Any application for resource consent involving up to six, or seven or more dwellings per site, which does not comply with the standards listed in 4.4.4.i, but complies with 4.4.5.4 Building Height and 4.4.5.3 Building Coverage is precluded from being publicly notified.</p> <p>Note 1: For the avoidance of doubt, any application for resource consent identified in 4.4.4 which does not comply with those standards under 4.4.5 not otherwise listed above, would be subject to the exclusions provided the requirements of either i, ii or iii are met.</p>	Oppose	Kāinga Ora opposes the notification provisions as they do not give effect to the notification preclusions that are required under schedule 3A of the Housing Supply Act. The notification exclusions are required in order to enable residential intensification. Kāinga Ora proposed similar provisions to those with the GRZ and MDRZ for consistency.	<ol style="list-style-type: none"> 1. Amend the notification provisions to be consistent with the notification exclusions under Schedule 3A of the Housing Supply Act. 2. Kāinga Ora has suggested a consistent approach across the residential zones for PC12 in the tracked amendments to 4.2.4 – notification. Such changes ensure consistency with the Housing Supply Act and the added 'note' provides clarity in administration of those provisions. 3. Kāinga Ora considers that any application which involves resource consents under other parts of the plan (i.e. earthworks, vegetation removal, flooding etc) should not result in the 'bundling' of activities that otherwise meet the requirements of 4.2.4. Such an approach provides elevated Commercial risk to redevelopment 										

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		<p>Note 2: Any application qualifying under 4.4.4. i, ii or iii that requires resource consent/s under other sections on the District Plan shall be considered in an 'unbundled' manner for the purposes of notification assessment and determination under s95 of the RMA.</p> <p>a. Except as provided for by Section 95A(2)(b) and (c), 95B(2) and (3) and 95C(1) to (4) of the Act applications for any Restricted Discretionary Activity identified with an asterisk (*) in the activity status table 4.4.3.1 shall be considered without notification or the need to obtain approval from affected persons.</p> <p>b. If the activity marked with an asterisk (*) does not comply with all relevant standards, notification will be determined in accordance with Rule 1.1.9 in Chapter 1.</p> <p>c. Notwithstanding clause (a), where an activity identified in Rule 4.4.3 requires resource consent for a Restricted Discretionary Activity under two or more activity descriptions, and only one of the Restricted Discretionary Activities is identified with an asterisk (*), notification of the activity shall be at the Council's discretion in accordance with Section 95A, 95B and 95C of the Act.</p>			and intensification. The suggested 'note' seeks to account for this situation.								
4.4.5 Rules – General Standards													
168.	4.4.5.1	<p>Density</p> <table border="1" data-bbox="433 1230 1626 1472"> <thead> <tr> <th data-bbox="433 1230 1041 1276">Activity</th> <th data-bbox="1041 1230 1626 1276">Net site area (minimums unless otherwise stated)</th> </tr> </thead> <tbody> <tr> <td data-bbox="433 1276 1041 1352">a. Terrace housing unit</td> <td data-bbox="1041 1276 1626 1352">Maximum net site area of 100m² per residential unit</td> </tr> <tr> <td data-bbox="433 1352 1041 1398">b. Apartments</td> <td data-bbox="1041 1352 1626 1398">-</td> </tr> <tr> <td data-bbox="433 1398 1041 1472">c. Residential centres, rest homes, managed care facilities</td> <td data-bbox="1041 1398 1626 1472">50m² per resident</td> </tr> </tbody> </table>	Activity	Net site area (minimums unless otherwise stated)	a. Terrace housing unit	Maximum net site area of 100m² per residential unit	b. Apartments	-	c. Residential centres, rest homes, managed care facilities	50m ² per resident	Oppose in part	Kāinga Ora does not consider it appropriate to apply a density standard to terrace housing. There is sufficient design control through all new residential building requiring consent, and the proposed residential standards, to ensure that appropriate onsite amenity is achieved. Imposition of such a restrictive density control is not consistent with the intent of the NPS-UD or the Housing Supply Act.	Include the standard with the terrace housing density requirement deleted.
Activity	Net site area (minimums unless otherwise stated)												
a. Terrace housing unit	Maximum net site area of 100m² per residential unit												
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c. Residential centres, rest homes, managed care facilities	50m ² per resident												
169.	4.4.5.2	<p>Building Coverage</p> <table border="1" data-bbox="433 1581 1626 1667"> <thead> <tr> <th data-bbox="433 1581 1041 1627">Activity</th> <th data-bbox="1041 1581 1626 1627">Maximum building coverage</th> </tr> </thead> <tbody> <tr> <td data-bbox="433 1627 1041 1667">a. All activities</td> <td data-bbox="1041 1627 1626 1667">60%</td> </tr> </tbody> </table> <p>Note:</p> <p><u>Rainwater tanks with a capacity of <10,500 litres are exempt from the calculation of building coverage (Refer to Chapter 25.13)</u></p>	Activity	Maximum building coverage	a. All activities	60%	Support	Kāinga Ora supports a greater level of building coverage being permitted in comparison to the MDRS requirements, reflective of enabling a higher intensity of development.	Include the standard as-notified.				
Activity	Maximum building coverage												
a. All activities	60%												

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought								
170.	4.4.5.3	<p>Permeable Surface and Landscaping</p> <table border="1" data-bbox="433 600 1623 787"> <thead> <tr> <th data-bbox="433 600 1041 642">Activity</th> <th data-bbox="1041 600 1623 642">Standard</th> </tr> </thead> <tbody> <tr> <td data-bbox="433 642 1041 684">a. Permeable surface</td> <td data-bbox="1041 642 1623 684">Minimum 20% of a site</td> </tr> <tr> <td colspan="2" data-bbox="433 684 1623 787"> b. A residential unit at ground floor must have a landscaped area of a minimum of 10% of the total site with grass or plants, and can include the canopy of a tree regardless of the ground treatment below them. </td> </tr> </tbody> </table>	Activity	Standard	a. Permeable surface	Minimum 20% of a site	b. A residential unit at ground floor must have a landscaped area of a minimum of 10% of the total site with grass or plants, and can include the canopy of a tree regardless of the ground treatment below them.		Oppose in part	Kāinga Ora supports the inclusion of the landscaping requirement of the MDRS; however, oppose the additional inclusion associated with individual ground level units.	Included the provisions as-notified with the proposed amendments identified.		
Activity	Standard												
a. Permeable surface	Minimum 20% of a site												
b. A residential unit at ground floor must have a landscaped area of a minimum of 10% of the total site with grass or plants, and can include the canopy of a tree regardless of the ground treatment below them.													
171.	4.4.5.3	<table border="1" data-bbox="433 787 1623 1184"> <tbody> <tr> <td colspan="2" data-bbox="433 787 1623 936"> e. Urban trees Each development shall provide trees in an unobstructed area within the site, clear of any required vehicle access and manoeuvring, regardless of the ground treatment below the canopy of trees, at the rate set out below: </td> </tr> <tr> <td data-bbox="433 936 1080 1037"> i. Terraces and/or Apartments </td> <td data-bbox="1080 936 1623 1037"> Minimum of one tree per site with an additional tree for every 150m² of site area. </td> </tr> <tr> <td data-bbox="433 1037 1080 1138"> ii. Other activities </td> <td data-bbox="1080 1037 1623 1138"> Minimum one tree per site with an additional tree for every 200m² of site area. </td> </tr> <tr> <td colspan="2" data-bbox="433 1138 1623 1184"> d. Specimen trees shall be planted as per 4.4.5.3 c at a planted size of at least 80L. </td> </tr> </tbody> </table> <p>Note:</p> <p>Requirements set out in 4.4.5.3 a can include the area required in 4.4.5.3 b. Requirements set out in 4.4.5.3 b can include the area required in 4.4.5.3 c.</p> <p>If the development retains an existing mature tree (or trees) of at least 6m in height within the design, then this can be traded in place of a tree or trees required under 4.4.5.3 c at a ratio of 1:1.</p> <p>The management of stormwater generated from impermeable surfaces is controlled by Rule 25.13.4.2A in the Three Waters Chapter.</p> <p>Rainwater tanks with a capacity of <10,500 litres are exempt from the calculation of permeable surface (Refer to Chapter 25.13).</p>	e. Urban trees Each development shall provide trees in an unobstructed area within the site, clear of any required vehicle access and manoeuvring, regardless of the ground treatment below the canopy of trees, at the rate set out below:		i. Terraces and/or Apartments	Minimum of one tree per site with an additional tree for every 150m² of site area.	ii. Other activities	Minimum one tree per site with an additional tree for every 200m² of site area.	d. Specimen trees shall be planted as per 4.4.5.3 c at a planted size of at least 80L.		Oppose	Kāinga Ora opposes the requirements for urban trees and minimum planting sizes across the residential zones. The standard is not an efficient or effective method in achieving the objectives of the zone, as there will be ongoing compliance costs associated with ensuring that trees are retained post-development. This will likely require consent notices and/or covenants on titles which is costly and has not been sufficiently accounted for in Council's s32 analysis. The standard may also be difficult to enforce and monitor for permitted activity development where a resource consent is not required.	Delete the urban trees standard and associated 'notes' as-notified, and any other changes necessary to give effect to the relief sought.
e. Urban trees Each development shall provide trees in an unobstructed area within the site, clear of any required vehicle access and manoeuvring, regardless of the ground treatment below the canopy of trees, at the rate set out below:													
i. Terraces and/or Apartments	Minimum of one tree per site with an additional tree for every 150m² of site area.												
ii. Other activities	Minimum one tree per site with an additional tree for every 200m² of site area.												
d. Specimen trees shall be planted as per 4.4.5.3 c at a planted size of at least 80L.													

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought						
172.	4.4.5.4	<p>Building Height</p> <table border="1" data-bbox="433 600 1626 695"> <thead> <tr> <th>Building height</th> <th>Building Height</th> <th>Maximum Storeys</th> </tr> </thead> <tbody> <tr> <td>a. All buildings</td> <td>21-22m</td> <td>6</td> </tr> </tbody> </table> <p>Buildings outside of the additional height overlay must not exceed a building height identified in 4.4.5.4 a, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more.</p> <p>b. Buildings within the additional height overlay must not exceed a building height identified on the overlay, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more.</p>  <p style="text-align: center;">Figure 4.4.5.4 a Building Height.</p>	Building height	Building Height	Maximum Storeys	a. All buildings	21-22m	6	Support in part	<p>Consistent with the overall submission, Kāinga Ora submits that it is appropriate to provide for greater than 6 storey development as-follows:</p> <ul style="list-style-type: none"> Apply HDRZ with a height variation control of up to 10 storeys (36m) within 400m walkable catchment of the Ulster Street/Te Rapa Road spine and apply HDRZ to a 400m-800m walkable catchment of this spine recognizing its future role as a rapid transport corridor. Apply a height variation control of up to 12 storeys (43m) within a 400m walkable catchment of the Central City zone. Apply a height variation control of up to 8 storeys (29m) within a 400m-800m walkable catchment of the city centre zone. Apply additional height of 6-12 storeys within Hamilton East along Clyde Street. Apply MDRZ within a 400m-800m walkable catchment of the HDRZ around Clyde Street. Kāinga Ora seeks a minor amendment to the notified maximum height (for buildings outside of the overlay as-sought by Kāinga Ora) to allow for varying roof and floor designs. 	<p>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</p> <ol style="list-style-type: none"> Include the amended standard as-shown to allow for varying roof and floor designs. Include the additional height overlay shown on the proposed planning maps in Appendix 2 to the Kāinga Ora submission.
Building height	Building Height	Maximum Storeys									
a. All buildings	21-22m	6									

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
173.	4.4.5.5	<p>Height in Relation to Boundary</p> <div style="border: 1px solid black; padding: 5px;"> <p>Where the subject a site in the High Density Residential Zone adjoins any other Zone</p> <p>a. <u>Buildings within 21.5m from the frontage must not project beyond a 60-degree recession plane measured from a point 19m vertically above ground level along the side boundaries; and</u></p> <p>b. <u>Buildings 21.5m from the frontage must not project beyond a 60-degree recession plane measured from a point 8m vertically above ground level along the side boundaries.</u></p> <p>c. <u>Apply a 4m + 60° on boundaries at where the MDRZ interfaces with a lower zone hierarchy being:</u></p> <ul style="list-style-type: none"> - <u>General Residential Zone;</u> - <u>Special Heritage Zone;</u> - <u>Special Character Zone;</u> - <u>Large Lot Residential Zone; and</u> - <u>Special Natural Zone;</u> <p>a. Any buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along the boundaries adjoining any other zone. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way. This standard does not apply to:</p> <ul style="list-style-type: none"> i. A boundary with a transport corridor ii. A boundary with public Open Space Zones iii. A boundary with the Central City Zone iv. A boundary with any Business zones v. Site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed. </div>	Oppose	Kāinga Ora seeks a more enabling HIRTB control to reflect the higher density outcomes sought for the zone and for national consistency across Tier 1 authorities.	Amend the standard as shown in the tracked amendments.

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
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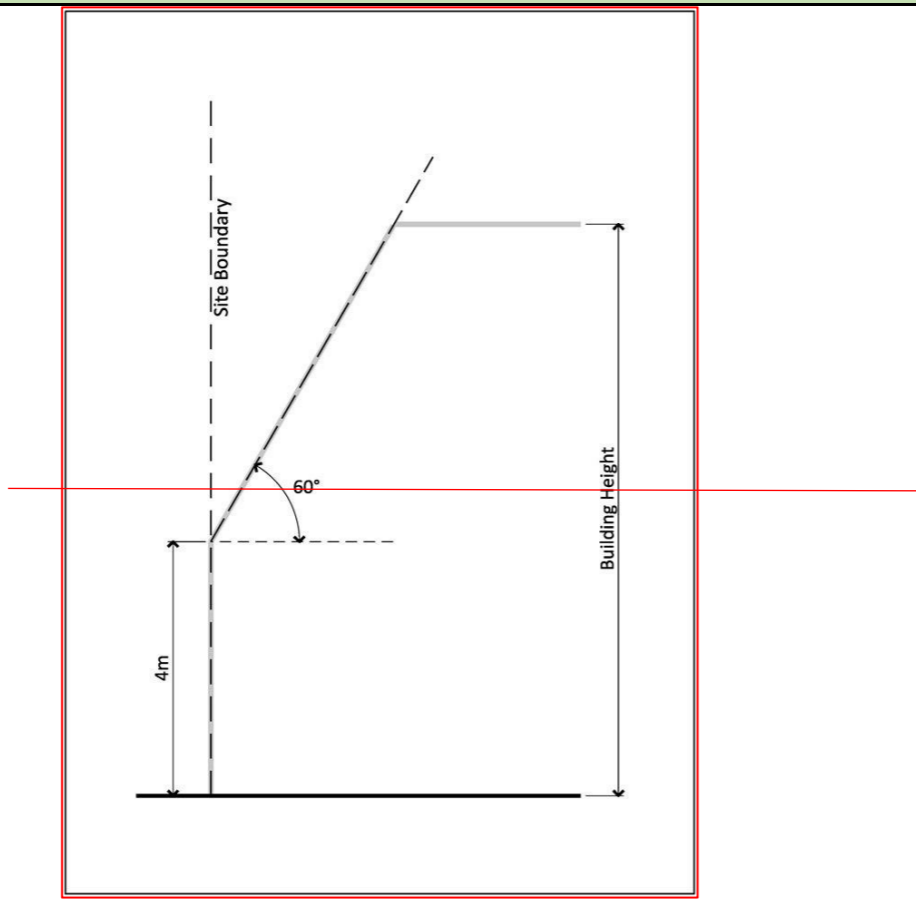


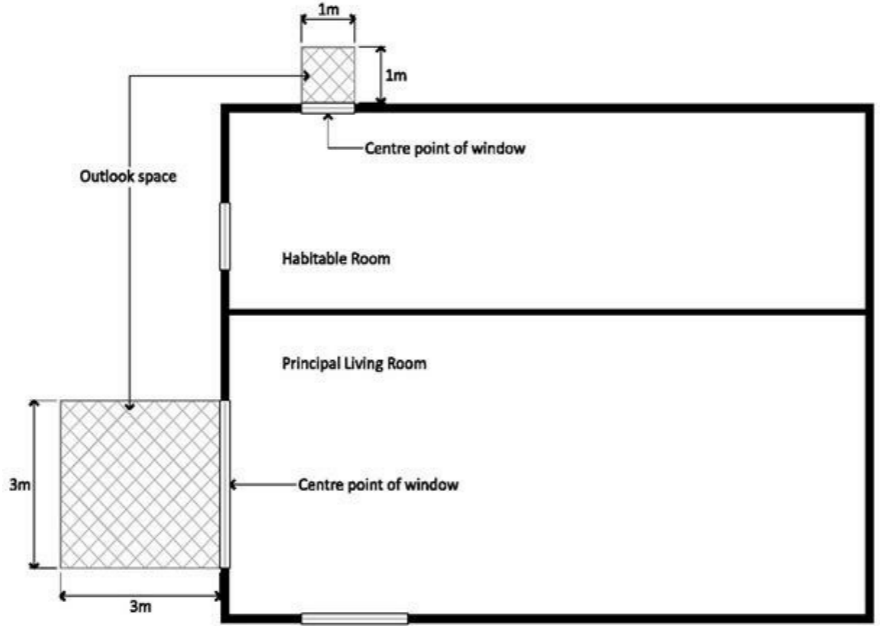
Figure 4.4.5.5 a Height in Relation to Boundary.

174.	<u>4.4.5.6</u>	<p>Building Setbacks</p> <table border="1"> <thead> <tr> <th data-bbox="430 1543 1003 1585">Building setback from</th> <th data-bbox="1003 1543 1626 1585">Minimum distance</th> </tr> </thead> <tbody> <tr> <td data-bbox="430 1585 1003 1627"><u>a. Transport corridor boundary</u></td> <td data-bbox="1003 1585 1626 1627"><u>1m</u></td> </tr> <tr> <td data-bbox="430 1627 1003 1669"><u>b. Side yard</u></td> <td data-bbox="1003 1627 1626 1669"><u>1m</u></td> </tr> <tr> <td data-bbox="430 1669 1003 1711"><u>c. Rear yard</u></td> <td data-bbox="1003 1669 1626 1711"><u>1m</u></td> </tr> <tr> <td data-bbox="430 1711 1003 1753"><u>d. Rear yard where it adjoins a rear lane</u></td> <td data-bbox="1003 1711 1626 1753"><u>0m</u></td> </tr> <tr> <td data-bbox="430 1753 1003 1837"><u>e. Internal vehicle access serving up to 3 residential units on a site</u></td> <td data-bbox="1003 1753 1626 1837"><u>No part of a building (including eaves) shall extend over or encroach into an internal vehicle access.</u></td> </tr> <tr> <td data-bbox="430 1837 1003 1900"><u>f. Internal vehicle access serving more than 3 residential units on a site</u></td> <td data-bbox="1003 1837 1626 1900"><u>Setback of residential units: 1m</u></td> </tr> </tbody> </table>	Building setback from	Minimum distance	<u>a. Transport corridor boundary</u>	<u>1m</u>	<u>b. Side yard</u>	<u>1m</u>	<u>c. Rear yard</u>	<u>1m</u>	<u>d. Rear yard where it adjoins a rear lane</u>	<u>0m</u>	<u>e. Internal vehicle access serving up to 3 residential units on a site</u>	<u>No part of a building (including eaves) shall extend over or encroach into an internal vehicle access.</u>	<u>f. Internal vehicle access serving more than 3 residential units on a site</u>	<u>Setback of residential units: 1m</u>	Support	Kāinga Ora supports standard, noting that there is an exclusion for common walls between two buildings.	Include the standard as-notified.
Building setback from	Minimum distance																		
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		<table border="1" data-bbox="433 548 1626 590"> <tr> <td data-bbox="433 548 1006 590">g. Waikato Riverbank and Gully</td> <td data-bbox="1006 548 1626 590">6m (applies to buildings and swimming pools)</td> </tr> </table> <p data-bbox="492 653 546 680">Note</p> <p data-bbox="492 705 1626 768">a. Refer to Chapter 21 and 22 for objectives and policies relevant to the setback from the Waikato Riverbank and Gully Hazard Area.</p> <p data-bbox="492 789 1626 852">b. The above standards do not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</p> <p data-bbox="492 873 1626 936">c. Rear and side boundary requirements do not apply to rainwater tanks with a capacity of <10,500 litres (Refer to Chapter 25.13).</p>	g. Waikato Riverbank and Gully	6m (applies to buildings and swimming pools)			<p data-bbox="2341 296 2772 516">Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</p>										
g. Waikato Riverbank and Gully	6m (applies to buildings and swimming pools)																
175.	4.4.5.7	<p data-bbox="403 1016 581 1043">Fences and Walls</p> <table border="1" data-bbox="433 1066 1626 1822"> <thead> <tr> <th data-bbox="433 1066 1056 1108">Rule</th> <th data-bbox="1056 1066 1626 1108">Maximum Height</th> </tr> </thead> <tbody> <tr> <td data-bbox="433 1108 1056 1213">a. Transport corridor boundary and side boundary fences or walls located forward of the front building line of the building.</td> <td data-bbox="1056 1108 1626 1213">Maximum height 0m</td> </tr> <tr> <td data-bbox="433 1213 1056 1360">b. Boundary fences or walls adjoining Open Space Zone</td> <td data-bbox="1056 1213 1626 1360">Maximum height 1.5m (with 50% permitted at 1.8m provided 50% of that part over 1.5m is visually permeable).</td> </tr> <tr> <td data-bbox="433 1360 1056 1402">c. All other boundary fences or walls</td> <td data-bbox="1056 1360 1626 1402">Maximum height 1.8m</td> </tr> <tr> <td colspan="2" data-bbox="433 1402 1626 1791"> <p data-bbox="537 1413 1576 1476">d. Where a retaining wall and front boundary fence are proposed, the maximum height of the combined structure measured from the bottom to top, shall be no more than 1.5m before the following shall apply:</p> <p data-bbox="537 1528 1525 1591">i. Between 1.5m and 2.5m: A horizontal step at least 1m in depth shall be integrated into the structure(s) no more than 1.2m above the level of the transport corridor boundary</p> <p data-bbox="537 1644 1605 1707">ii. Between 2.51m and 3.5m: Two horizontal steps, each at least 1m in depth, shall be integrated into the structure(s) no more than 1.2m above the ground level at the base of each 'step'.</p> <p data-bbox="537 1759 1012 1780">iii. More than 3.5m: Discretionary activity</p> </td> </tr> <tr> <td colspan="2" data-bbox="433 1791 1626 1822">e. This rule shall not apply to any fence and/or wall which:</td> </tr> </tbody> </table>	Rule	Maximum Height	a. Transport corridor boundary and side boundary fences or walls located forward of the front building line of the building.	Maximum height 0m	b. Boundary fences or walls adjoining Open Space Zone	Maximum height 1.5m (with 50% permitted at 1.8m provided 50% of that part over 1.5m is visually permeable).	c. All other boundary fences or walls	Maximum height 1.8m	<p data-bbox="537 1413 1576 1476">d. Where a retaining wall and front boundary fence are proposed, the maximum height of the combined structure measured from the bottom to top, shall be no more than 1.5m before the following shall apply:</p> <p data-bbox="537 1528 1525 1591">i. Between 1.5m and 2.5m: A horizontal step at least 1m in depth shall be integrated into the structure(s) no more than 1.2m above the level of the transport corridor boundary</p> <p data-bbox="537 1644 1605 1707">ii. Between 2.51m and 3.5m: Two horizontal steps, each at least 1m in depth, shall be integrated into the structure(s) no more than 1.2m above the ground level at the base of each 'step'.</p> <p data-bbox="537 1759 1012 1780">iii. More than 3.5m: Discretionary activity</p>		e. This rule shall not apply to any fence and/or wall which:		Support in part	Kāinga Ora does not support retaining walls above 3.5m as a discretionary activity being listed in the standard. This should be accounted for in the zone activity table as a non-compliance with a general standard.	Include the standard as-notified with the proposed amendment.
Rule	Maximum Height																
a. Transport corridor boundary and side boundary fences or walls located forward of the front building line of the building.	Maximum height 0m																
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		<p>i. <u>Following construction will be located at or below the natural ground level of the land that existed prior to construction commencing; or</u></p> <p>ii. <u>Is internal to a proposed development and does not result in any fence or wall which has a height of 1.8m or more in relation to natural ground level of any adjoining external property boundary not in common ownership.</u></p> <p>Note</p> <p>a. <u>Any retaining wall which is higher than 1.5m and load bearing is not subject to this standard and will be considered, for the purpose of assessment, as a building.</u></p> <p>b. <u>Any fence and/or wall that is taller than 2.5m is not subject to this standard and will be considered, for the purpose of assessment, as a building.</u></p> <p>c. <u>For the purpose of the Building Act 2004 any retaining wall with a fall height greater than 1.0m requires the provision of a fall protection fence or similar of not less than 1.0m high. For the purpose of this rule this fall protection will be considered as an integral part of the retaining wall and the combined height will be assessed as the overall height of both structures.</u></p>			
176.	4.4.5.8	<p>Public Interface</p> <p>Residential units facing the street</p> <p>a. <u>Where a residential unit is facing the street it must have:</u></p> <p>i. <u>A minimum 20% of the street-facing façade at ground level in glazing. This can be in the form of clear-glazed windows or doors.</u></p> <p>ii. <u>At least one habitable room of the residential unit shall have a clear-glazed window facing the transport corridor from which vision toward the transport corridor is not blocked by any accessory building. For corner and through sites this shall be required only on the frontage from which pedestrian access is provided (front door).</u></p>	Support	Kāinga Ora supports the standards, being consistent with the MDRS requirements, and the need to ensure development of 4+ units manage effects in relation to outlook and the broader design-related issues regarding interface and engagement with the public streetscape.	Include the standard as-notified.
177.	4.4.5.8	<p>Public Interface for 4 or more residential units</p> <p>b. All residential developments comprising 4 or more residential units must have pedestrian access from a transport corridor to the front door of each residential unit, or to the single front door and lobby of an apartment building. This pedestrian access must:</p> <p>i. Be step-free and separate from and clear of any obstructions, carriageway, vehicle parking space (including any parked vehicle overhang or nose-in space), cycle parking space, service area, loading space, or vehicle manoeuvring area, except:</p>	Oppose	Kāinga Ora opposes b – d as they are overly-prescriptive as general development standards. There are a range of site-contextual factors that would determine whether such requirements are appropriate. These are general design principles that are better-accommodated within design guidelines or assessment	Delete 4.4.5.8.b-d and include in design guidelines or assessment criteria.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought									
		<p>A. As provide for in d ii, or</p> <p>B. Where the pedestrian access must cross a carriageway.</p> <p>ii. Have lighting to meet the requirements set out in Chapter 25.6.</p> <p>c. A pedestrian access serving between 4 and 15 residential units must be at least 1.5m wide, except:</p> <p>i. Where the pedestrian access is adjacent to any building wall or fence, it must be at least</p> <p>A. 1.8m wide, or</p> <p>B. 1.65m wide with a 0.75m wide landscape strip provided on one side of the path between it and either the building wall or the fence, or</p> <p>ii. Where the residential development comprises only 4 or 5 residential units, the pedestrian access may be shared in a carriageway that serves those 4 or 5 residential units only, is at least 3.5m wide, and within a legal width of at least 4m.</p> <p>d. A pedestrian access serving more than 15 residential units must be at least 1.8m wide, except where the pedestrian access is adjacent to any building wall or fence, a 0.75m wide landscape strip must be provided on one side of the path between it and either the building wall or the fence.</p> <p>Note <u>Landscaping must be in accordance with Rule 25.5.4.4 a-d.</u></p>		<p>criteria – particularly in the case of the high-density zone where development involving residential units all require resource consent.</p>	<p>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</p>									
178.	4.4.5.9	<p>Outlook Space</p> <table border="1" data-bbox="433 1289 1626 1892"> <thead> <tr> <th data-bbox="433 1289 1626 1339">Outlook spaces for terraces or apartments</th> </tr> </thead> <tbody> <tr> <td data-bbox="433 1339 1626 1381">a. An outlook space must be provided from habitable room windows.</td> </tr> <tr> <td data-bbox="433 1381 1626 1465">b. A principal living room of a dwelling must have an outlook space with a minimum dimension of 3m depth and 3m width.</td> </tr> <tr> <td data-bbox="433 1465 1626 1507">c. All other habitable rooms must have an outlook space of 1m in depth and 1m in width.</td> </tr> <tr> <td data-bbox="433 1507 1626 1591">d. The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.</td> </tr> <tr> <td data-bbox="433 1591 1626 1675">e. The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.</td> </tr> <tr> <td data-bbox="433 1675 1626 1759">f. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.</td> </tr> <tr> <td data-bbox="433 1759 1626 1822">g. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.</td> </tr> <tr> <td data-bbox="433 1822 1626 1892">h. Outlook spaces required from different rooms within the same building may overlap, and may also overlap where they are on the same wall plane in the case of a multi-storey building.</td> </tr> </tbody> </table>	Outlook spaces for terraces or apartments	a. An outlook space must be provided from habitable room windows.	b. A principal living room of a dwelling must have an outlook space with a minimum dimension of 3m depth and 3m width.	c. All other habitable rooms must have an outlook space of 1m in depth and 1m in width.	d. The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.	e. The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.	f. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.	g. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.	h. Outlook spaces required from different rooms within the same building may overlap, and may also overlap where they are on the same wall plane in the case of a multi-storey building.	Support in part	<p>Kāinga Ora supports the standards in part but requests amendments to reflect the built form anticipated in the zone.</p>	<p>Include the standard as-notified with amendments identified.</p>
Outlook spaces for terraces or apartments														
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		<p><u>i. Outlook spaces may be under or over a balcony.</u></p> <p><u>j. Outlook spaces must:</u></p> <p><u>i. Be clear and unobstructed by buildings; and</u></p> <p><u>ii. Not extend over an outlook spaces or outdoor living space required by another dwelling.</u></p>  <p style="text-align: center;"><u>Figure 4.4.5.9 a Outlook</u></p>			
179.	<u>4.4.5.10</u>	<p>Outdoor Living Area</p> <p><u>Outdoor Living Area per residential unit</u></p>	Support	Kāinga Ora supports the standards, being consistent with the MDRS requirements and will support residential living at higher intensities of development.	Include the standard as-notified.

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>				
		<p><u>a. A residential unit at ground floor level must have an outdoor living space that is at least 8m². This may comprise a combination of ground floor, balcony, patio or roof terrace space that:</u></p> <ul style="list-style-type: none"> <u>i. Where located at ground level, has no dimension less than 1.8m.</u> <u>ii. Where provided in the form of a balcony, patio or roof terrace, is at least 8m² and has a minimum dimension of 1.8m; and</u> <u>iii. Is accessible from the residential unit, and may be:</u> <ul style="list-style-type: none"> <u>A. Grouped cumulatively by area in 1 communally accessible location; or</u> <u>B. Located directly adjacent to the unit;</u> <u>iv. For four or more residential units, is readily accessible from the principal living room; and</u> <u>v. Is free of buildings, parking spaces, and servicing and manoeuvring areas.</u> <p><u>b. A residential unit above ground floor level must have an outdoor living space in the form of a balcony, patio or roof terrace that:</u></p> <ul style="list-style-type: none"> <u>i. Is at least 8m² and has a minimum dimension of 1.8 metres.</u> <u>ii. Is accessible from the residential unit, and may be</u> <ul style="list-style-type: none"> <u>A. Grouped cumulatively by area in 1 communally accessible location; or</u> <u>B. Located directly adjacent to the unit.</u> <p><u>c. To clarify an outlook space can be:</u></p> <ul style="list-style-type: none"> <u>i. Above or below another outlook space (in a vertical configuration)</u> <u>ii. Under buildings, such as balconies; and over driveways or footpaths within the site, as long as it is not obstructed by structures such as fences.</u> <p><u>d. The above standards do not apply to managed care facilities or rest homes. Refer to Rule 4.2.6.5 and Rule 4.2.6.8</u></p>							
180.	<u>4.4.5.11</u>	<p>Waste Management and Service Areas</p> <table border="1" data-bbox="433 1514 1626 1885"> <thead> <tr> <th data-bbox="433 1514 952 1556"><u>Description</u></th> <th data-bbox="952 1514 1626 1556"><u>Minimum Requirements</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="433 1556 952 1885"><u>a. Residential units</u></td> <td data-bbox="952 1556 1626 1885"> <ul style="list-style-type: none"> i. 5m² per residential unit. ii. Minimum dimension 1.5m iii. No waste storage or on-site collection point shall occur within the front yard setback or in front of the building iv. Spaces can be provided for each individual unit or cumulatively on a communal basis v. A Waste Container Management Plan shall be prepared for the site. </td> </tr> </tbody> </table>	<u>Description</u>	<u>Minimum Requirements</u>	<u>a. Residential units</u>	<ul style="list-style-type: none"> i. 5m² per residential unit. ii. Minimum dimension 1.5m iii. No waste storage or on-site collection point shall occur within the front yard setback or in front of the building iv. Spaces can be provided for each individual unit or cumulatively on a communal basis v. A Waste Container Management Plan shall be prepared for the site. 	Oppose	Kāinga Ora consider that this standard is better placed as an assessment criteria to allow for design flexibility.	Delete the standard in its entirety.
<u>Description</u>	<u>Minimum Requirements</u>								
<u>a. Residential units</u>	<ul style="list-style-type: none"> i. 5m² per residential unit. ii. Minimum dimension 1.5m iii. No waste storage or on-site collection point shall occur within the front yard setback or in front of the building iv. Spaces can be provided for each individual unit or cumulatively on a communal basis v. A Waste Container Management Plan shall be prepared for the site. 								

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
		<p>b. Community centres and visitor accommodation.</p>			
		<p>c. Dairies (may be indoor or outdoor)</p>			
		<p>d. All service areas</p>			

~~b. Community centres and visitor accommodation.~~

~~i. 10m~~

~~ii. Minimum dimension 1.5m~~

~~iii. A Waste Container Management Plan shall be prepared for the site.~~

~~c. Dairies (may be indoor or outdoor)~~

~~i. Minimum 10m²~~

~~ii. Minimum dimension 1.5m~~

~~iii. Readily accessible to service vehicles~~

~~iv. Indoor service area separately partitioned~~

~~v. Outdoor service area; all-weather dust-free surface~~

~~vi. A Waste Container Management Plan shall be prepared for the site.~~

~~d. All service areas~~

~~i. Clothes drying areas shall be readily accessible from each residential unit~~

~~ii. Service areas shall be screened so they are not visible for a legal road, ground floor or adjoining residential sites, Open Space Zones and public walkways by vegetation or fencing in accordance with Chapter 25.2.~~

~~iii. Rubbish and recycling areas required for each residential unit shall be located where bins can be moved for roadside collection without requirement for them to be moved through the residential unit (excluding garages).~~

~~iv. Service areas may be located within garages where it is demonstrated that there is sufficient room to~~

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>										
		<p>accommodate the minimum area without impeding parking.</p> <p>v. For any apartment development, the storage area for rubbish, recycling and food scraps must be at the ground level or in the basement.</p> <p>vi. The maximum walking distance from any entrance to each residential unit within an apartment building to the storage area for rubbish, recycling and food scraps should not exceed 30m (lift travel distance excluded).</p> <p>e. These standards do not apply to managed care facilities or rest homes (refer Rule 4.4.6.3 and Rule 4.4.6.4)</p> <p>Note:</p> <p><u>Contact Council's Waste and Resource Recovery Team for advice on bin management in the transport corridor.</u></p>													
181.	4.4.5.12	<p>Storage Areas</p> <p>For apartment developments</p> <p>a. Each residential unit shall be provided with a storage area located at or below ground floor level, readily accessible that residential unit, secure and weatherproof.</p> <table border="1" data-bbox="439 1220 1626 1434"> <thead> <tr> <th data-bbox="439 1220 1086 1262">Unit Type</th> <th data-bbox="1086 1220 1626 1262">Minimum storage area volume</th> </tr> </thead> <tbody> <tr> <td data-bbox="439 1262 1086 1304">i. Studio unit</td> <td data-bbox="1086 1262 1626 1304">3m³</td> </tr> <tr> <td data-bbox="439 1304 1086 1346">ii. One bedroom unit</td> <td data-bbox="1086 1304 1626 1346">4m³</td> </tr> <tr> <td data-bbox="439 1346 1086 1388">iii. Two bedroom unit</td> <td data-bbox="1086 1346 1626 1388">5m³</td> </tr> <tr> <td data-bbox="439 1388 1086 1430">iv. Three or more bedroom unit</td> <td data-bbox="1086 1388 1626 1430">6m³</td> </tr> </tbody> </table> <p>c. The minimum dimensions for width and depth shall be 1.2m and the minimum height shall be 1.8m.</p>	Unit Type	Minimum storage area volume	i. Studio unit	3m³	ii. One bedroom unit	4m³	iii. Two bedroom unit	5m³	iv. Three or more bedroom unit	6m³	Oppose	Kāinga Ora consider that this standard is better placed as an assessment criteria to allow for design flexibility.	Delete the standard in its entirety.
Unit Type	Minimum storage area volume														
i. Studio unit	3m³														
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182.	4.4.5.13	<p>Accessory Buildings, Vehicle Access and Vehicle Parking</p> <p>Accessory buildings, vehicle access and vehicle parking</p> <p>a. Any accessory building either attached or detached must be set back at least 1m from the front building line of the residential unit.</p> <p>b. Where the residential unit has a frontage width facing a street or a publicly accessible on-site access way (for pedestrians) equal to or greater than 12m:</p> <p>i. Two single-width or one double-width garage or car port spaces, and one driveway / parking pad up to 6m wide, maximum may be provided.</p> <p>c. Where the residential unit has a frontage width facing a street or a publicly accessible on-site access way (for pedestrians) greater than 7.5m but less than 12m:</p>	Oppose in part	<p>Kāinga Ora generally supports the need to manage the number of vehicle crossings and garages to public streets.</p> <p>The duplication of standards relating to permeable surfaces and public interface is not required and Kāinga Ora request that this be deleted.</p> <p>Kāinga Ora does not support the inclusion of planting requirements associated with vehicle parking spaces on-site. This is overly</p>	<ol style="list-style-type: none"> 1. Include the standard as-notified with amendments identified. 2. Delete standards d.iii-iv and rely upon these standards as included under 4.4.5.3 and 4.4.5.8 subject to the relief sought. 3. Delete standard 4.4.5.13.f. 										

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
		<p><u>i. One single-width garage or car port space, and one driveway / parking pad up to 3.5m wide may be provided.</u></p> <p><u>d. For terrace housing developments containing no more than 6 terrace housing units, where the individual residential units have a frontage width equal to or less than 7.5m, then one external parking pad may be provided in the front yard up to 3.5m wide and no less than 5.5m deep for each residential unit where the following are met:</u></p> <p><u>i. It must be an unenclosed parking pad and shall not be enclosed into a carport or garage at any time.</u></p> <p><u>ii. Access to the parking pads shall be restricted to local roads or publicly accessible on-site access ways of no less than 7m in width.</u></p> <p>iii. The development must comply with the requirements for permeable surface standards in Rule 4.4.5.3 and the boundary fencing and wall standards in Rule 4.4.5.7, and</p> <p>iv. Each residential unit must have at least one habitable room with clear glazed window facing the local road in accordance with Rule 4.4.5.8</p> <p><u>e. Where the residential unit has a frontage width facing a street or a publicly accessible on-site access way (for pedestrians) equal to or less than 7.5m:</u></p> <p><u>i. No garage or car port spaces within the dwelling's frontage is permitted and vehicle access and garaging is to be provided by way of a rear lane.</u></p> <p>f. Where an on-site parking area includes more than 4 parking spaces, the parking area shall be</p> <p>i. Landscaped at the rate of 1 tree per 5 spaces, planted within or immediately adjacent to the parking spaces;</p> <p>Rule 4.4.5.13 f takes preference over the requirements in Rule 25.5.4.6 Internal planting.</p>		<p>onerous and the landscaping requirements for a site, as imposed through the MDRS, are sufficient.</p> <p>Amendments sought.</p>	
183.	<u>4.4.5.14</u>	<p>Built Form</p> <p>For any terrace housing or apartment development containing four <u>seven</u> or more residential units</p> <p><u>a. no wall which is parallel to or up to an angle of 30o to any external boundary except the road frontage shall exceed 15m in length without there being a step in (or out) plan of at least 1.8m depth and 4m in length.</u></p> <p>b. All parts of a building less than 11m in height (or up to 3 storeys) shall be setback from the side and rear boundary a minimum of 1 meter as required by Rule 4.4.5.6 b & c;</p> <p>c. All parts of a building greater than 11m in height (or greater than 3 storeys) shall be setback from the side and rear boundary a minimum of 4 meters.</p>	Support in part	<p>Kāinga Ora supports the standard in part and the need to ensure that the increased built form enabled by the height in relation to boundary standard is not exacerbated through excessive unrelieved building length, however considers that 4.4.5.14(b) and (c) are unnecessary as these are controlled appropriately by the other development and performance standards.</p>	<p>Include that standard as-notified with amendments identified in track-changes.</p> <p>Amendments sought.</p>

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
184.	<u>4.4.5.15</u>	<p>Universal Access</p> <p>For application including 10 or more residential units</p> <p>a. At least 10% of residential units on a site shall be designed to provide convenient wheelchair access including:</p> <p>i. Access from a street to an entry door (which may be a front, back or side door) using gradients no greater than 1:20 and has a level (stepless) transitions from inside to outside.</p> <p>ii. Doorways that are at least 810mm (door leaf 860mm) wide to fit a wheelchair</p> <p>iii. At least one bedroom and accessible bathroom be located on the same level as the kitchen and living room</p> <p>Note: Where the assessment of the number of accessible units results in a fractional number, any fraction under one-half shall be disregarded and fractions of one-half or greater shall be considered as one residential unit.</p>	Oppose	Kāinga Ora opposes the standard. Universal access requirements are already managed through the Building Act. It is onerous and unjustified to require a minimum number of universally accessible units for <i>all</i> development and this is better provided in response to market demand. There is insufficient s32 analysis on the compliance costs of such a requirement for all residentially-zoned development across the City.	Delete the standard as-notified.
4.4.6 Rules – Specific Standards					
185.	<u>4.4.6.5</u>	<p>Rest Homes</p> <p><u>a. Maximum occupancy shall be 10 residents (including live-in staff).</u></p> <p>b. The maximum density for rest homes shall be one person per 50m² of net site area</p> <p><u>c. An outdoor living area shall be provided that:</u></p> <p><u>i. Is for the exclusive use of the residents.</u></p> <p><u>ii. Is readily accessible to all residents.</u></p> <p><u>iii. Is free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.</u></p> <p><u>iv. Has a maximum area of impermeable surfaces not exceeding 60% of the outdoor living area.</u></p> <p><u>d. The outdoor living area shall be provided communally which shall comprise:</u></p> <p><u>i. At least 12m² per resident</u></p> <p><u>ii. A minimum dimension of not less than 4m.</u></p> <p><u>iii. At least capable of containing a 6m-diameter circle.</u></p> <p><u>iv. At least 60% provided at ground level, and any outdoor living space that is not at ground level is provided on upper floor decks wider than 1m.</u></p>	Support in part	Kāinga Ora does not support the inclusion of a density requirement for rest homes, which is an inefficient requirement for a permitted activity. Where a maximum of 10 persons can be accommodated as a permitted activity in compliance with all relevant standards, would be sufficient to ensure an appropriate level of amenity and to sufficiently-enable housing associated with aged-care.	Amend the standard as-notified to remove the density requirement. Amendments sought.

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>									
		<p>e. A service area shall be provided that has a minimum area of 10m2 with a minimum dimension of 1.5m.</p> <p>f. <u>A Waste Management and Minimisation Plan shall be prepared for the site.</u></p>												
186.	4.4.6.6	<p>Visitor Accommodation (Outside of Visitor Facilities Precinct)</p> <p>a. <u>Maximum occupancy for visitor accommodation shall be 12 guests.</u></p> <p>b. <u>Visitor accommodation shall not provide for the sale of liquor through an ancillary facility such as a bar or a restaurant.</u></p>	Support	Kāinga Ora supports the standard as-notified.	Include the standard as-notified.									
187.	4.4.6.7	<p>Dairy</p> <table border="1" data-bbox="433 909 1641 1041"> <tr> <td>a.</td> <td>Gross floor area of retail</td> <td>Maximum 100m2</td> </tr> <tr> <td>b.</td> <td>Hours of operation</td> <td>0700 to 2200 hours</td> </tr> <tr> <td>c.</td> <td colspan="2">Located on a corner or through site and located on the ground floor of the building.</td> </tr> </table>	a.	Gross floor area of retail	Maximum 100m2	b.	Hours of operation	0700 to 2200 hours	c.	Located on a corner or through site and located on the ground floor of the building.		Support	Kāinga Ora supports the standard as-notified.	Include the standard as-notified.
a.	Gross floor area of retail	Maximum 100m2												
b.	Hours of operation	0700 to 2200 hours												
c.	Located on a corner or through site and located on the ground floor of the building.													
188.	4.4.6.8	<p>Pruning and maintenance of a tree where the trunk is located within a Significant Natural Area and the canopy overhangs the boundary of a Significant Natural Area in Schedule 9C (Volume 2, Appendix 9)</p> <p>a. Shall comply with the following:</p> <p>i. Maximum amount of foliage to be removed per tree per calendar year is 15%.</p> <p>ii. Maximum thickness (cross section) of any branch or root that may be cut is 50mm.</p>	Oppose	Kāinga Ora opposes the standard as it is already an activity identified in Chapter 25.2 – Earthworks and Vegetation removal. Specifically, 25.2.3K Rules – Activity Status Table as-proposed under PC9. An additional standard achieving the same outcome is therefore not required.	Delete the standard as-notified.									
4.4.7 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria														
189.	4.4.7	<p>a. <u>In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters referenced below, to which Council has restricted the exercise of its discretion. Assessment Criteria within Volume 2, Appendix 1.3 provide for assessment of applications as will any relevant objectives and policies. In addition, when considering any Restricted Discretionary Activity located within the Natural Open Space Zone, Waikato Riverbank and Gully Hazard Area, or Significant Natural Area, Council will also restrict its discretion to Waikato River Corridor or Gully System Matters (see the objectives and policies of Chapter 21: Waikato River Corridor and Gully Systems).</u></p> <table border="1" data-bbox="433 1682 1641 1801"> <thead> <tr> <th>Activity Specific</th> <th>Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)			Oppose in part	<p>Kāinga Ora supports the referencing of the established assessment criteria under the operative provisions – to the extent they are consistent with the overall Kāinga Ora submission including the amendments to allow for up to 6 dwellings as a permitted activity.</p> <p>However, in light of the NPS-UD and acknowledgement that existing environments will change in response to the planned urban built form character and amenity that is prescribed, Kāinga Ora consider that the existing matters of discretion need to be reframed to account</p>	<ol style="list-style-type: none"> Amend the matters of discretion for residential dwellings, to refine the scope of any assessment and ensure assessment relates to the planned urban built-form character of the zone consistent with the NPS-UD and the overall Kāinga Ora submission. Insert an additional matter of discretion in relation to three waters infrastructure for seven or more dwellings per site. This approach seeks to ensure the appropriate assessment is undertaken (within the scope of the 					
Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)													

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
		<p><u>Infringements of one or more standards – up to 6 dwellings per site</u></p> <p>B – Design and Layout</p> <ul style="list-style-type: none"> <u>The extent to which the development delivers quality on-site amenity and occupant privacy that is appropriate for its scale.</u> <p>C - Character and Amenity</p> <ul style="list-style-type: none"> <u>The extent to which the scale, form, and appearance of the development is compatible with the planned urban built form character of the neighbourhood.</u> <u>The extent to which the development contributes to a safe and attractive public realm and streetscape.</u> <p>J – Three Waters Capacity and Techniques</p> <ul style="list-style-type: none"> <u>The extent and effects on the three waters infrastructure, achieved by demonstrating that at the point of connection the infrastructure has the capacity to service the development.</u> <p><u>Except in relation to non-compliance with Rule 4.4.5.3 a, where matters of discretion will be limited to JJ - Stormwater Quantity and Quality.</u></p>		<p>for this when assessing enabled residential development of up to 6 dwellings per site where standards are infringed, as sought by Kāinga Ora.</p> <p>Kāinga Ora also propose an additional matter of discretion in relation to three waters infrastructure for seven or more dwellings per site. This approach seeks to ensure the appropriate assessment is undertaken (within the scope of the proposed matter of discretion), given Kāinga Ora opposition to, and sought-deletion of, the proposed infrastructure constraint overlay (refer to submission on Chapter 25). Consequential changes to other listed activities and associated matters of discretion may be required should the relief sought in relation to the infrastructure constraint overlay be granted.</p>	<p>proposed matter of discretion), given Kāinga Ora opposition to, and sought-deletion of, the proposed infrastructure constraint overlay (refer to submission on Chapter 25). As a consequence, assessment criterion (iii) is a duplication and sought to be deleted as it is no longer required.</p> <p>3. Consequential changes to other listed activities and associated matters of discretion may be required should the relief sought in relation to the infrastructure constraint overlay be granted.</p> <p>4. Include the provisions as-notified to the extent they are consistent with the overall Kāinga Ora submission.</p>
		<p><u>a. 3 7 or more residential units on a site*</u></p>		<p><u>B – Design and Layout</u></p> <p><u>C - Character and Amenity</u></p> <p><u>Except in relation to non-compliance with Rule 4.4.5.3 a., where matters of discretion will be limited to JJ - Stormwater Quantity and Quality</u></p>	
		<p><u>b. Childcare facility for 6 or more children</u></p>		<p><u>B – Design and Layout</u></p> <p><u>C - Character and Amenity</u></p>	
		<p><u>c. Papakainga*</u></p>		<p><u>B – Design and Layout</u></p> <p><u>C - Character and Amenity</u></p>	
		<p><u>d. Marae when provided as part of a papakainga development*</u></p>		<p><u>B – Design and Layout</u></p> <p><u>C - Character and Amenity</u></p>	
		<p><u>e. Rest home*</u></p>		<p><u>B – Design and Layout</u></p> <p><u>C - Character and Amenity</u></p>	
		<p><u>g. Visitor accommodation</u></p>		<p><u>B – Design and Layout</u></p> <p><u>C - Character and Amenity</u></p>	
		<p><u>h. Emergency service facilities</u></p>		<p><u>B – Design and Layout</u></p> <p><u>C - Character and Amenity</u></p>	

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		<p data-bbox="528 562 952 678">i. Any earthworks within the root protection zone of a tree where the trunk is located within a SNA in Schedule 9C (Volume 2, Appendix 9)</p> <p data-bbox="982 562 1596 590">D – Natural Character and Open Space F – Hazards and Safety</p> <p data-bbox="403 695 457 722">Note</p> <p data-bbox="403 743 1032 770">Refer to Chapter 1.1.9 for activities marked with an asterisk</p>			
4.5 Large Lot Residential Zone					
4.5.1 Purpose					
190.	<u>4.5.1</u>	<p data-bbox="492 961 1626 1077"><u>The Large Lot Residential Zone recognises that there are certain locations where a lower density is required to manage the effects of residential development in a sustainable manner. The Large Lot Residential Zone is similar in most respects to the General Residential Zone, with the obvious difference being the size of allotments within the Large Lot Residential Zone. The locations and rationale for this zone in these locations are outlined below.</u></p> <p data-bbox="492 1108 842 1136"><u>Ruakura Structure Plan area (SH26)</u></p> <p data-bbox="492 1167 1581 1220"><u>This location is not serviced and is already characterised by a range of large lot residential and non- residential uses.</u></p> <p data-bbox="492 1251 1012 1278"><u>Ruakura Structure Plan area (Percival/Ryburn Roads)</u></p> <p data-bbox="492 1310 1596 1425"><u>The area bounded by Percival, and Ryburn Roads, the designation for the Waikato Expressway, the East Coast Main Trunk railway (ECMT) and the approved inland port (Logistics Zone, Sub–Area A – see Figure 2-14 Ruakura Structure Plan – Land use (Appendix2)) is characterised by a range of large lot residential uses and some rural activities. This area is not serviced and is not intended to be serviced.</u></p> <p data-bbox="492 1457 1626 1709"><u>This area is planned in the Ruakura Structure Plan area to transition to the Ruakura Logistics Zone in future district plans. To protect amenity a buffer will be necessary at the interface between the land intended to support the expansion of the inland port and future development in the Industrial Park Zone and the residential area. Interface design control measures are therefore adopted to assist in the protection of the residential amenity resulting from the development of the inland port and related activities adjacent to the enclave. The buffer measures are to be detailed in the relevant Land Development Plan and implemented prior to the land being developed. For the avoidance of doubt, the required vegetation is to have been planted prior to development and have established heights and densities.</u></p> <p data-bbox="492 1740 1626 1835"><u>The conversion of the rural residential area to a Logistics zoning will require a change or variation to be made to the District Plan when there is sufficient information and certainty about the timing and need for the 'new' zoning. This is consistent with the staged industrial land allocation provided in the Regional Policy Statement.</u></p>	Support in part	<p data-bbox="1866 951 2318 1140">Kāinga Ora supports the proposed large lot residential zone provisions, being essentially a 'roll over' of the operative provisions, and in light of the large lot residential zone not being a 'relevant residential zone' under the Housing Supply Act.</p> <p data-bbox="1866 1224 2309 1444">However, the purpose statement should be corrected to remove reference to its 'similarly' to the general residential zone given the purpose of the zone, its spatial application and the density requirements within the zone which set it apart from the General Residential Zone.</p>	Include the provisions as-notified subject to the amendment sought.

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Chapter 5 – Special Character Zones					
5.1 Purpose					
191.	5.1	<p>a. There are areas of Hamilton City that are recognised as having a distinctive and special character. Character is influenced by the natural and built environment, architectural styles, the layout of streets and residential lots (and their size), land use, the trees, fences, landscaped areas and open space and the heritage and cultural values. Both public and private spaces contribute to defining the character of an area. The unique character or values of these areas can be compromised by site redevelopment, infill development, demolition of character homes, additions and alterations of existing buildings and the design and location of structures such as fences, if these have little regard to the area’s dominant character.</p> <p>b. The intention of the Special Character Zones is to protect, maintain and enhance the respective ‘special’ characteristics of those areas. Five special zones are provided in this District Plan:</p> <ul style="list-style-type: none"> i. Special Residential Zone. ii. Special Heritage Zone. iii. Special Natural Zone. iv. Temple View Zone. v. Peacocke Character Zone. vi. Rototuna North East Character Zone. <p>c. Design and layout of residential sites and buildings are critically important. All residential development must address potential adverse environmental effects and ensure a good quality urban environment is achieved through urban design.</p> <p>d. Good standards of amenity create a pleasant and attractive living environment, and in doing so contribute to wider neighbourhood amenity. Residential amenity means the many qualities and attributes that allow people to enjoy living where they do – such as visual attributes, sunlight, good access, low noise levels and safety.</p> <p>e. Special Character Zones other than the Temple View Zone are intended to be primarily for residential purposes and any other activities need to maintain residential character and amenity. In particular, the character and amenity of established residential areas need to be, where possible, enhanced by both public and private development.</p> <p>f. In addition to residential activities, some small scale non-residential activities, such as home-based business and home stays, are appropriate in residential areas. A limited range of non-residential activities that support communities, such as schools and health centres, can potentially establish within</p>	Oppose	<p>Consistent with the Kāinga Ora submission on PC9, the spatial application of ‘Historic Heritage Areas’ and associated provisions are opposed in their entirety. As such, the deletion of the existing provisions concerning Special Character zones is opposed.</p> <p>Consistent with the Kāinga Ora submission on PC9, the assessment methodology utilised to identify ‘history heritage areas’ conflates issues of special character and inappropriately elevates existing and proposed areas under PC9 to ‘heritage’ status under section 6 of the RMA.</p>	<p>Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment (“PC9”). Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones, consistent with the relief sought in PC9.</p> <p>Kāinga Ora considers that the proposed changes across PC9 and PC12 are not qualifying matters, as the assessments in its view, do not meet the requirements under s6, s77I, s77J, s77K, and/or s77L of the RMA.</p> <p>Kāinga Ora seeks deletion as per submission on PC9.</p>

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
		<p>the zones. A suburban centre is also provided for within the Peacocke Character Zone to serve the local community. However, non-residential activities are subject to several considerations, particularly their compatibility with the existing and anticipated residential character and amenity of the residential area.</p> <p>g. <u>Special Character Zone, Temple View Zone is intended to provide for the repurposing of the identified area that places a strong focus on the area's character and historic heritage while enabling a mix of residential and non-residential activities that do not compromise the characteristics of the area.</u></p>			
5.1.1.1 Special Residential Zone					
192.	5.1.1	<p>a. The Special Residential Zone comprises:</p> <ul style="list-style-type: none"> i. Claudlands West ii. Hamilton East iii. The Dwelling Control Area 	Oppose	<p>Consistent with the Kāinga Ora submission on PC9, the spatial application of 'Historic Heritage Areas' and associated provisions are opposed in their entirety. As such, the deletion of the existing provisions concerning Special Character zones is opposed.</p> <p>Consistent with the Kāinga Ora submission on PC9, the assessment methodology utilised to identify 'history heritage areas' conflates issues of special character and inappropriately elevates existing and proposed areas under PC9 to 'heritage' status under section 6 of the RMA.</p>	<p>Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment ("PC9"). Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones, consistent with the relief sought in PC9.</p> <p>Kāinga Ora considers that the proposed changes across PC9 and PC12 are not qualifying matters, as the assessments in its view, do not meet the requirements under s6, s77I, s77J, s77K, and/or s77L of the RMA.</p>
5.1.1.1 Claudlands West					
193.		<p>a. Claudlands West comprises that part of the Special Residential Zone:</p> <ul style="list-style-type: none"> i. South of Boundary Road ii. West of Heaphy Terrace iii. North of Te Aroha Street iv. East of the Waikato River <p>b. Claudlands West derives its character largely from period housing providing links with the City's early settlement, including bungalows, Arts and Crafts houses and villas. The area also contains the 'sausage style' apartment blocks that dominated infilling in the 1960s—70s and detached second infill development units;</p>	Oppose	<p>Consistent with the Kāinga Ora submission on PC9, the spatial application of 'Historic Heritage Areas' and associated provisions are opposed in their entirety. As such, deletion of the existing provisions concerning Special Character zones is opposed.</p> <p>Consistent with the Kāinga Ora submission on PC9, the assessment methodology utilised to identify 'history heritage areas' conflates issues of special character and inappropriately elevates existing and</p>	<p>Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment ("PC9"). Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones, consistent with the relief sought in PC9.</p> <p>Kāinga Ora considers that the proposed changes across PC9 and PC12 are not qualifying matters, as the assessments in its view, do not meet the requirements</p>

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined></i>
		<p>commercial activities that support the area are located on the fringe of the area. Overall the area is characterised by its predominately low density development. Areas of mature vegetation (including street trees) and front yard gardens are also a significant element.</p> <p>c. The character of Claudelands West can be maintained in several ways. The low density housing pattern is an important element, as is ensuring that any new buildings are compatible with houses constructed before 1939. This means height, scale and bulk similar to the existing built form. The front yard and the streetscape are important and can be maintained by buildings set back from the road and low front fences. This ensures that the building line is preserved and there are opportunities for front yard gardens and tree planting.</p>		proposed areas under PC9 to 'heritage' status under section 6 of the RMA.	under s6, s77I, s77J, s77K, and/or s77L of the RMA.
5.1.1.2 Hamilton East					
194.	5.1.1.2	<p>a. Hamilton East comprises that part of the Special Residential Zone:</p> <ul style="list-style-type: none"> v. South of Te Aroha Street vi. West of Dey Street vii. North of Cobham Drive viii. East of the Waikato River <p>b. Hamilton East is the City's oldest suburb. The original framework of streets laid out on a grid pattern in the 1860s provided the basis for early subdivision into uniform 1-acre lots. The area continued to develop over successive generations and now contains a variety of building styles. The wider neighbourhood has retained the original, regular configuration of allotments.</p> <p>c. Sites typically have generous front and side yard setbacks resulting in relatively low building coverage. The variety of building styles, predominantly single-storeyed, avoids a uniform or regimented appearance but the unifying feature is large setbacks from a heavily vegetated streetscape and from each other. There are similarities with siting, scale, height, building design and orientation, and vegetation. Garages and accessory buildings are generally located to the rear of a site, maintaining a strong relationship between the dwelling and the street.</p> <p>d. There is significant planting within private properties and major reserves such as Steele Park and Galloway Park. One of the defining features of Hamilton East is the extensive mature trees and planted berms.</p> <p>e. It is not intended that the elements that contribute to the character and amenity values of the neighbourhood be 'frozen in time' and that new development mimic existing building styles. What is intended is that development as a whole is sympathetic to, and respects, the neighbourhood's special qualities.</p> <p>f. While some dwellings are identified and protected for their heritage values, those pre-dating 1940 contribute to the local character without necessarily being of heritage value individually.</p>	Oppose	<p>Consistent with the Kāinga Ora submission on PC9, the spatial application of 'Historic Heritage Areas' and associated provisions are opposed in their entirety. As such, deletion of the existing provisions concerning Special Character zones is opposed.</p> <p>Consistent with the Kāinga Ora submission on PC9, the assessment methodology utilised to identify 'history heritage areas' conflates issues of special character and inappropriately elevates existing and proposed areas under PC9 to 'heritage' status under section 6 of the RMA.</p>	<p>Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment ("PC9"). Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones, consistent with the relief sought in PC9.</p> <p>Kāinga Ora considers that the proposed changes across PC9 and PC12 are not qualifying matters, as the assessments in its view, do not meet the requirements under s6, s77I, s77J, s77K, and/or s77L of the RMA.</p>

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Chapter 6 – Business 1 to 7 Zones					
6.1 Purpose					
195.	6.1	d. A centre is a cohesive or integrated set (cluster) of diverse land-use (business <u>complemented by residential</u>) activities, characterised by high pedestrian levels in a high-amenity public environment and supported by efficient and accessible passenger transport, infrastructure and services	Support	Kāinga Ora supports the amendments to reflect residential activities being provided for in the Business zones.	Include the provision as-notified.
6.2 Objectives and Policies: Business 1 to 7 Zones					
Sub-regional Centres					
196.	6.2	6.2.1 The Base and Chartwell function as sub-regional centres for business activities providing a scale and diversity of retail floorspace, entertainment facilities, <u>residential activities above ground floor</u> and limited offices while not undermining the primacy, vitality, viability, function and amenity of the Central City.	Support	Kāinga Ora supports the amendments to reflect residential activities being provided for in the Business zones.	Include the objective as-notified.
197.	6.2.1	6.2.1f Residential Upper floor residential development which contributes to safe streets is discouraged from establishing in sub-regional centres encouraged where each residential unit is provided with adequate storage space, usable outdoor living areas and access to daylight. <u>Achieve a good standard of amenity for upper floor residential activities in the Sub-regional centres by ensuring access to convenient outdoor space.</u>	Oppose	Kāinga Ora oppose this policy as it does not recognise the higher density residential living suited for the sub-regional centres. Outlook requirements should not be mandatory in a higher density living situation. Subsequent amendments/deletion are sought to reflect this change within the rule framework.	Replace policy 6.2.1f with that proposed and amend relevant rules to clarify this policy. Amendments sought.
Suburban Centers					
198.	6.2.2	6.2.2 A distribution of suburban centres that provide a mixed use environment with health-care services, goods, services <u>employment</u> and employment <u>residential activities above ground floor</u> at a scale appropriate to suburban catchments, while not undermining the primacy, function, vitality, amenity or viability of the Central City.	Support	Kāinga Ora supports the amendments to reflect residential activities being provided for in the Business zones.	Include the objective as-notified.
199.	6.2.2b	6.2.2b Suburban centres provide an opportunity to reduce the need for travel, by providing for mixed uses, a diverse range of activities, services and trading formats. Residential activities above ground floor level shall be supported where quality on-site amenity is achieved.	Support	Kāinga Ora supports the amendments to reflect residential activities being provided for in the Business zones.	Include the policy as-notified.

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
200.	6.2.2h	<p>6.2.2h Upper floor residential development which contributes to safe streets is encouraged where each residential unit is provided with adequate storage space, usable outdoor living areas and access to daylight.</p> <p><u>Achieve a good standard of amenity for upper floor residential activities in the suburban centres by ensuring access to convenient outdoor space.</u></p>	Oppose	<p>Kāinga Ora oppose this policy as it does not recognise the higher density residential living suited for the suburban centres. Outlook requirements should not be mandatory in a higher density living situation.</p> <p>Subsequent amendments/deletion are sought to reflect this change within the rule framework.</p>	<p>Replace policy 6.2.2h with that proposed and amend relevant rules to clarify this policy.</p> <p>Amendments sought.</p>
Neighbourhood Centres					
201.	6.2.3c	<p>6.2.3c Residential activities above ground Upper floor commercial uses are residential development which contributes to safe streets is encouraged as part of mixed use development where quality on site amenity each residential unit is achieved provided with adequate storage space, usable outdoor living areas and access to daylight.</p> <p><u>Achieve a good standard of amenity for upper floor residential activities in the neighbourhood centres by ensuring access to convenient outdoor space.</u></p>	Oppose	<p>Kāinga Ora oppose this policy as it does not recognise the higher density residential living suited for the neighbourhood centres. Outlook requirements should not be mandatory in a higher density living situation.</p> <p>Subsequent amendments/deletion are sought to reflect this change within the rule framework.</p>	<p>Replace policy 6.2.3c with that proposed and amend relevant rules to clarify this policy.</p>
Out-of-Centre Development – Commercial Fringe Zone					
202.	6.2.8a	<p>6.2.8a The built form shall:</p> <ul style="list-style-type: none"> i. Have regard to the <u>planned</u> character and scale of the Hamilton East Suburban Centre and surrounding area. ii. Respond to the setting, context and opportunities of the site and adjoining areas of open space. iii. Respond to and maintain the amenity of the Waikato River, adjoining open space and surrounding urban area. iv. Provide quality urban design that responds to the form, scale and heritage of the Hamilton East Suburban Centre and the Waikato River. 	Support	<p>Kāinga Ora supports the amendments to reflect the planned outcomes of the zone.</p>	<p>Include the policy as-notified to the extent that it gives effect to the relief sought within this submission.</p>

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
203.	6.2.8b	<p>6.2.8b Residential activity Upper floor residential development which contributes to safe streets is encouraged in locations adjacent where each residential unit is provided with adequate storage space, usable outdoor living areas and access to the Hamilton East Suburban Centre where it can be shown to support established and future business activity whilst providing a high amenity living environment daylight.</p> <p><u>Achieve a good standard of amenity for upper floor residential activities in the commercial fringe zone by ensuring access to convenient outdoor space.</u></p>	Oppose	<p>Kāinga Ora oppose this policy as it does not recognise the higher density residential living suited for the commercial fringe zone. Outlook requirements should not be mandatory in a higher density living situation.</p> <p>Subsequent amendments/deletion are sought to reflect this change within the rule framework.</p>	<p>Replace policy 6.2.8b with that proposed and amend relevant rules to clarify this policy.</p> <p>Amendments sought.</p>
204.	6.2.8c	<p>6.2.8c Mixed use development shall provide a range of uses that complement, and are supportive of, the Hamilton East Suburban Centre which are managed to ensure high levels of amenity for any residential activity and avoid any <u>while ensuring that reverse sensitivity effects are mitigated to ensure an appropriate level of amenity for residential activities</u> issues.</p>	Oppose in part	<p>Kāinga Ora notes that the use of the term 'avoid' in Policy 6.2.8c is contrary to the directive under Environmental Defence Society Inc v New Zealand King Salmon Company Ltd [2014] NZSC 38 ("King Salmon") concerning the term 'avoid'. As the policy uses avoid, there cannot be any exceptions to what is tantamount to a prohibited activity. Council should ensure the use of 'avoid' in this context is appropriate with the wider policy framework of the ODP and not-contrary to other enabling provisions.</p> <p>Kāinga Ora seeks the policy be amended, on the basis that 'avoidance' of all reverse sensitivity issues is too-high a threshold in a mixed-use environment, and that the policy relates to residential activities.</p>	<p>Amend the policy as shown in the tracked amendments, with any consequential amendments to the District Plan as required to give effect to the relief sought.</p>
Frankton Commercial Fringe Zone					
205.	6.2.9b	<p>6.2.9b Upper floor residential development which contributes to safe streets is encouraged in the Frankton Living Overlay where each residential unit is provided with adequate storage space, usable outdoor living areas.</p> <p><u>Achieve a good standard of amenity for upper floor residential activities in the Frankton commercial fringe zone by ensuring access to convenient outdoor space.</u></p>	Support	<p>Kāinga Ora oppose this policy as it does not recognise the higher density residential living suited for the commercial fringe zone. Outlook requirements should not be mandatory in a higher density living situation.</p>	<p>Replace policy 6.2.9b with that proposed and amend relevant rules to clarify this policy.</p>

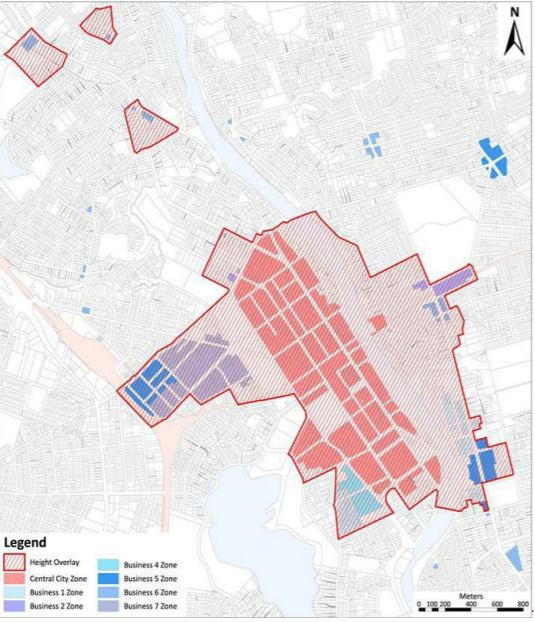
ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				Subsequent amendments/deletion are sought to reflect this change within the rule framework.	Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.

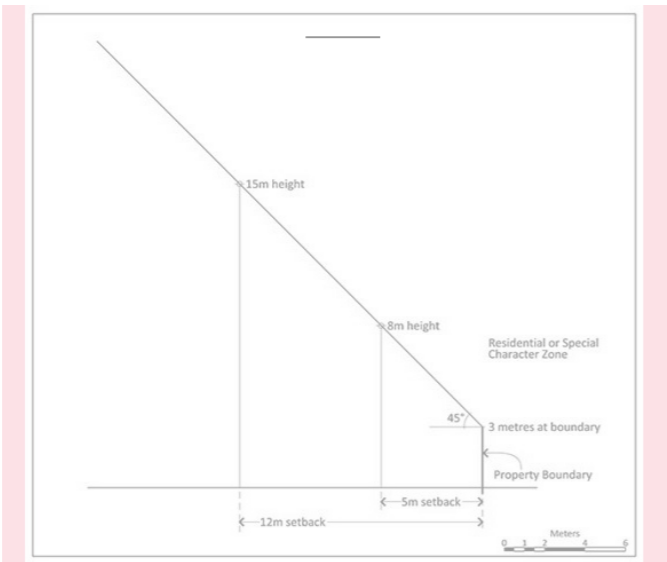
6.3 Rules – Activity Status Table

206.	6.3.1	<table border="1"> <thead> <tr> <th>Residential</th> <th>Commercial fringe</th> <th>Major Event</th> <th>Sub-regional</th> <th>Large Format</th> <th>Suburban Centre</th> <th>Neighbourhood Centre</th> <th>Frankton Commercial</th> </tr> </thead> <tbody> <tr> <td>yy. Apartments</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>i. At ground floor</td> <td>NC</td> <td>NC</td> <td>NC</td> <td>NCNC</td> <td>NC</td> <td>NC</td> <td>NC</td> </tr> <tr> <td>ii. above Aboveground floor</td> <td>RD=P</td> <td>NC</td> <td>NCP</td> <td>-</td> <td>RD=P</td> <td>RD=P</td> <td>RD=P</td> </tr> <tr> <td>above Aboveground floor within the Frankton Living Overlay</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>RD=P</td> </tr> </tbody> </table>	Residential	Commercial fringe	Major Event	Sub-regional	Large Format	Suburban Centre	Neighbourhood Centre	Frankton Commercial	yy. Apartments								i. At ground floor	NC	NC	NC	NCNC	NC	NC	NC	ii. above Aboveground floor	RD=P	NC	NCP	-	RD=P	RD=P	RD=P	above Aboveground floor within the Frankton Living Overlay	-	-	-	-	-	-	RD=P	Support in part	While Kāinga Ora supports the proposed activity statuses for residential above ground floor, the table should be formatted to ensure there is no confusion regarding apartment typology and activity status. Separated rows for each activity subset would be appropriate.	Include the activities as-notified with amendments to ensure the formatting of the activity table does not lead to confusion.
Residential	Commercial fringe	Major Event	Sub-regional	Large Format	Suburban Centre	Neighbourhood Centre	Frankton Commercial																																						
yy. Apartments																																													
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above Aboveground floor within the Frankton Living Overlay	-	-	-	-	-	-	RD=P																																						

6.4 Rules – General Standards

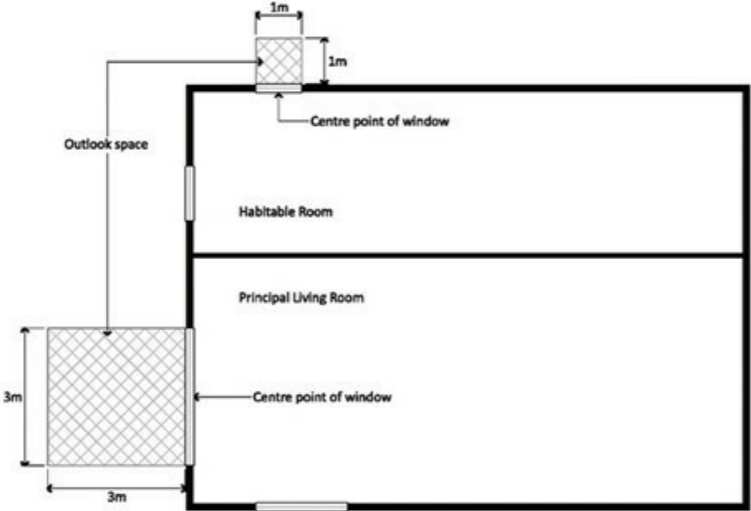
207.	6.4.1	<p>Maximum Building Height</p> <table border="1"> <thead> <tr> <th>Business Zones</th> <th>Height of buildings</th> </tr> </thead> <tbody> <tr> <td>a. Business 3, 4 (where adjoining Industrial Zone)</td> <td>20m</td> </tr> <tr> <td>b. Where located in the height overlay shown in Figure 6.4c below</td> <td>21m</td> </tr> <tr> <td>c. Business 1, 2, 4, 5, 7 (outside of the height overlay)</td> <td>15m</td> </tr> <tr> <td>d. Business 6 (outside of the height overlay)</td> <td>10m Buildings must not exceed 11 metres in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more, as shown on the following diagram:</td> </tr> <tr> <td colspan="2">e. Elements such as flues, flagpoles, open balustrades and aerials shall be exempt from 6.4.1.a, b, c and d above</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Business Zones</th> <th>Height of buildings</th> </tr> </thead> <tbody> <tr> <td><u>a. Business 1, 2 and 7</u></td> <td><u>20.50m</u> <u>Except where varied by the height</u></td> </tr> </tbody> </table>	Business Zones	Height of buildings	a. Business 3, 4 (where adjoining Industrial Zone)	20m	b. Where located in the height overlay shown in Figure 6.4c below	21m	c. Business 1, 2, 4, 5, 7 (outside of the height overlay)	15m	d. Business 6 (outside of the height overlay)	10m Buildings must not exceed 11 metres in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more, as shown on the following diagram:	e. Elements such as flues, flagpoles, open balustrades and aerials shall be exempt from 6.4.1.a, b, c and d above		Business Zones	Height of buildings	<u>a. Business 1, 2 and 7</u>	<u>20.50m</u> <u>Except where varied by the height</u>	Oppose	Consistent with the Kāinga Ora submission on the residential zones and the need to ensure an appropriate spatial hierarchy and zone height framework, Kāinga Ora seeks that additional height be enabled within business zones to be reflective of both the height increases sought and the spatial extent of the Medium and High-Density Residential zones and is consistent with the height variation maps attached within Appendix 2 .	<ol style="list-style-type: none"> Amend the spatial extent and application of the height overlay to reflect the Kāinga Ora submission to increase enabled heights with any consequential amendments to the District Plan as-required to give effect to the relief sought. Include the height variation controls within the District Plan planning maps. The proposed amendments to the height overlay are provided in Appendix 2 to the Kāinga Ora submission. Proposed heights are annotated therein as well as within tracked amendments to 6.4.1. Increase the heights of up to 48.50m within 400m walkable catchment of the City Centre. Increase the heights of up to 40.50m within 400m-800m walkable catchment of the City Centre and within 400m of the Ulster Road and Te Rapa Road spine.
Business Zones	Height of buildings																				
a. Business 3, 4 (where adjoining Industrial Zone)	20m																				
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		<p><u>variation controls as shown on the District Plan planning maps</u></p> <table border="1" data-bbox="409 611 1326 1060"> <tr> <td data-bbox="409 611 795 741"><u>b. Business 3 and 4</u></td> <td data-bbox="795 611 1326 741"><u>40.5m</u> <u>Except where varied by the height variation controls as shown on the District Plan planning maps</u></td> </tr> <tr> <td data-bbox="409 741 795 871"><u>a. Business 5</u></td> <td data-bbox="795 741 1326 871"><u>24.50m</u> <u>Except where varied by the height variation controls as shown on the District Plan planning maps</u></td> </tr> <tr> <td data-bbox="409 871 795 1001"><u>b. Business 6</u></td> <td data-bbox="795 871 1326 1001"><u>20.50m</u> <u>Except where varied by the height variation controls as shown on the District Plan planning maps</u></td> </tr> <tr> <td colspan="2" data-bbox="409 1001 1326 1060"><u>e. Elements such as flues, flagpoles, open balustrades and aerials shall be exempt from 6.4.1.a, b, c and d above.</u></td> </tr> </table> <p><u>For clarity, height variations are shown within the District Plan planning maps.</u></p>	<u>b. Business 3 and 4</u>	<u>40.5m</u> <u>Except where varied by the height variation controls as shown on the District Plan planning maps</u>	<u>a. Business 5</u>	<u>24.50m</u> <u>Except where varied by the height variation controls as shown on the District Plan planning maps</u>	<u>b. Business 6</u>	<u>20.50m</u> <u>Except where varied by the height variation controls as shown on the District Plan planning maps</u>	<u>e. Elements such as flues, flagpoles, open balustrades and aerials shall be exempt from 6.4.1.a, b, c and d above.</u>				<ol style="list-style-type: none"> 5. Increase the heights of Business 6 centres where located adjacent to a High Density Zone. 6. Increase the heights within the Rototuna Town Centre to 24m.
<u>b. Business 3 and 4</u>	<u>40.5m</u> <u>Except where varied by the height variation controls as shown on the District Plan planning maps</u>												
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<u>b. Business 6</u>	<u>20.50m</u> <u>Except where varied by the height variation controls as shown on the District Plan planning maps</u>												
<u>e. Elements such as flues, flagpoles, open balustrades and aerials shall be exempt from 6.4.1.a, b, c and d above.</u>													
208.	6.4.1	<p><u>Figure 6.4c Height Overlay</u></p>  <p><u>Note:</u></p> <p><u>1. The height overlay identified in Figure 6.4c applies to sites within the Business Zone only.</u></p>	Oppose	<p>Consistent with the Kāinga Ora submission on the residential zones and the need to ensure an appropriate spatial hierarchy and zone height framework, Kāinga Ora seeks that additional height be enabled within 400m-800m of the City Centre, 400m of the Ulster Road/Te Rapa Road spine and where adjacent to High Density Residential Zones.</p>	<ol style="list-style-type: none"> 1. Amend the spatial extent and application of the height overlay to reflect the Kāinga Ora submission to increase enabled heights with any consequential amendments to the District Plan as-required to give effect to the relief sought. 2. Include the height variation controls within the District Plan planning maps. The proposed amendments to the height overlay are provided in Appendix 2 to the Kāinga Ora submission. Proposed heights are annotated therein as well as within tracked amendments to 6.4.1. 3. Increase the heights of up to 48.50m within 400m walkable catchment of the City Centre. 4. Increase the heights of up to 40.50m within 400m-800m walkable catchment of the City Centre and within 400m of the Ulster Road and Te Rapa Road spine. 								

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
					5. Increase the heights of Business 6 centres where located adjacent to a High Density Zone.
209.	6.4.2	<p>Height in Relation to Boundary</p> <p>a. Where any boundary adjoins a General Residential or Special Character Zone, no part of any building shall penetrate a height control plane rising at an angle of 4560 degrees beginning at an elevation of 3m4m above the boundary.</p> <p><u>b. Where any boundaries adjoins a Medium Residential Zone, no part of any building shall penetrate a height control plane rising an angle of 60 degrees beginning at an elevation of 6m above the boundary.</u></p> <p>c. b. Elements such as flues, Where the boundary forms part of a legal right of way, flagpoles, entrance strip, open balustrades and aerials shall be exempt <u>access site, or pedestrian access way, the height in relation to boundary</u></p>  <p><u>applies from 6.4.2.a above the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.</u></p> <p><u>Figure 6.4c: Height control plane for boundaries adjoining any residential or special character zone</u></p>	Support in part	Kāinga Ora supports the need to manage the transition of higher-intensity development to lower-intensity zones, and the application of the MDRS density control for Height in Relation to Boundary where the business zoned land adjoins the General Residential zone. However, additional provisions should be included to provide for a greater HIRB control where business zoned land adjoins the Medium Density Residential Zone.	Amend standard as shown.
210.	6.4.7	<p>Residential Development</p> <p><u>f. Storage Areas</u></p> <p>i. Each residential unit shall be provided with a storage area.</p>	Oppose	Kāinga Ora seeks that the provision of storage areas is provided as a matter of assessment criteria rather than a standard to allow for flexibility and to reflect the	Delete the standard and introduce as an assessment criteria.

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>										
		<ul style="list-style-type: none"> • Located located at or below ground floor level, readily accessible to that residential unit, secure and weatherproof. • A minimum of 1.8m long by 1m high by 1m deep. The storage areas for each unit shall meet the following volume requirements: <table border="1" data-bbox="412 768 964 951"> <thead> <tr> <th>Unit Type</th> <th>Minimum Storage Area-Volume</th> </tr> </thead> <tbody> <tr> <td>Studio unit</td> <td>3m²</td> </tr> <tr> <td>One bedroom unit</td> <td>4m²</td> </tr> <tr> <td>Two bedroom unit</td> <td>5m²</td> </tr> <tr> <td>Three or more bedroom unit</td> <td>6m²</td> </tr> </tbody> </table> <p>iii. The minimum dimensions for width and depth shall be 1.2m and the minimum height shall be 1.8m.</p>	Unit Type	Minimum Storage Area-Volume	Studio unit	3m²	One bedroom unit	4m²	Two bedroom unit	5m²	Three or more bedroom unit	6m²		higher intensity of development expected within the Business Centre Zones.	
Unit Type	Minimum Storage Area-Volume														
Studio unit	3m²														
One bedroom unit	4m²														
Two bedroom unit	5m²														
Three or more bedroom unit	6m²														
211.	6.4.8	<p>g. Residential Unit Size</p> <p>i. The minimum internal floor area required in respect of each apartment shall be:</p> <table border="1" data-bbox="412 1194 964 1350"> <thead> <tr> <th>Form of Residential Unit</th> <th>Floor Area</th> </tr> </thead> <tbody> <tr> <td>Studio unit</td> <td>Minimum 30m²</td> </tr> <tr> <td>1 or more bedroom unit</td> <td>Minimum 4540m²</td> </tr> <tr> <td>2 bedroom unit</td> <td>Minimum 55m²</td> </tr> <tr> <td>3 or more bedroom unit</td> <td>Minimum 90m²</td> </tr> </tbody> </table> <p>ii. In any one apartment building containing in excess of 20 residential units, the combined number of one bedroom units and studio units shall not exceed 50% of the total number of residential units within the building.</p>	Form of Residential Unit	Floor Area	Studio unit	Minimum 30m²	1 or more bedroom unit	Minimum 4540m²	2 bedroom unit	Minimum 55m²	3 or more bedroom unit	Minimum 90m²	Oppose	<p>Kāinga Ora opposes the deletion of the standard as it sets a minimum 'liveable' area for apartment sizes, and avoids the establishment of undersized apartments which would not contribute to well-functioning urban environments or provide an adequate minimum level of amenity.</p> <p>Kāinga Ora seeks the standard be maintained, with modifications to ensure typology number requirements are removed (being similar to a density standard), and that the minimum floor area relates to the internal floor area (not including balconies).</p>	<p>Retain the standard with tracked amendments.</p> <p>Amendments sought.</p>
Form of Residential Unit	Floor Area														
Studio unit	Minimum 30m²														
1 or more bedroom unit	Minimum 4540m²														
2 bedroom unit	Minimum 55m²														
3 or more bedroom unit	Minimum 90m²														
212.	6.4.8	<p>Daylight Standards</p> <p>g. Public Interface</p> <p>Residential units shall be designed to achieve</p> <p>Any residential unit facing the following minimum daylight standards:</p> <p>i. Living rooms and living/dining areas: street must have a total clear glazed area of exterior wall no less than minimum 20% of the floor area street facing façade in glazing. This can be in the form of that space windows or doors.</p>	Oppose	Kāinga Ora opposes this provision as it sets a standard that may not be possible to meet for dwellings that would otherwise provide a decent standard of living.	Delete the standard in its entirety.										

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
		<p>ii. Bedrooms (excluding studio units, and any bedroom that complies with iii. below): a minimum of one bedroom with a total clear-glazed area of exterior wall no less than 20% of the floor area of that space.</p> <p>iii. No more than one bedroom in any residential unit may rely on natural light borrowed from another naturally lit room provided:</p> <ul style="list-style-type: none"> • The maximum distance of the bedroom from the natural light source window shall be 6m. • The minimum total clear-glazed area of the light source shall be no less than 20% of the floor area of that bedroom. 			
213.	6.4.8	<p>h. External Outlook Area</p> <p>Each residential unit shall have an external</p> <p>i. An outlook area that:</p> <ul style="list-style-type: none"> i. Is provided from the face of the building containing windows to the indoor living area, and ii. Has a minimum depth of 6m, measured perpendicular from the face of the window area. iii. Where an indoor living room has two or more walls containing windows, the outlook area shall <u>space must be provided from the face habitable room windows.</u> iv. A principal living room of a dwelling must have an outlook space with the greatest window area a minimum dimension of 4m depth and 4m width. v. All other habitable rooms must have an outlook space of 1m in depth and 1m in width. vi. The external depth of the outlook area may be over: <ul style="list-style-type: none"> a. The site on space is measured at right angles to and horizontal from the window to which the building is located; it applies. b. The Transport Corridor Zone; or width of the outlook space is measured from the centre point of the largest window on the building face to which it applies. c. Public Open Space The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies. d. Outlook spaces may be over driveways and footpaths within the site or over a public 	Oppose	Kāinga Ora opposes this provision as it sets a standard that may not be possible to meet for dwellings that would otherwise provide a decent standard of living.	Delete the standard in its entirety.

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
		<p>street or other public open space.</p> <p>e. Outlook spaces required from different rooms within the same building may overlap, and may also overlap where they are on the same wall plane in the case of a multi-storey building.</p> <p>f. Outlook spaces may be under or over a balcony.</p> <p>g. Outlook spaces must:</p> <p>a. Be clear and unobstructed by buildings; and</p> <p>b. Not extend over an outlook space or outdoor living space required by another dwelling.</p> 			
6.6 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria – General Standards					
214.	6.6	<p>a. In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters referenced below, to which Council has restricted the exercise of its discretion. Assessment Criteria within Volume 2, Appendix 1.3 provide for assessment of applications as will any relevant objectives and policies. In addition, when considering any Restricted Discretionary Activity located within the Natural Open Space Zone, Waikato Riverbank and Gully Hazard Area, or Significant Natural Area, Council will also restrict its discretion to Waikato River Corridor or Gully System Matters (see the objectives and policies of Chapter 21: Waikato River Corridor and Gully Systems).</p>	Support in part	Kāinga Ora support the matters of discretion and assessment criteria under Section 6.6. in its entirety, as-notified.	Include the provisions as-notified with the proposed amendments, including any consequential amendments necessary to give effect to the relief sought in the Kāinga Ora submission.

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
		<p>Activity Specific</p> <p>Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)</p> <p>ix. Apartments and visitor<u>Visitor</u> accommodation* C – Character and Amenity</p>			
Chapter 7 Central City Zone 1					
7.1 Purpose					
215.	7.1	<p>d. The Hamilton Central City Local Area Plan (LAP) and six City Strategies (Access Hamilton, Active Communities, Economic Development, Environmental Sustainability, Hamilton Urban Growth and Social Wellbeing) provide guidance on how this can be achieved. The LAP presents an overarching “people first” vision for the Central City. It identifies the importance of pedestrian movements for people of all levels of mobility to ensure that Hamilton develops as a successful and vibrant destination that people want to be a part of. It outlines the importance of providing for a diverse mix of uses and users within the Central City, and the significance of an attractive setting to encourage business and commercial activities. This is supported by the themes discussed throughout the City’s strategy documents <u>and provisions within this chapter that encourage residential development, which do not detract from that supports</u> the primary functions of the central city.</p>	Support in part	Kāinga Ora supports the amendment to the purpose statement, but considers that residential activity within the central city will support the vitality and vibrancy of the centre. As such this should be recognised.	Amend the purpose statement to reflect the tracked changes.
7.2 Objectives and Policies: Central City Zone					
216.	7.2	<p>7.2.1g</p> <p><u>Housing densities are consistent with 50 dwellings per hectare in the Central City Building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification.</u></p>	Support	Kāinga Ora supports the policy and subsequent removal of residential density controls, consistent with the NPSUD requirements.	Include the policy as-notified.
217.	7.2	<p>Explanation</p> <p><i>If the Central City is to grow and prosper in a sustainable way and to be a fun, vibrant and high amenity place to live, work and socialise, and to ensure high-quality living environments and amenity, it is important to maintain and provide strong connections with public open space (including city streets), esplanades, reserves and specifically, the Waikato River. Development along the Waikato River that contributes to the restoration and protection of communities’ economic, social, cultural and spiritual relationships with the River will be encouraged.</i></p> <p>The Regional Policy Statement sets out high density residential development within and close to the Central City. Residential activities within the Central City promote sustainable living environments through the concentrated use of the City’s resources. This approach ensures stability for established parts of the City, so higher density will not occur where it is not identified and provided for.</p>	Support in part	Kāinga Ora generally supports the explanation as amended, particularly through the removal of reference to high density not occurring where it is not identified or provided for as this is not then consistent with other provisions of Plan Change 12. However, Kāinga Ora see merit in retaining the statement ‘Residential activities within the Central City promote sustainable living environments through the concentrated use of the City’s resources’ as this is an encouraging and enabling statement specifically relating to residential uses within the central area.	Include explanation as notified and retain the statement as amended. Amendments sought.

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>												
218.	7.2.6	<p>7.2.6h</p> <p>Quality living environments are Residential development which contributes to safe streets is encouraged through appropriately sized and located internal living spaces where each residential unit is provided with adequate external outlook storage space, <u>usable outdoor living areas and access to daylight.</u></p>	Support	Kāinga Ora supports the policy and the intent to ensure residential activities are supported through appropriate amenities to achieve 'well-functioning' environments and residential amenity with the Central City Zone.	Include the policy as-notified.												
219.	7.2.7e	<p>7.2.7e</p> <p>High-quality living environments are Residential development which contributes to safe streets is encouraged through appropriately sized and located internal living spaces where each residential unit is provided with adequate external outlook storage space, <u>usable outdoor living areas and access to daylight.</u></p>	Support	Kāinga Ora supports the policy and the intent to ensure residential activities are supported through appropriate amenities to achieve 'well-functioning' environments and residential amenity with the Central City Zone.	Include the policy as-notified.												
220.	7.2.8e	<p>7.2.8e</p> <p>Quality living environments are Residential development which contributes to safe streets is encouraged through appropriately sized and located internal living spaces where each residential unit is provided with adequate external outlook storage space, <u>usable outdoor living areas and access to daylight.</u></p>	Support	Kāinga Ora supports the policy and the intent to ensure residential activities are supported through appropriate amenities to achieve 'well-functioning' environments and residential amenity with the Central City Zone.	Include the policy as-notified.												
7.3 Rules – Activity Status																	
221.	7.3	<table border="1" data-bbox="409 1276 1145 1398"> <tr> <td data-bbox="409 1276 753 1331">hh. Apartments above ground floor</td> <td data-bbox="753 1276 917 1331">P</td> <td data-bbox="917 1276 1050 1331">P</td> <td data-bbox="1050 1276 1145 1331">P</td> </tr> <tr> <td data-bbox="409 1331 753 1365">ii. Single <u>detached</u> dwellings</td> <td data-bbox="753 1331 917 1365">NC</td> <td data-bbox="917 1331 1050 1365">NC</td> <td data-bbox="1050 1331 1145 1365">NC</td> </tr> <tr> <td data-bbox="409 1365 753 1398">jj. Residential Centres</td> <td data-bbox="753 1365 917 1398">NC</td> <td data-bbox="917 1365 1050 1398">RD*</td> <td data-bbox="1050 1365 1145 1398">NC</td> </tr> </table>	hh. Apartments above ground floor	P	P	P	ii. Single <u>detached</u> dwellings	NC	NC	NC	jj. Residential Centres	NC	RD*	NC	Support	Kāinga Ora supports the activity and Non Complying status, to ensure that residential development is consistent with the planned outcomes of the zone and does not foreclose more-efficient high-density development of land for residential activity.	Include the activity as-notified.
hh. Apartments above ground floor	P	P	P														
ii. Single <u>detached</u> dwellings	NC	NC	NC														
jj. Residential Centres	NC	RD*	NC														
7.4 Rules – General Standards																	
222.	7.4.3	<p>Maximum Height Control</p> <p>a. The following maximum height limits shall apply to sites within Height Overlay 1 to 3 (refer Volume 2, Appendix 5, Figure 5-2: Height Overlay Plan).</p> <table border="1" data-bbox="409 1705 1130 1839"> <thead> <tr> <th data-bbox="409 1705 537 1780"></th> <th data-bbox="537 1705 739 1780">Height Overlay 1</th> <th data-bbox="739 1705 937 1780">Height Overlay 2</th> <th data-bbox="937 1705 1130 1780">Height Overlay 3</th> </tr> </thead> <tbody> <tr> <td data-bbox="409 1780 537 1839">Maximum height</td> <td data-bbox="537 1780 739 1839">No height limit</td> <td data-bbox="739 1780 937 1839">20m</td> <td data-bbox="937 1780 1130 1839">13m</td> </tr> </tbody> </table>		Height Overlay 1	Height Overlay 2	Height Overlay 3	Maximum height	No height limit	20m	13m	Support	Kāinga Ora supports the deletion of the standard, being consistent with the NPS-UD requirements.	Maintain deletion of the standard as-notified.				
	Height Overlay 1	Height Overlay 2	Height Overlay 3														
Maximum height	No height limit	20m	13m														

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>																								
223.	7.4.5.4	<p>Height in Relation to Boundary</p> <p>a. Where a boundary adjoins any <u>General Residential or Special Character Zone</u>, no part of any building shall penetrate a height control plane rising at an angle of <u>45.60</u> degrees beginning at an elevation of <u>3m4m</u> above the boundary.</p> <p>— a. Where a boundary adjoins any Residential Zone, no part of any building shall penetrate the applicable height control plane of the residential adjoining zone.</p>	Oppose in part	Whilst Kāinga Ora supports the need to manage the transition of higher-intensity development to lower-intensity zones, in accordance with the submission on the spatial application of residential zoning, the central area zone should not be adjoining the General Residential Zone and therefore this standard should be amended to reflect this position.	Amend the standard as shown.																								
224.	7.4.7.6	<p>a. The following minimum setbacks shall apply within each Precinct.</p> <table border="1" data-bbox="403 909 1089 1688"> <thead> <tr> <th></th> <th>Precinct 1</th> <th>Precinct 2</th> <th>Precinct 3</th> </tr> </thead> <tbody> <tr> <td>i. Front boundaries</td> <td>0m</td> <td>0m</td> <td>3m</td> </tr> <tr> <td>ii. Side boundaries</td> <td>0m</td> <td>0m, or 3m adjoining any the Medium or General Residential or Special Character Zones</td> <td>3m</td> </tr> <tr> <td>iii. Rear boundaries</td> <td>0m</td> <td>0m, or 3m adjoining any the Medium or General Residential or Special Character Zones</td> <td>5m</td> </tr> <tr> <td>iv. Boundaries adjoining the Riverfront Overlay</td> <td>5m</td> <td>-</td> <td>5m</td> </tr> <tr> <td>v. Waikato Riverbank and Gully Hazard Area</td> <td colspan="3">6m (applies to buildings and swimming pools)</td> </tr> </tbody> </table>		Precinct 1	Precinct 2	Precinct 3	i. Front boundaries	0m	0m	3m	ii. Side boundaries	0m	0m, or 3m adjoining any the Medium or General Residential or Special Character Zones	3m	iii. Rear boundaries	0m	0m, or 3m adjoining any the Medium or General Residential or Special Character Zones	5m	iv. Boundaries adjoining the Riverfront Overlay	5m	-	5m	v. Waikato Riverbank and Gully Hazard Area	6m (applies to buildings and swimming pools)			Oppose in part	<p>Kāinga Ora opposes the deletion to the extent it is inconsistent with its submission on Historic Heritage Areas and the Kāinga Ora submission on PC9.</p> <p>Kāinga Ora opposes the setbacks required between buildings within the central city zone and any residential zone. Given the proposed zoning framework, Kāinga Ora considers that this setback should be applied only to the interface of the Central City and Medium and General Residential Zones.</p> <p>Amendments sought.</p>	<ol style="list-style-type: none"> Maintain the operative district plan provisions subject to a revised analysis of existing 'character' areas as a 'qualifying matter'. Where existing character areas warrant retention (subject to the above analysis), apply such a qualifying matter as an overlay. Amend the standard as shown. Kāinga Ora seek any consequential amendments to the District Plan as required to give effect to the relief sought.
	Precinct 1	Precinct 2	Precinct 3																										
i. Front boundaries	0m	0m	3m																										
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v. Waikato Riverbank and Gully Hazard Area	6m (applies to buildings and swimming pools)																												
225.	7.4.9.8	<p>Service Areas</p> <p>a. Buildings shall provide service areas as follows.</p> <p>i. At least one service area of not less than 10m² or 1% of the gross floor area of the building, whichever is the greater, and with a minimum dimension of 2.5m.</p> <p>ii. At least one service area of not less than 10m² for each residential unit, up to a maximum requirement</p>	Support	Kāinga Ora supports deletion of the service area requirement, which is excessive for residential development at high-intensities.	Maintain deletion of the standard as notified.																								

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		<p>of 100m².</p> <p>iii. Any outdoor service area shall be maintained with an all-weather dust-free surface.</p> <p>iv. No service area shall be visible from a street identified as a Primary or Secondary frontage (Volume 2, Appendix 5, Figure 5-7).</p> <p>b. A service area may be located within a building, provided that it is separately partitioned with an exterior door directly accessible by service vehicles.</p>			

7.5 Rules – Specific Standards

226.	7.5.3	<p>Residential</p> <table border="1" data-bbox="409 947 1127 1129"> <thead> <tr> <th data-bbox="409 947 629 1003">Downtown Precinct 1</th> <th data-bbox="629 947 878 1003">City Living Precinct 2</th> <th data-bbox="878 947 1127 1003">Ferrybank Precinct 3</th> </tr> </thead> <tbody> <tr> <td data-bbox="409 1003 629 1129"><u>0.005.01</u> residential units per 1m² of site area</td> <td data-bbox="629 1003 878 1129"><u>0.004.01</u> residential units per 1m² of site area</td> <td data-bbox="878 1003 1127 1129"><u>0.003.005</u> residential units per 1m² of site area</td> </tr> </tbody> </table> <p>Note</p> <p>For a site in Precinct 1 which has an area of 4000m², the minimum number of residential units required under this rule would be <u>2040</u>. This is calculated by multiplying the site area (4000m²) by <u>0.005.01</u> (Downtown column). The multipliers in the other columns would be used depending on which precinct the site under consideration is located in.</p>	Downtown Precinct 1	City Living Precinct 2	Ferrybank Precinct 3	<u>0.005.01</u> residential units per 1m ² of site area	<u>0.004.01</u> residential units per 1m ² of site area	<u>0.003.005</u> residential units per 1m ² of site area	Support	Kāinga Ora is supportive of the increase to the <i>minimum</i> number of residential units required per site. This is consistent with NPS-UD requirements under Policy 3(a) to “...to realise as much development capacity as possible, to maximise benefits of intensification” as the standard does not place a <i>maximum</i> density requirement on residential units.	Include the standard as-notified.				
Downtown Precinct 1	City Living Precinct 2	Ferrybank Precinct 3													
<u>0.005.01</u> residential units per 1m ² of site area	<u>0.004.01</u> residential units per 1m ² of site area	<u>0.003.005</u> residential units per 1m ² of site area													
227.	7.5.3	<p>e. Storage Areas</p> <p>i. Each residential unit shall be provided with a storage area:</p> <ul style="list-style-type: none"> • Located <u>located</u> at or below ground floor level, readily accessible to that residential unit, secure and weatherproof. • A minimum of 1.8m long by 1m high by 1m deep. <p>The storage areas for each residential unit shall meet the following volume requirements:</p> <table border="1" data-bbox="409 1591 1196 1774"> <thead> <tr> <th data-bbox="409 1591 878 1648">Unit Type</th> <th data-bbox="878 1591 1196 1648">Minimum Storage Area Volume</th> </tr> </thead> <tbody> <tr> <td data-bbox="409 1648 878 1684"><u>Studio unit</u></td> <td data-bbox="878 1648 1196 1684"><u>3m²</u></td> </tr> <tr> <td data-bbox="409 1684 878 1719"><u>One bedroom unit</u></td> <td data-bbox="878 1684 1196 1719"><u>4m²</u></td> </tr> <tr> <td data-bbox="409 1719 878 1755"><u>Two bedroom unit</u></td> <td data-bbox="878 1719 1196 1755"><u>5m²</u></td> </tr> <tr> <td data-bbox="409 1755 878 1774"><u>Three or more bedroom unit</u></td> <td data-bbox="878 1755 1196 1774"><u>6m²</u></td> </tr> </tbody> </table> <p>iii. The minimum dimensions for width and depth shall be 1.2m and the minimum height shall be 1.8m.</p>	Unit Type	Minimum Storage Area Volume	<u>Studio unit</u>	<u>3m²</u>	<u>One bedroom unit</u>	<u>4m²</u>	<u>Two bedroom unit</u>	<u>5m²</u>	<u>Three or more bedroom unit</u>	<u>6m²</u>	Opposes in part	Kāinga Ora seeks that the provision of storage areas is provided as a matter of assessment criteria rather than a standard to allow for flexibility and to reflect the higher intensity of development expected within the City Centre Zone.	Delete the standard and introduce as an assessment criteria.
Unit Type	Minimum Storage Area Volume														
<u>Studio unit</u>	<u>3m²</u>														
<u>One bedroom unit</u>	<u>4m²</u>														
<u>Two bedroom unit</u>	<u>5m²</u>														
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ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>										
228.	7.5.3	<p>f. Residential Unit Size</p> <p><u>i. The minimum internal floor area required in respect of each apartment shall be:</u></p> <table border="1" data-bbox="409 667 964 823"> <thead> <tr> <th>Form of Residential Unit</th> <th>Floor Area</th> </tr> </thead> <tbody> <tr> <td><u>Studio unit</u></td> <td><u>Minimum 30m²</u></td> </tr> <tr> <td><u>1 or more bedroom unit</u></td> <td><u>Minimum 45m²</u></td> </tr> <tr> <td>2 bedroom unit</td> <td>Minimum 55m²</td> </tr> <tr> <td>3 or more bedroom unit</td> <td>Minimum 90m²</td> </tr> </tbody> </table> <p>ii. In any one apartment building containing in excess of 20 residential units, the combined number of one-bedroom units and studio units shall not exceed 50% of the total number of residential units within the building.</p>	Form of Residential Unit	Floor Area	<u>Studio unit</u>	<u>Minimum 30m²</u>	<u>1 or more bedroom unit</u>	<u>Minimum 45m²</u>	2 bedroom unit	Minimum 55m²	3 or more bedroom unit	Minimum 90m²	Oppose	<p>Kāinga Ora opposes the deletion of the standard as it sets a minimum 'liveable' area for inner city apartment sizes, and avoids the establishment of undersized apartments which would not contribute to well-functioning urban environments or provide an adequate minimum level of amenity.</p> <p>Kāinga Ora seeks the standard be maintained, with modifications to ensure typology number requirements are removed (being similar to a density standard), and that the minimum floor area relates to the internal floor area (not including balconies).</p>	<p>Retain the standard with tracked amendments as shown.</p> <p>Amendments sought.</p>
Form of Residential Unit	Floor Area														
<u>Studio unit</u>	<u>Minimum 30m²</u>														
<u>1 or more bedroom unit</u>	<u>Minimum 45m²</u>														
2 bedroom unit	Minimum 55m²														
3 or more bedroom unit	Minimum 90m²														
229.	7.5.3	<p>f. Daylight Standards</p> <p>Residential units shall be designed to achieve <u>Any residential unit facing the following minimum daylight standards:</u></p> <p>i. Living rooms and living/dining areas: <u>street must have a total clear glazed area of exterior wall no less than minimum 20% of the floor area street-facing façade in glazing. This can be in the form of that space windows or doors.</u></p> <p>ii. Bedrooms (excluding studio units, and any bedroom that complies with iii. below): a minimum of one bedroom with a total clear glazed area of exterior wall no less than 20% of the floor area of that space.</p> <p>iii. No more than one bedroom in any residential unit may rely on natural light borrowed from another naturally lit room provided:</p> <ul style="list-style-type: none"> • <u>The maximum distance of the bedroom from the natural light source window shall be 6m.</u> • <u>The minimum total clear glazed area of the light source shall be no less than 20% of the floor area of that bedroom.</u> 	Oppose	<p>Kāinga Ora opposes this provision as it sets a standard that may not be possible to meet for dwellings that would otherwise provide a decent standard of living.</p>	Delete the standard in its entirety.										
230.	7.5.3	<p>g. External Outlook Area</p> <p>Each residential unit shall have an external outlook area that:</p> <p>i. <u>Is provided from the face of the building containing windows to the indoor living area, and</u></p> <p>ii. <u>Has a minimum depth of 6m, measured perpendicular from the face of the window area.</u></p>	Oppose	<p>Kāinga Ora opposes this provision as it sets a standard that may not be possible to meet for dwellings that would otherwise provide a decent standard of living.</p>	Delete the standard in its entirety.										

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		<p>iii. Where an indoor living area has two or more walls containing windows, the <u>An outlook area shall space must be provided from the face habitable room windows.</u></p> <p>iv. A principal living room of a dwelling must have an outlook space with the greatest window area a minimum dimension of 4m depth and 4m width.</p> <p>v. All other habitable rooms must have an outlook space of 1m in depth and 1m in width.</p> <p>vi. The external depth of the outlook area may be over:</p> <p>a. The site on space is measured at right angles to and horizontal from the window to which the building is located; it applies.</p> <p>b. The Transport Corridor Zone; or width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.</p> <p>c. Public Open Space The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.</p> <p>d. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.</p> <p>e. Outlook spaces required from different rooms within the same building may overlap, and may also overlap where they are on the same wall plane in the case of a multi-storey building.</p> <p>f. Outlook spaces may be under or over a balcony.</p> <p>g. Outlook spaces must:</p> <p>a. Be clear and unobstructed by buildings; and</p> <p>b. Not extend over an outlook spaces or outdoor living space required by another dwelling.</p>			
Chapter 13 – Rototuna Town Centre					
231.	Chapter wide	MDRS Objectives and Policies	Oppose	Whilst Kāinga Ora supports amendments which ensure the zone is consistent with the enabling principles of the NPS-UD and other chapters of the plan that reference the Rototuna Town Centre, it is noted that the mandatory objectives and policies of the Enabling Act have not been included where the zone introduces residential activities.	Introduce the mandatory objectives and policies of the MDRS within Chapter 13.

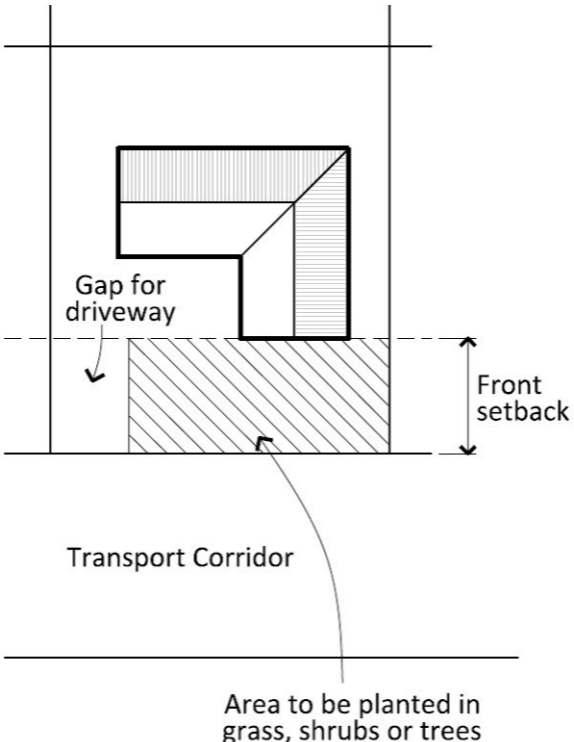
ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
232.	13.5.2	<p>13.8.5.2 Primary Frontages <u>Height in Relation to Boundary</u></p> <p>Where a building is on land that adjoins a General Residential Zone, Community Facilities Zone or an adjoining development area no part of any building shall penetrate a height control plane rising at an angle of 60 degrees beginning at an elevation of 4m above the boundary.</p> <p><u>Where a building is on land that adjoins land that is zoned High Density Residential Zone, no part of any building shall penetrate a height control plane:</u></p> <p>a. <u>Buildings within 21.5m from the frontage must not project beyond a 60-degree recession plane measured from a point 19m vertically above ground level along the side boundaries; and</u></p> <p>b. <u>Buildings 21.5m from the frontage must not project beyond a 60-degree recession plane measured from a point 8m vertically above ground level along the side boundaries.</u></p> <p><u>Where a building is on land that adjoins land that is zoned Medium Density Residential Zone, no part of any building shall penetrate a height control plane rising at an angle of 60 degrees beginning at an elevation of 6m above the boundary.</u></p> <p>Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.</p> <p><u>This standard does not apply to:</u></p> <p>i. <u>A boundary with a road</u></p> <p>ii. <u>Existing or proposed internal boundaries within a site</u></p> <p>iii. <u>Site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed</u></p> <p>iv. <u>Where written consent from the owners and occupiers of the adjoining property and/or Development Plan area is obtained.</u></p>	Oppose in part	<p>Kāinga Ora considers that the application of a height in relation to boundary control to a Community Facilities zone is overly-restrictive, as the nature of the activities in that zone would be able to accommodate the effects of additional building height and scale.</p> <p>In line with the height and spatial variations proposed within Appendix 2 of this submission, Kāinga seeks changes to the HIRB controls to reflect the HDRZ and MDRZ changes proposed.</p>	<ol style="list-style-type: none"> Amend the standard to remove the height in relation to boundary application where a building is on land that adjoins the Community Facilities Zone. Amend the HIRB controls to reflect the height variations sought within Appendix 2 of this submission.
233.	13.5.5	<p>13.8.5.5 Residential Activities Outdoor Living, Service and Storage Areas</p> <p>a. Outdoor Living Area</p> <p>i. Each Residential Unit or any residential accommodation associated with non-residential activities shall be provided with an outdoor living area which:</p> <ul style="list-style-type: none"> • Shall be for the exclusive use of the Residential Unit. • Shall be readily accessible from a living area of a Residential Unit. • Shall be free of driveways, manoeuvring areas, parking spaces, 	Support in part	Kāinga Ora supports the standard as-notified.	Retain the standard as-notified.

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		<p>accessory buildings and service areas.</p> <ul style="list-style-type: none"> Shall have a minimum area per Residential Unit of 12m² and a minimum dimension of 2.5m width, where provided at ground level. Shall have a minimum area per Residential Unit of 8m² and a minimum dimension of 1.8m width, where provided in the form of a balcony, patio or roof terrace. 													
234.	13.5.5	<p>b. Service Area</p> <p>ii. Each Residential Unit or any residential accommodation associated with non-residential activities shall be provided with service areas as follows:</p> <ul style="list-style-type: none"> A minimum service area of 10m 5m² per residential unit with a minimum dimension of 2 1.5m located at ground floor level and readily accessible to that residential accommodation. The service area shall be maintained with an all-weather, dust free surface. The vehicular access associated with a service area may not be located within a primary or secondary frontage. A service area shall not be able to be viewed from a public space. 	Oppose	Kāinga Ora opposes the standard as it is in conflict with the requirements of the MDRS.	Delete the standard in its entirety.										
235.	13.5.5	<p>c. Storage Area</p> <p>iii. In addition to internal storage, each Residential Unit or any Each residential accommodation associated with non-residential activities unit shall be provided with a storage areas as follows:</p> <ul style="list-style-type: none"> Located area located at or below ground floor floor level and, readily accessible to that residential accommodation unit, secure and weatherproof. The storage area areas for each residential unit shall be secure and weather proof. A meet the following minimum of 1.8m long by 0.9m high by 0.6m deep. volume requirements: <table border="1" data-bbox="403 1453 1466 1682"> <thead> <tr> <th><u>Unit Type</u></th> <th><u>Minimum Storage Area Volume</u></th> </tr> </thead> <tbody> <tr> <td><u>Studio unit</u></td> <td><u>3m³</u></td> </tr> <tr> <td><u>One bedroom unit</u></td> <td><u>4m³</u></td> </tr> <tr> <td><u>Two bedroom unit</u></td> <td><u>5m³</u></td> </tr> <tr> <td><u>Three or more bedroom unit</u></td> <td><u>6m³</u></td> </tr> </tbody> </table> <p>iv. The minimum dimensions for width and depth shall be 1.2m and the minimum height shall be 1.8m.</p>	<u>Unit Type</u>	<u>Minimum Storage Area Volume</u>	<u>Studio unit</u>	<u>3m³</u>	<u>One bedroom unit</u>	<u>4m³</u>	<u>Two bedroom unit</u>	<u>5m³</u>	<u>Three or more bedroom unit</u>	<u>6m³</u>	Oppose	Kāinga Ora opposes this standard and seeks that it is included as assessment criteria.	Delete the standard and include as assessment criteria.
<u>Unit Type</u>	<u>Minimum Storage Area Volume</u>														
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Chapter 18 – Transport Corridor Zone					
18.1 Purpose					
236.	18.1 (b)	i. Movement: Linking places with infrastructure that provides network for a range of transport modes to move <u>The movement function means the strategic importance of the transport infrastructure that provides network for a range of transport modes to move</u> moving <u>moving</u> people and goods, <u>across all modes, and the scale of movement it intends to accommodate.</u>	Support in part	Kāinga Ora supports the amendments to the extent they are consistent with the submission on the transport provisions under PC12.	Include the provision as-notified, to the extent they are consistent with the submission on the transport provisions under PC12.
237.	18.1 (b)	ii. Place: Creating <u>The place function means the extent to which a transport corridor and the adjacent land is a destination. It is determined by place-based plans and strategies. It reflects where people and activities are located and results in demand for crossing the transport corridor, dwelling on it, and travelling along it. This includes creating public spaces for access and interaction, including providing for human interaction, exercise, and enjoyment, facilitating commerce and business, enabling access to buildings, lots and public spaces, and parking. There are some transport corridors where such activities would create health and safety issues, the place function would be limited in such situations (e.g., motorways, expressways, and state highways).</u> Use. Use of these spaces will need to be authorised by the relevant road controlling authority, and the transport corridor should be suitable for that purpose.	Support in part	Kāinga Ora supports the amendments to the extent they are consistent with the submission on the transport provisions under PC12.	Include the provision as-notified, to the extent they are consistent with the submission on the transport provisions under PC12.
238.	18.1 (b)	Utility Corridor: Providing corridors that network utility operators can use to service the City <u>city</u> (e.g. telecommunications, electricity, Three Waters, and gas networks).	Support in part	Kāinga Ora supports the amendments to the extent they are consistent with the submission on the transport provisions under PC12.	Include the provision as-notified, to the extent they are consistent with the submission on the transport provisions under PC12.
Chapter 19 – Historic Heritage					
19.3 Rules – Activity Status Table					
239.	19.3.1	<u>Built Heritage (Buildings and Structures)</u>	Support in part	Kāinga Ora supports the existing Operative District Plan (ODP) provisions and their application in relation to 'Built Heritage', to the extent consistent with the Kāinga Ora submission on PC9.	Maintain the existing ODP provisions in relation to 'Built Heritage', to the extent consistent with the Kāinga Ora submission on PC9.
240.	19.3.2	Historic Heritage Areas The following activities should only apply to the residential zoned sites locating within an HHA a. to i. have been introduced through PC9	Oppose	Consistent with the Kāinga Ora submission on PC9, the spatial application of 'Historic Heritage Areas' and associated provisions are opposed in their entirety. Consistent with the Kāinga Ora submission on PC9, the assessment methodology utilised to identify 'history heritage areas'	1. Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment ("PC9"). Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones,

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Activity	Class																										
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241.	19.4.2	<p>Historic Heritage Areas—Density</p> <p><u>The minimum area of land (net site area) required in respect of each residential unit within a historical heritage area shall be:</u></p> <p><u>Table 19.4.3: Density</u></p>	Oppose	<p>Consistent with the Kāinga Ora submission on PC9, the spatial application of 'Historic Heritage Areas' and associated provisions are opposed in their entirety.</p> <p>Consistent with the Kāinga Ora submission on PC9, the assessment methodology utilised to identify 'history heritage areas' conflates issues of special character and inappropriately elevates existing and proposed areas under PC9 to 'heritage' status under section 6 of the RMA.</p>	<p>Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment ("PC9"). Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones, consistent with the relief sought in PC9.</p> <p>Kāinga Ora considers that the proposed changes across PC9 and PC12 are not qualifying matters, as the assessments in its view, do not meet the requirements</p>																						

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d. Single dwellings with an ancillary residential unit on a front, corner or through sites within an HHA (*total area for both dwelling and ancillary residential unit)	700m²																
e. Single dwellings with an ancillary residential unit on a rear site within an HHA (*total area for both dwelling and ancillary residential unit)	500m²																
242.	19.4.3	<p>Historic Heritage Areas – Site Coverage</p> <table border="1" data-bbox="593 1417 1641 1669"> <thead> <tr> <th data-bbox="593 1417 1294 1470">Activity</th> <th data-bbox="1294 1417 1641 1470">HHA</th> </tr> </thead> <tbody> <tr> <td data-bbox="593 1470 1294 1575">a. Front, corner or through sites (maximum % unless otherwise stated)</td> <td data-bbox="1294 1470 1641 1575">35%</td> </tr> <tr> <td data-bbox="593 1575 1294 1669">b. Rear sites (maximum % unless otherwise stated)</td> <td data-bbox="1294 1575 1641 1669">40%</td> </tr> </tbody> </table>	Activity	HHA	a. Front, corner or through sites (maximum % unless otherwise stated)	35%	b. Rear sites (maximum % unless otherwise stated)	40%	Oppose	<p>Consistent with the Kāinga Ora submission on PC9, the spatial application of 'Historic Heritage Areas' and associated provisions are opposed in their entirety.</p> <p>Consistent with the Kāinga Ora submission on PC9, the assessment methodology utilised to identify 'history heritage areas' conflates issues of special character and inappropriately elevates existing and proposed areas under PC9 to 'heritage' status under section 6 of the RMA.</p>	<p>Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment ("PC9"). Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones, consistent with the relief sought in PC9.</p> <p>Kāinga Ora considers that the proposed changes across PC9 and PC12 are not qualifying matters, as the assessments in its view, do not meet the requirements under s6, s77I, s77J, s77K, and/or s77L of the RMA.</p> <p>Deletion sought.</p>						
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ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought						
243.	19.4.4	<p>Historic Heritage Areas – Permeable Surface and Planting</p> <table border="1" data-bbox="590 617 1641 1014"> <thead> <tr> <th data-bbox="590 617 1291 684">Activity</th> <th data-bbox="1291 617 1641 684">HHA</th> </tr> </thead> <tbody> <tr> <td data-bbox="590 684 1291 869">a. Permeability across the entire site (including area required by Rule 19.4.5.b below) (minimum % unless otherwise stated)</td> <td data-bbox="1291 684 1641 869">40%</td> </tr> <tr> <td data-bbox="590 869 1291 1014">b. Front sites, corner sites, through sites only: front setback (required by Rule 19.4.8 Building Setbacks) to be planted in grass, shrubs or trees (see Figure 19.4.5)</td> <td data-bbox="1291 869 1641 1014">80%</td> </tr> </tbody> </table> <p>Figure 19.4.5: Planting requirement forward of the front building line</p> 	Activity	HHA	a. Permeability across the entire site (including area required by Rule 19.4.5.b below) (minimum % unless otherwise stated)	40%	b. Front sites, corner sites, through sites only: front setback (required by Rule 19.4.8 Building Setbacks) to be planted in grass, shrubs or trees (see Figure 19.4.5)	80%	Oppose	<p>Consistent with the Kāinga Ora submission on PC9, the spatial application of ‘Historic Heritage Areas’ and associated provisions are opposed in their entirety.</p> <p>Consistent with the Kāinga Ora submission on PC9, the assessment methodology utilised to identify ‘history heritage areas’ conflates issues of special character and inappropriately elevates existing and proposed areas under PC9 to ‘heritage’ status under section 6 of the RMA.</p>	<p>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and <u>underlined</u> for proposed addition in the ‘Specific Provision and Section of Plan’ column of this table, in addition to the relief sought below.</p> <p>Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment (“PC9”). Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones, consistent with the relief sought in PC9.</p> <p>Kāinga Ora considers that the proposed changes across PC9 and PC12 are not qualifying matters, as the assessments in its view, do not meet the requirements under s6, s77I, s77J, s77K, and/or s77L of the RMA.</p> <p>Deletion sought.</p>
Activity	HHA										
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ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>									
244.	19.4.5	<p>Historic Heritage Areas – Building Height</p> <table border="1" data-bbox="581 600 1629 1318"> <thead> <tr> <th data-bbox="581 600 931 684">Activity</th> <th data-bbox="931 600 1279 684">HAA - except Temple View HHA</th> <th data-bbox="1279 600 1629 684">Temple View HHA</th> </tr> </thead> <tbody> <tr> <td data-bbox="581 716 931 1209">a. Front, corner and through site (maximum height unless otherwise stated)</td> <td data-bbox="931 716 1279 1209"> <u>All buildings shall have a maximum height of:</u> <u>i. The original height of the building on the subject site; or</u> <u>ii. The average of existing heights of buildings on adjacent sites, being the three sites on either side of the subject site or six sites on one side of the subject site</u> <u>Whichever is higher</u> </td> <td data-bbox="1279 716 1629 1209"> <u>No part of any new or extended building or structure shall be higher than the floor level of the Temple</u> </td> </tr> <tr> <td data-bbox="581 1209 931 1318">b. Rear site (maximum height unless otherwise stated)</td> <td data-bbox="931 1209 1279 1318"> <u>8m and maximum two storeys</u> </td> <td data-bbox="1279 1209 1629 1318"></td> </tr> </tbody> </table>	Activity	HAA - except Temple View HHA	Temple View HHA	a. Front, corner and through site (maximum height unless otherwise stated)	<u>All buildings shall have a maximum height of:</u> <u>i. The original height of the building on the subject site; or</u> <u>ii. The average of existing heights of buildings on adjacent sites, being the three sites on either side of the subject site or six sites on one side of the subject site</u> <u>Whichever is higher</u>	<u>No part of any new or extended building or structure shall be higher than the floor level of the Temple</u>	b. Rear site (maximum height unless otherwise stated)	<u>8m and maximum two storeys</u>		Oppose	<p>Consistent with the Kāinga Ora submission on PC9, the spatial application of 'Historic Heritage Areas' and associated provisions are opposed in their entirety.</p> <p>Consistent with the Kāinga Ora submission on PC9, the assessment methodology utilised to identify 'history heritage areas' conflates issues of special character and inappropriately elevates existing and proposed areas under PC9 to 'heritage' status under section 6 of the RMA.</p>	<p>Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment ("PC9"). Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones, consistent with the relief sought in PC9.</p> <p>Kāinga Ora considers that the proposed changes across PC9 and PC12 are not qualifying matters, as the assessments in its view, do not meet the requirements under s6, s77I, s77J, s77K, and/or s77L of the RMA.</p> <p>Deletion sought.</p>
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b. Rear site (maximum height unless otherwise stated)	<u>8m and maximum two storeys</u>													
245.	19.4.6	<p>Historic Heritage Areas – Height in Relation to Boundary</p> <p>a. No part of any building shall protrude through a height control plane rising at an angle of 28 degrees between northwest (315 degrees) and northeast (45 degrees), and rising at an angle of 45 degrees in all other directions. This angle is measured from 3m above ground level at all boundaries.</p> <p><u>Except that:</u></p> <p><u>i. Where buildings are attached, no height control plane is required between those buildings.</u></p> <p><u>ii. Where there are two or more dwellings on the same site, the plane shall be measured at a line midway between the two dwellings rising at an angle of 45 degrees and with this angle measured from 3m above ground level at the midway line.</u></p> <p><u>iii. Where a boundary adjoins a transport corridor or access, the 45-degree angle applies to that boundary, measured 3m above the boundary.</u></p>	Oppose	<p>Consistent with the Kāinga Ora submission on PC9, the spatial application of 'Historic Heritage Areas' and associated provisions are opposed in their entirety.</p> <p>Consistent with the Kāinga Ora submission on PC9, the assessment methodology utilised to identify 'history heritage areas' conflates issues of special character and inappropriately elevates existing and proposed areas under PC9 to 'heritage' status under section 6 of the RMA.</p>	<p>Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment ("PC9"). Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones, consistent with the relief sought in PC9.</p> <p>Kāinga Ora considers that the proposed changes across PC9 and PC12 are not qualifying matters, as the assessments in its view, do not meet the requirements under s6, s77I, s77J, s77K, and/or s77L of the RMA.</p> <p>Deletion sought.</p>									

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246.	19.4.7	<p><u>Historic Heritage Areas – Building Setbacks</u></p> <table border="1" data-bbox="578 598 1626 1312"> <thead> <tr> <th data-bbox="578 598 1101 653">Activity</th> <th data-bbox="1101 598 1626 653">HHA</th> </tr> </thead> <tbody> <tr> <td data-bbox="578 653 1101 1312"> <p>a. From a boundary with any transport corridor (minimum setback unless otherwise stated)</p> </td> <td data-bbox="1101 653 1626 1312"> <p>Except for Temple View HHA, all HHAs: All buildings shall be set back from the boundary the greater of:</p> <ul style="list-style-type: none"> i. The front setback of the original building on the subject site; or ii. The average of existing front setback of buildings on adjacent sites, being the three sites on either side of the subject site or six sites on one side of the subject site <p>For Temple View HHA:</p> <ul style="list-style-type: none"> i. No Building to be located closer to Tuhikaramea Road than the existing setback distance to the Temple </td> </tr> </tbody> </table> <p>b. A garage or carport shall be set back:</p> <ul style="list-style-type: none"> i. A minimum of 8m from the front boundary; or ii. A minimum of 0.5m behind the front façade of the building on the site whichever creates the greater setback from the front boundary. <table border="1" data-bbox="578 1612 1626 1881"> <tbody> <tr> <td data-bbox="578 1612 1101 1881"> <p>c. Front, corner and through site – side and rear boundaries (minimum setback)</p> </td> <td data-bbox="1101 1612 1626 1881"> <p>For Hamilton East and Claudeland West HHAs</p> <ul style="list-style-type: none"> One side boundary minimum 3m Other side boundary and rear boundary minimum 1.5m <p>For Temple View HHA –</p> </td> </tr> </tbody> </table>	Activity	HHA	<p>a. From a boundary with any transport corridor (minimum setback unless otherwise stated)</p>	<p>Except for Temple View HHA, all HHAs: All buildings shall be set back from the boundary the greater of:</p> <ul style="list-style-type: none"> i. The front setback of the original building on the subject site; or ii. The average of existing front setback of buildings on adjacent sites, being the three sites on either side of the subject site or six sites on one side of the subject site <p>For Temple View HHA:</p> <ul style="list-style-type: none"> i. No Building to be located closer to Tuhikaramea Road than the existing setback distance to the Temple 	<p>c. Front, corner and through site – side and rear boundaries (minimum setback)</p>	<p>For Hamilton East and Claudeland West HHAs</p> <ul style="list-style-type: none"> One side boundary minimum 3m Other side boundary and rear boundary minimum 1.5m <p>For Temple View HHA –</p>	Oppose	<p>Consistent with the Kāinga Ora submission on PC9, the spatial application of ‘Historic Heritage Areas’ and associated provisions are opposed in their entirety.</p> <p>Consistent with the Kāinga Ora submission on PC9, the assessment methodology utilised to identify ‘history heritage areas’ conflates issues of special character and inappropriately elevates existing and proposed areas under PC9 to ‘heritage’ status under section 6 of the RMA.</p>	<p>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and <u>underlined</u> for proposed addition in the ‘Specific Provision and Section of Plan’ column of this table, in addition to the relief sought below.</p> <p>Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment (“PC9”). Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones, consistent with the relief sought in PC9.</p> <p>Kāinga Ora considers that the proposed changes across PC9 and PC12 are not qualifying matters, as the assessments in its view, do not meet the requirements under s6, s77I, s77J, s77K, and/or s77L of the RMA.</p> <p>Deletion sought.</p>
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19.6 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria											
247.	19.6.a	<p>Historical Heritage Areas</p> <p>ix. have been introduced in PC9</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">xiv. Accessory building</td> <td style="width: 50%; text-align: center;">E—Heritage Values and Special Character</td> </tr> <tr> <td style="text-align: center;">xv. Ancillary residential building</td> <td style="text-align: center;">E—Heritage Values and Special Character</td> </tr> <tr> <td style="text-align: center;">xvi. Detached dwelling</td> <td style="text-align: center;">E—Heritage Values and Special Character</td> </tr> </table>	xiv. Accessory building	E—Heritage Values and Special Character	xv. Ancillary residential building	E—Heritage Values and Special Character	xvi. Detached dwelling	E—Heritage Values and Special Character	Oppose	<p>Consistent with the Kāinga Ora submission on PC9, the spatial application of 'Historic Heritage Areas' and associated provisions are opposed in their entirety.</p> <p>Consistent with the Kāinga Ora submission on PC9, the assessment methodology utilised to identify 'history heritage areas' conflates issues of special character and inappropriately elevates existing and proposed areas under PC9 to 'heritage' status under section 6 of the RMA.</p>	<p>Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment ("PC9"). Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones, consistent with the relief sought in PC9.</p> <p>Kāinga Ora considers that the proposed changes across PC9 and PC12 are not qualifying matters, as the assessments in its view, do not meet the requirements</p>
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		<div style="border: 1px solid black; padding: 2px;"> vii. Duplex dwelling on a rear site within Hamilton East HHA </div> <div style="border: 1px solid black; padding: 2px; margin-top: 2px;"> E – Heritage Values and Special Character </div>			under s6, s77I, s77J, s77K, and/or s77L of the RMA. Deletion sought.
Chapter 23 – Subdivision					
23.1 Purpose					
248.	23.1	<p>a. Subdivision is essentially the process of dividing a parcel of land or a building into one or more further parcels, or changing an existing boundary location. Subdivision by itself is not a use of land, however it often sets the platform for future development and land use.</p> <p>b. The development and use of land and buildings can be facilitated by subdivision. As such, the purpose of this chapter is to ensure that subdivision activities within the City are undertaken in a manner that supports the outcomes sought in the underlying zone. It is also to ensure the integrated management of the effects of the use, development or protection of land and associated natural and physical resources.</p> <p>c. For subdivision within the Peacocke Precinct refer to Chapter 23A.</p>	Support	Kāinga Ora support the cross reference to Chapter 23A for subdivision within the Peacocke Precinct, consistent with the Kāinga Ora submission on PC5.	Include the amendment as-notified.
23.3 Objectives and Policies: Subdivision					
249.	23.3.2	<p>Objective</p> <p>Subdivision contributes to the achievement of functional, attractive, sustainable, safe and well designed environments.</p>	Support in part	Kāinga Ora support the objective.	Retain as notified.
250.	23.2.2a	<p>Policies</p> <p>Subdivision:</p> <ul style="list-style-type: none"> i. Is in general accordance with Subdivision Design Assessment Criteria to achieve good amenity and design outcomes. ii. Is in general accordance with any relevant Structure Plan. iii. Is in general accordance with any relevant Integrated Catchment Management Plan. iv. Maintains and, where possible, enhances existing amenity values. v. Promotes energy, water and resource efficiency. 	Support in part	<p>Kāinga Ora support the proposed amendments to the objectives and policies.</p> <p>It is noted that there are existing policies (x and xi) which reference the 'avoidance' of effects. While these are operative provisions that have not been proposed to be amended under PC12, consistent with the overall submission, Kāinga Ora do not support reference to the 'avoidance' of effects, for the reasons outlined in Environmental Defence Society Inc v New</p>	<p>Include the amendments as-notified, and remove reference to 'avoid'.</p> <p>Amendments sought.</p>

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
		<p>vi. Provides for the recreational needs of the community.</p> <p>vii. Discourages cross-lease land ownership.</p> <p>viii. Ensures that any allotment is suitable for activities anticipated for the zone in which the subdivision is occurring.</p> <p>ix. Contributes to <u>future residential development being able to achieve densities that are consistent with the achievement-growth management policies of identified residential yield requirements over time where appropriate the Waikato Regional Policy Statement and Future Proof.</u></p> <p>x. Avoids or Minimises adverse effects on the safe and efficient operation, maintenance of and access to network utilities and the transport network.</p> <p>xi. Is avoided where significant adverse effects on established network utilities or the transport network are likely to occur, <u>these are mitigated or managed appropriately.</u></p> <p>xii. Promotes connectivity and the integration of transport networks.</p> <p>xiii. Provides appropriate facilities for walking, cycling and passenger transport usage.</p> <p>xiv. Provides and enhances public access to and along the margins of the Waikato River and the City's lakes, gullies and rivers.</p> <p>xv. Facilitates good amenity and urban design outcomes by taking existing electricity</p>		Zealand King Salmon Company Ltd [2014] NZSC 38 ("King Salmon").	
251.	23.2.3	<p>Objective</p> <p><u>High and</u> Medium-Density Residential Zone<u>Zones</u> (excluding Rotokauri North) and Rototuna Town Centre Zone areas are developed comprehensively.</p>	Support in part	Kāinga Ora support the objective.	Retain as notified.
252.	23.2.3a	<p>Policies</p> <p>Subdivision that creates additional allotments in the Medium-Density Residential Zone (excluding Rotokauri North) or the Rototuna Town Centre Zone does not occur without an approved Comprehensive Development Plan or Land Development Consents for Ruakura and Te Awa Lakes</p>	Oppose in part	While Kāinga Ora supports comprehensive planning of subdivisions, the objective and policies imply that all subdivision in the Medium Density Residential zone requires a Comprehensive Development Plan. This is contrary to the enabling land use a subdivision activity required under the Housing Supply Act.	Amend the policy as-notified to remove the implication that any subdivision in the Medium or High Density Residential zone requires a Comprehensive Development Plan (as shown in tracked amendments).
253.	23.2.3b	<p>23.2.3b</p> <p><u>Ensure the development of Medium and High Density Residential Zones occur in a comprehensive and integrated manner by encouraging <u>requiring</u> subdivision to:</u></p>	Support in part	Kāinga Ora supports the amendments and reference to 'enabling' subdivision.	Include the amended policy as-notified.

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>										
		<p>i. <u>Integrate and connect with existing development.</u></p> <p>Provide opportunities for connection into adjacent sites in locations that are feasible and support the creation of a well-connected and integrated urban environment.</p>													
254.		<p>Explanation</p> <p>Comprehensive Development Concept Plans and Master Plans are a useful tool/tools to ensure a comprehensive approach to the layout and design of high and medium- density development. The Board of Inquiry Decision for Ruakura included a Land Development Consent process to ensure a comprehensive approach to layout and design within the medium density development occurs.</p>	Support in part	Kāinga Ora support the explanation.	Retain as notified.										
255.	23.2.5	<p>Objective</p> <p>Subdivision occurs in a manner that recognizes historic heritage and natural environments.</p>	Support in part	Kāinga Ora support the objective.	Retain as notified.										
256.	23.2.5a	<p>Policies</p> <p>Subdivision avoids, remedies or mitigates adverse effects on:</p> <ul style="list-style-type: none"> i. Scheduled heritage items. ii. Scheduled archaeological and cultural sites. iii. Scheduled significant trees. iv. Scheduled significant natural areas. v. The Waikato River and gullies and river banks, lakes, rivers and streams. 	Support in part	Kāinga Ora support the policy.	Retain as notified.										
257.	23.2.5b	<p>Subdivision protects, and where possible enhances <u>enables development while managing effects on</u> any:</p> <ul style="list-style-type: none"> i. Landforms and natural features. ii. Vegetation. 	Support in part	Kāinga Ora support the policy.	Retain as notified.										
23.1 Rules – Activity Status Tables															
258.	23.3	<p>Intensification (Excluding the Rotokauri North and Peacocke Residential Precincts), High Density Residential, Large Lot Residential, Central City, Business 1 to 7, Industrial, Knowledge, Ruakura Logistics, Ruakura Industrial Park, Future Urban, All Open Space, Major Facilities, Community Facilities and Transport Corridor Zones and All Hazard Areas.</p> <table border="1" data-bbox="587 1801 1596 1911"> <thead> <tr> <th data-bbox="587 1801 943 1911">Activity</th> <th data-bbox="943 1801 1139 1911">General Residential, Medium</th> <th data-bbox="1139 1801 1299 1911">Future Urban Zone</th> <th data-bbox="1299 1801 1448 1911">All Open Space Zones,</th> <th data-bbox="1448 1801 1596 1911">All Hazard Areas</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Activity	General Residential, Medium	Future Urban Zone	All Open Space Zones,	All Hazard Areas						Support in part	Kāinga Ora supports the amendments and proposed subdivision activities, in particular the inclusion of controlled activity subdivision in the General, Medium and High-Density residential zones as required under Clause 3A of the Housing Supply Act. Kāinga Ora seeks that Unit Title subdivision	<ol style="list-style-type: none"> 1. Include the activities as-notified, to the extent consistent with the overall submission within the PC9 submission by Kāinga Ora and proposed tracked amendments. 2. Change subdivision of a site containing a scheduled historic building/structure to Restricted
Activity	General Residential, Medium	Future Urban Zone	All Open Space Zones,	All Hazard Areas											

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought																																				
		<table border="1"> <tr> <td></td> <td>Density Residential and High Density Residential</td> <td></td> <td>Major Facilities, Community Facilities, Transport Corridor Zones</td> <td></td> <td></td> </tr> </table> <p>For Medium Density Rotokauri North Residential Precinct see Table 23.3c, Rototuna Town Centre Zone and Te Rapa North Industrial Zone see Table 23.3b below. For Special Character Zones the Peacocks Residential Precinct see Table 23.3c below. For Rotokauri North see Table 23.3d below Chapter 23A.</p> <table border="1"> <tr> <td>i. Boundary adjustments</td> <td><u>P</u></td> <td>P</td> <td>RD</td> <td>P</td> <td>RD</td> </tr> <tr> <td>ii. Amendments to cross-lease, unit-titles and company lease plans for the purpose of showing alterations to existing buildings or additional lawfully established buildings</td> <td><u>P</u></td> <td>P</td> <td>P</td> <td>P</td> <td>P</td> </tr> <tr> <td>iii. Conversion of cross-lease titles into fee simple titles</td> <td><u>P</u></td> <td>P</td> <td>P</td> <td>P</td> <td>P</td> </tr> <tr> <td>iv. Subdivision to accommodate a network utility service or transport corridor</td> <td><u>RD</u></td> <td>RD</td> <td>RD</td> <td>RD</td> <td>D</td> </tr> <tr> <td>v. <u>Fee simple subdivision that complies with Rule 23.7.2 b) within the General, Medium Density and High Density Residential Zones (Excluding subdivision provided in xii, xiii, and xiv).*</u></td> <td>DC</td> <td>D</td> <td>D</td> <td>D</td> <td>-</td> </tr> </table>		Density Residential and High Density Residential		Major Facilities, Community Facilities, Transport Corridor Zones			i. Boundary adjustments	<u>P</u>	P	RD	P	RD	ii. Amendments to cross-lease, unit-titles and company lease plans for the purpose of showing alterations to existing buildings or additional lawfully established buildings	<u>P</u>	P	P	P	P	iii. Conversion of cross-lease titles into fee simple titles	<u>P</u>	P	P	P	P	iv. Subdivision to accommodate a network utility service or transport corridor	<u>RD</u>	RD	RD	RD	D	v. <u>Fee simple subdivision that complies with Rule 23.7.2 b) within the General, Medium Density and High Density Residential Zones (Excluding subdivision provided in xii, xiii, and xiv).*</u>	DC	D	D	D	-		<p>is also provided for as a Controlled Activity within these zones.</p> <p>Kāinga Ora does not support the reference to historic heritage areas under (xiv) in accordance with its submission on PC9 and the reasons outlined in the overall Kāinga Ora submission on PC12. Moreover, Kāinga Ora considers that subdivision of a site containing a scheduled historic building/structure should have an activity status of Restricted Discretionary, with specific assessment criteria for historic heritage to be considered.</p> <p>Kāinga Ora considers that subdivision of a site containing a Significant Natural Area should have an activity status of Restricted Discretionary, with specific assessment criteria for the natural environment character and amenity to be considered.</p>	<p>Discretionary.</p> <p>3. Change Unit Title subdivisions within General, Medium and High Density Zones to a Controlled Activity.</p> <p>4. Include subdivision of a site containing a Significant Natural Area should have an activity status of Restricted Discretionary.</p>
	Density Residential and High Density Residential		Major Facilities, Community Facilities, Transport Corridor Zones																																						
i. Boundary adjustments	<u>P</u>	P	RD	P	RD																																				
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		<p>vi. <u>Fee simple subdivision that creates vacant lots within the General, Medium Density and High Density Residential Zones (Excluding subdivision provided in xii, xiii, and xiv).</u> <u>RD*</u> - - - -</p>						
		<p>vii. <u>Fee Simple Subdivision (Excluding subdivision within the General, Medium Density and High Density Residential Zones, provided in xii, xiii, and xiv)</u> - <u>RD*</u> <u>RD*</u> <u>RD*</u> <u>D</u></p>						
		viii. Cross-lease subdivision	<u>NC</u>	NC	NC	NC		
		ix. Company-lease subdivision*	<u>RD*</u>	RD*	RD*	RD*	D	
		x. Unit-title <u>Subdivisionsubdivision*</u>	<u>C-RD*</u>	RD*	RD*	RD*	D	
		xi. Leasehold <u>Subdivisionsubdivision</u>	<u>RD</u>	RD	RD	RD	D	
		xii. Subdivision involving any allotment within the Electricity National Grid Corridor	<u>RD</u>	RD	RD	RD	D	
		xiii. Any subdivision of an allotment <u>within a historic heritage area or</u> containing a Scheduled Historic Heritage Site identified in Volume 2, Appendix 8, <u>{Link, 10178, Schedules 8A}, 8B and 8B8D</u>	<u>RD</u>	D	D	D	D	

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought										
		xiv. Any subdivision of an allotment containing a Significant Natural Area identified in Volume 2, Appendix <u>Appendix 9</u> , Schedule 9C			<i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>										
259.	23.3b	<p>Table 23.3b: Medium Density Residential Zones (excluding Rotokauri North) and Rototuna Town Centre Zones, and Te Rapa North Industrial Zone</p> <table border="1" data-bbox="409 888 1596 1409"> <thead> <tr> <th data-bbox="409 888 638 1409">Activity</th> <th data-bbox="638 888 866 1409">Medium Density Residential and Rototuna Town Centre Zones</th> <th data-bbox="866 888 1095 1409">Ruakura Awa Lakes Medium Density Residential Zone</th> <th data-bbox="1095 888 1323 1409">Te Rapa North Industrial Zone</th> <th data-bbox="1323 888 1596 1409">and Te Rapa Dairy Manufac Site?</th> </tr> </thead> <tbody> <tr> <td data-bbox="409 1167 638 1409"></td> <td data-bbox="638 1167 866 1409"> Without an approved CDP As part of or approve after a CDP has been approve activity </td> <td data-bbox="866 1167 1095 1409"> With an approved LDC of with subdivision Deferre Industri outside an Stage </td> <td data-bbox="1095 1167 1323 1409"> Within a Stage 1A without a CDP </td> <td data-bbox="1323 1167 1596 1409"> Within Stage 1A after a CDP </td> </tr> </tbody> </table> <p>For General Residential, <u>Medium Density Residential</u>, Intensification <u>High Density Residential</u>, Large Lot Residential, Central City, Business 1 to 7, Industrial, Knowledge, Ruakura Logistics and Ruakura Industrial Park, Future Urban, all Open Space, Major Facilities, Community Facilities and Transport Corridor Zones, and all Hazard Areas see Table 23.3a above. For Special Character Zones see Table 23.3c below.</p>	Activity	Medium Density Residential and Rototuna Town Centre Zones	Ruakura Awa Lakes Medium Density Residential Zone	Te Rapa North Industrial Zone	and Te Rapa Dairy Manufac Site?		Without an approved CDP As part of or approve after a CDP has been approve activity	With an approved LDC of with subdivision Deferre Industri outside an Stage	Within a Stage 1A without a CDP	Within Stage 1A after a CDP	Support in part	While Kāinga Ora acknowledges there are specific subdivision requirements that apply to Rototuna Town Centre zones and the Te Rapa industrial zone, the table also addresses residential zones and therefore should provide for controlled activity subdivision in the General, Medium and High-Density residential zones as required under Clause 3A of the Housing Supply Act.	Review the table to provide for controlled activity subdivision in the General, Medium and High-Density residential zones as required under Clause 3A of the Housing Supply Act.
Activity	Medium Density Residential and Rototuna Town Centre Zones	Ruakura Awa Lakes Medium Density Residential Zone	Te Rapa North Industrial Zone	and Te Rapa Dairy Manufac Site?											
	Without an approved CDP As part of or approve after a CDP has been approve activity	With an approved LDC of with subdivision Deferre Industri outside an Stage	Within a Stage 1A without a CDP	Within Stage 1A after a CDP											

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		i. Boundary adjustments inclusive where no LDC exists for Ruakura and Te Awa Lakes Medium-Density Residential Zone	P	P	P	P	P	P	P			
		ii. Amendments to cross-lease, unit- titles and company lease plans for the purpose of showing alterations to existing buildings or additional lawfully established buildings	P	P	P	P	P	P	P			
		iii. Conversion of cross-lease titles into fee simple titles	P	P	P	P	P	P	P			

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		<table border="1"> <tr> <td data-bbox="409 548 644 1020">iv. Subdivision to accommodate a network utility service or transport corridor inclusive where no LDC exists for Ruakura and Te Awa Lakes Medium-Density Residential Zone</td> <td data-bbox="644 548 753 1020">RD</td> <td data-bbox="753 548 863 1020">RD</td> <td data-bbox="863 548 973 1020">RD</td> <td data-bbox="973 548 1083 1020">RD</td> <td data-bbox="1083 548 1193 1020">D</td> <td data-bbox="1193 548 1302 1020">RD*</td> <td data-bbox="1302 548 1412 1020">RD</td> </tr> <tr> <td data-bbox="409 1020 644 1098">v. Fee simple subdivision</td> <td data-bbox="644 1020 753 1098">NC</td> <td data-bbox="753 1020 863 1098">D</td> <td data-bbox="863 1020 973 1098">RD*</td> <td data-bbox="973 1020 1083 1098">NC</td> <td data-bbox="1083 1020 1193 1098">D</td> <td data-bbox="1193 1020 1302 1098">RD*</td> <td data-bbox="1302 1020 1412 1098">RD*</td> </tr> <tr> <td data-bbox="409 1098 644 1176">vi. Cross-lease subdivision*</td> <td data-bbox="644 1098 753 1176">NC</td> <td data-bbox="753 1098 863 1176">NC</td> <td data-bbox="863 1098 973 1176">NC</td> <td data-bbox="973 1098 1083 1176">NC</td> <td data-bbox="1083 1098 1193 1176">NC</td> <td data-bbox="1193 1098 1302 1176">NC</td> <td data-bbox="1302 1098 1412 1176">NC</td> </tr> <tr> <td data-bbox="409 1176 644 1253">vii. Company- lease subdivision</td> <td data-bbox="644 1176 753 1253">NC</td> <td data-bbox="753 1176 863 1253">RD</td> <td data-bbox="863 1176 973 1253">RD</td> <td data-bbox="973 1176 1083 1253">NC</td> <td data-bbox="1083 1176 1193 1253">D</td> <td data-bbox="1193 1176 1302 1253">RD</td> <td data-bbox="1302 1176 1412 1253">RD</td> </tr> <tr> <td data-bbox="409 1253 644 1331">viii. Unit-title subdivision*</td> <td data-bbox="644 1253 753 1331">NC</td> <td data-bbox="753 1253 863 1331">RD*</td> <td data-bbox="863 1253 973 1331">RD*</td> <td data-bbox="973 1253 1083 1331">NC</td> <td data-bbox="1083 1253 1193 1331">D</td> <td data-bbox="1193 1253 1302 1331">RD*</td> <td data-bbox="1302 1253 1412 1331">RD*</td> </tr> <tr> <td data-bbox="409 1331 644 1409">ix. Leasehold subdivision</td> <td data-bbox="644 1331 753 1409">NC</td> <td data-bbox="753 1331 863 1409">RD</td> <td data-bbox="863 1331 973 1409">RD</td> <td data-bbox="973 1331 1083 1409">NC</td> <td data-bbox="1083 1331 1193 1409">D</td> <td data-bbox="1193 1331 1302 1409">RD</td> <td data-bbox="1302 1331 1412 1409">RD</td> </tr> <tr> <td data-bbox="409 1409 644 1675">x. Subdivision involving any allotment within the Electricity National Grid Corridor</td> <td data-bbox="644 1409 753 1675">NC</td> <td data-bbox="753 1409 863 1675">RD</td> <td data-bbox="863 1409 973 1675">RD</td> <td data-bbox="973 1409 1083 1675">RD</td> <td data-bbox="1083 1409 1193 1675">D</td> <td data-bbox="1193 1409 1302 1675">RD</td> <td data-bbox="1302 1409 1412 1675">RD</td> </tr> <tr> <td data-bbox="409 1675 644 1808">xi. Any subdivision of an allotment containing a</td> <td data-bbox="644 1675 753 1808">NC</td> <td data-bbox="753 1675 863 1808">D</td> <td data-bbox="863 1675 973 1808">D</td> <td data-bbox="973 1675 1083 1808">NC</td> <td data-bbox="1083 1675 1193 1808">D</td> <td data-bbox="1193 1675 1302 1808">D</td> <td data-bbox="1302 1675 1412 1808">D</td> </tr> </table>	iv. Subdivision to accommodate a network utility service or transport corridor inclusive where no LDC exists for Ruakura and Te Awa Lakes Medium-Density Residential Zone	RD	RD	RD	RD	D	RD*	RD	v. Fee simple subdivision	NC	D	RD*	NC	D	RD*	RD*	vi. Cross-lease subdivision*	NC	NC	NC	NC	NC	NC	NC	vii. Company- lease subdivision	NC	RD	RD	NC	D	RD	RD	viii. Unit-title subdivision*	NC	RD*	RD*	NC	D	RD*	RD*	ix. Leasehold subdivision	NC	RD	RD	NC	D	RD	RD	x. Subdivision involving any allotment within the Electricity National Grid Corridor	NC	RD	RD	RD	D	RD	RD	xi. Any subdivision of an allotment containing a	NC	D	D	NC	D	D	D			
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23.6.8 Subdivision in the Medium Density Residential Zones and Rototuna Town Centre Zone (excluding Rotokauri North Medium Density Residential Zone).

260.	23.6.8	<p>a. Subdivision shall only take place in conjunction with a Comprehensive Development Plan or Land Development Plan application or after a Comprehensive Development Plan or Land Development Plan application has been granted. References to Land Development Plan in this rule relate to the Te Awa Lakes Medium Density Residential Zone.</p> <p>b. Allotment area and configuration shall conform to the allotment areas approved as part of the land-use consent.</p> <p>c. A consent notice shall be registered against the title of each allotment to ensure compliance with the terms of the land-use consent.</p> <p>d. The standards in Rule 23.6.8.a to c & b. do not apply to subdivision to accommodate a network utility service or transport corridor.</p> <p>e. Subdivision in Land Development Plan Areas Q and R and Area X in the Business 6 Zone, shown on Figure 2-21 in Appendix 2 Structure Plans, that does not comply with a. above is a prohibited activity.</p>	Oppose in part	Kāinga Ora does not support imposing a consent notice on a subdivision to enforce land use conditions as the land use conditions require this compliance in themselves. Consent notices should be limited to matters relating to the subdivision only.	Delete provision 23.6.8(c) as shown.
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261.	23.7.1	<p>Allotment Size and Shape</p> <table border="1" data-bbox="474 1417 1558 1753"> <thead> <tr> <th data-bbox="474 1417 810 1501">Zone</th> <th data-bbox="810 1417 1056 1501">Minimum Net Site Area</th> <th data-bbox="1056 1417 1308 1501">Max Net Site Area</th> <th data-bbox="1308 1417 1558 1501">Min Shape Factor</th> </tr> </thead> <tbody> <tr> <td data-bbox="474 1501 810 1753">a. Vacant lot - General Residential Zone (unless otherwise stated), Medium Density Residential Zone and High Density Residential Zones</td> <td data-bbox="810 1501 1056 1753">400m</td> <td data-bbox="1056 1501 1308 1753">-</td> <td data-bbox="1308 1501 1558 1753">15m diameter circle <u>Accommodate a rectangle of 8m x 15m.</u></td> </tr> </tbody> </table>	Zone	Minimum Net Site Area	Max Net Site Area	Min Shape Factor	a. Vacant lot - General Residential Zone (unless otherwise stated), Medium Density Residential Zone and High Density Residential Zones	400m	-	15m diameter circle <u>Accommodate a rectangle of 8m x 15m.</u>	Oppose in part	<p>Kāinga Ora opposes the inclusion of a minimum net site area, and requests that a minimum shape factor as amended, be relied upon instead for General, Medium and High Density Residential Zones. This would sufficiently ensure that smaller vacant lot sizes are not created which might otherwise foreclose multiunit redevelopment of a single site, in accordance with the MDRS and the enabling provisions of the zone.</p> <p>Kāinga Ora does not support the Historic Heritage area requirement, consistent with its submission on PC9 which opposes the historic heritage areas in their entirety.</p> <p>Kāinga Ora does not support (t) and the requirement for shape factor circles to not infringe particular setback standards. This is</p>	<ol style="list-style-type: none"> Amend the proposed shape factor for residential allotments in accordance with the tracked changes provided. Remove the requirement as it applies to historic heritage areas, consistent with relief sought through PC9 Delete the requirement for shape factor circle to not infringe yard setbacks.
Zone	Minimum Net Site Area	Max Net Site Area	Min Shape Factor										
a. Vacant lot - General Residential Zone (unless otherwise stated), Medium Density Residential Zone and High Density Residential Zones	400m	-	15m diameter circle <u>Accommodate a rectangle of 8m x 15m.</u>										

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		<p>b. General Vacant Lot Medium Density Residential Zone (within the Rotokauri Rototuna Structure Plan</p> <p>Area North Residential Precinct then Rule 23.7.1 g. applies)</p>			
		<p>400m² 1200m²</p>	-	15m diameter circle	
		<p>c. General Residential Zone (adjoining the Waikato Expressway)</p>			
		1000m²	-	-	
		<p>d. Vacant Lot High Density Residential Intensification Zone</p>			
		350m² 1200m²	-	Contain a rectangle of 15 metres by 20 metres	
		<p>e. Special Residential Zone</p> <p>Front, corner or through site – 600m²</p> <p>Rear Site – 400m²</p>	-	15m diameter circle	
		<p>e. Large Lot Residential – SH26, Ruakura Structure Plan area</p>			
		2500m ²	-	15m diameter circle	
		<p>f. Large Lot Residential – Percival/Ryburn Rd, Ruakura Structure Plan area</p>			
		2ha Except for Lot 8 DP 9210- 5000m ²	-	Rule 23.7.1.w. applies	

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		<p>h. Rototuna North East Character Zone 500m² - 15m diameter circle</p>			
		<p>i. Special Heritage Zone (unless otherwise stated) 600m² - 15m diameter circle</p>			
		<p>j. Special Natural Zone (Lake Waiwhakareke Landscape Character Area) 350m² 800m² where a boundary to a site is adjoining the Lake Waiwhakareke Heritage Park or is separated from it only by a road reserve. 15m diameter circle</p>			
		<p>k. Special Natural Zone (Ridgeline Character Area) 600m² - 15m diameter circle</p>			
		<p>l. Peacocke Character Zone (Terrace Area) 200m² - 15m-diameter circle Medium-Density Residential – N/A</p>			
		<p>m. Peacocke Character Zone (Gully Area) 800m² - 15m-diameter circle</p>			
		<p>n. Peacocke Character Zone (Hill Area where slopes are less than 5 Degrees) 400m² 800m² 15m-diameter circle</p>			
		<p>o. Peacocke Character Zone (Hill Area where slopes are greater than 5 Degrees) 800m² - 15m-diameter circle</p>			
		<p>p. Temple View Zone (Within the Character Areas) 600m² - 15m diameter circle</p>			

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
		<p>q. Temple View Zone (As part of a Duplex within precinct 1, 2, 3 and 4)</p> <p>Duplex dwelling = 200m² per unit (400m² per duplex)</p>			
		<p>g. Central City Zone, Knowledge Zone, Business 1 to 7 Zones</p> <p>1,000m²</p>	-	20m-diameter circle	
		<p>h. Industrial Zone, Rotokauri Employment Area and Riverlea Industrial Area</p> <p>Front, corner or through site – 1,000m²</p>	-	<u>Rule 23.7.1.bb.t. applies</u>	
		<p>Rear sites – 500m²</p>	-	<u>Rule 23.7.1.bb.t. applies</u>	
		<p>i. Te Rapa North Industrial Zone</p> <p>500m²</p>	-	<u>Rule 23.7.1.bb.t. applies</u>	
		<p>j. Ruakura Logistics Zone</p> <p>3000m²</p>	-	<u>Rule 23.7.1.bb.t. applies</u>	
		<p>m. Ruakura Industrial Park Zone</p> <p>3000m² Except up to a maximum of 20% of sites for each subdivision stage shall have a minimum net site area of 1000m² for front sites and 500m² for rear sites.</p>	-	<u>Rule 23.7.1.bb.t. applies</u>	
		<p>n. Ruakura Industrial Park Zone LDP Development Areas T & G</p> <p>Front, corner or through site- 1000m²</p>	-	<u>Rule 23.7.1.bb.t. applies</u>	
		<p>Rear Sites – 500m²</p>			
		<p>o. Future Urban Zone</p> <p>10ha</p>			

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		<table border="1"> <tr> <td data-bbox="477 548 810 827">p. Te Awa Lakes Medium Density Residential Zone Precinct lots that adjoin any existing or proposed esplanade reserve adjacent to the Waikato River (River Interface Overlay)</td> <td data-bbox="810 548 1059 827">1000m²</td> <td data-bbox="1059 548 1308 827">-</td> <td data-bbox="1308 548 1558 827">-</td> </tr> <tr> <td data-bbox="477 827 810 1241">q. Rotokauri North Medium Density Residential Zone Precinct - applies to vacant lots only</td> <td data-bbox="810 827 1059 1241">280m²</td> <td data-bbox="1059 827 1308 1241">-</td> <td data-bbox="1308 827 1558 1241">15m diameter circle</td> </tr> <tr> <td data-bbox="477 1241 810 1472">r. General Residential Zone within Historic Heritage Area (unless otherwise stated)</td> <td data-bbox="810 1241 1059 1472">Front, corner or through site - 600m² Rear site - 400m²</td> <td data-bbox="1059 1241 1308 1472"></td> <td data-bbox="1308 1241 1558 1472">15m diameter circle 15m diameter circle</td> </tr> </table> <p data-bbox="477 1520 1558 1640">t. Allotments in the Industrial, Te Rapa North Industrial, Ruakura Logistics and Ruakura Industrial Park Zones shall be of such a shape as to contain a 20 meter diameter circle. The circle shall not infringe any required front setback or any setback adjoining a residential, special character or open space zone.</p>	p. Te Awa Lakes Medium Density Residential Zone Precinct lots that adjoin any existing or proposed esplanade reserve adjacent to the Waikato River (River Interface Overlay)	1000m ²	-	-	q. Rotokauri North Medium Density Residential Zone Precinct - applies to vacant lots only	280m ²	-	15m diameter circle	r. General Residential Zone within Historic Heritage Area (unless otherwise stated)	Front, corner or through site - 600m² Rear site - 400m²		15m diameter circle 15m diameter circle			
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262.	23.7.2	Subdivision Suitability a. All subdivisions creating fee simple allotments shall ensure that new allotments (excluding any utility, road or reserve allotment, or allotment subject to amalgamation) are of a size and shape to enable activities anticipated in the zone <u>and the applicable overlays</u> .	Oppose in part	While Kāinga Ora generally supports the proposed amendments, the proposed changes to 23.7.2.4 (formerly the 'note') are opposed. The proposed amendment places an onerous requirement (that is not present	Include the standards as-notified, with the proposed amendments (shown tracked) to enable subdivision in accordance with a land use consent consistent with the MDRS and as provided for by controlled												

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		<p>b. Where allotments are proposed that contain<u>The standards of Rule 23.7. shall not apply to the subdivision of land to accommodate a network utility service.</u></p> <p>c. <u>The standards of Rule 23.7.1, Rule 23.7.3 a. b and c, Rule 23.7.4 a, b, c, d and e, and Rule 23.7.5 a and b shall not apply to:</u></p> <ol style="list-style-type: none"> 1. <u>The unit title of existing development on the lawfully established buildings; or</u> 2. <u>The fee simple subdivision of an existing residential unit, if—</u> <ol style="list-style-type: none"> i. The applicable general and specific standards for<u>Either the zone and activity under consideration shall be complied</u>subdivision does not increase the degree of any non-compliance with for each allotment<u>the rules within The Residential Zones (Chapter 4) or land use consent has been granted; and</u> ii. The applicable standards in Chapter 25 – City Wide shall be complied with for each allotment.<u>No vacant allotments are created:</u> <p>Note</p> <p>For</p> <ol style="list-style-type: none"> 4. <u>The fee simple subdivision of any allotment with no existing residential unit, where a subdivision application is accompanied by a land use application that will be determined concurrently, and compliance with the approved layout shall be achieved as part of the subdivision. if the avoidance of doubt, Rule 23.7.2.b does not apply</u>applicant for the resource consent can demonstrate that: <ol style="list-style-type: none"> i. <u>It is practicable to</u> an infringement that has existing use rights or was approved under<u>construct on every allotment within the proposed subdivision, as a Land Use Resource Consent, permitted activity, a residential unit; and</u> 5. <u>Each residential unit complies with the rules within the Residential Chapter;</u>Whereand 6. <u>No vacant allotments are</u> proposed that contain development that has been approved under separate land use consent, compliance with the approved layout shall be achieved as part of the subdivision<u>created;</u> <ol style="list-style-type: none"> a. Where b. or c. is not complied with, a concurrent application for land use consent for the identified areas of non-compliance with the applicable general and specific standards, or the approved layout shall be made. 		<p>under the operative plan) to demonstrate every allotment can contain a dwelling as a permitted activity in full compliance with the relevant residential chapter/zone. This is contrary to the intent of the standard which is to acknowledge that an approved land-use outcome is appropriate. Subdivision in accordance with that land use consent should then be a formality, subject to the subdivision giving effect to the land use outcomes being relied upon. Kāinga Ora therefore considers the standard to be neither efficient nor effective in giving effect to the intended outcomes of the MDRS, as it potentially frustrates the consenting and development process.</p> <p>It is observed that the numbering and layout of 23.7.2 is confusing as it is unclear whether clauses 4-6 apply to clause 2, and the numbering is inconsistent.</p>	<p>subdivision under 27.3 within the residential zones.</p>

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought																						
263.	23.7.3	<p>General Residential Zone, and All Special Character Zones</p> <table border="1" data-bbox="587 598 1596 892"> <tr> <td>a. Minimum transport corridor boundary length for a front site (except in the Terrace area of the Peacocke Character Zone and within the Character Areas of the Temple View Zone)</td> <td>15m</td> </tr> <tr> <td>b. Minimum transport corridor boundary length for a front site within the Terrace area of the Peacocke Character Zone and within the Character Areas of the Temple View Zone</td> <td>10m</td> </tr> <tr> <td>c. Minimum rear boundary length of a front site</td> <td>10m</td> </tr> </table> <p style="text-align: center;">!</p> <p><u>The following will apply to all subdivisions</u></p> <table border="1" data-bbox="587 1018 1596 1648"> <tr> <td>d. Maximum number of allotments <u>or residential units</u> served by a single private way</td> <td>20</td> </tr> <tr> <td>e. Minimum private way width serving 1-6 allotments <u>or residential units</u></td> <td>3.6m <u>4m</u></td> </tr> <tr> <td>f. Minimum private way width serving 7 – 20 principal <u>residential units where access forms common property under a unit title arrangement</u> or, 7-9 units (where access is part of a fee simple subdivision)</td> <td>6m</td> </tr> <tr> <td>g. Minimum width of vehicle access (to be formed and vested as public road) serving 10 <u>7-20</u> fee simple lots or residential units</td> <td>16m <u>16.8m</u></td> </tr> <tr> <td>h. Maximum private way gradient</td> <td>1:5m</td> </tr> <tr> <td>i. Maximum private way length</td> <td>100m (with passing every 50m)</td> </tr> <tr> <td>j. <u>Minimum legal width of a rear lane</u></td> <td><u>7m</u></td> </tr> <tr> <td>k. <u>Maximum length of a rear lane</u></td> <td><u>150m</u></td> </tr> </table> <p><u>. Each rear lane shall:</u></p> <ol style="list-style-type: none"> i. <u>Be connected by unrestricted access to a transport corridor at least two locations.</u> ii. <u>Have a legal mechanism for ownership and ongoing maintenance of the lane.</u> 	a. Minimum transport corridor boundary length for a front site (except in the Terrace area of the Peacocke Character Zone and within the Character Areas of the Temple View Zone)	15m	b. Minimum transport corridor boundary length for a front site within the Terrace area of the Peacocke Character Zone and within the Character Areas of the Temple View Zone	10m	c. Minimum rear boundary length of a front site	10m	d. Maximum number of allotments <u>or residential units</u> served by a single private way	20	e. Minimum private way width serving 1-6 allotments <u>or residential units</u>	3.6m <u>4m</u>	f. Minimum private way width serving 7 – 20 principal <u>residential units where access forms common property under a unit title arrangement</u> or, 7-9 units (where access is part of a fee simple subdivision)	6m	g. Minimum width of vehicle access (to be formed and vested as public road) serving 10 <u>7-20</u> fee simple lots or residential units	16m <u>16.8m</u>	h. Maximum private way gradient	1:5m	i. Maximum private way length	100m (with passing every 50m)	j. <u>Minimum legal width of a rear lane</u>	<u>7m</u>	k. <u>Maximum length of a rear lane</u>	<u>150m</u>	Oppose in part	<p>While existing plan provisions that are not proposed to be amended, it is unclear how minimum boundary lengths have been justified as a qualifying matter (and whether they have been identified as such). Kāinga Ora opposes their inclusion as they place an undue restriction on intensification within higher-density environments, which are likely to have frontages at lesser widths either pre or post subdivision.</p> <p>Kāinga Ora oppose including the number of 'residential units' as a trigger for when a vehicle access must be formed as a legal road as this does not account for multi-unit developments like apartment blocks and is unnecessarily onerous.</p>	<p>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</p> <ol style="list-style-type: none"> 3. Delete minimum boundary lengths until the appropriate analysis is undertaken in accordance with ss77J-L of the Housing Supply Act. Kāinga Ora would support an approach where, like the Medium Density Residential zone, the requirements only apply to the creation of vacant lots. 4. Remove reference to residential units as a trigger for vesting a vehicle access as a road.
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		<p>iii. <u>Have a minimum unobstructed width at vehicle entrances and between buildings or structures of no less than 3.5m.</u></p> <p>iv. <u>Not be used for carparking or storage of materials, landscaping, fencing or other obstructions that would restrict access by emergency vehicles.</u></p> <p>v. <u>Have a minimum height clear of buildings and other obstructions of 4.0m.</u></p> <table border="1" data-bbox="587 772 1596 1908"> <tr> <td>m. Minimum width of vehicle access to be formed and vested as public road:</td> <td></td> </tr> <tr> <td> i. Serving more than 20 allotments or residential units (Local Road)</td> <td>20m</td> </tr> <tr> <td> ii. Serving more than 20 allotments or residential units (Collector Road – <u>Non-PT Route on Structure Plan</u>)</td> <td>23m <u>24.2m</u></td> </tr> <tr> <td> iii. <u>Serving more than 20 allotments or residential units</u> (Collector Road – <u>PT Route on Structure Plan</u>)</td> <td><u>24.6m</u></td> </tr> <tr> <td>n. Maximum cul-de-sac length, including private way</td> <td>150m</td> </tr> <tr> <td>o. Maximum number of private ways accessing directly on to a cul-de-sac turning head</td> <td>1</td> </tr> <tr> <td>p. Maximum number of culs-de-sac accessing directly on to a cul-de-sac</td> <td>0</td> </tr> <tr> <td>q. Maximum <u>shared</u> pedestrian/<u>cyclist</u> accessway length through a block</td> <td>80m</td> </tr> <tr> <td>r. Minimum <u>shared</u> pedestrian/<u>cyclist</u> accessway width through a block</td> <td>40m or less in length: 6m wide 41m – 60m in length: 9m <u>9m</u> wide 61m – 80m in length: 12m wide</td> </tr> <tr> <td>s. <u>Maximum block length</u></td> <td><u>250m</u></td> </tr> <tr> <td>t. <u>Maximum block perimeter</u></td> <td><u>750m</u></td> </tr> <tr> <td>u. The ability for any proposed lot in a subdivision to comply with the vehicle crossing separation distance requirements in Rule 25.14.4.1.a and 25.14.4.1.c shall be demonstrated.</td> <td>-</td> </tr> </table>	m. Minimum width of vehicle access to be formed and vested as public road:		i. Serving more than 20 allotments or residential units (Local Road)	20m	ii. Serving more than 20 allotments or residential units (Collector Road – <u>Non-PT Route on Structure Plan</u>)	23m <u>24.2m</u>	iii. <u>Serving more than 20 allotments or residential units</u> (Collector Road – <u>PT Route on Structure Plan</u>)	<u>24.6m</u>	n. Maximum cul-de-sac length, including private way	150m	o. Maximum number of private ways accessing directly on to a cul-de-sac turning head	1	p. Maximum number of culs-de-sac accessing directly on to a cul-de-sac	0	q. Maximum <u>shared</u> pedestrian/ <u>cyclist</u> accessway length through a block	80m	r. Minimum <u>shared</u> pedestrian/ <u>cyclist</u> accessway width through a block	40m or less in length: 6m wide 41m – 60m in length: 9m <u>9m</u> wide 61m – 80m in length: 12m wide	s. <u>Maximum block length</u>	<u>250m</u>	t. <u>Maximum block perimeter</u>	<u>750m</u>	u. The ability for any proposed lot in a subdivision to comply with the vehicle crossing separation distance requirements in Rule 25.14.4.1.a and 25.14.4.1.c shall be demonstrated.	-			
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		<p>Note</p> <p>Standard 23.7.3 only has immediate legal effect when subdivision occurs in For clarity, measurements of block length and block perimeter may be curvilinear and include frontage to a green linkage/ corridor, accessway or reserve. Measurements will be taken from the Special Heritage Zone or Heritage Area relevant transport corridor boundary of the Temple View Zone, as shown on Planning Map 60B proposed lots.</p>			<p>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</p>																		
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265.	<u>23.7.5</u>	<p>High Density Residential Zone</p> <p>High Density Residential Intensification Zone</p> <p><u>The following will apply to the creation of vacant lots</u></p> <table border="1" data-bbox="587 772 1596 871"> <tr> <td>a. Minimum transport corridor boundary length for a front site</td> <td>15m<u>20m</u></td> </tr> <tr> <td>b. Minimum rear boundary width of a front site</td> <td>10m</td> </tr> </table> <p><u>The following will apply to all subdivisions</u></p> <table border="1" data-bbox="587 955 1596 1612"> <tr> <td>c. Minimum private way width serving 1-4 allotments</td> <td>3.5m<u>4m</u></td> </tr> <tr> <td>d. Minimum private way width serving 7 – 20 principal residential units where access forms common property under a unit title arrangement</td> <td>6m<u>7m</u></td> </tr> <tr> <td>e. Minimum width of vehicle access (to be formed and vested as public road) serving 7-20 fee simple lots</td> <td>16m<u>16.8m</u></td> </tr> <tr> <td>f. Minimum width of vehicle access to be formed and vested as public road</td> <td>20m 23m<u>24.2m</u></td> </tr> <tr> <td> i. Serving more than 20 allotments (Local Road)</td> <td><u>24.6m</u></td> </tr> <tr> <td> ii. Serving more than 20 allotments (Collector Road – no public transport route)</td> <td></td> </tr> <tr> <td> iii. <u>Serving more than 20 allotments (Collector Road – public transport route)</u></td> <td></td> </tr> <tr> <td>g. Maximum private way gradient</td> <td>1:5</td> </tr> <tr> <td>h. Maximum private way length</td> <td>100m</td> </tr> <tr> <td>i. Maximum pedestrian accessway length through a block</td> <td>80m</td> </tr> </table>	a. Minimum transport corridor boundary length for a front site	15m <u>20m</u>	b. Minimum rear boundary width of a front site	10m	c. Minimum private way width serving 1-4 allotments	3.5m <u>4m</u>	d. Minimum private way width serving 7 – 20 principal residential units where access forms common property under a unit title arrangement	6m <u>7m</u>	e. Minimum width of vehicle access (to be formed and vested as public road) serving 7-20 fee simple lots	16m <u>16.8m</u>	f. Minimum width of vehicle access to be formed and vested as public road	20m 23m <u>24.2m</u>	i. Serving more than 20 allotments (Local Road)	<u>24.6m</u>	ii. Serving more than 20 allotments (Collector Road – no public transport route)		iii. <u>Serving more than 20 allotments (Collector Road – public transport route)</u>		g. Maximum private way gradient	1:5	h. Maximum private way length	100m	i. Maximum pedestrian accessway length through a block	80m	Oppose in part	It is unclear how minimum boundary lengths, urban block lengths and maximum urban block perimeters have been justified as a qualifying matter (and whether they have been identified as such). Kāinga Ora opposes their inclusion as they place an undue restriction on intensification within higher-density environments, which are likely to have frontages at lesser widths either pre or post subdivision	<ol style="list-style-type: none"> Delete minimum boundary lengths, urban block lengths and maximum urban block perimeters until the appropriate analysis is undertaken in accordance with ss77J-L of the Housing Supply Act. Kāinga Ora would support an approach where, like the Medium Density Residential zone, the requirements only apply to the creation of vacant lots Delete the note in accordance with the relief sought.
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266.	23.7.8	<p data-bbox="388 1268 1641 1373">23.7.8 Within a Historic Heritage Areas</p> <table border="1" data-bbox="587 1373 1596 1854"> <tr> <td data-bbox="587 1373 1344 1425">a. Minimum transport corridor boundary length for a front site</td> <td data-bbox="1344 1373 1596 1425">15m</td> </tr> <tr> <td data-bbox="587 1425 1344 1478">b. Minimum rear boundary length of a front site</td> <td data-bbox="1344 1425 1596 1478">10m</td> </tr> <tr> <td data-bbox="587 1478 1344 1551">c. Maximum number of allotments served by a single private way</td> <td data-bbox="1344 1478 1596 1551">20</td> </tr> <tr> <td data-bbox="587 1551 1344 1604">d. Minimum private way width serving 1-6 allotments</td> <td data-bbox="1344 1551 1596 1604">3.6m</td> </tr> <tr> <td data-bbox="587 1604 1344 1656">e. Maximum private way gradient</td> <td data-bbox="1344 1604 1596 1656">1.5m</td> </tr> <tr> <td data-bbox="587 1656 1344 1730">f. Maximum private way length</td> <td data-bbox="1344 1656 1596 1730">100m (with passing every 50m)</td> </tr> <tr> <td data-bbox="587 1730 1344 1782">g. Maximum cul-de-sac length, including private way</td> <td data-bbox="1344 1730 1596 1782">150m</td> </tr> <tr> <td data-bbox="587 1782 1344 1854">h. Maximum number of private ways accessing directly on to a cul-de-sac turning head</td> <td data-bbox="1344 1782 1596 1854">1</td> </tr> </table>	a. Minimum transport corridor boundary length for a front site	15m	b. Minimum rear boundary length of a front site	10m	c. Maximum number of allotments served by a single private way	20	d. Minimum private way width serving 1-6 allotments	3.6m	e. Maximum private way gradient	1.5m	f. Maximum private way length	100m (with passing every 50m)	g. Maximum cul-de-sac length, including private way	150m	h. Maximum number of private ways accessing directly on to a cul-de-sac turning head	1	Oppose	Consistent with the Kāinga Ora submission on PC9, the spatial application of 'Historic Heritage Areas' and associated provisions are opposed in their entirety.	<p data-bbox="2329 1268 2783 1541">Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment ("PC9"). Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones, consistent with the relief sought in PC9.</p> <p data-bbox="2329 1562 2783 1751">Kāinga Ora considers that the proposed changes across PC9 and PC12 are not qualifying matters, as the assessments in its view, do not meet the requirements under s6, s77I, s77J, s77K, and/or s77L of the RMA.</p> <p data-bbox="2329 1772 2783 1854">Deletion sought.</p>
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23.9 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria															
267.	23.9	<table border="1"> <thead> <tr> <th data-bbox="587 1100 1092 1205">Activity Specific</th> <th data-bbox="1092 1100 1596 1205">Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)</th> </tr> </thead> <tbody> <tr> <td data-bbox="587 1205 1092 1373">v. Subdivision to accommodate a network utility service or transport corridor inclusive where no LDC exists for Ruakura Medium Density Residential Zone</td> <td data-bbox="1092 1205 1596 1373">C – Character and Amenity I – Network Utilities and Transmission N – Ruakura</td> </tr> <tr> <td data-bbox="587 1373 1092 1520">vi. Fee simple subdivision <u>(Except within the General, Medium Density and High Density Residential Zones that complies with Rule 23.7 b)*)</u></td> <td data-bbox="1092 1373 1596 1520">C – Character and Amenity</td> </tr> <tr> <td data-bbox="587 1520 1092 1654">xv. Fee simple subdivision of land containing an identified, scheduled historic building or structure</td> <td data-bbox="1092 1520 1596 1654">E. Heritage values</td> </tr> <tr> <td data-bbox="587 1654 1092 1801">xvi. Fee simple subdivision of land within a Significant Natural Area</td> <td data-bbox="1092 1654 1596 1801">Natural character and amenity</td> </tr> </tbody> </table>	Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)	v. Subdivision to accommodate a network utility service or transport corridor inclusive where no LDC exists for Ruakura Medium Density Residential Zone	C – Character and Amenity I – Network Utilities and Transmission N – Ruakura	vi. Fee simple subdivision <u>(Except within the General, Medium Density and High Density Residential Zones that complies with Rule 23.7 b)*)</u>	C – Character and Amenity	xv. Fee simple subdivision of land containing an identified, scheduled historic building or structure	E. Heritage values	xvi. Fee simple subdivision of land within a Significant Natural Area	Natural character and amenity	Support in part	Kāinga Ora supports the amendments to the extent consistent with the overall submission. In accordance with relief sought, Kāinga Ora suggest the additional assessment criteria be included in relation to subdivision of land associated with an identified heritage building or structure and Significant Natural Areas.	Include the amended assessment criteria, to the extent consistent with the overall submission.
Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)														
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Chapter 24 – Financial Contributions					
24.1 Background					
268.	24.1	a. <u>The Resource Management Act 1991 empowers Council to collect financial contributions.</u> b. <u>Section 77E provides that Council may make a rule requiring a financial contribution for any class of activity other than a prohibited activity.</u> c. <u>Section 108 provides that when Council grants a resource consent, it may impose a condition of consent requiring that a financial contribution be made.</u> d. <u>A financial contribution taken by Council is for a different purpose to any development contribution identified in Council's current Development Contributions Policy and may be levied in addition to a development contribution.</u>	Support	Kāinga Ora support the addition of these statements, particularly noting that a financial contribution taken is for a different purpose to any development contribution.	Retain background statement as notified.
24.2 General Purpose of Financial Contributions					
269.	24.2.1	24.2.1 <u>To recover from developers a contribution in the form of money, or land, or a combination of both money and land, which:</u> a. <u>Avoids, remedies, or mitigates adverse effects of the proposed activity on the environment including, but not limited to, effects associated with:</u> i. <u>Three waters/transport network connections;</u> ii. Three waters/transport network improvements; iii. Three waters/transport capacity upgrades; iv. Parks/reserves/open space network enhancement/improvement; v. Streetscape amenity improvements; <u>Where the capital expenditure items identified in this rule are not otherwise funded via Council's Development Contribution Policy.</u> <u>And</u> Gives effect to Te Ture Whaimana, including its requirement for restoration and protection of the Waikato River and the relationship between the Waikato River and Waikato-Tainui, Waikato River Iwi, and the Waikato Region's communities and all other objectives and strategies contained within Te Ture Whaimana.	Oppose in part	Kāinga Ora support the general purpose of Financial Contributions; however, reiterates that development contributions apply to developments to contribute towards three waters/transport network improvements and capacity upgrades and additional contributions should not be sought for these aspects of development, except where required to create capacity within the local catchment, at the point of connection, for the development. Kāinga Ora oppose the inclusion of a financial contribution relating to parks/reserves/open space network and streetscape amenity. Whilst the intensification of Hamilton City will contribute to a change in character and amenity, this is not considered to be an adverse effect that requires offsetting through financial payments. Whilst Kāinga Ora support giving effect to Te Ture Whaimana, it is considered that a financial contribution that is proposed to be levied for the purpose of giving effect to Te Ture Whaimana as notified is opposed. It is noted that the Section 32 analysis for	1. Delete points 24.2.1(a)(iv) and (v). 2. Delete the Te Ture Whaimana Financial Contribution and redraft when a specific policy is developed to address Te Ture Whaimana appropriately. 3. Seeks that the full set of provisions proposed on the Financial Contributions is deleted, reviewed and proposed in a separate plan change process. Alternatively, this could be undertaken through a pre-hearing mediation process with submitters and Waikato-Tainui and the Waikato River Authority prior to the hearing of PC12.

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				<p>financial contributions implies that the fund will go to the Hamilton City Council 'Nature in the City' programme. Kāinga Ora notes that the policy for this fund is related to biodiversity and is not underpinned by or seeks to give effect to Te Ture Whaimana. It is considered that the financial contribution must be deleted in its entirety until a specific policy is developed to address Te Ture Whaimana.</p> <p>Further, it is considered that this approach does not acknowledge the role that the Waikato River Authority plays in the management of the Waikato River, and the ties between that authority and local iwi through board representation.</p>	
24.3 Objectives and Policies					
270.	24.3.1	<p>Objective 24.3.1 Financial contributions are required in accordance with the Financial Contributions Rules in order to:</p> <ul style="list-style-type: none"> i. <u>Avoid, remedy, or mitigate adverse effects of the proposed activity or development on the environment where these cannot be managed on-site; and</u> ii. Give effect to Te Ture Whaimana, including the requirement for betterment. 	Oppose in part	<p>Kāinga Ora support the objective stating the purpose of financial contributions; however, emphasise that these should only be required to avoid, remedy or mitigate adverse effects of a development that cannot be appropriately managed on-site.</p> <p>Consistent with the above submission points, Kāinga Ora seek the deletion of the Te Ture Whaimana financial contribution in its entirety until a specific policy is developed to address Te Ture Whaimana.</p>	<ol style="list-style-type: none"> 1. Amend the objective as shown. 2. Delete the Te Ture Whaimana Financial Contribution and redraft when a specific policy is developed to address Te Ture Whaimana appropriately.
271.	24.3.1	<p>Policies 24.3.1a</p> <ul style="list-style-type: none"> i. <u>Require financial contributions for the purposes set out in the General Purpose Statement and the Financial Contributions Rules.</u> ii. <u>Determine the nature and amount of financial contributions in accordance with the methodology set out in the Financial Contributions Rules.</u> iii. <u>Financial contributions in the form of money must be paid before the proposed activity or</u> 	Support in part	<p>Kāinga Ora generally support this policy; however with respect to subsection iii. Suggest that an 'either' option be provided to enable payment to be made either prior to the issue of a Code of Compliance under the Building Act or prior to the issue of the s224c certificate where subdivision consent has been sought. This provides a greater degree of clarity surrounding when payment must be made.</p>	Amend the policy as shown.

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		<p>development occurs either prior to the issue of the Code of Compliance under the Building Act or where subdivision consent has been sought, prior to the issue of the s224c certificate.</p> <p>iv. <u>Financial contributions in the form of land must vest in Council prior to completion of the activity or construction of the development.</u></p> <p>v. <u>Financial contributions will be applied to the purpose for which they are required.</u></p>		Kāinga Ora submits that subsection iv. be amended to provide greater clarity surrounding the deadline for the contribution of land to be made.	
24.4 Financial Contributions Rules					
24.4.1 General Rules					
272.	24.4.1	<p>a. For permitted activities, financial contributions will be required upon the earlier of the grant of building consent or service connection. Permitted development resulting in the creation of additional residential units or lots on a site and any new non-residential building, will be subject to financial contributions upon either the grant of building consent or service connection, whichever is the earliest.</p>	Oppose in part	Kāinga Ora support the clarity provided through this rule where contributions will be required where resource consent is not required. However, Kāinga Ora consider it necessary to include a specific trigger for the financial contribution to be applied, such as where a development results in the creation of an additional household unit or a new non-residential building.	Amend rule as shown.
273.	24.4.1	<p>b. <u>For all classes of activities other than permitted activities resulting in the creation of additional residential units or lots on a site and any new non-residential building, financial contributions will be required as a condition of land use or subdivision consent.</u></p>	Oppose in part	Kāinga Ora oppose the application of financial contributions in this manner and suggest that an appropriate trigger be applied. Amendments sought.	Amend rule as shown.
274.	24.4.1	<p>c. <u>Financial contributions will be in the form of money calculated in accordance with Rule 24.4.2 or Rule 24.4.3 (whichever applies), except where Council exercises its discretion to accept a financial contribution in the form of land, or a combination of land and money, in which case the financial contribution will be calculated in accordance with Rules 24.4.4 and Rules 24.4.5 respectively.</u></p>	Support in part	Kāinga Ora support the flexibility applied through this rule in which Council are provided with discretion as to how a financial contribution can be made.	Amend rule as follows, and in accordance with the relief sought under rules 24.4.2 and 24.4.3.
275.	24.4.1	<p>d. <u>Financial contributions will be required for the purposes set out in the General Purpose Statement and on the basis that:</u></p> <p>i. <u>Financial contributions for all residential development will be calculated for the specific purposes and in accordance with the methodology in Rule 24.4.2 and (where applicable) Rule 24.4.4 and Rule 24.4.5; and</u></p> <p>ii. <u>Financial contributions for all other developments will be calculated for the specific purposes and in accordance with the methodology in Rule 24.4.3 and (where applicable) Rule 24.4.4 and Rule 24.4.5.</u></p>	Support in part	Kāinga Ora supports the inclusion of this policy, subject to amendments requested in respect of General Purpose (24.2.1) and Rules 24.4.2, 24.4.4 and 24.4.5	Retain as notified, subject to the relief sought under 24.2.1 (general purpose) and rules 24.4.2 and 24.4.3.

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24.4.2 Financial Contributions Rules					
276.	24.4.2	<p>a. <u>In addition to the general purposes described under the General Purpose Statement, financial contributions will be required for residential development for the following specific purposes:</u></p> <p>i. <u>Three waters/transport infrastructure network:</u></p> <p>A. <u>To avoid, remedy and mitigate the adverse effects of residential development that cannot be managed on-site through the recovery of infrastructure network costs associated with the following:</u></p> <ul style="list-style-type: none"> • <u>Three waters connections and network renewals to address capacity at the point of connection; and</u> • Transport connections and network renewals. <p>B. <u>These costs will include:</u></p> <ul style="list-style-type: none"> • <u>Where an existing supply is available, the cost of connection with the existing system;</u> • <u>Where an existing supply is available, but the age and state of the network makes it unsuitable to meet the additional generated demand, the cost of connection and renewal of the existing system at the point of connection to service the development.</u> <p><u>But shall exclude any infrastructure works otherwise funded via Council's Development Contributions Policy.</u></p>	Support in part	Kāinga Ora support the principle use of financial contributions; however consider this only appropriate as a mechanism where there is insufficient capacity at the point of connection, to service the development and any effects of the development cannot be managed on site.	Seek the following amendments as shown in addition to the relief sought in relation to general purposes of financial contributions.
277.	24.4.2	<p>ii. <u>Residential amenity:</u></p> <p>A. <u>To avoid, remedy, and mitigate the adverse effects of residential development density through the recovery of costs associated with maintaining and improving residential amenity.</u></p> <p>B. <u>These costs will include:</u></p> <ul style="list-style-type: none"> • <u>Where public open spaces can be improved, the cost of land acquisition and development; and</u> • <u>Where streetscape amenity can be enhanced, the cost of that enhancement.</u> <p><u>But shall exclude any infrastructure works otherwise funded via Council's Development Contributions Policy.</u></p>	Oppose	Kāinga Ora oppose the use of a financial contribution associated with the effects of residential development density. This rule is seeking to address the changing nature of the residential environment that could arise through the application of greater intensification. Kāinga Ora does not consider the potential change in character and amenity associated with this plan change, to be one of adverse nature that is required to be offset through monetary payments.	Delete rule as notified.
278.	24.4.2	<p>i. <u>Te Ture Whaimana:</u></p> <p>A. <u>To give effect to Te Ture Whaimana, including its requirement for restoration and protection of the Waikato River and the relationship between the Waikato River and Waikato-Tainui, Waikato River Iwi, and the Waikato Region's communities and all other objectives and strategies contained within Te Ture Whaimana.</u></p> <p>B. <u>These costs will include:</u></p>	Support in part	Whilst Kāinga Ora support giving effect to Te Ture Whaimana, it is considered that a financial contribution that is proposed to be levied for the purpose of giving effect to Te Ture Whaimana as notified is opposed. It is noted that the Section 32 analysis for financial contributions implies that the fund will go to the Hamilton City Council 'Nature	Delete the Te Ture Whaimana Financial Contribution and all associated provisions and redraft when a specific policy is developed to address Te Ture Whaimana appropriately in consultation with Waikato-Tainui and the Waikato River Authority.

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		<ul style="list-style-type: none"> • Riparian enhancement; • Wetland creation/ protection/restoration/enhancement; • Erosion control measures; • Ecological/biodiversity enhancement; • Public access improvements to the Waikato River, including its tributaries; • Weed control measures; • Sediment reduction measures; • Waikato River/Te Ture Whaimana education; • Restoration/protection/enhancement of waahi tapu and sites of significance. <p>But shall exclude any infrastructure works otherwise funded via Council's Development Contributions Policy.</p>		<p>in the City' programme. Kāinga Ora notes that the policy for this fund is related to biodiversity and is not underpinned by or seeks to give effect to Te Ture Whaimana. It is considered that the financial contribution must be deleted in its entirety until a specific policy is developed to address Te Ture Whaimana.</p> <p>Further, it is considered that this approach does not acknowledge the role that the Waikato River Authority plays in the management of the Waikato River, and the ties between that authority and local iwi through board representation.</p>	
279.	24.4.2b	<p>b. <u>Financial contributions under Rule 24.4.2 will be calculated in accordance with the following methodology:</u></p> <p>i. <u>Three waters/transport infrastructure network:</u></p> <p>A. <u>Connections: 100% recovery of actual costs incurred by Council, or estimated to be incurred, in relation to the connection.</u></p> <p>B. Network renewals (where there is insufficient capacity): At a rate of \$106.34 per PUD with the total financial contribution calculated in accordance with the methodology set out in Volume 2, Appendix 18. 100% recovery of costs incurred by Council, or estimated to be incurred, in relation to renewal works required to service the development at the point of connection.</p>	Oppose in part	<p>Kainga Ora consider that the application of a standard contribution towards network renewals (\$106.34 per PUD) is similar to what is required through development contributions rather than being a bespoke contribution that is tailored to address the particular upgrade requirements associated with the development.</p> <p>Kāinga Ora consider that such a contribution needs to be dynamic and responsive to the effect of capacity rather than a flat rate.</p>	Amend provision B to read as shown.
280.	24.4.2b	<p>i. Residential amenity:</p> <p>A. At a rate of \$2997.71 per PUD with the total financial contribution calculated in accordance with the methodology set out in Volume 2, Appendix 18.</p>	Oppose	<p>In accordance with the submission relating to 24.4.2.ii, Kāinga Ora oppose the use of a financial contribution associated with the effects of residential development density. Kāinga Ora does not consider the potential change in character and amenity associated with this plan change and giving effect to the NPS-UD and the Enabling Housing Supply Act, to be one of adverse nature that is required to be offset through monetary payments.</p>	Delete the provision in its entirety.

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281.	24.4.2	<p>ii. Te Ture Whaimana:</p> <p>A. At a rate of \$1762.851 per PUD with the total financial contribution calculated in accordance with the methodology set out in Volume 2, Appendix 18.</p>	Oppose	<p>Whilst Kāinga Ora support giving effect to Te Ture Whaimana, it is considered that a financial contribution that is proposed to be levied for the purpose of giving effect to Te Ture Whaimana as notified is opposed. It is noted that the Section 32 analysis for financial contributions implies that the fund will go to the Hamilton City Council 'Nature in the City' programme. Kāinga Ora notes that the policy for this fund is related to biodiversity and is not underpinned by or seeks to give effect to Te Ture Whaimana. It is considered that the financial contribution must be deleted in its entirety until a specific policy is developed to address Te Ture Whaimana.</p> <p>Further, it is considered that this approach does not acknowledge the role that the Waikato River Authority plays in the management of the Waikato River, and the ties between that authority and local iwi through board representation.</p>	Delete the Te Ture Whaimana Financial Contribution and all associated provisions and redraft when a specific policy is developed to address Te Ture Whaimana appropriately in consultation with Waikato-Tainui and the Waikato River Authority.
24.4.3 Non-Residential Development					
282.	24.4.3	<p>a. In addition to the general purposes required under the General Purpose Statement and Rule 24.4.2, financial contributions will be required for non-residential development for the following specific purposes:</p> <p>i. Three waters/transport infrastructure network:</p> <p>A. To avoid, remedy and mitigate the adverse effects of non-residential development that cannot be managed on-site through the recovery of infrastructure network costs associated with the following:</p> <ul style="list-style-type: none"> • Three waters connections and network renewals to address capacity at the point of connection; and • Transport connections, and network renewals. <p>B. These costs will include:</p> <ul style="list-style-type: none"> • Where an existing supply is available, the cost of connection with the existing system; 	Oppose in part	In accordance with the submission under 24.4.2a, Kainga Ora oppose the use of financial contributions for three waters and transport in situations other than where adverse effects cannot be managed on-site. Reference to non-residential development should also be made under this rule.	Amend provision as shown and to be consistent with relief sought through submission.

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		<ul style="list-style-type: none"> Where an existing supply is available, but the age and state of the network makes it unsuitable to meet the additional generated demand, the cost of connection and renewal of the existing network <u>at the point of connection to service the development.</u> <p>But shall exclude any infrastructure works otherwise funded via Council's Development Contributions Policy.</p>			
283.	24.4.3	<p>ii. Te Ture Whaimana:</p> <p>A. To give effect to Te Ture Whaimana, including its requirement for restoration and protection of the Waikato River and the relationship between the Waikato River and Waikato-Tainui, Waikato River Iwi, and the Waikato Region's communities and all other objectives and strategies contained within Te Ture Whaimana.</p> <p>B. These costs will include: Riparian enhancement;</p> <ul style="list-style-type: none"> Wetland creation/protection/restoration/enhancement; Erosion control measures; Ecological/biodiversity enhancement; Public access improvements to the Waikato River, including its tributaries; Weed control measures; Sediment reduction measures; Waikato River/Te Ture Whaimana education; Restoration/protection/enhancement of waahi tapu and sites of significance. <p>But shall exclude any infrastructure works otherwise funded via Council's Development Contributions Policy</p>	Support in part	<p>Whilst Kāinga Ora support giving effect to Te Ture Whaimana, it is considered that a financial contribution that is proposed to be levied for the purpose of giving effect to Te Ture Whaimana as notified is opposed. It is noted that the Section 32 analysis for financial contributions implies that the fund will go to the Hamilton City Council 'Nature in the City' programme. Kāinga Ora notes that the policy for this fund is related to biodiversity and is not underpinned by or seeks to give effect to Te Ture Whaimana. It is considered that the financial contribution must be deleted in its entirety until a specific policy is developed to address Te Ture Whaimana.</p> <p>Further, it is considered that this approach does not acknowledge the role that the Waikato River Authority plays in the management of the Waikato River, and the ties between that authority and local iwi through board representation.</p>	Delete the Te Ture Whaimana Financial Contribution and all associated provisions and redraft when a specific policy is developed to address Te Ture Whaimana appropriately in consultation with Waikato-Tainui and the Waikato River Authority.
284.	24.4.3	<p>b. <u>Financial contributions under Rule 24.4.3 will be calculated in accordance with the following methodology:</u></p> <p>i. <u>Three waters/transport infrastructure network:</u></p> <p>A. <u>Connections: 100% recovery of actual costs incurred by Council, or estimated to be, in relation to the connection.</u></p>	Support in part	<p>Kāinga Ora consider that the application of a standard contribution towards network renewals (\$106.34 per PUD) is similar to what is required through development contributions rather than being a bespoke contribution that is tailored to address the particular upgrade requirements associated with the development. Kāinga Ora consider that such a contribution needs to be dynamic and responsive to the effect of capacity rather than a flat rate.</p>	<ol style="list-style-type: none"> Amend the rule to clearly state the destination of the funding and revise the calculated contribution following engagement with Waikato-Tainui and key stakeholders. Delete the Te Ture Whaimana Financial Contribution and redraft when a specific policy is developed to address Te Ture Whaimana appropriately.

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		<p>B. <u>Network renewals (where there is insufficient capacity): At a rate of \$106.34 per PUD with the total financial contribution calculated in accordance with the methodology set out in Volume 2, Appendix 18. 100% recovery of costs incurred by Council, or estimated to be incurred, in relation to renewal works required to service the development at the point of connection.</u></p> <p>ii. Te Ture Whaimana:</p> <p>iii. At a rate of \$1762.851 per PUD with the total financial contribution calculated in accordance with the methodology set out in Volume 2, Appendix 18.</p>		Consistent with the above submission points, Kāinga Ora seek the deletion of the Te Ture Whaimana financial contribution in its entirety until a specific policy is developed to address Te Ture Whaimana.	
Chapter 25.12 Solid Waste					
12.12.2 Objectives and Policies					
285.	25.12.12.2c	<p>25.12.2.1e</p> <p><u>Ensure a convenient outdoor pathway is available for residents to take their rubbish, recycling, and food scrap bins from their residential unit's service area to the collection point.</u></p>	Oppose in part	<p>Whilst Kāinga Ora supports the reasoning behind why such a policy may be included, it is considered that the policy is overly prescriptive and more in the realms of design guidance.</p> <p>Amendments are sought to remove policies that are inconsistent with the Kāinga Ora submission on associated rules within the residential chapters.</p>	Delete policy 25.12.2.1.c
286.	25.12.12.2d	<p>25.12.2.1d</p> <p><u>Ensure sufficient berm space for the collection of rubbish, recycling, and food scrap containers.</u></p>	Oppose	Kāinga Ora objects to this as a policy, emphasising that the space within the road reserve is outside of the control of a developer and should not be a limiting factor for developments.	Delete policy 25.12.2.1d
Chapter 25.13 Three Waters					
25.13.1 Purpose					
287.	25.13.1	Water quality of the Waikato River has declined over time. Although point-source pollutants have reduced since the 1970s, non-point sources now comprise the majority of nutrient and sediment inputs into the Waikato River and its tributaries <u>catchment</u> . Water quality in Lake Rotoroa has improved over time; however it still suffers from algal blooms attributed to high nutrient levels and from time to time is closed to contact recreation.	Support	Kāinga Ora support the replacement of 'tributaries' with 'catchment', in accordance with the language used within Te Ture Whaimana o Te Awa o Waikato.	Include the statement as notified.

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288.	25.13.1	c. <u>Land use and development can also increase stormwater peak flows and volumes. Such changes to the natural hydrological regime can accelerate erosion and bank instability, in turn adversely affecting aquatic ecosystems and stream health and potentially risking property and people.</u>	Support	Kāinga Ora generally supports the principle of the relationship between stormwater management and the health and wellbeing of the Waikato River.	Retain as notified.
289.	25.13.1	d. <u>As part of the The Waikato-Tainui Raupatu Claims (Waikato River) Settlement between the Crown and Waikato-Tainui, Act 2010 ("Settlement Act"), establishes Te Ture Whaimana o Te Awa o Waikato – The Vision and Strategy for the Waikato River has been developed and must be given effect to. It is the primary direction-setting document for the Waikato River and its catchments, which include the lower reaches of the Waipa River, and outlines the Hamilton City Council is required to give effect to it. The vision for the Waikato River as is described in Te Ture Whaimana as:</u> <i>"Tooku awa koiora me oona pikonga he kura tangihia o te maataamuri The river of life, each curve more beautiful than the last</i> <i>Our vision is for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come."</i>	Support	Kāinga Ora supports the principle of giving effect to Te Ture Whaimana o Te Awa o Waikato.	Include the statement as notified.
290.	25.13.1	e. <u>To manage compliance with resource consent conditions and to give effect to the objectives of Te Ture Whaimana o Te Awa o Waikato, Council controls connections to the potable water, wastewater and stormwater network, as well as the allocation of water from municipal water supply for specific high water users. Service connection applications and high water user agreements are currently managed by an approval process which is outlined in the Three Waters Connection Policy, and by regulation made under legislation. Obtaining a resource consent or having a permitted activity status does not remove the need to obtain other necessary approvals that may be required.</u>	Oppose	Kāinga Ora supports the principle of resource consents giving effect to Te Ture Whaimana, in addition to ensuring that developments are adequately and appropriately serviced by three waters infrastructure. However, Kāinga Ora is of the view that the provision of adequate three waters infrastructure for any development is not sufficient to deliver the purpose of 'betterment' that is required by Te Ture Whaimana and rather is just a matter that should be addressed through either the resource or building consent process. Reference to Te Ture Whaimana should be removed from this statement to separate the delivery of adequate infrastructure from the matter of achieving betterment for the health and wellbeing of the Waikato River. The three waters framework proposed through this plan change is obstructive to achieving intensification of the urban	Amend explanatory text as-shown.

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				environment, as required by the Resource Management Enabling Housing Supply) Act and the NPS-UD, and is not considered to be necessary to give effect to the qualifying matter of Te Ture Whaimana. As such, limiting provisions associated with three waters that have been applied through this chapter are opposed.	
25.13.2 Objectives and Policies: Three Waters					
291.	25.13.2	<p><u>25.13.2.2</u></p> <p>The health and well-being of the Waikato River are protected from the adverse effects of stormwater run-off from subdivision and development and enhanced when development or redevelopment occurs.</p>	Support	Kāinga Ora supports the management of stormwater run-off associated with urban development and the impact of this on the health and wellbeing of the Waikato River.	Retain as notified
292.	25.13.2	<p><u>25.13.2.2a</u></p> <p>Subdivision and development shall incorporate on-site stormwater management measures that:</p> <ul style="list-style-type: none"> • <u>achieve hydraulic neutrality where there is no increase in offsite stormwater peak flows and volumes as a result of subdivision, use and development in urban areas in order to:</u> • <u>protect and improve the water quality of receiving environments; and,</u> • <u>enhance the health and wellbeing of the Waikato River</u> 	Oppose in part	Kāinga Ora support the principle of the management of increased stormwater run-off associated with urban development; however, in acknowledging what this policy seeks to achieve, Kāinga Ora considers it appropriate to replace this policy with one that refers to hydraulic neutrality in order to allow flexibility in response to stormwater management on a site by site basis, whilst ensuring hydraulic neutrality is achieved.	Replace policy as notified as shown.
293.	25.13.2	<p><u>25.13.2.2b</u></p> <p>In accordance with Chapter 24, require a financial contribution when off-site stormwater works are needed in a sub-catchment to avoid, remedy, or mitigate the adverse effects provide sufficient capacity at the point of connection or service a of development or to restore and protect the health and wellbeing of the Waikato River.</p>	Oppose in part	Whilst Kāinga Ora support the principle of contributions towards the infrastructure upgrades necessary to service a development, it should be clarified that contributions associated with infrastructure will only be sought to deliver the capacity required to service the development.	<ol style="list-style-type: none"> 1. Amend policy 25.13.2.2b as shown. 2. Kāinga Ora seeks that the Council review the proposed provisions on financial contributions in its entirety and that any such proposed financial contributions proposed are for the betterment of the awa, and not for infrastructure upgrades or investment.

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294.	25.13.2	<p>Explanation</p> <p><i>This objective and policies focus on the effects subdivision and development can have on water resources, and seeks that these effects be minimized are avoided managed and where possible. Land-use activities can impact on water resources, for example, by increasing stormwater flows over or into land, by increasing sediment loads, and increasing the demand for water- related infrastructure. <u>By requiring on-site water sensitive techniques such as rainwater detention or reuse tanks and soakage to be incorporated into developments, water quality can be improved, enhanced and protected from these impacts.</u></i></p> <p><i><u>Te Ture Whaimana sets out a vision that all who benefit from activities within the catchment of the Waikato River contribute to protecting and restoring the river's health and wellbeing. Case law has clarified that this contribution should be in proportion to the potential effects their activities have on the river. Accordingly, each development is expected to protect the Waikato River's health and wellbeing. In some cases, new developments may be able to provide betterment by reducing the effects of existing development in addition to addressing the effects of the new development.</u></i></p> <p><u>Note</u></p> <p><i><u>The term "Waikato River" is defined in Appendix 1.1.2.</u></i></p>	Support in part	<p>Kāinga Ora supports the principle of managing the adverse effects of urban development on the health and wellbeing of the Waikato River. However, the current drafting of the explanatory text is rigid and does not enable flexibility of response to stormwater management on a site-by-site basis.</p> <p>Kāinga Ora consider it appropriate to refer to detention as well as retention as a solution for stormwater management.</p>	Amend the explanation text as shown.
295.	25.13.2	<p>25.13.2.2a.3a</p> <p><u>Water sensitive conservation techniques are encouraged to be incorporated into new subdivision and development to reduce demand on <u>reticulated</u> water supplies, wastewater disposal and to manage stormwater <u>discharged to the environment</u>.</u></p>	Support	Kāinga Ora support the principle of including conservation techniques to reduce the effect a development has on the three waters infrastructure and the surrounding environment.	Amend the provision as shown.
296.	25.13.2	<p>25.13.2.3b.4b</p> <p>Subdivision and development shall not occur unless the required infrastructure is available to service it including necessary local, trunk and strategic networks.</p>	Oppose	<p>Kāinga Ora consider the policy response suggested for policy 25.13.2.4a above appropriately responds to the necessity to adequately service a development, whilst also enabling an alternative solution response.</p> <p>Moreover, Kāinga Ora do not support the inevitable site-by-site assessment that would be required through this policy on trunk and strategic networks; capacity assessments on a site-by-site basis should be directed towards local catchment capacity at point of connection.</p>	Delete policy 25.13.2.4b in its entirety.
297.	25.13.2	<p><u>Urban development and redevelopment and infrastructure capacity.</u></p> <p>25.13.2.5</p> <p><u>The health and wellbeing of the Waikato River is restored and protected, with urban development and redevelopment:</u></p> <ul style="list-style-type: none"> <u>Being supported by adequate three waters infrastructure that ensures that adverse effects on the River from</u> 	Support	Kāinga Ora generally support the principle of providing adequate three waters infrastructure as a means of managing potential adverse effects of urban	Retain as-notified.

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		<p><u>development and redevelopment of urban areas are avoided;</u></p> <ul style="list-style-type: none"> <u>Contributing toward improving the health and well-being of the Waikato River; and</u> <p><u>Where necessary staged over the medium and long terms, taking into account the future planned environment and the City's ability to upgrade and replace relevant infrastructure where there is inadequate infrastructure.</u></p>		development on the health and wellbeing of the Waikato River.	
298.	25.13.2	<p>25.13.2.5a Identify areas of the city, by way of an Overlay, where existing three waters infrastructure has insufficient capacity to accommodate planned additional subdivision or development with consequent adverse effects on the health and wellbeing of the river from:</p> <ul style="list-style-type: none"> Increased wastewater overflows Increased discharges of untreated stormwater Increased stormwater runoff volumes and peak flows <p>Unsustainable potable water use.</p>	Oppose	<p>Whilst Kāinga Ora generally supports the principle of the effects urban development can have on the health and wellbeing of the Waikato River, it is emphasised that this effect can be generated by all urban development and is not limited to areas where there is a constrained three waters network, or as a result of residential development within the general and medium density residential zones.</p> <p>Kāinga Ora oppose the use of the Infrastructure Capacity Overlay within the District Plan and request it be deleted. Objectives, policies and standards associated with infrastructure capacity could be retained; however, these should not be used as limiting factors for the application of intensification across the city but rather as a matter to be considered alongside development that exceeds permitted thresholds of the District Plan (i.e. the number of dwellings). Kāinga Ora do not consider the proposed three waters provisions to give effect to the qualifying matter of Te Ture Whaimana and therefore the Strategy should not be used as justification for the inclusion of these provisions.</p>	<ol style="list-style-type: none"> Delete policy 25.13.2.5a in its entirety. Delete the Infrastructure Capacity Overlay and any references to the overlay.
299.	25.13.2	<p>25.13.2.5b In areas of constrained three waters infrastructure capacity, require subdivision or developments of a medium to high density in all residential zones to prepare a three waters infrastructure capacity assessment.</p>	Oppose	Kāinga Ora consider this policy to be unnecessary alongside inclusion of both policy 25.13.2.4a and policy 25.13.2.5c (as amended) below which both require development to be appropriately serviced.	Delete 25.13.2.5b in its entirety.

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300.	25.13.2	<p>25.13.2.5c Enable development that can be adequately serviced by existing infrastructure or can be provided with sufficient infrastructure prior to or at the same time as the intensification occurs.</p> <p><u>Enable subdivision, use or development in urban areas where:</u></p> <ol style="list-style-type: none"> 1. <u>sufficient existing or planned three waters infrastructure capacity and/or level of service is, or will be, available to service the use or development at the point of connection; or</u> 2. <u>It can be satisfactorily serviced through an alternative means where existing three waters infrastructure capacity and/or level of service is insufficient at the point of connection.</u> 	Support in part	<p>Kāinga Ora support the enablement of development through the provision of existing or proposed infrastructure capacity.</p> <p>However, consider it appropriate to amend the policy to full address the concept of infrastructure enabled development and to include provision for alternative solutions for servicing a site.</p>	Replace policy 25.13.2.5c as-notified as-shown.
301.	25.13.2	<p>25.13.2.5d Ensure that additional infrastructure demand generated does not necessitate additional unplanned public investment in, or expansion of, the three waters infrastructure network or compromise its ability to service other activities enabled within the relevant network.</p>	Oppose	<p>Kāinga Ora opposes this policy particularly in how it relates to the health and wellbeing of the Waikato River.</p> <p>Kāinga Ora considers that the responsibility of the provision of adequate three waters infrastructure should be met by the three waters authority (being the Council) and such provision should meet the demand created by a growing population.</p>	Delete policy 25.13.2.5d in its entirety.
302.	25.13.2	<p>25.13.2.5e Where there is inadequate three waters infrastructure for the planned built environment, and necessary upgrades and improvements are not feasible in the short to long term, then avoid further intensification until constraints are resolved.</p>	Oppose	<p>Kāinga Ora opposes this policy particularly in how it relates to the qualifying matter of Te Ture Whaimana and the health and wellbeing of the Waikato River.</p> <p>The policy is obstructive to intensification of the urban environment as required by the Resource Management Enabling Housing Supply) Act and the NPS-UD, and is not considered to be necessary to give effect to the qualifying matter of Te Ture Whaimana. Moreover, as policies have been included relating to infrastructure enabled development, Council will have confidence that urban development cannot proceed in the absence of sufficient three waters infrastructure.</p>	Delete policy 25.13.2.5e in its entirety.

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303.	25.13.2	<p>25.13.2.5f In areas where there is inadequate infrastructure to support the planned built environment, but necessary upgrades or improvements are programmed in the Long Term Plan to be provided within a 10 year time frame, then identify and implement interim actions including staging new development to the availability of infrastructure capacity.</p>	Oppose	<p>Kāinga Ora considers that infrastructure is a matter that can be addressed through development. Development and intensification should not be constrained or staged in response to the funding of the Long Term Plan. Rather, the proposed policies such as 25.13.2.5c are sufficient to ensure that development will only be able to proceed where it can be appropriately serviced.</p>	Delete 25.13.2.5f in its entirety.
304.	25.13.2	<p>25.13.2.5g Progressively amend the extent of the Infrastructure Capacity Overlay as three waters infrastructure is upgraded and replaced with sufficient capacity to accommodate anticipated housing densities.</p>	Oppose	<p>Kāinga Ora do not support the use of an overlay for infrastructure capacity, particularly in that it has been applied through the qualifying matter of Te Ture Whaimana.</p> <p>Te Ture Whaimana seeks the 'betterment' of the Waikato River, whereas the purpose of the Infrastructure Capacity Overlay is to manage adverse effects of urban development</p> <p>Kāinga Ora considers that if the Capacity Overlay is to give effect to Te Ture Whaimana, then it would not be something that could be updated and reduced as and when capacity is made available. As such, Kāinga Ora do not consider the Infrastructure Capacity Overlay as a mechanism directly relating to Te Ture Whaimana and request the overlay be deleted, with associated rules and standards amended and applied to both residential and non-residential developments.</p> <p>Lastly, the inclusion of capacity maps within the District Plan maps does not allow for the information to be readily updated to reflect capacity assessments and upgrades that are undertaken. Any updates to the</p>	Delete policy 25.13.2.5g and associated Infrastructure Capacity Overlay.

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				overlay as proposed would have to be done through the schedule 1 plan change process.	
305.	25.13.2	<p>25.13.2.5h In accordance with Chapter 24, require a financial contribution when off-site infrastructure upgrade works are needed in a network to avoid, remedy or mitigate, the adverse effects of development or to restore and protect the health and wellbeing of the Waikato River.</p>	Oppose	Whilst Kāinga Ora support the principle of financial contributions towards the restoration and betterment of the Waikato River, this policy relates to financial contributions for infrastructure rather than the 'betterment' of the Waikato River. Infrastructure upgrades should be managed through development contributions and the Council's LTP funding process.	Delete policy as notified.
306.	25.13.2	<p>In areas where a full Integrated Catchment Management Plan does not exist the following policies also apply:</p> <p>Design 25.13.2.3a.6a Three Waters infrastructure is designed and constructed to:</p> <ul style="list-style-type: none"> i. Minimise <u>Firstly avoid where possible, and reduce where feasible,</u> the adverse effects of urban development on downstream receiving waters and groundwater. ii. Ensure that the capacity, efficiency and sustainability of upstream and downstream infrastructure will not be compromised. iii. Facilitate access, maintenance and operational requirements. iv. Cater for <u>Be resilient to the potential anticipated</u> effects of climate change. v. Ensure appropriate standards of public health, safety and amenity. vi. Ensure that surface water runoff is appropriately managed in accordance with <u>to restore and protect</u> the following drainage hierarchy. <u>health and well being of watercourses and the Waikato River, primarily via</u> retention for reuse, <ol style="list-style-type: none"> 1. <u>Retention for reuse; or</u> 2. <u>Soakage techniques; or</u> 3. <u>Detention and gradual release to a watercourse; or</u> 4. <u>Detention and gradual release to stormwater reticulation.</u> 	Support in part	Whilst Kāinga Ora support the principle of this policy, it is requested that the means of managing surface water runoff include measures that are within the operative district plan are retained. This enables flexibility in approach whilst ensuring the effect of surface water run off on the health and wellbeing of the Waikato River is addressed through development.	Amend policy 25.13.2.6a as shown.
307.	25.13.2	<p>Wastewater 25.13.2.3b.6c Wastewater is <u>conveyed,</u> treated and disposed of in a way that, <u>avoids where possible,</u> or minimises effects on public health, the environment, and cultural values.</p> <p>25.13.2.6d</p>	Support	Kāinga Ora support the alterations to this policy but with amendments made for clarity.	<ol style="list-style-type: none"> 1. Retain policy 25.13.2.6c as notified. 2. Amend 25.13.2.6d as shown.

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		<p>An adequate, reliable, safe and efficient wastewater system is provided for each lot.</p> <p><u>Each lot is connected to the city's wastewater network and does not create any adverse effect on the wastewater system.</u></p>															
25.13.3 Rules – Activity Status Table																	
308.	25.13.3	<table border="1" data-bbox="409 808 1276 1207"> <thead> <tr> <th data-bbox="409 808 1077 850">Activity</th> <th data-bbox="1077 808 1276 850">Status</th> </tr> </thead> <tbody> <tr> <td data-bbox="409 850 1077 919">a. Any activity required to prepare a Water Impact Assessment by Rule 25.13.4.6.6C.</td> <td data-bbox="1077 850 1276 919">RD*</td> </tr> <tr> <td data-bbox="409 919 1077 1010">b. Any activity required to prepare an Integrated Catchment Management Plan a Three Waters Infrastructure Capacity Assessment by Rule 25.13.4.1.b.6A or B.</td> <td data-bbox="1077 919 1276 1010">RD*</td> </tr> <tr> <td data-bbox="409 1010 1077 1079">c. Any activity required to prepare an Integrated Catchment Management Plan by Rule 25.13.4.1.b.</td> <td data-bbox="1077 1010 1276 1079">RD*</td> </tr> <tr> <td data-bbox="409 1079 1077 1148">d. Any activity required to prepare a Site-Specific Stormwater Management Plan by Rule 25.13.4.2A(e).</td> <td data-bbox="1077 1079 1276 1148">RD*</td> </tr> <tr> <td data-bbox="409 1148 1077 1207">e. <u>Development or redevelopment of impermeable surfaces that does not meet the requirements of Rule 25.13.4.2A.</u></td> <td data-bbox="1077 1148 1276 1207">RD*</td> </tr> </tbody> </table> <p data-bbox="409 1234 816 1339">Note 1. Refer to Chapter 1.1.9 for activities marked with an asterisk (*).</p>	Activity	Status	a. Any activity required to prepare a Water Impact Assessment by Rule 25.13.4.6.6C.	RD*	b. Any activity required to prepare an Integrated Catchment Management Plan a Three Waters Infrastructure Capacity Assessment by Rule 25.13.4.1.b.6A or B.	RD*	c. Any activity required to prepare an Integrated Catchment Management Plan by Rule 25.13.4.1.b.	RD*	d. Any activity required to prepare a Site-Specific Stormwater Management Plan by Rule 25.13.4.2A(e).	RD*	e. <u>Development or redevelopment of impermeable surfaces that does not meet the requirements of Rule 25.13.4.2A.</u>	RD*	Oppose in part	Kainga Ora does not support a separate rule for an Infrastructure Capacity Assessment and consider it more appropriate to include infrastructure capacity as an assessment criteria under the relevant chapter provisions; i.e. chapter 4 for residential development, chapter 6-7 for commercial development.	Delete activity 25.13.3.b and 25.13.3.c.
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a. Any activity required to prepare a Water Impact Assessment by Rule 25.13.4.6.6C.	RD*																
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25.13.4 – Rules – General Standards																	
309.	25.13.4.1	<p>a. Where a full ICMP already that has been approved by the Council applies to an area, development, <u>alterations and additions, and redevelopment of impermeable surfaces</u> and Three Waters infrastructure shall be undertaken in accordance with it the ICMP. This will be considered a means to achieve compliance with the standards in Rules 25.13.4.1.b.2a and b, 25.13.4.2 to .2A, 25.13.4.3 and 25.13.4.4, except that the requirements of Rule 25.13.4.4.2A will replace any residential on lot stormwater requirements of ICMPs that were approved prior to 22 August 2022.</p>	Oppose in part	Kainga Ora do not support the amendments made under 25.13.4.2A and therefore request that the exception added into this standard relating to this provision, be deleted. 25.13.4.2A (residential stormwater/water sensitive design requirements)	Amend standard as shown.												
310.	25.13.4.2	<p>Stormwater – <u>Non-Residential zones</u></p> <p>a. A stormwater reticulation and disposal system shall be provided that is adequate to safeguard people from injury or illness and protect property from damage caused by surface water.</p> <p>b. Stormwater management measures shall be in place and operational upon the completion of subdivision and/or development to ensure that the rate of stormwater discharge offsite is at or below pre-development rates. Stormwater management measures shall be</p>	Support	Kāinga Ora supports the flexible approach that has been applied to stormwater solutions for non-residential zones. This approach enables the development community to respond to the standard in a	Retain standard as notified.												

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		<p>implemented, as appropriate, in accordance with the following drainage hierarchy:</p> <ul style="list-style-type: none"> i. Retention for reuse ii. Soakage techniques iii. Detention and gradual release to a watercourse iv. Detention and gradual release to stormwater reticulation. <p>C. <u>At least one water sensitive technique for stormwater shall be implemented as follows:</u></p> <ul style="list-style-type: none"> i. <u>Detention of stormwater to 80% of pre-development runoff by an appropriate means</u> ii. <u>Permeable surfaces protected to achieve at least 20% above the minimum standard of the zone. For the purposes of this rule the permeable surfaces may include:</u> <ul style="list-style-type: none"> 1. <u>Permeable paving for parking, access and manoeuvring areas associated with residential units (excluding where used for shared vehicle access)</u> 2. <u>Uncovered decks which allow water to drain through to a surface which can absorb water</u> iii. <u>Rainwater tank for non-potable reuse system.</u> iv. <u>Other equivalent feature.</u> <p>Note</p> <ol style="list-style-type: none"> 1. <u>Non-residential zones refer to any zone except for the General Residential, Large Lot Residential, Medium Density Residential and High Density Residential zones.</u> 2. <u>Acceptable means of compliance for the provision, design and construction of stormwater infrastructure, the above water sensitive techniques and other equivalent features and the drainage hierarchy, are contained within the Hamilton City WLASS Regional Infrastructure Technical Specifications.</u> 3. <u>Service connections to the Council stormwater network may require approval from Council in accordance with the Three Waters Connection Policy, as well as regulation made under legislation.</u> 4. <u>Where the site is covered by an ICMP, the water sensitive techniques required by 25.13.4.2c above shall be consistent with the recommendations of that Plan.</u> 5. <u>An ICMP may make recommendations identifying water sensitive techniques that are suitable (or unsuitable) for a particular catchment or specific Three Waters measures or targets that need to be achieved. In order for new development to comply with 25.13.4.2, the selection and implementation of water sensitive techniques must be consistent with any relevant recommendations.</u> 6. <u>Council maintains a register of all full ICMPs and can advise of any relevant to a particular development proposal and site.</u> 		<p>way that is feasible whilst still achieving the desired outcome.</p>	

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		<p>7. <u>To be effective rainwater tanks for new buildings should have a capacity of at least 5,000 litres or should be appropriately designed considering the specific site constraints.</u></p> <p>8. <u>Additional techniques are listed within the definition of "water-sensitive techniques" included in Section 1.1.2 of Volume 2 - Definitions Used in the District Plan.</u></p> <p>9. <u>Bylaws may also impose additional controls or restrictions with regard to stormwater.</u></p> <p>10. <u>See Rule 25.2.4 regarding earthworks.</u></p>			
311.	25.13.4.2A	<p><u>Stormwater – Residential zones</u></p> <p>a. <u>A stormwater reticulation and disposal system must be provided that is adequate to safeguard people from injury or illness and protect property upstream or downstream from damage caused by surface water.</u></p> <p>b. <u>Stormwater management measures must be in place and operational upon the completion of subdivision and/or development.</u></p> <p>c. <u>Stormwater management measures must be maintained and operated in perpetuity in accordance with best practice by the relevant property owner.</u></p> <p>d. <u>Where stormwater management devices serve more than 1 site or residential unit, then an operations and maintenance plan must be established and implemented to ensure compliance with relevant standards. The operations and maintenance plan must be provided to the Council within three months of practical completion of works.</u></p> <p>e. <u>Development or redevelopment of impermeable surfaces greater than 1,000m² in area requires a Site-Specific Stormwater Management Plan, as described in Volume 2, Appendix 1.2.2.5b</u></p> <p>f. <u>Development of all new impermeable surfaces and redevelopment of existing impermeable surfaces greater than 20m² in area must implement one of the following two stormwater management measures to achieve hydraulic neutrality to pre-development levels:</u></p> <p>i. <u>Retention for reuse; or</u></p> <p>ii. <u>Soakage techniques; or</u></p> <p>iii. <u>Detention and gradual release to a watercourse; or</u></p> <p>iv. <u>Detention and gradual release to stormwater reticulation.</u></p> <p>i. On-site retention as follows:</p> <p><u>A. Provide retention (volume reduction) of at least 10mm runoff depth on the new and</u></p>	Oppose in part	Whilst Kāinga Ora support the requirement for on-site stormwater management to address the effects of development, it is submitted that the impact of increased stormwater runoff as a result of urban development is consistent regardless of the use of the site; i.e. residential and non-residential activities. On this basis, Kāinga Ora submits that the on-site measures required for development of all new impermeable surfaces and redevelopment of existing impermeable surfaces greater than 20m ² in area be amended to reflect the solutions applied to non-residential development under standard 25.13.4.2 in respect of detention and soakage solution.	<p>1. Amend standard 25.13.4.2Af. as shown.</p> <p>2. Retain balance of provisions as notified, subject to relief sought under chapter 25.</p>

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		<p>redeveloped impermeable surfaces; and</p> <p>B. Where redeveloped impermeable surfaces comprise over half of the total existing impermeable surfaces on the site, redevelopment must also provide retention of 10mm of runoff depth on at least 20% of the remainder of existing impermeable surfaces; and</p> <p>C. The retention is to be provided through a combination of rainwater capture appropriately connected to the building for non-potable reuse, and infiltration via targeted soakage within the lot boundary.</p> <p>ii. Where infiltration is not achievable due to poor infiltration rates, groundwater levels or site conditions, this component of the required retention volume can be replaced by on-site stormwater quality treatment as follows:</p> <p>A. Provide quality treatment for runoff from the 90th percentile 24-hour storm event (25mm) from new and redeveloped impermeable surface prior to discharge.</p> <p>g. <u>For the purposes of this rule, the definition of impermeable surfaces is amended by excluding swimming pools, living roofs, and porous or permeable paving, and including sealed or compacted metal driveways and car parking areas.</u></p> <p>h. <u>New buildings, and additions to existing buildings must be constructed using inert cladding, roofing and spouting building materials, i.e. avoiding use of high contaminant yielding building products which have:</u></p> <ul style="list-style-type: none"> i. <u>Exposed surface(s) or surface coating of metallic zinc of any alloy containing greater than 10% zinc</u> ii. <u>Exposed surface(s) or surface coating of metallic copper or any alloy containing greater than 10% copper</u> iii. <u>Exposed treated timber surface(s) or any roof material with a copper-containing or zinc-containing algaecide.</u> <p>i. <u>Rainwater tanks with a capacity of <10,500 litres are exempt from the following bulk and location provisions of the relevant zone.</u></p> <ul style="list-style-type: none"> i. <u>Site coverage.</u> ii. <u>Permeable surfacing.</u> iii. <u>Rear or side boundary setbacks.</u> 			

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312.	25.13.4.2A	<p>Note</p> <ol style="list-style-type: none"> 1. <u>Private stormwater infrastructure design and construction that is in accordance with the Three Waters Management Practice Notes is an acceptable means of compliance with Rule 25.13.4.2A(f). The Three Waters Management Practice Notes also contain further details on the circumstances in which infiltration is considered to be unachievable.</u> 2. <u>Service connections to the Council stormwater network may require approval from Council in accordance with the Three Waters Connection Policy, as well as regulation made under legislation.</u> 3. <u>An ICMP may make recommendations identifying onsite stormwater management measures that are suitable (or unsuitable) for a particular catchment or specific Three Waters measures or targets that need to be achieved. Where the site is covered by an ICMP, in order for new development to comply with Rule 25.13.4.2A(f), the selection and implementation of onsite stormwater management techniques must be consistent with any relevant recommendations.</u> 4. <u>In accordance with the provisions of Chapter 24 and Policy 25.13.2.1d, Council may require financial contributions.</u> 5. <u>Bylaws may also impose additional controls or restrictions with regard to stormwater.</u> <p><u>See Rule 25.2.4 regarding earthworks.</u></p>	Oppose in part	With respect to financial contributions relating to stormwater infrastructure, in accordance with the submission relating to policy 25.13.2.1d, Kāinga Ora opposes the requirement of an additional financial contribution towards stormwater infrastructure as a fixed contribution (as-referenced in note 4). It should be clarified that contributions associated with infrastructure will only be sought to deliver the capacity required to service the development, where funding via the LTP will not adequately cover the additional capacity required.	Amend subject to relief sought under chapter 25.
313.	25.13.4.4	<ol style="list-style-type: none"> a. <u>Each lot is connected to the city's water network and does not create any adverse effect on the wastewater system.</u> b. Where any subdivision or development results in additional allotments or buildings to be used for urban purposes, provision shall be made for: <ol style="list-style-type: none"> i. Water metering infrastructure, and either ii. A connection from the public water supply reticulation to each proposed residential allotment or existing building, or iii. A public water supply reticulation system extending from the main trunk water supply system (or from an existing water supply reticulation if appropriate) to allow a service to be connected from the transport corridor frontage of each non- residential allotment. 	Support in part	<p>Kāinga Ora support the alterations to this policy but with amendments made for clarity.</p> <p>Kāinga Ora support the removal of reference to water metering through this standard on the basis that it has been included under the standard for water conservation measures (standard 25.13.4.5)</p>	Amend provision as shown.
314.	25.13.4.4	<p>Note</p> <ol style="list-style-type: none"> 1. There are limitations on the City's municipal supply of potable water for industrial use other than human drinking and sanitation. Any industrial activity requiring more than 15m³ of water per day for purposes other than human drinking and sanitation is considered a high-use allocation and should consult Council's Infrastructure Department early in the planning process. 2. <u>Service connections to the Council water supply network may require approval from Council in accordance with the Three Waters Connection Policy, as well as regulation made under legislation.</u> 3. <u>Acceptable means of compliance for the provision, design and construction of water infrastructure is contained within the Hamilton City Infrastructure Technical Specifications.</u> 4. <u>Bylaws may also impose additional controls or restrictions with regard to water supply.</u> 	Support	Kāinga Ora support the blanket application of the impact of any urban development on water supply. This is consistent with the approach requested under policy 25.13.2.5a with respect to infrastructure capacity.	Retain as notified

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought						
315.	25.13.4.5	<p>Water Efficiency Conservation Measures ———</p> <p>a. In addition to Low Flow Fixtures, at least one <u>The following water sensitive technique for stormwater conservation techniques shall be incorporated, connected to, achieved or maintained as part of any new development as identified below.</u></p> <table border="1" data-bbox="403 716 1338 1486"> <thead> <tr> <th data-bbox="403 716 872 747">Where required</th> <th data-bbox="872 716 1338 747">Water sensitive techniques</th> </tr> </thead> <tbody> <tr> <td data-bbox="403 747 872 1346"> i. New residential units <u>in a residential zone.</u> ii. Other new buildings <u>in a residential zone</u> containing a kitchen, laundry, <u>toilet</u> or bathroom. </td> <td data-bbox="872 747 1338 1346"> <ul style="list-style-type: none"> Detention Provision for future installation of stormwater to 80% water metering infrastructure Use of pre-development runoff by an appropriate means Permeable surfaces protected to achieve at least 20% above the minimum standard of the zone. For the purposes of this rule the permeable surfaces may include: Permeable paving for parking low flow fixtures in kitchen, access laundry, toilets and manoeuvring areas associated with residential units (excluding where used for shared vehicle access) Uncovered decks which allow water to drain through to a surface which can absorb water- bathrooms Rainwater tank of minimum size of 3,000 litres for non- potable reuse system Other equivalent feature use (outdoor use, garden watering, toilet, and the option of laundry etc) Other equivalent feature. </td> </tr> <tr> <td data-bbox="403 1346 872 1486"> iii. <u>Other new buildings in a non- residential zone containing a kitchen, laundry or bathroom.</u> </td> <td data-bbox="872 1346 1338 1486"> <ul style="list-style-type: none"> Provision for future installation of water metering infrastructure Use of low flow fixtures in kitchen, laundry, toilets and bathrooms </td> </tr> </tbody> </table> <p>Note</p> <ol style="list-style-type: none"> An ICMP (relevant Non-residential zones refer to any zone except for the site) General Residential, Large Lot Residential, Medium Density Residential and the Hamilton City Infrastructure Technical Specifications can provide guidance on the above water sensitive techniques and other equivalent features High Density Residential zones. Council maintains a register of all full ICMPs and can advise of any relevant to a particular development proposal and site. 	Where required	Water sensitive techniques	i. New residential units <u>in a residential zone.</u> ii. Other new buildings <u>in a residential zone</u> containing a kitchen, laundry, <u>toilet</u> or bathroom.	<ul style="list-style-type: none"> Detention Provision for future installation of stormwater to 80% water metering infrastructure Use of pre-development runoff by an appropriate means Permeable surfaces protected to achieve at least 20% above the minimum standard of the zone. For the purposes of this rule the permeable surfaces may include: Permeable paving for parking low flow fixtures in kitchen, access laundry, toilets and manoeuvring areas associated with residential units (excluding where used for shared vehicle access) Uncovered decks which allow water to drain through to a surface which can absorb water- bathrooms Rainwater tank of minimum size of 3,000 litres for non- potable reuse system Other equivalent feature use (outdoor use, garden watering, toilet, and the option of laundry etc) Other equivalent feature. 	iii. <u>Other new buildings in a non- residential zone containing a kitchen, laundry or bathroom.</u>	<ul style="list-style-type: none"> Provision for future installation of water metering infrastructure Use of low flow fixtures in kitchen, laundry, toilets and bathrooms 	Support in part	<p>Kāinga Ora supports the removal of stormwater references from this standard, acknowledging that this is managed through standard 25.13.4.2 and 2A.</p> <p>Kāinga Ora support the principle of water conservation measures and including water sensitive techniques within developments; however, seek clarification on the requirements of the sensitive techniques listed as to whether all of these must be included within a development.</p> <p>Kāinga Ora submits that the standard should retain the option of ‘other equivalent features’ to enable developers and property owners to propose alternative solutions that deliver similar outcomes.</p>	<p>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and <u>underlined</u> for proposed addition in the ‘Specific Provision and Section of Plan’ column of this table, in addition to the relief sought below.</p> <p>Amend options for water sensitive techniques as shown.</p>
Where required	Water sensitive techniques										
i. New residential units <u>in a residential zone.</u> ii. Other new buildings <u>in a residential zone</u> containing a kitchen, laundry, <u>toilet</u> or bathroom.	<ul style="list-style-type: none"> Detention Provision for future installation of stormwater to 80% water metering infrastructure Use of pre-development runoff by an appropriate means Permeable surfaces protected to achieve at least 20% above the minimum standard of the zone. For the purposes of this rule the permeable surfaces may include: Permeable paving for parking low flow fixtures in kitchen, access laundry, toilets and manoeuvring areas associated with residential units (excluding where used for shared vehicle access) Uncovered decks which allow water to drain through to a surface which can absorb water- bathrooms Rainwater tank of minimum size of 3,000 litres for non- potable reuse system Other equivalent feature use (outdoor use, garden watering, toilet, and the option of laundry etc) Other equivalent feature. 										
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ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought				
316.	25.13.4.6	<p>Three Waters Infrastructure Capacity Assessments and Water Impact Assessments Water Impact Assessments</p> <table border="1" data-bbox="403 636 1338 1633"> <thead> <tr> <th data-bbox="403 636 872 737">A. Sites subject to Three Waters Infrastructure Capacity Overlay – Residential zones</th> <th data-bbox="872 636 1338 737">B. Sites not subject to Three Waters Infrastructure Capacity Overlay – Residential zones</th> </tr> </thead> <tbody> <tr> <td data-bbox="403 737 872 1633"> <p>1. Three Waters Infrastructure Capacity Assessment, as described in Volume 2, Appendix 1.2.2.5a, is required to be provided for any development or subdivision which involves:</p> <p>i. Creating four or more additional residential units on any site within the General Residential Zone, or seven or more additional residential units within the Medium and High Density Residential zones, or</p> <p>ii. Creating four or more additional allotments within the General Residential Zone, or seven or more additional allotments within the Medium and High Density Residential zones (excluding lots for the purposes of reserves, network utilities or transport corridors) or</p> <p>iii. Residential development at an average net density of more than 1 unit per 200m² located in the General Residential zone, or</p> <p>iv. Residential development at an average net density of greater than 1 unit per 150m² in the Medium Density Residential zone</p> <p>v. Residential development in the High Density Residential zone</p> <p>vi. Creating a new building for non-residential activities with a gross floor area greater than 300m²</p> </td> <td data-bbox="872 737 1338 1633"> <p>2. A Three Waters Infrastructure Capacity Assessment, as described in Volume 2, Appendix 1.2.2.5a, is required for any development or subdivision which involves:</p> <p>i. Creating four or more additional residential units on any site, or</p> <p>ii. Creating four or more additional allotments (excluding lots for the purposes of reserves, network utilities or transport corridors) or</p> <p>iii. Creating a new building for non-residential activities with a gross floor area greater than 300m²</p> </td> </tr> </tbody> </table>	A. Sites subject to Three Waters Infrastructure Capacity Overlay – Residential zones	B. Sites not subject to Three Waters Infrastructure Capacity Overlay – Residential zones	<p>1. Three Waters Infrastructure Capacity Assessment, as described in Volume 2, Appendix 1.2.2.5a, is required to be provided for any development or subdivision which involves:</p> <p>i. Creating four or more additional residential units on any site within the General Residential Zone, or seven or more additional residential units within the Medium and High Density Residential zones, or</p> <p>ii. Creating four or more additional allotments within the General Residential Zone, or seven or more additional allotments within the Medium and High Density Residential zones (excluding lots for the purposes of reserves, network utilities or transport corridors) or</p> <p>iii. Residential development at an average net density of more than 1 unit per 200m² located in the General Residential zone, or</p> <p>iv. Residential development at an average net density of greater than 1 unit per 150m² in the Medium Density Residential zone</p> <p>v. Residential development in the High Density Residential zone</p> <p>vi. Creating a new building for non-residential activities with a gross floor area greater than 300m²</p>	<p>2. A Three Waters Infrastructure Capacity Assessment, as described in Volume 2, Appendix 1.2.2.5a, is required for any development or subdivision which involves:</p> <p>i. Creating four or more additional residential units on any site, or</p> <p>ii. Creating four or more additional allotments (excluding lots for the purposes of reserves, network utilities or transport corridors) or</p> <p>iii. Creating a new building for non-residential activities with a gross floor area greater than 300m²</p>	Oppose in part	<p>Whilst Kāinga Ora support the general principle of a standard associated with an infrastructure capacity assessment for development that exceeds the permitted level of development for the respective zone; Kāinga Ora oppose the inclusion of density standards as an alternative threshold to trigger an assessment and request these be deleted. Moreover, in accordance with the submission under chapter 4, Kāinga Ora request that the permitted number of dwellings referenced under this standard be increased to 7+ dwellings within the Medium and High-Density Zones.</p> <p>In accordance with the submission under 25.13.3 (activity table), Kāinga Ora also request that this requirement be applied through assessment criteria for a Restricted Discretionary Activity where the number of permitted dwellings is exceeded within the zone or where consent is required for a commercial building within the residential zone.</p> <p>Kāinga Ora submits that whilst Infrastructure Capacity must be addressed as part of development, this mechanism does not deliver the purpose of Te Ture Whaimana, being the betterment of the Waikato River and therefore should not be used under the qualifying matter of Te Ture Whaimana to be less enabling of density as required by the Resource Management (Enabling Housing Supply) Act.</p>	Amend standard 25.13.4.6A and B to be one standard, reflecting the submission under 25.113.2.5a requesting the deletion of the Infrastructure Capacity Overlay.
A. Sites subject to Three Waters Infrastructure Capacity Overlay – Residential zones	B. Sites not subject to Three Waters Infrastructure Capacity Overlay – Residential zones								
<p>1. Three Waters Infrastructure Capacity Assessment, as described in Volume 2, Appendix 1.2.2.5a, is required to be provided for any development or subdivision which involves:</p> <p>i. Creating four or more additional residential units on any site within the General Residential Zone, or seven or more additional residential units within the Medium and High Density Residential zones, or</p> <p>ii. Creating four or more additional allotments within the General Residential Zone, or seven or more additional allotments within the Medium and High Density Residential zones (excluding lots for the purposes of reserves, network utilities or transport corridors) or</p> <p>iii. Residential development at an average net density of more than 1 unit per 200m² located in the General Residential zone, or</p> <p>iv. Residential development at an average net density of greater than 1 unit per 150m² in the Medium Density Residential zone</p> <p>v. Residential development in the High Density Residential zone</p> <p>vi. Creating a new building for non-residential activities with a gross floor area greater than 300m²</p>	<p>2. A Three Waters Infrastructure Capacity Assessment, as described in Volume 2, Appendix 1.2.2.5a, is required for any development or subdivision which involves:</p> <p>i. Creating four or more additional residential units on any site, or</p> <p>ii. Creating four or more additional allotments (excluding lots for the purposes of reserves, network utilities or transport corridors) or</p> <p>iii. Creating a new building for non-residential activities with a gross floor area greater than 300m²</p>								
317.	25.13.4.6	<p>C. Water Impact Assessment – All zones other than a Residential zone</p> <p>A Water Impact Assessment, as described in Volume 2, Appendix 1.2.2.5, is required for any development or subdivision:</p> <p>i. Creating four or more additional residential units within the General Residential Zone, or seven or more additional residential units within the Medium and High Density Residential zones, or</p> <p>ii. Residential development at a density of greater than 1 unit per 150m² on sites subject to the Three Waters</p>	Oppose in part	Whilst Kāinga Ora support the retention of the existing Water Impact Assessment requirements for non-residential development for development outside of the residential zones, in accordance with the submission relating to policy 25.13.2.5a and standard 25.13.4.6-, Kāinga Ora does not support the Infrastructure Capacity	Amend standard 25.13.4.6 to be consistent with the submission under 25 25.13.2.5a and 25.13.4.6 as shown.				

Where Kāinga Ora seeks specific amendments to text, these are shown as **strikethrough** for deletion and **underlined** for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.

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		<p>Infrastructure Capacity Overlay</p> <p>iii. Creating four or more additional allotments within the General Residential Zone, or seven or more additional residential units within the Medium and High Density Residential zones (excluding lots for the purposes of reserves, network utilities or transport corridors) or</p> <p>iv. Involving more than 1ha of land</p> <p>v. Creating a new building for industrial activities with a gross floor area greater than 1000m²</p> <p>vi. Involving any new activity which will have a water requirement greater than 15m³ per day</p> <p>vii. Creating a new building for non-residential activities (other than industrial activities) with a gross floor area greater than 300m²</p> <p>viii. Creating a new building for industrial activities with a gross floor area greater than 1000m² or</p> <p>ix. Within the Major Facilities Zone:</p> <p style="padding-left: 20px;">a. Creating a new building for non-residential activities (other than industrial activities) with a gross floor area greater than 3,000 m²; or</p> <p style="padding-left: 20px;">b. Providing residential accommodation for more than 13 additional people, not being accommodation for hospital patients.</p> <p><u>This Rule does not apply in areas where an ICMP approved by the Council exists and satisfies the information requirements for Water Impact Assessments or Three Waters Infrastructure Capacity Assessments in accordance with Table 1.2.2.5a of Volume 2, Appendix 1.2.2.5, or where all the information that a Water Impact Assessment or Three Waters Infrastructure Capacity Assessment would otherwise include, or the matters it would otherwise address, are incorporated in a Water Supply Agreement with Council or other documents, assessed and approved under any other provision of this District Plan or the Waikato Regional Plan.</u></p> <p>a. A Water Impact Assessment, as described in Volume 2, Appendix 1.2.2.5, is required for any development or subdivision:</p>		<p>Overlay and request that reference to this be deleted.</p> <p>Kāinga Ora seeks to understand the threshold of 1000m² of GFA being the trigger for an industrial building requiring a Water Impact Assessment in comparison to a new building for non-residential uses (other than industrial activities) where the trigger for assessment is 300m².</p>	

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		<p>i. Creating four or more additional residential units on any site.</p> <p>ii. Creating four or more additional allotments (excluding lots for the purposes of reserves, network utilities or transport corridors).</p> <p>iii. Involving more than 1ha of land.</p> <p>iv. a new building for industrial activities with a gross floor area greater than</p> <p>v. Involving any new activity which will have a water requirement greater than 15m³ per day.</p> <p>vi. Creating a new building for non-residential activities (other than industrial activities or as provided for in vii. below) with a gross floor area greater than 300m².</p> <p>vii. Within the Major Facilities Zone:</p> <p style="padding-left: 40px;">1. Creating a new building for non-residential activities (other than industrial</p> <p style="padding-left: 40px;">2. Providing residential accommodation for more than 13 additional people, not being accommodation for hospital patients.</p> <p>b. This Rule does not apply in areas where an ICMP exists and satisfies the information requirements for Water Impact Assessments in accordance with Table 1.2.2.5a of Volume 2, Appendix 1.2.2.5, or where all the information that a Water Impact Assessment would otherwise include, or the matters it would otherwise address, are incorporated in a Water Supply Agreement with Council or other documents, assessed and approved under any other provision of this District Plan or the Waikato Regional Plan.</p> <p>Note</p> <p>1. <u>25.13.4.6C applies to any zone except for the General Residential, Large Lot Residential, Medium Density Residential and High Density Residential zones.</u></p> <p>2. <u>The 1ha trigger in Rule 25.13.4.6.a.iii relates to the footprint of the proposed development or subdivision.</u></p>					
25.13.5 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria							
318.	25.13.5	<p>a. In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters referenced below, to which Council has restricted the exercise of its discretion. Assessment Criteria within Volume 2, Appendix 1.3 provide for assessment of applications as will any relevant objectives and policies. In addition, when considering any Restricted Discretionary Activity located within the Natural Open Space Zone, Waikato Riverbank and Gully Hazard Area, or Significant Natural Area, Council will also restrict its discretion to Waikato River Corridor or Gully System Matters (see the objectives and policies of Chapter 21: Waikato River Corridor and Gully Systems).</p> <table border="1" data-bbox="409 1816 1344 1915" style="width: 100%; border-collapse: collapse;"> <tr> <td style="background-color: #0056b3; color: white; padding: 5px;">Activity Specific</td> <td style="background-color: #0056b3; color: white; padding: 5px;">Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3.3)</td> </tr> </table>	Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3.3)	Oppose in part	In accordance with the submission under 25.13.3, Kainga Ora oppose the inclusion of a rule with associated matters of discretion and assessment criteria for an infrastructure capacity assessment. Kainga Ora consider it appropriate to include this assessment criteria under rules in Chapter 4 as part of the assessment of a restricted discretionary consent associated with development that	Amend the provision as shown.
Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3.3)						

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>										
		<table border="1"> <tr> <td>i. Any activity required to prepare a Water Impact Assessment as by Rule 25.13.4.6.6C*</td> <td>J – Three Waters Capacity and Techniques</td> </tr> <tr> <td>ii. Any activity required to prepare a Three Waters Infrastructure Capacity Assessment in accordance with Rule 25.13.4.6A or B</td> <td>J9 – Three Waters Infrastructure Capacity</td> </tr> <tr> <td>iii. Any activity required to prepare an Integrated Catchment Management Plan as by Rule 25.13.4.1.b*</td> <td>J – Three Waters Capacity and Techniques</td> </tr> <tr> <td>iv. <u>Any activity required to prepare a Site-Specific Stormwater Management Plan by Rule 25.13.4.2A</u></td> <td><u>JJ – Stormwater quantity and quality</u></td> </tr> <tr> <td>v. <u>Development or redevelopment of impervious areas that does not meet the requirements of Rule 25.13.4.2A.</u></td> <td><u>JJ – Stormwater quantity and quality</u></td> </tr> </table>	i. Any activity required to prepare a Water Impact Assessment as by Rule 25.13.4.6.6C*	J – Three Waters Capacity and Techniques	ii. Any activity required to prepare a Three Waters Infrastructure Capacity Assessment in accordance with Rule 25.13.4.6A or B	J9 – Three Waters Infrastructure Capacity	iii. Any activity required to prepare an Integrated Catchment Management Plan as by Rule 25.13.4.1.b*	J – Three Waters Capacity and Techniques	iv. <u>Any activity required to prepare a Site-Specific Stormwater Management Plan by Rule 25.13.4.2A</u>	<u>JJ – Stormwater quantity and quality</u>	v. <u>Development or redevelopment of impervious areas that does not meet the requirements of Rule 25.13.4.2A.</u>	<u>JJ – Stormwater quantity and quality</u>		exceeds the permitted number of dwellings within the respective zone.	
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Chapter 25.14 Transportation															
24.14.1 Purpose															
319.	25.14.2	End-of journey facilities 25.14.2.1i <u>Require provision of accessible, practical, secure, covered, end-of-journey facilities for all users non-residential activities as close as practicable to their journey destination.</u>	Support in part	While Kāinga Ora support end of journey facilities, the policy as-notified implies the requirement applies to 'all'. Kāinga Ora seeks the policy is clarified as applying to non-residential activities.	Amend the Policy as shown in the tracked amendments.										
320.	25.14.2	Adverse Effects of the Transport Network 25.14.2.1c .1k Adverse Avoid Where adverse effects cannot be avoided, or minimise as far as practicable, the adverse effects of new transport infrastructure and changes to the existing transport network are minimised while recognising: i. Amenity values of adjacent activities, ii. Cultural and heritage values, biodiversity, and iii. Safety, access and mobility of all users iv. <u>The function and the location that that part of the transport network has within on the environment, improve biodiversity, water quality, and air quality, and reduce greenhouse gas emissions while recognising:</u>	Oppose in part	Kāinga Ora supports the principle of encouraging public transport use, mode shift through micro-mobility and active transport modes, as well as the need to manage the effects generated by transportation modes 'at source'. Kāinga Ora notes that the use of the term 'avoid' is contrary to the directive under Environmental Defence Society Inc v New Zealand King Salmon Company Ltd [2014] NZSC 38 ("King Salmon") concerning the term 'avoid'. As the policy uses avoid, there	Amend the Policy as shown in the tracked amendments.										

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought
		<ul style="list-style-type: none"> i. <u>The safety, access and mobility needs of all users.</u> ii. <u>The movement and place functions of the new or altered transport corridor hierarchy.</u> iii. <u>The character and purpose of the zone in which land use adjoining it is located.</u> 		cannot be any exceptions to what is tantamount to a prohibited activity. Council should ensure the use of 'avoid' in this context is appropriate with the wider policy framework of the ODP and not-contrary to other enabling provisions.	Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.
321.	25.14.2	<p>Adverse Effects on the Transport Network 25.14.2.1d,1l The design Avoid-Where adverse effects cannot be avoided, or minimize <u>as far as practicable</u> the adverse effects of subdivision, location use and quantity of any parking infrastructure provided is managed <u>development on the transport network by:</u></p> <ul style="list-style-type: none"> i. <u>Safely connecting to, and integrating with, the transport network in a way that: manner consistent with the Transport Corridor Hierarchy, Policy 25.14.2.1g, and the Transport Mode Hierarchy.</u> i. Provides <u>Protecting strategic and arterial transport networks and associated intersections.</u> ii. <u>Managing reverse-sensitivity effects of land uses sensitive to adverse transport effects at-source (e.g., noise).</u> iii. <u>Promoting streetscape amenity through transport corridor design, providing for special design requirements of the Transport Mode Hierarchy, and encouraging a continuous tree canopy along transport network users corridors.</u> iv. Minimises adverse effects arising from an over-supply of parking. v. Minimises adverse <u>Ensuring performance, condition, safety, efficiency and efficiency effects on long-term sustainability and affordability of the transport network.</u> vi. Maximises <u>Ensuring that multi-use developments provide dedicated spaces for storage and collection of rubbish, food scraps, and recycling.</u> vii. <u>Maximising opportunities for the efficient use to support and take advantage of existing parking infrastructure.</u> <p>Trips by active modes and passenger public transport are encouraged through integration with travel demand management and passenger transport options services.</p>	Oppose in part	<p>Kāinga Ora supports the principle of encouraging public transport use, mode shift through micro-mobility and active transport modes, as well as the need to manage the effects generated by transportation modes 'at source'.</p> <p>Kāinga Ora notes that the use of the term 'avoid' is contrary to the directive under Environmental Defence Society Inc v New Zealand King Salmon Company Ltd [2014] NZSC 38 ("King Salmon") concerning the term 'avoid'. As the policy uses avoid, there cannot be any exceptions to what is tantamount to a prohibited activity. Council should ensure the use of 'avoid' in this context is appropriate with the wider policy framework of the ODP and not-contrary to other enabling provisions.</p>	Amend the Policy as shown in the tracked amendments.

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322.	25.14.2	<p>Adverse Effects on the Integrated Transport Network Assessments 25.14.2.1e .1m Adverse effects of <u>Require Integrated Transport Assessments for specified new</u> subdivision, use and <u>or</u> development activities on <u>of a nature, scale or location that has the</u> transport network are avoided or minimised with particular regard to:</p> <ul style="list-style-type: none"> i. Connections to, and integration with, the transport network. ii. Reverse sensitivity effects of land uses sensitive potential to <u>generate significant</u> adverse transport transportation effects (e.g. noise). iii. Promoting streetscape amenity. iv. Ensuring performance, condition, safety, efficiency and long term sustainability and affordability of the transport network. v. Ensuring trips by active modes and passenger transport are encouraged through integration with travel demand management and passenger transport options. <p>Protection of strategic and arterial transport networks, including associated intersections.</p>	Support in part	<p>Kāinga Ora supports the principle of integrated transport assessments to ensure integrated land use planning associated with large-scale developments.</p> <p>The policy should relate to 25.14.4.3 which provides a threshold for such a requirement. This ensures that the policy framework is clear and does not inadvertently require an ITA for all activities.</p>	Include the policy with the proposed tracked amendment.
323.	25.14.2	<p>Travel Plans 25.14.2.1f Integrated Transport Assessments shall <u>1n Require Travel Plans to be required prepared and implemented</u> for specified new subdivision, use development or development activities of a nature, scale or location that has the potential to generate significant adverse transportation effects <u>movement of people</u>.</p>	Support in part	<p>Kāinga Ora supports the principle of travel plans, to ensure integrated land use planning and manage effects on the transportation network. The policy should relate to 25.14.4.3.a which provides a threshold for such a requirement. This ensures that the policy framework is clear and does not inadvertently require an ITA for all activities.</p>	Include the policy with the proposed tracked amendment.
324.	25.14.2	<p>Access 25.14.2.1o</p> <ul style="list-style-type: none"> i. <u>Require vehicle access between properties and the following transport corridors to be from a rear lane or side road lower in the transport corridor hierarchy:</u> <ul style="list-style-type: none"> A. <u>Major Arterials.</u> B. <u>The Strategic Network.</u> C. <u>A Pedestrian Focus Area.</u> D. <u>Transport corridors that will carry a Cross-City Connection.</u> ii. <u>Design, manage, and maintain rear lanes to:</u> 	Support in part	<p>Kāinga Ora supports the policy, but notes that iii, iv and v read as standards or design guidance.</p>	Include the policy as-notified with the amendments shown, to the extent it remains consistent with the Kāinga Ora submission on Transport provisions and standards.

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		<p>A. <u>Be safe and accessible for pedestrians, cyclists, micro-mobility device users, and vehicle drivers.</u></p> <p>B. <u>Provide unrestricted access for emergency vehicles and rubbish, food scraps, and recycling collection vehicles.</u></p> <p>C. <u>Be connected to a transport corridor in at least two locations to always provide unrestricted alternative access and egress.</u></p> <p>D. <u>Ensure the on-going and long-term maintenance of the pavement and services within the rear lane.</u></p> <p>iii. Design parking and loading areas so that reverse manoeuvring of vehicles does not occur onto or off an arterial transport corridor, a transport corridor in the Central City Zone, Business 1 to 7 Zones, or Cross-City connections.</p> <p>iv. Require all rubbish, recycling, and food scraps collection vehicles to enter and leave sites in a forward direction.</p> <p>v. Other than for developments generating few vehicle movements each day, require pedestrian access from transport corridors that is separate from vehicular access.</p> <p>vi. <u>Minimise the number of vehicle crossings to improve safety for walking, cycling, and micro-mobility.</u></p> <p>vii. <u>Discourage new vehicle accesses within the Central City Zone and Business 1 to 7 Zones to:</u></p> <p>A. <u>Give priority to pedestrian movement, safety, and amenity; and</u></p> <p>B. <u>Provide for continuity of building frontage and associated activities at street level.</u></p> <p><u>Maintain and enhance public access to and along the Waikato River in accordance with Policy 2.2.2b.</u></p>			
325.	25.14.2	<p>Biodiversity in Transport Corridors 25.14.2.1g Buildings, 1g</p> <p><u>Encourage the planting, structures retention, and maintenance of indigenous trees shall not create a potential hazard and vegetation within transport corridors, where appropriate, to recognise and reflect ecological, amenity, cultural, and landscape values and to support the flight paths establishment and enhancement of aircraft or any other operations associated with Hamilton Airport by intruding within the airport's airspace ecological corridors.</u></p>	Support in part	Kāinga Ora supports the policy as-notified to the extent it is consistent with Te Ture Whaimana.	Include the policy as-notified, to the extent it remains consistent with the Kāinga Ora submission on Transport provisions and standards.
326.	25.14.2	<p>Explanation</p> <p><i>Transport networks are complex systems that influence, and are in turn influenced by, subdivision, use and development. The overarching objective of creating an integrated, multi-modal transport network with to meet low carbon emissions that meets the needs of the City city, gives effect to Te Ture Whaimana, and provides travel choices recognises several qualities that need to be considered and balanced when planning for, constructing, and managing the transport network, and in the integration of integrating transport and land use. The policies recognise that different land use environments and parts of the transport network have different tolerances to change. For example, changes to the transport network can have a more significant effect on the amenity values of a residential environment, yet the same change in an industrial environment may not create the same impact.</i></p>	Support in part	Kāinga Ora supports the policy explanation as-notified to the extent it is consistent with Te Ture Whaimana.	Include the policy as-notified, to the extent it remains consistent with the Kāinga Ora submission on Transport provisions and standards.

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		<p>The policies are grouped to recognise and respond to key transport issues: integration with land use; planning, construction and maintenance</p> <p><u>Integration of the transport network; and land use. Supporting reductions in greenhouse gas emissions. Accommodating growth and urban intensification.</u></p> <p><u>Achieving well-functioning urban environments and good accessibility for all users through good urban design.</u></p> <p><u>Priorities. Parking and end-of journey facilities. Encouraging growth in public transport patronage.</u></p> <p><u>Managing the adverse effects of and on the transport network on land use and vice versa.</u></p> <p>Integrated Transport Assessments are a key method by which for consistently identifying, assessing, and addressing the transportation effects of proposals are identified and assessed including cumulative effects. Thresholds for requiring an Integrated Transport Assessment and resource consent are set based on the location, nature, and scale of activities.</p> <p><u>Travel Plans are a key method to manage the transportation effects of proposals on an on-going basis. Thresholds for requiring a Travel Plan are based on the location, nature, and scale of activities. This provides a consistent, city-wide framework within which proposals are considered, and means by which to address adverse transportation effects, including cumulative effects, are established.</u></p> <p>Buildings, structures, and trees in certain parts of the city could protrude into the flight path of planes departing and approaching Hamilton Airport. This increases the risks to public safety both on the ground and in the air.</p> <p>The policies recognise that the hierarchy of the adjacent transport corridor can influence the nature and level of impacts. For example, parking over-spill onto a major arterial transport corridor is likely to have a more significant adverse effect on the primary movement function of the corridor when compared to with the effects of over-spill onto a local transport corridor, whose primary function is property access.</p>			
25.14.4 Rules – General Standards					
327.	25.14.4.2	<p>Visitor cycle parking. Accessible car park spaces shall must be located within 30m of public entrances for provided as close as practicable to the accessible building entrance to the associated activity.</p>	Oppose	While Kāinga Ora acknowledges there are existing provisions in the plan concerning the number of accessible spaces, Kāinga Ora opposes the standard as it does not specify a particular 'metric' and therefore, determining compliance with the standard would not be efficient or effective. The matter is better-suited to the Building Act, which manages the provision of accessible spaces and routes to and from car parks under Building Code Clause D1.3.2.	Delete the standard as the issue is managed by way of the Building Act.
328.	25.14.4.2	<p>1. Staff cycle parking, and the most direct route from the accessible car park spaces shall be located so it may be easily accessed by regular users of to the activity and may must be provided off-site accessible. The accessible spaces must be clearly signed and located to avoid conflict between vehicles and people using or moving to or from the space.</p>	Oppose	While Kāinga Ora acknowledges there are existing provisions in the plan concerning the number of accessible spaces, Kāinga Ora opposes the standard as it does not specify a particular 'metric' and therefore, determining compliance with the standard would not be efficient or effective. The	Delete the standard as the issue is managed by way of the Building Act.

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				matter is better-suited to the Building Act, which manages the provision of accessible spaces and routes to and from car parks under Building Code Clause D1.3.2.	
329.	25.14.4.2	<p>m. The design <u>In car parking buildings or basements there must be a vertical clearance of cycle not less than 2.5m at accessible parking spaces, shall meet and along the following requirements full length of any route providing vehicular access to or from those parking spaces.</u></p> <p>i. All cycle <u>Any parking</u> is adequately spaced <u>space provided for a residential unit must be no more than a 30m walk from a door to</u> allow a cyclist to manoeuvre and attach a cycle to each stand.</p> <p>ii. Visitor cycle parking shall consist of stands that:</p> <p>A. Are securely attached to an immovable object such as a wall or ground.</p> <p><u>B. Support the bicycle frame residential unit it serves.</u></p> <p>C. Are clearly visible or signposted to cyclists entering the site.</p> <p>D. Are able to be detected by the visually impaired when in publicly accessible areas so as to not create a safety hazard.</p> <p>iii. Staff cycle parking shall consist of a stand or enclosed space that:</p> <p>A. Allows the bicycle to be secured.</p> <p><u>is undercover or otherwise protected from inclement weather.</u></p>	Oppose in part	Kāinga Ora does not support the requirement for a maximum walking distance from residential units to car parks. Parking and access arrangements will depend on the design, layout and context of particular developments. Kāinga Ora also considers that such a requirement is at-odds with the Strategic Framework section of the plan and Transport objectives and policies to promote alternative transport modes and micro-mobility. The standard is not efficient or effective in achieving those objectives, as it places unnecessary compliance and design requirements on provision of such facilities.	Delete standard as shown in tracked amendments.
330.	25.14.4.2	<p><u>Cycle and Micro-Mobility Parking</u></p> <p>g. Visitor cycle and micro-mobility parking spaces must be within 25m of the principal entrances to any building accommodating the activity visited.</p> <p>f. Staff and student cycle and micro-mobility parking spaces must be:</p> <p>i. Easy for users to access from the transport corridor.</p> <p>ii. Located within 50m of an entrance to the activity they serve and any end-of-journey facilities provided.</p> <p>S. <u>At least 10% of any staff cycle parking spaces must incorporate facilities for charging electric powered cycles, and those cycle parking spaces with charging facilities must not require the cycle to be lifted when parking.</u></p>	Oppose in part	Kāinga Ora does not support the requirement for a maximum walking distance from residential units to micro-mobility spaces. Parking and access arrangements will depend on the design, layout and context of particular developments. Kāinga Ora also considers that such a requirement is at-odds with the Strategic Framework section of the plan and Transport objectives and policies to promote alternative transport modes and micro-mobility. The standard is not efficient or effective in achieving those objectives, as it places unnecessary compliance and	Delete the standard as shown in tracked amendments.

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		<p>t. <u>At least 10% of any staff micro-mobility parking spaces must incorporate facilities for charging electric powered micro-mobility devices.</u></p> <p>u. <u>Cycle and micro-mobility parking spaces for residents</u></p> <p style="padding-left: 40px;">i. <u>Any cycle and micro-mobility parking spaces for residents must:</u></p> <p style="padding-left: 80px;">A. <u>Incorporate facilities for charging electrically-powered cycles and micro-mobility.</u></p> <p style="padding-left: 80px;">B. <u>Not be within any habitable room, entrance, or passageway</u></p> <p style="padding-left: 40px;">ii. <u>Access between the transport corridor and any cycle or micro-mobility parking space within a residential unit must not pass through any habitable room.</u></p> <p style="padding-left: 40px;">iii. <u>Access between the transport corridor and any cycle and micro-mobility parking space for residents that is separate from the residential unit it serves must not pass through any residential unit.</u></p> <p style="padding-left: 40px;">iv. <u>The design of all cycle and micro-mobility parking spaces must:</u></p> <p style="padding-left: 80px;">e. <u>Comply with the following class requirements.</u></p> <table border="1" data-bbox="403 1182 1210 1488"> <thead> <tr> <th data-bbox="403 1182 724 1255">Users</th> <th data-bbox="724 1182 1210 1255">Required cycle and micro-mobility parking classes</th> </tr> </thead> <tbody> <tr> <td data-bbox="403 1255 724 1304">Visitor</td> <td data-bbox="724 1255 1210 1304">A, B, or C</td> </tr> <tr> <td data-bbox="403 1304 724 1373">Primary or secondary students</td> <td data-bbox="724 1304 1210 1373">B or C</td> </tr> <tr> <td data-bbox="403 1373 724 1444">Tertiary students</td> <td data-bbox="724 1373 1210 1444">Minimum of 50% Class A or B, and remainder to be Class C</td> </tr> <tr> <td data-bbox="403 1444 724 1488">Staff or resident</td> <td data-bbox="724 1444 1210 1488">A or B</td> </tr> </tbody> </table> <p>Note:</p> <p><u>1. The cycle and micro-mobility parking classes are defined in Volume 2, Appendix 1.1.2</u></p> <p style="padding-left: 40px;">i. <u>Comply with Figure 15.1aa in Volume 2, Appendix 15.</u></p> <p style="padding-left: 40px;">ii. <u>Be clearly signposted or visible to cyclists and micro-mobility users entering the site.</u></p> <p style="padding-left: 40px;">iii. <u>Be covered at schools, tertiary education, libraries, supermarkets, and retail.</u></p> <p style="padding-left: 40px;">iv. <u>Have an accessible, obvious, and step-free route between the transport corridor and any cycle and micro-mobility parking area.</u></p> <p style="padding-left: 40px;">v. <u>Be artificially lit where the parking is located inside or operates outside of daylight hours.</u></p>	Users	Required cycle and micro-mobility parking classes	Visitor	A, B, or C	Primary or secondary students	B or C	Tertiary students	Minimum of 50% Class A or B, and remainder to be Class C	Staff or resident	A or B		design requirements on provision of such facilities.	
Users	Required cycle and micro-mobility parking classes														
Visitor	A, B, or C														
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331.	25.14.4.2	<p><u>Cycle Parking Spaces</u></p> <p>W. <u>Cycle parking spaces must comply with the relevant dimensions and layouts in Figure 15-1aa of Volume 2, Appendix 15-1.</u></p> <p style="text-align: center;">Note</p> <p style="text-align: center;">1. <u>Acceptable means of compliance for the design of cycle parking spaces is <u>are</u> contained within the Hamilton City Infrastructure Technical Specifications AS 2890.3:2015 Parking Facilities – Bicycle Parking Facilities.</u></p> <p>X. <u>A cycle parking space must support the cycle frame and at least one wheel.</u></p> <p>y. <u>At least 20% of all cycle parking spaces provided must not require the cycle to be lifted when parking.</u></p> <p>Z. <u>All access routes to cycle parking must be at least 1.8m wide, or at least 2.0m wide where adult triecycles, cargo bicycles, or other large bicycles are used.</u></p> <p>aa. <u>For the following activities, 10% of all cycle parking space must be designed to accommodate large cycles:</u></p> <ul style="list-style-type: none"> • <u>Building improvement centres</u> • <u>Nurseries and garden centres</u> • <u>Places of assembly (libraries only)</u> • <u>Retail activities - Gross floor area greater than 5,000m² and all supermarkets.</u> <p><u>Ab. Up to 10% of cycle parking spaces required by Table 15-1a of Volume 2, Appendix 15- 1 may be substituted with dedicated parking spaces for micro-mobility devices on a 1- for-1 basis.</u></p>	Support in part	While Kāinga Ora supports the principle of alternative mode provision, 25.14.4.2.z is not an efficient, effective or enforceable standard as it would be difficult to determine whether future owners/occupants of a dwelling will utilise cargo bicycles and the like. As such, 1.8m is considered an appropriate minimum width.	Include the standard as-notified with amendments shown, to the extent it remains consistent with the Kāinga Ora submission on Transport provisions and standards.
332.	25.14.4.2 a	<p><u>End-of-Journey Facilities for non-residential activities.</u></p> <p>a. <u>Where staff cycle parking spaces are required by Rule 25.14.4.2 a. or substituted with staff micro-mobility device parking spaces in accordance with 25.14.4.2 ab., end-of- journey facilities must be provided in accordance with Table 15-1g of Volume 2, Appendix 15-1.</u></p> <p>b. <u>End-of-journey facilities for staff</u></p> <p style="margin-left: 20px;">i. <u>At least one gear locker must be provided per cycle or micro-mobility parking space provided for staff.</u></p> <p style="margin-left: 40px;">Note:</p> <p style="margin-left: 40px;">1. <u>Consider providing additional gear lockers for other staff who run to work or exercise during work breaks.</u></p> <p style="margin-left: 20px;">ii. <u>Shower cubicles must be provided in accordance with Table 15-1g in Volume 2 Appendix 15.</u></p>	Support in part	While Kāinga Ora support end of journey facilities, the corresponding policy as-notified implies the requirement applies to 'all'. Kāinga Ora seeks the policy is clarified as applying to non-residential activities.	Amend the Policy as shown in the tracked amendments.

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		<ul style="list-style-type: none"> iii. <u>Each shower cubicle and accessible shower cubicle must have its own dry area for changing.</u> iv. <u>Changing rooms must be provided in accordance with Table 15-1ga in Volume 2 Appendix 15.</u> c. <u>End-of-journey facilities for visitors</u> <ul style="list-style-type: none"> i. <u>One gear locker per cycle or micro-mobility parking space must be provided for visitors where required by Table 15-1a in Volume 2, Appendix 15.</u> 			
333.	25.14.4.2 b	<p><u>Electric Vehicle Charging</u></p> <p>a. All new residential activities with on site vehicle parking must provide an electric vehicle charging point for each vehicle parking space provided.</p> <p><u>Note</u></p> <p>An electric vehicle charging point excludes the charging cable that connects between a residential unit's electrical outlet and the electric vehicle. The owner or driver of the electric vehicle is expected to provide this.</p>	Oppose	<p>Kāinga Ora opposes the requirement to provide an electric vehicle charging point for each onsite parking space that is provided. This is an onerous and potentially-costly requirement that has not been sufficiently justified in Council's s32 cost/benefit analysis of the standard and its associated provisions. There are different requirements for a range of vehicles, and it is considered that the market is better placed to determine whether such facilities would be provided given that persons with electric vehicles will be required to make sure arrangements regards.</p> <p>Kāinga Ora otherwise-supports the principle of encouraging public transport use, mode shift through micro-mobility and active transport modes, and the positive effects that will have on Greenhouse Gas emissions under Policy 1(e) of the NPS-UD.</p>	Delete the standard as-notified.
334.	25.14.4.3.a	<p><u>Travel Plan Requirements</u></p> <p>a. <u>A Travel Plan must be prepared and implemented where the following trigger thresholds are exceeded and:</u></p> <ul style="list-style-type: none"> i. <u>A new building is constructed on previously vacant land, or</u> ii. <u>A new use establishes on previously vacant land or within a vacant building, or</u> 	Oppose in part	<p>Kāinga Ora generally support the requirement of travel plans to address any actual or potential effects on a development on the transport network. However, amendments are proposed to account for permitted levels of residential development where a travel plan would not be required. 25.14.4.3.a(v) would effectively require a travel plan for any residential infill development, which is considered onerous</p>	Amend the standards as shown in the tracked amendments.

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		<p>iii. <u>An existing building is altered in a way that increases the gross floor area, or</u></p> <p>iv. <u>An existing use increases in scale (e.g., increased gross floor area), or</u></p> <p>v. The use of land or buildings changes to a use with a higher trip generation.</p> <table border="1" data-bbox="403 768 1210 1879"> <thead> <tr> <th data-bbox="403 768 810 810">Activity</th> <th data-bbox="810 768 1210 810">Threshold</th> </tr> </thead> <tbody> <tr> <td data-bbox="403 810 810 873">i. <u>Central City Zone</u></td> <td data-bbox="810 810 1210 873"><u>All proposals require a travel plan</u></td> </tr> <tr> <td data-bbox="403 873 810 972">ii. <u>Apartment buildings exceeding 50 units.</u></td> <td data-bbox="810 873 1210 972"><u>All proposals require a travel plan</u></td> </tr> <tr> <td data-bbox="403 972 810 1104">iii. <u>Building improvement centre (excluding nurseries and garden centres)</u></td> <td data-bbox="810 972 1210 1104"><u>All proposals require a travel plan</u></td> </tr> <tr> <td data-bbox="403 1104 810 1203">iv. <u>Childcare facilities for six or more children</u></td> <td data-bbox="810 1104 1210 1203"><u>All proposals require a travel plan</u></td> </tr> <tr> <td data-bbox="403 1203 810 1245">v. <u>Community centre</u></td> <td data-bbox="810 1203 1210 1245"><u>>1,000m² GFA</u></td> </tr> <tr> <td data-bbox="403 1245 810 1308">vi. <u>Health care services</u></td> <td data-bbox="810 1245 1210 1308"><u>All proposals require a travel plan</u></td> </tr> <tr> <td data-bbox="403 1308 810 1381">vii. <u>Hospitals</u></td> <td data-bbox="810 1308 1210 1381"><u>All proposals require a travel plan</u></td> </tr> <tr> <td data-bbox="403 1381 810 1507">viii. <u>Industrial activities (including warehouses) (excluding trade and industry training facilities)</u></td> <td data-bbox="810 1381 1210 1507"><u>>2,500m² GFA</u></td> </tr> <tr> <td data-bbox="403 1507 810 1606">ix. <u>Industrial activities (trade and industry training facilities only)</u></td> <td data-bbox="810 1507 1210 1606"><u>All proposals require a travel plan</u></td> </tr> <tr> <td data-bbox="403 1606 810 1705">x. <u>Managed care facilities and rest homes</u></td> <td data-bbox="810 1606 1210 1705"><u>>50 beds or units</u></td> </tr> <tr> <td data-bbox="403 1705 810 1780">xi. <u>Offices</u></td> <td data-bbox="810 1705 1210 1780"><u>>500m²</u></td> </tr> <tr> <td data-bbox="403 1780 810 1879">xii. <u>Places of assembly (except libraries and museums)</u></td> <td data-bbox="810 1780 1210 1879"><u>>1,000m² GFA</u></td> </tr> </tbody> </table>	Activity	Threshold	i. <u>Central City Zone</u>	<u>All proposals require a travel plan</u>	ii. <u>Apartment buildings exceeding 50 units.</u>	<u>All proposals require a travel plan</u>	iii. <u>Building improvement centre (excluding nurseries and garden centres)</u>	<u>All proposals require a travel plan</u>	iv. <u>Childcare facilities for six or more children</u>	<u>All proposals require a travel plan</u>	v. <u>Community centre</u>	<u>>1,000m² GFA</u>	vi. <u>Health care services</u>	<u>All proposals require a travel plan</u>	vii. <u>Hospitals</u>	<u>All proposals require a travel plan</u>	viii. <u>Industrial activities (including warehouses) (excluding trade and industry training facilities)</u>	<u>>2,500m² GFA</u>	ix. <u>Industrial activities (trade and industry training facilities only)</u>	<u>All proposals require a travel plan</u>	x. <u>Managed care facilities and rest homes</u>	<u>>50 beds or units</u>	xi. <u>Offices</u>	<u>>500m²</u>	xii. <u>Places of assembly (except libraries and museums)</u>	<u>>1,000m² GFA</u>		in the context of the NPS-UD and PC12 amendments to enable permitted levels of development (and as-sought in the Kāinga Ora submission on the residential chapters).	
Activity	Threshold																														
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		xiii. <u>Places of assembly (Libraries and museums only)</u>			
		<u>>1,000m² GFA</u>			
		xiv. <u>Places of worship</u>			
		<u>>1,000m² GFA</u>			
		xv. <u>Research and Innovation activities</u>			
		<u>>1,000m² GFA</u>			
		xvi. <u>Retail activities (Gross floor area less than 5000m²; in individual ownership/tenancy or integrated retail development)</u>			
		<u>>2,500m² GFA</u>			
		xvii. <u>Retail activities (Gross floor area greater than 5000m² and less than 10,000m² gross floor area; in individual ownership/tenancy or integrated retail development)</u>			
		<u>All proposals require a travel plan</u>			
		xviii. <u>Retail activities (gross floor area greater than 10,000m²; in individual ownership/tenancy or integrated retail development)</u>			
		<u>All proposals require a travel plan</u>			
		xix. <u>Retail activities – bulky goods only</u>			
		<u>>2,500m² GFA</u>			
		xx. <u>Retail activities – outdoor only</u>			
		<u>>2,500m² GFA</u>			
		xxi. <u>Retail activities – food and beverage, cafes, restaurants, and licensed premises only</u>			
		<u>>1,000m² GFA</u>			
		xxii. <u>Retail activities – supermarkets only</u>			
		<u>All proposals require a travel plan</u>			
		xxiii. <u>Retirement villages</u>			
		<u>>50 beds or units</u>			
		xxiv. <u>Schools</u>			
		<u>All proposals require a travel plan</u>			

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		xxv. <u>Tertiary education and specialised training facilities</u> <u>All proposals require a travel plan</u>			
335.	25.4.4.3b	<p><u>Waste Management</u></p> <p>a. Where collection of rubbish, recycling, and food scraps is undertaken from the transport corridor, there must be sufficient room available on the berm to accommodate all the containers from the site that will be scheduled for collection at any time to ensure that:</p> <p>i. A continuous, clear length of footpath or shared path at least 1.2m wide is always maintained past the collection site, and</p> <p>ii. Containers are not placed on any cycle lane, cycle path, carriageway, parking space, or loading space, and</p> <p>iii. Vehicle crossings are not obstructed.</p> <p><u>Note</u></p> <p><u>1. Contact Council for advice on options for container management in the transport corridor.</u></p> <p><u>2. Refer to Hamilton City Waste Management and Minimisation Bylaw 2019.</u></p> <p><u>If there is insufficient space available on the transport corridor berm to satisfy 25.14.4.3b a for a development or site, then rubbish, recycling, or food scraps from that development or site must be collected from on-site.</u></p>	Oppose in part	Kāinga Ora considers that this matter is better suited to assessment criteria rather than a standard to allow design flexibility.	Delete the standard in its entirety and redraft as assessment criteria..
Chapter 25.15 Urban Design					
25.15.1 Purpose					
336.	25.15.1	<p>a. The <i>City Design Guide</i> VISTA further outlines Hamilton’s expectations for better designed environments – describing how a well-designed place should look, feel and function. The non-regulatory guide highlights key (Link, 18626, urban <u>urban design principles elements</u> considered fundamental to Hamilton’s development as a prosperous, memorable and <u>sustainable city</u>. <u>These elements are:</u></p> <p><u>i. Design Quality - Hamilton is a place that engages the imagination of our people and our visitors – everything is an opportunity for delight and innovation</u></p> <p><u>ii. Sense of Place - Development should enhance and celebrate Hamilton’s character and reflect special features of the site where these have been identified through the plan.</u></p> <p><u>iii. Access - Development should ensure that Hamilton is easy to get around so everyone can access services and facilities</u></p> <p><u>iv. Public Spaces - The spaces between buildings should provide a quality urban environment for the people of Hamilton to enjoy</u></p> <p><u>v. Lifestyle - Places within Hamilton should reflect the diversity and the rich lifestyles of its population, and encourage a vibrant mix of people, ages, uses and activities</u></p> <p><u>vi. Sustainable Environments – Hamilton promotes the development of memorable and successful places that are environmentally, economically, socially and culturally sustainable</u></p>	Support in part	<p>Kāinga Ora generally supports the inclusion of a reference to key urban design elements sought for development within Hamilton City; however, where reference is made to special features, this should be clarified to refer to features that have been identified through the district plan.</p> <p>This will ensure for ‘well-functioning urban environments’ as-required under Objective (1) of the NPS-UD.</p>	Include the amended provision as notified, with the proposed amendments as shown.

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and underlined for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
Appendices					
Appendix 1.1 Definitions					
337.		Duplex dwelling or Duplex Residential Unit: Means a residential building comprising two attached residential units on one allotment, or two Computer Freehold Registers where subsequently subdivided in reliance on rule 23.7.b.ii. For the avoidance of doubt, residential units physically connected by one or more accessory buildings, such as garages, will also be deemed to be attached. For the purpose of this definition 'allotment' shall have the same meaning as 'Computer Freehold Register' as such term is defined in the Land Transfer Act 2017, and may comprise more than one freehold register where held together by a registered legal instrument.	Oppose	Kāinga Ora seeks that the definition is deleted. Distinguishing between various 'dwelling' or 'residential unit' typologies is irrelevant in the context of the purpose of the Enabling Housing Supply Amendment Act and the enabling provisions introduced (and as-sought by Kāinga Ora in its submission) across relevant residential zones.	Delete the definition in favour of a general definition for 'residential unit'.
338.		Electric vehicle charging point: Means either a Mode 2 or Mode 3 electric vehicle charger as defined in NZS PAS 6011:2021. Note An electric vehicle charging point excludes the charging cable that connects between a residential unit's electrical outlet and the electric vehicle. The owner or driver of the electric vehicle is expected to provide this.	Oppose	Consistent with the Kainga Ora submission on 25.14.4.2, deletion of the definition is sought. The associated requirement for a charging point is an onerous and potentially-costly requirement that has not been sufficiently justified in Council's s32 cost/benefit analysis of the standard and its associated provisions. There are different requirements for a range of vehicles, and it is considered that the market is better placed to determine whether such facilities would be provided given that persons with electric vehicles will be required to make sure arrangements regards.	Delete the definition as-notified.
Appendix 1.2 Information Requirements					
339.		All of Appendix 1.2	Support in part	Kāinga Ora generally supports the proposed amendments to Appendix 1.2, to the extent they are consistent with the overall Kāinga Ora submission and relief sought, with the exception of those other specific submission points relating to Appendix 1.2 below.	Retain as-notified to the extent with the overall Kāinga Ora submission and relief sought, with the exception of those other specific submission points relating to Appendix 1.2 below.
340.	1.2.1h	Assessment of environmental effects	Oppose in part	Amendments are sought for consistency the overall Kāinga Ora submission on the residential zones and the permitted levels	Amend the requirements as-shown in the tracked amendments.

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as <u>strikethrough</u> for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
		<p>[...]</p> <p>ii. The AEE should identify how any adverse environmental effects are to be avoided, remedied, or mitigated, and shall also ensure that the following matters are addressed.</p> <ul style="list-style-type: none"> • Consultation undertaken with affected parties • Effects of the proposal on the natural environment (including existing vegetation and natural land form), neighbourhood amenity, and infrastructure Heritage issues (such as waahi tapu) • Site constraints (such as flooding) External impacts (such as discharges) Construction impacts (such as noise) • <u>For four or more development exceeding the permitted number of residential units within the relevant residential zone; require an urban design assessment against Chapter 25.15 (Urban Design)</u> • For four or more residential units; an assessment of and appropriate responses to Crime Prevention Through Environmental Design (CPTED) principles. <p>Other matters associated with the proposal</p>		<p>of development enabled (and sought by Kāinga Ora to be enabled) therein.</p> <p>Kāinga Ora does not support a specific requirement for Crime Prevention Through Environmental Design ('CPTED') assessment. This can be undertaken in reference to the assessment criteria and having such a requirement may frustrate efficient administration of the plan and resource consent process by requiring 'suitably qualified' persons to undertake such an assessment.</p>	
341.	1.2.2.5a	<p><u>1.2.2.5a Three Waters Infrastructure Capacity Assessments</u></p> <p><u>As part of an assessment of environmental effects the information required for a Three Waters Infrastructure Capacity Assessment is:</u></p> <p>[...]</p>	Oppose in part	While Kāinga Ora supports the principle of clear requirements for any infrastructure capacity assessment, it is opposed to the proposed requirements as-notified (including those outlined within table 1.2.2.5b) to the extent those matters are inconsistent with the Kāinga Ora submission on Chapter 25.13 (Three Waters) and the overall Kāinga Ora submission.	Delete the requirements as-notified, to the extent those matters are inconsistent with the Kāinga Ora submission on Chapter 25.13 (Three Waters) and the overall Kāinga Ora submission.
342.	1.2.2.5b	<p><u>1.2.2.5 Site-Specific Stormwater Management Plan</u></p> <p>a. <u>As part of an assessment of environmental effects the information required for a Site-Specific Stormwater Management Plan is:</u></p> <p>[...]</p>	Oppose	Consistent with the Kāinga Ora submission on Chapter 25.13 (Three Waters) and the overall Kāinga Ora submission, requirements for a site-specific stormwater management plan are considered onerous and should be deleted (including those outlined in table 1.2.2.5c).	Delete the requirements as-notified.
343.	1.2.2.24	<p><u>1.2.2.24 Waste Container Management Plan</u></p> <p><u>A Waste Container Management Plan must include the information listed in Table 1.2.2.24a</u></p> <ul style="list-style-type: none"> • [...] 	Oppose	While Kāinga Ora supports the principle of waste management plans, particularly in large scale developments; the proposed information's requirements are onerous and may frustrate the resource consent process. The necessary information can generally be should on resource consent plans and/or is provided by private waste	Delete the requirements as-notified including Table 1.2.2.24a.

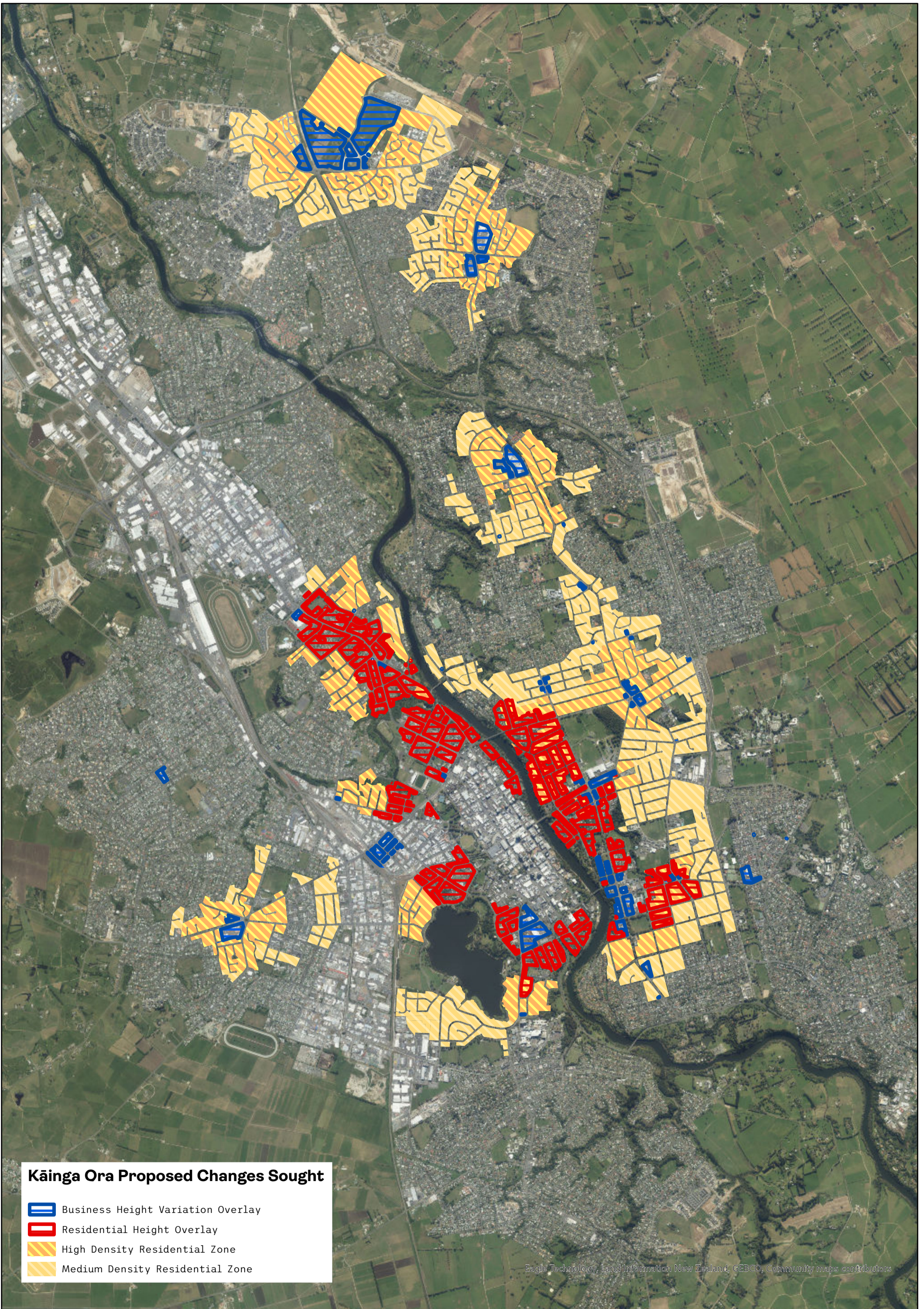
ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
				management contractors. Existing assessment criteria are more than sufficient as an effective method to address this issue.	
Appendix 1.3 – Assessment Criteria					
344.		All of Appendix 1.3	Oppose in part	Whilst Kāinga Ora generally supports the proposed amendments to Appendix 1.3 and the additional assessment criteria, the inclusion of assessment criteria that is comparable to a design guide is opposed. Assessment criteria of part B should be retained only so far as high level urban design principles. Criteria B2 – B8b should be deleted in entirety from the appendix and the design guide included as Appendix 1.4 (operative) should be relied upon.	Delete assessment criteria B2-B8b under appendix 1.3.
345.		All of Appendix 1.4 Design Guides	Oppose	<p>Kāinga Ora opposes the inclusion of Design Guides or design guidelines in the Plan, which act as de facto rules to be complied with.</p> <p>Kāinga Ora opposes any policy or rule approach which would require development proposals to comply with such design guidelines in the District Plan.</p> <p>Kāinga Ora alternatively seeks and supports design guidelines sitting outside the Plan as guidance regarding best practice design outcomes. The Design Guidelines should be treated as a non-statutory tool.</p> <p>If there is content of a Design Guide or design guideline that Council wants in the Plan, Kāinga Ora seeks that these are relocated within a specific rule, matter of discretion or assessment criterion.</p>	<p><i>Amendments sought</i></p> <ol style="list-style-type: none"> 1. Kāinga Ora seeks the Design Guides and design guidelines are removed from within the District Plan and are treated as non-statutory tool, outside of the District Plan. 2. Delete all references to the Design Guides and design guidelines. 3. Where particular design outcomes are to be achieved, these should be specifically stated in matters of discretion or assessment. 4. If the Council does not provide the relief sought, in deleting the Design Guides and design guidelines and references to such guidelines in the District Plan, Kāinga Ora seeks that the design guidelines are amended, simplified and written in a manner

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Where Kāinga Ora seeks specific amendments to text, these are shown as strikethrough for deletion and <u>underlined</u> for proposed addition in the 'Specific Provision and Section of Plan' column of this table, in addition to the relief sought below.</i>
				Where particular design outcomes are to be achieved, these should be specified in matters of discretion or assessment.	<p>that is easy to follow. The outcomes sought in the guidelines should read as desired requirements with sufficient flexibility to provide for a design that fits and works on site, rather than rules that a consent holder must follow and adhere to. Otherwise, it is considered that there is no flexibility and scope to create a design that fits with specific site characteristics and desired built form development.</p> <p>5. Kāinga Ora seeks the opportunity to review these guidelines if they are to remain a statutory document.</p>
Appendix 2 – Structure Plans					
346.		All of Appendix 2	Support in part	Kāinga Ora generally supports the proposed amendments to Appendix 2 to the extent they are consistent with the overall Kāinga Ora submission and relief sought.	Retain the proposed structure plans as-notified to the extent with the overall Kāinga Ora submission and subject to the relief sought by Kāinga Ora in its overall submission being granted.
Appendix 4 – Special Character Zones					
347.		All of Appendix 4	Oppose	Kāinga Ora opposes the proposed objectives and associated policies. Consistent with the Kāinga Ora submission on PC9, the assessment methodology utilised to identify 'history heritage areas' conflates issues of special character and inappropriately elevates existing and proposed areas under PC9 to 'heritage' status under section 6 of the RMA.	<p>Amendments are sought for consistency with the Kāinga Ora submission on Plan Change 9 - Historic Heritage and Natural Environment ("PC9"). Kāinga Ora seeks the deletion of any proposed changes in PC12 that seek amendments to historic heritage and special character zones, consistent with the relief sought in PC9.</p> <p>Kāinga Ora considers that the proposed changes across PC9 and PC12 are not qualifying matters, as the assessments in its view, do not meet the requirements</p>





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					under s6, s77I, s77J, s77K, and/or s77L of the RMA. Deletion sought.
Appendix 5 - Central City Zone					
348.		All of Appendix 5	Support in part	Kāinga Ora supports the proposed amendments to Appendix 5, which principally involve deletion of Figure 5.2 – Height Overlay Plan.	Retain Appendix 5 as-notified, to the extent with the overall Kāinga Ora submission and subject to the relief sought by Kāinga Ora in its overall submission being granted.
Appendix 7 – Rototuna Town Centre Zone					
349.		All of Appendix 7	Support in part	Kāinga Ora generally supports the proposed amendments to Appendix 7 to the extent it is consistent with the overall Kāinga Ora submission and relief sought.	Retain Appendix 7 as-notified to the extent with the overall Kāinga Ora submission and subject to the relief sought by Kāinga Ora in its overall submission being granted.
Appendix 15 – Transportation					
350.		All of Appendix 15	Support in part	Kāinga Ora generally supports the proposed amendments to Appendix 15, to the extent they are consistent with the overall Kāinga Ora submission and relief sought.	Retain Appendix 15 as-notified, subject to the relief sought by Kāinga Ora in relation to proposed amendments to Chapters 18 (transport corridor zone), 23 (subdivision) and 25.14 (transport) being granted.
Appendix 18 – Financial Contributions					
351.		All of Appendix 18	Oppose	Kāinga Ora opposes Appendix 18 in its entirety for the reasons outlined within the Kāinga Ora submission on Chapter 24 – Financial Contributions.	Delete Appendix 18 in its entirety, subject to the relief sought in the Kāinga Ora submission on Chapter 24 (Financial Contributions) being granted and/or sufficiently addressed.

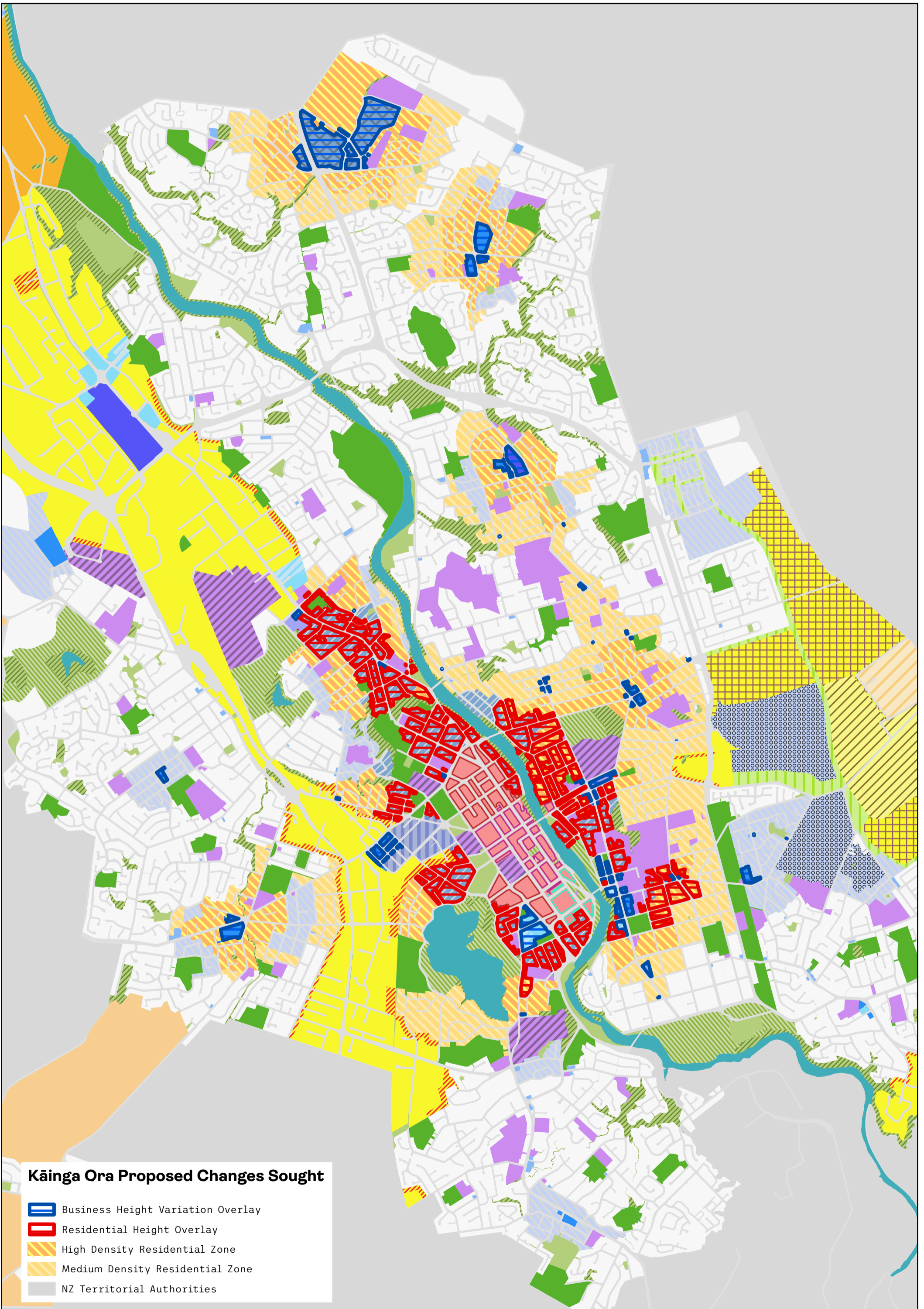
Appendix 2: Planning Maps

The following maps set out the proposed spatial extent of zones that Kāinga Ora either supports or seeks amendments to, including proposed height overlays for business zones and heights sought within the HDRZ.



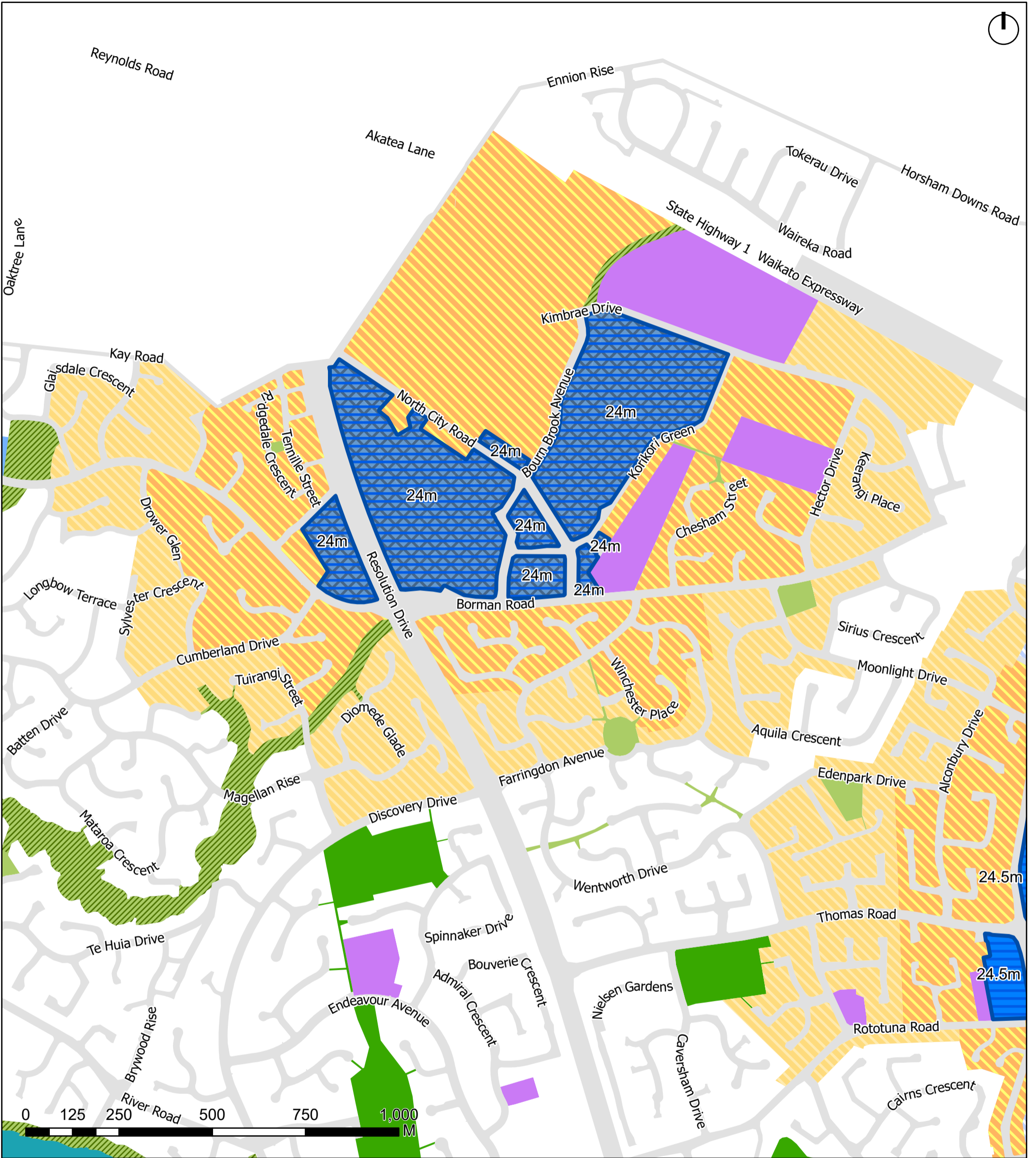
Kāinga Ora Proposed Changes Sought

-  Business Height Variation Overlay
-  Residential Height Overlay
-  High Density Residential Zone
-  Medium Density Residential Zone



Kāinga Ora Proposed Changes Sought

- Business Height Variation Overlay
- Residential Height Overlay
- High Density Residential Zone
- Medium Density Residential Zone
- NZ Territorial Authorities



Kāinga Ora Proposed Changes Sought

- Business Height Variation Overlay
- Residential Height Overlay
- High Density Residential Zone
- Medium Density Residential Zone

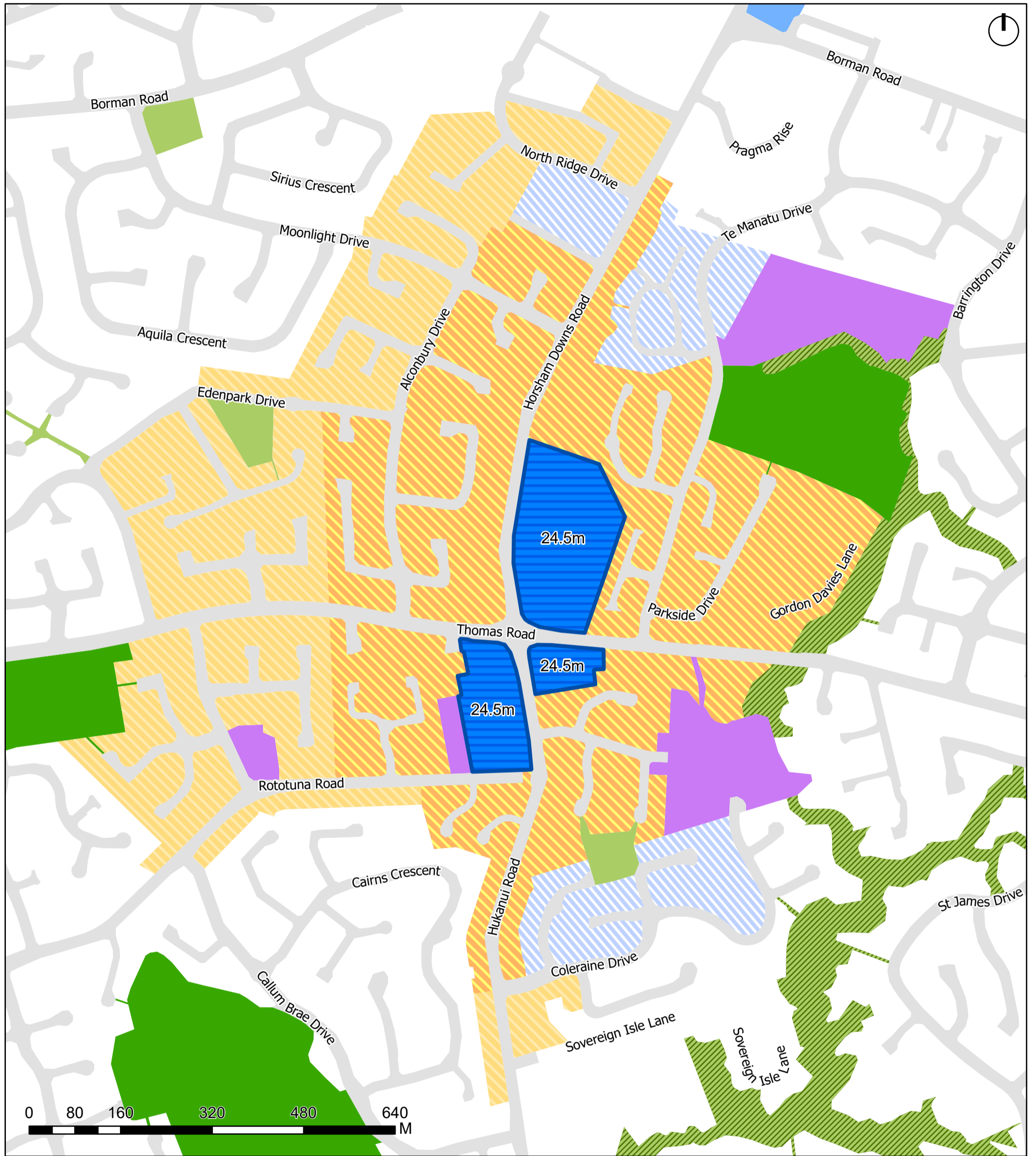
Proposed Plan Change 12

- General Residential Zone
- Medium Density Residential Zone
- Business 5 Zone - Suburban Centre Core
- Business 6 Zone - Neighbourhood Centre
- Sports and Recreation Open Space Zone

- Neighbourhood Open Space Zone
- Natural Open Space Zone
- Natural Open Space - Waikato River and Lakes
- Community Facilities Zone
- Rototuna Town Centre

Thomas Road

Scale: 1:6,500@A3 | Date: 27/09/2022



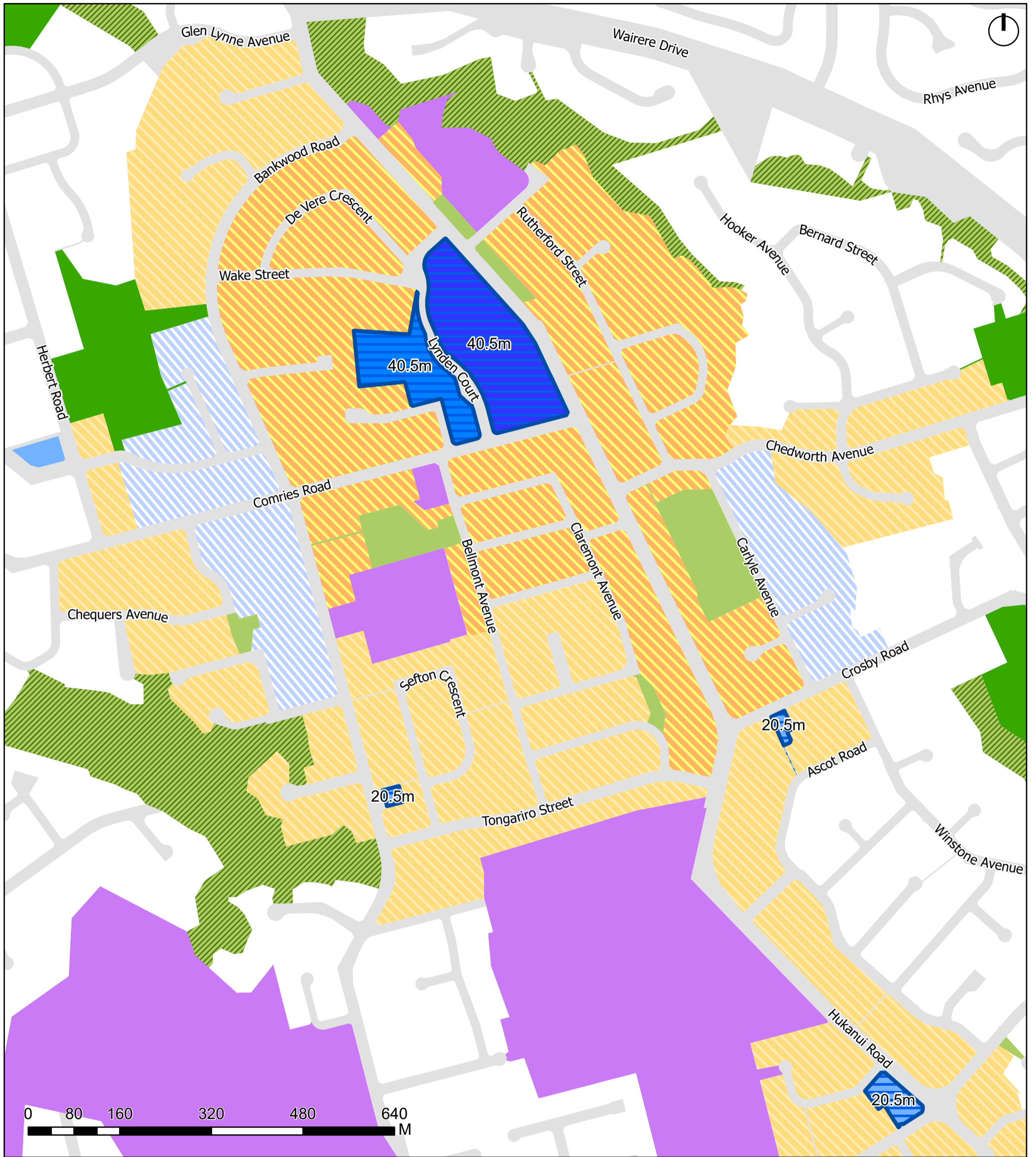
Kāinga Ora Proposed Changes Sought

- Business Height Overlay
- Residential Height Overlay
- High Density Residential Zone
- Medium Density Residential Zone

Proposed Plan Change 12

- General Residential Zone
- Medium Density Residential Zone
- Business 5 Zone - Suburban Centre Core
- Business 6 Zone - Neighbourhood Centre
- Sports and Recreation Open Space Zone

- Neighbourhood Open Space Zone
- Natural Open Space Zone
- Community Facilities Zone
- Transport Corridor Zone



Kāinga Ora Proposed Changes Sought

- Business Height Overlay
- Residential Height Overlay
- High Density Residential Zone
- Medium Density Residential Zone

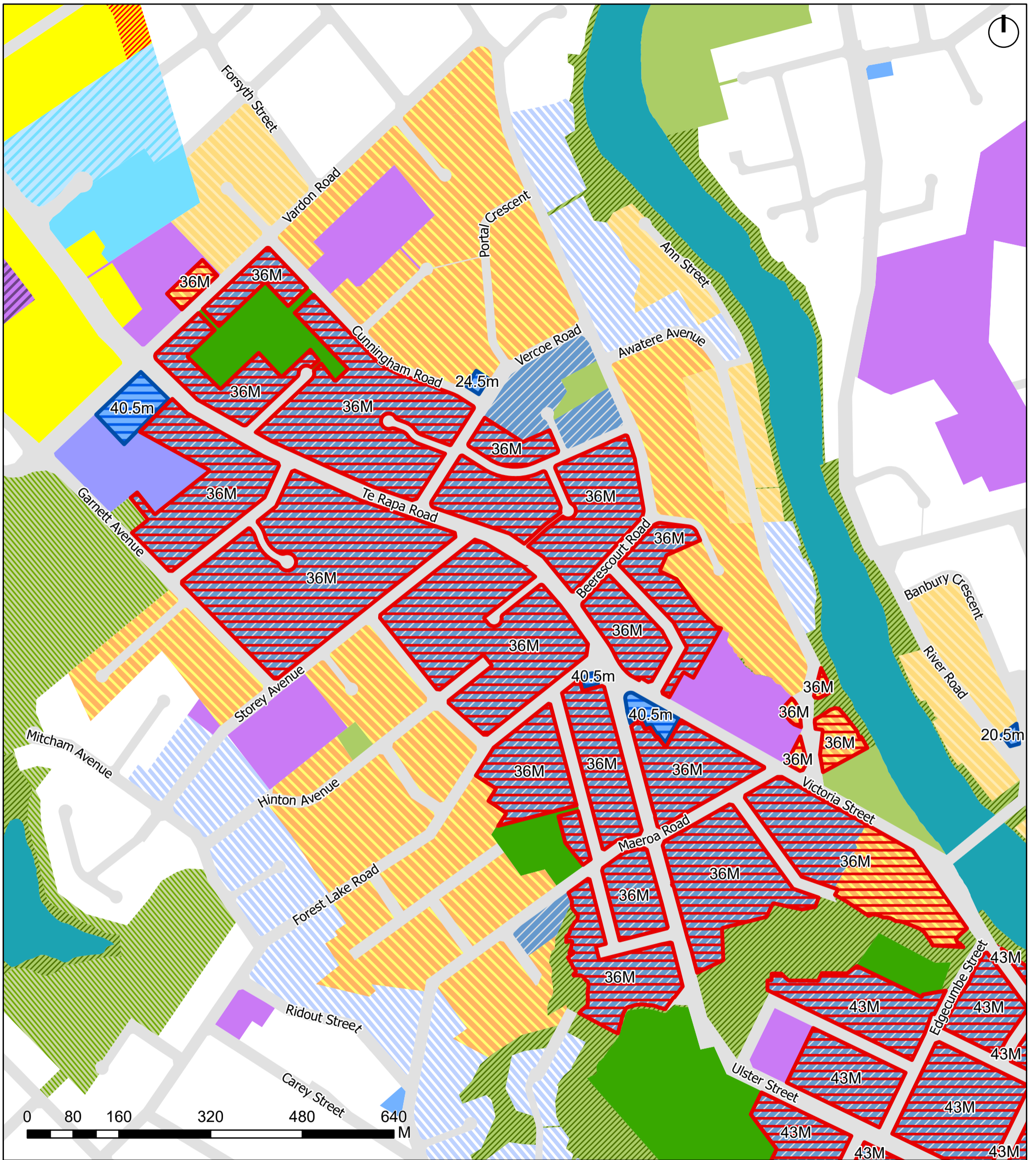
Proposed Plan Change 12

- General Residential Zone
- Medium Density Residential Zone
- Business 3 Zone - Sub-Regional Centre
- Business 5 Zone - Suburban Centre Core
- Business 6 Zone - Neighbourhood Centre

- Sports and Recreation Open Space Zone
- Neighbourhood Open Space Zone
- Natural Open Space Zone
- Community Facilities Zone
- Transport Corridor Zone

Beerescourt

Scale: 1:6,500@A3 | Date: 27/09/2022



Kāinga Ora Proposed Changes Sought

- Business Height Overlay
- Residential Height Overlay
- High Density Residential Zone
- Medium Density Residential Zone

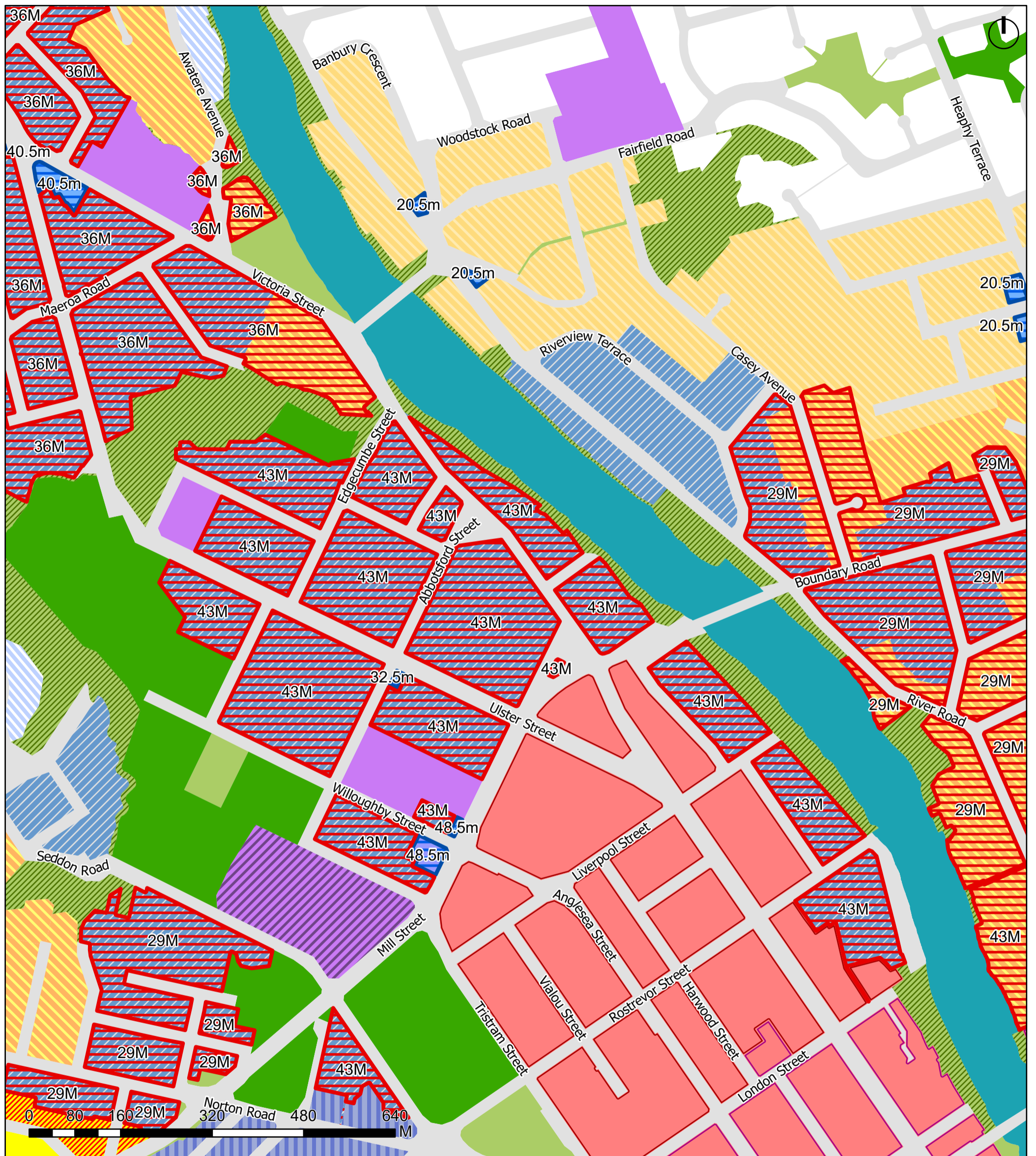
Proposed Plan Change 12

- General Residential Zone
- Medium Density Residential Zone
- High Density Residential Zone
- Industrial Zone
- Industrial Amenity Protection Area
- Business 1 Zone - Commercial Fringe
- Business 2 Zone - Events Facilities Fringe
- Business 4 Zone - Large Format Retail
- Business 6 Zone - Neighbourhood Centre

- Sports and Recreation Open Space Zone
- Neighbourhood Open Space Zone
- Natural Open Space Zone
- Destination Open Space Zone
- Natural Open Space - Waikato River and Lakes
- Community Facilities Zone
- Major Facilities Zone
- Transport Corridor Zone

Whitiora

Scale: 1:6,500@A3 | Date: 27/09/2022



Kāinga Ora Proposed Changes Sought

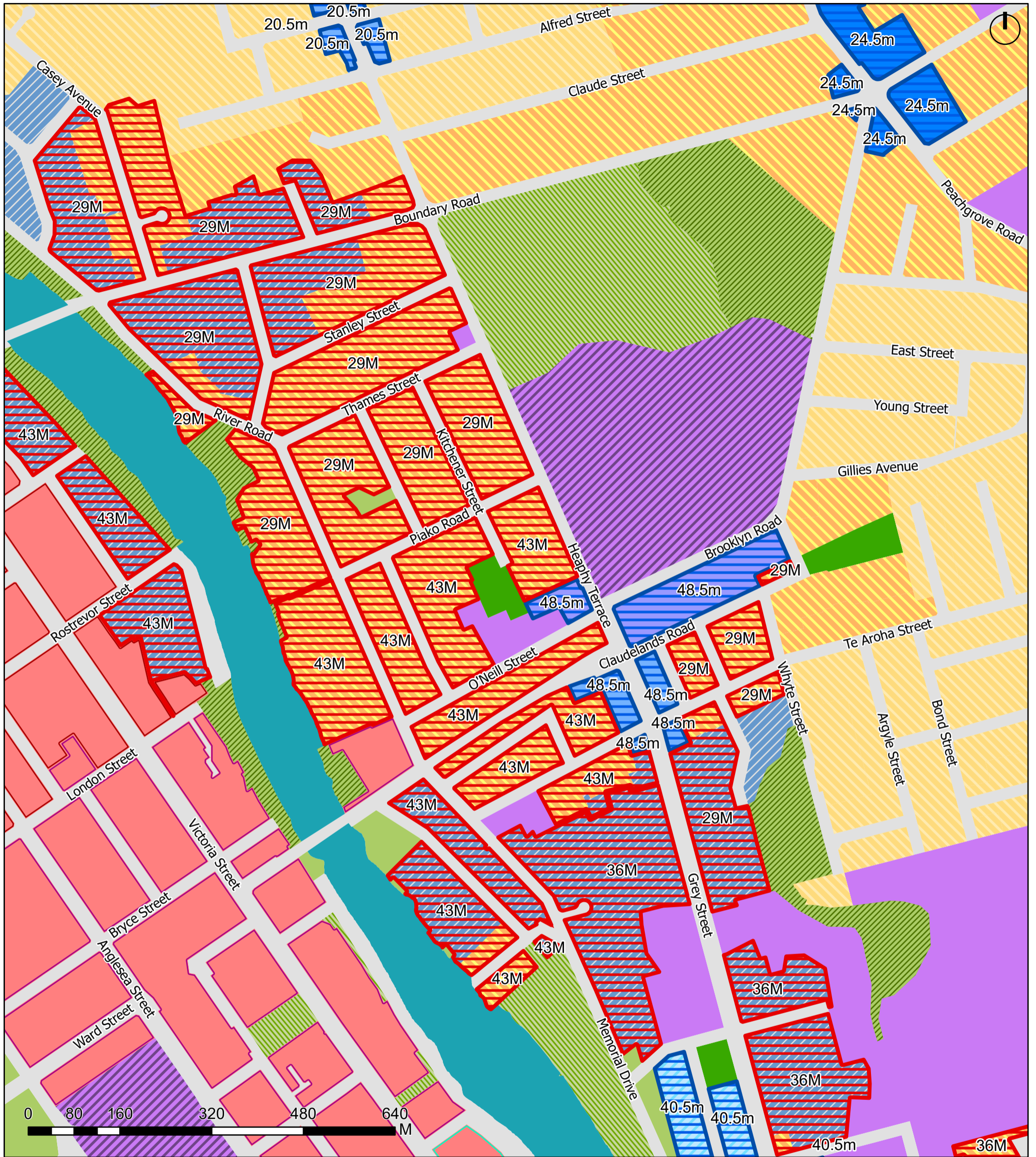
- Business Height Overlay
- Residential Height Overlay
- High Density Residential Zone
- Medium Density Residential Zone

Proposed Plan Change 12

- General Residential Zone
- Medium Density Residential Zone
- High Density Residential Zone
- Industrial Zone
- Industrial Amenity Protection Area
- Business 2 Zone - Events Facilities Fringe
- Business 6 Zone - Neighbourhood Centre
- Business 7 Zone - Frankton Commercial Fringe
- Sports and Recreation Open Space Zone
- Neighbourhood Open Space Zone
- Natural Open Space Zone
- Natural Open Space - Waikato River and Lakes
- Central City Zone - Downtown
- Central City Zone - City Living
- Community Facilities Zone
- Major Facilities Zone
- Transport Corridor Zone

Claudlands

Scale: 1:6,500@A3 | Date: 27/09/2022



Kāinga Ora Proposed Changes Sought

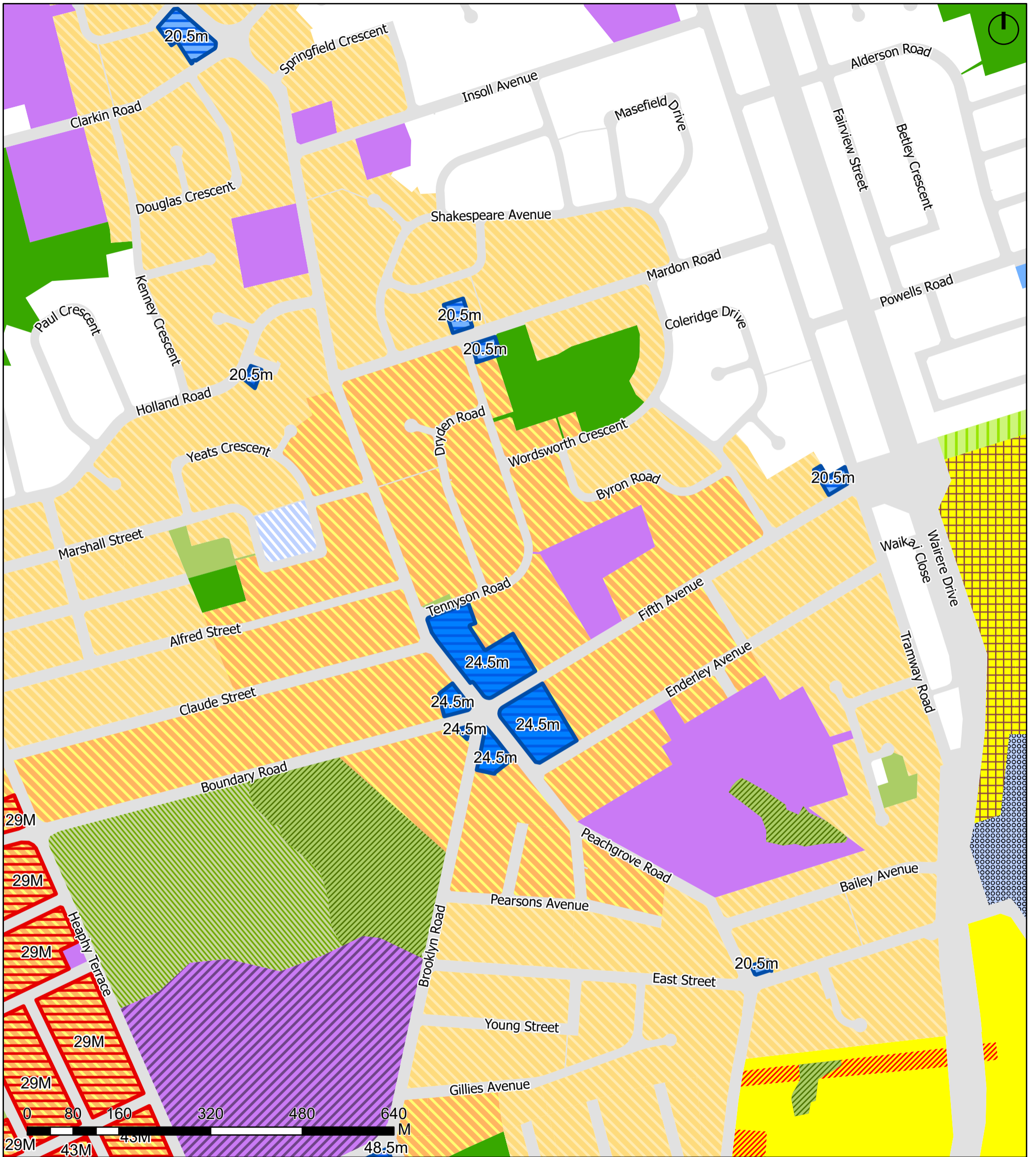
- Business Height Overlay
- Residential Height Overlay
- High Density Residential Zone
- Medium Density Residential Zone

Proposed Plan Change 12

- General Residential Zone
- Medium Density Residential Zone
- High Density Residential Zone
- Business 1 Zone - Commercial Fringe
- Business 2 Zone - Events Facilities Fringe
- Business 5 Zone - Suburban Centre Core
- Business 6 Zone - Neighbourhood Centre
- Sports and Recreation Open Space Zone
- Neighbourhood Open Space Zone
- Natural Open Space Zone
- Destination Open Space Zone
- Natural Open Space - Waikato River and Lakes
- Central City Zone - Downtown
- Central City Zone - City Living
- Central City Zone - Ferrybank
- Community Facilities Zone
- Major Facilities Zone
- Transport Corridor Zone

Five Crossroads

Scale: 1:6,500@A3 | Date: 27/09/2022



Kāinga Ora Proposed Changes Sought

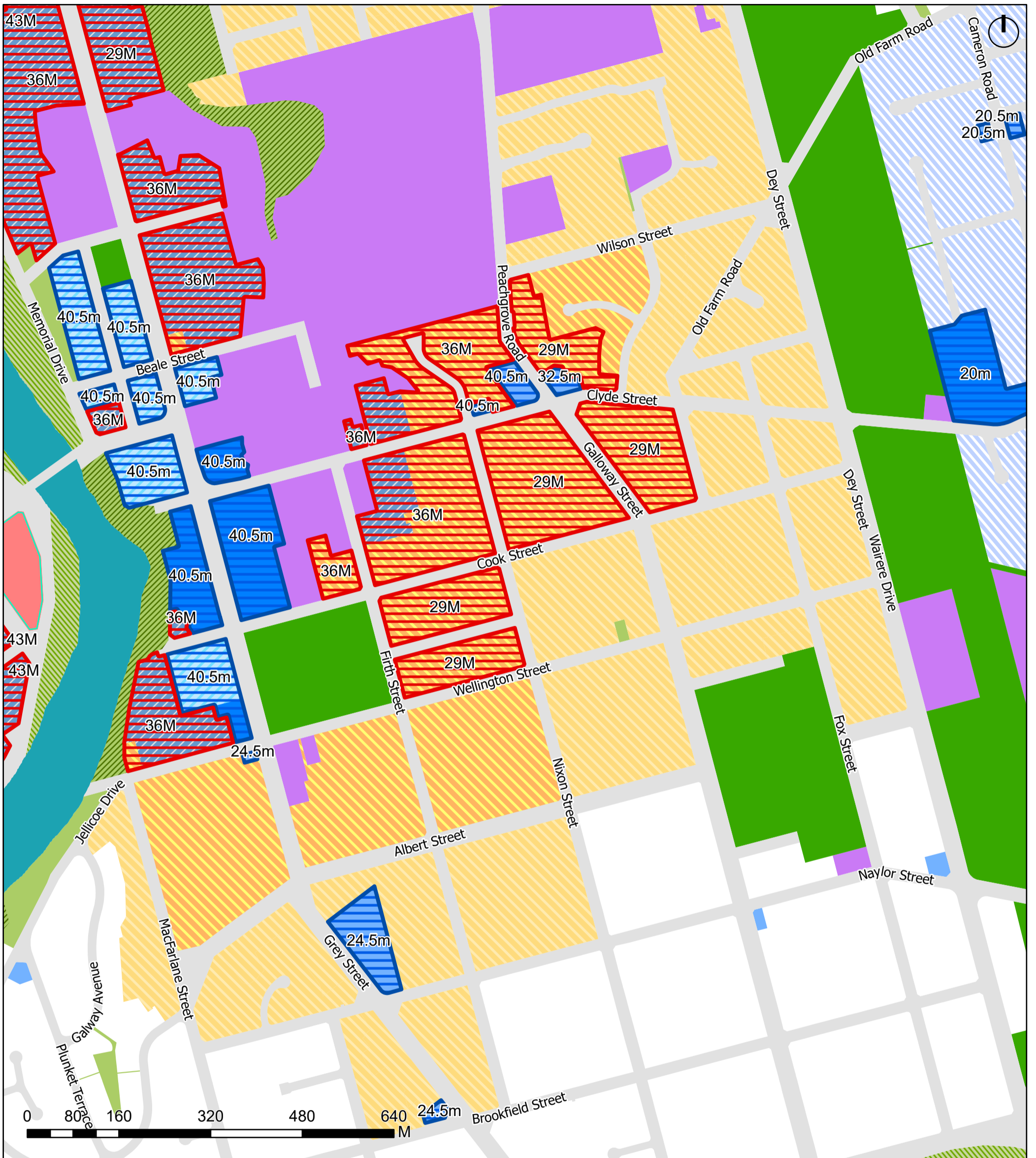
- Business Height Overlay
- Residential Height Overlay
- High Density Residential Zone
- Medium Density Residential Zone

Proposed Plan Change 12

- General Residential Zone
- Medium Density Residential Zone
- Industrial Zone
- Industrial Amenity Protection Area
- Ruakura Industrial Park
- Ruakura Industrial Park
- Business 2 Zone - Events Facilities Fringe
- Business 5 Zone - Suburban Centre Core
- Business 6 Zone - Neighbourhood Centre
- Sports and Recreation Open Space Zone
- Neighbourhood Open Space Zone
- Natural Open Space Zone
- Destination Open Space Zone
- Ruakura Open Space
- Community Facilities Zone
- Knowledge Zone
- Knowledge Zone
- Major Facilities Zone
- Transport Corridor Zone

Hamilton East

Scale: 1:6,500@A3 | Date: 27/09/2022



Kāinga Ora Proposed Changes Sought

- Business Height Overlay
- Residential Height Overlay
- High Density Residential Zone
- Medium Density Residential Zone

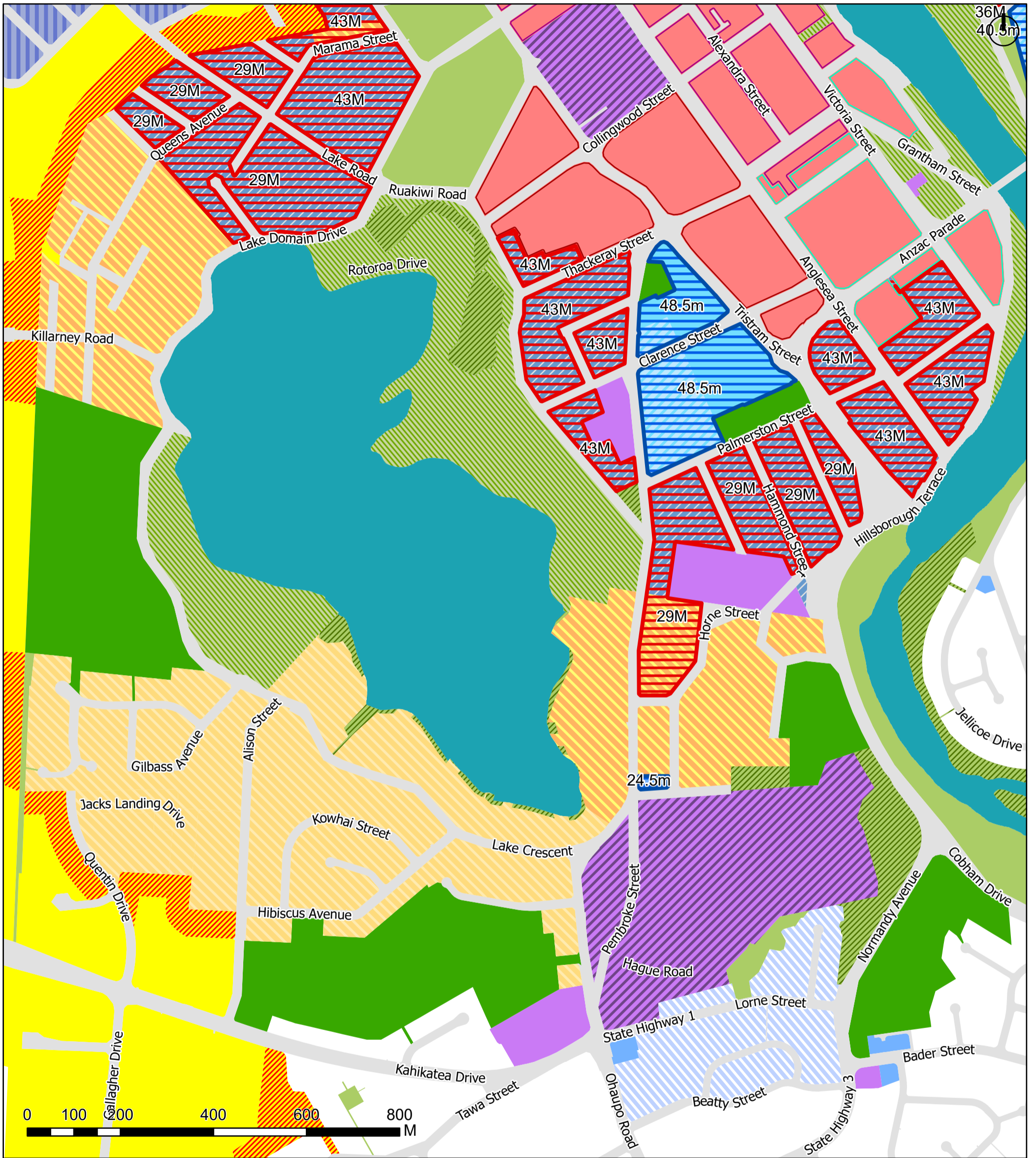
Proposed Plan Change 12

- General Residential Zone
- Medium Density Residential Zone
- High Density Residential Zone
- Business 1 Zone - Commercial Fringe
- Business 5 Zone - Suburban Centre Core
- Business 6 Zone - Neighbourhood Centre
- Sports and Recreation Open Space Zone

- Neighbourhood Open Space Zone
- Natural Open Space Zone
- Destination Open Space Zone
- Natural Open Space - Waikato River and Lakes
- Central City Zone - Ferrybank
- Community Facilities Zone
- Transport Corridor Zone

Hamilton Lake

Scale: 1:8,000@A3 | Date: 27/09/2022

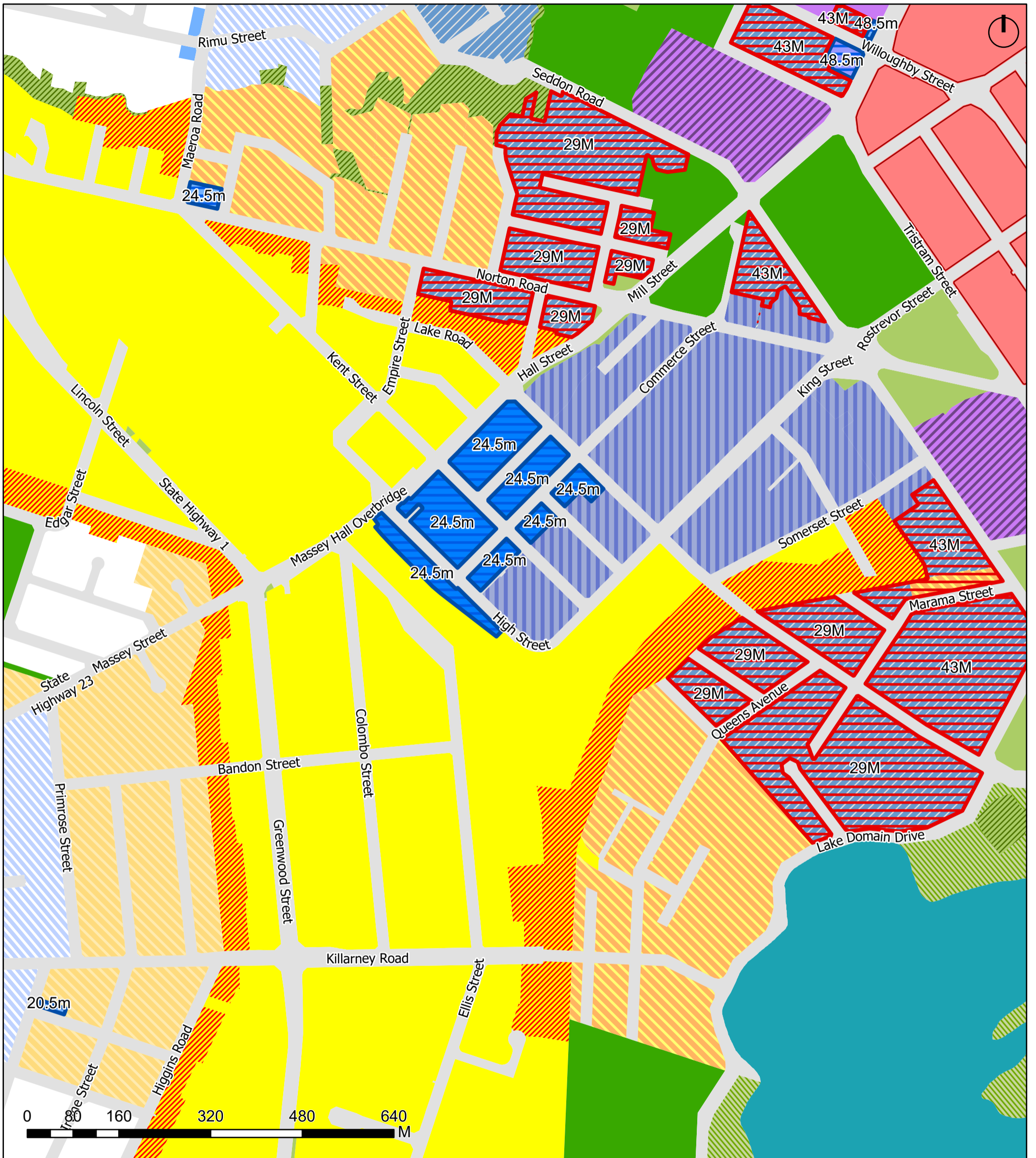


Kāinga Ora Proposed Changes Sought

- Business Height Overlay
- Residential Height Overlay
- High Density Residential Zone
- Medium Density Residential Zone

Proposed Plan Change 12

- General Residential Zone
- Medium Density Residential Zone
- High Density Residential Zone
- Industrial Zone
- Industrial Amenity Protection Area
- Business 1 Zone - Commercial Fringe
- Business 4 Zone - Large Format Retail
- Business 6 Zone - Neighbourhood Centre
- Business 7 Zone - Frankton Commercial Fringe
- Sports and Recreation Open Space Zone
- Neighbourhood Open Space Zone
- Natural Open Space Zone
- Destination Open Space Zone
- Natural Open Space - Waikato River and Lakes
- Central City Zone - Downtown
- Central City Zone - City Living
- Central City Zone - Ferrybank
- Community Facilities Zone
- Major Facilities Zone
- Transport Corridor Zone



Kāinga Ora Proposed Changes Sought

- Business Height Overlay
- Residential Height Overlay
- High Density Residential Zone
- Medium Density Residential Zone

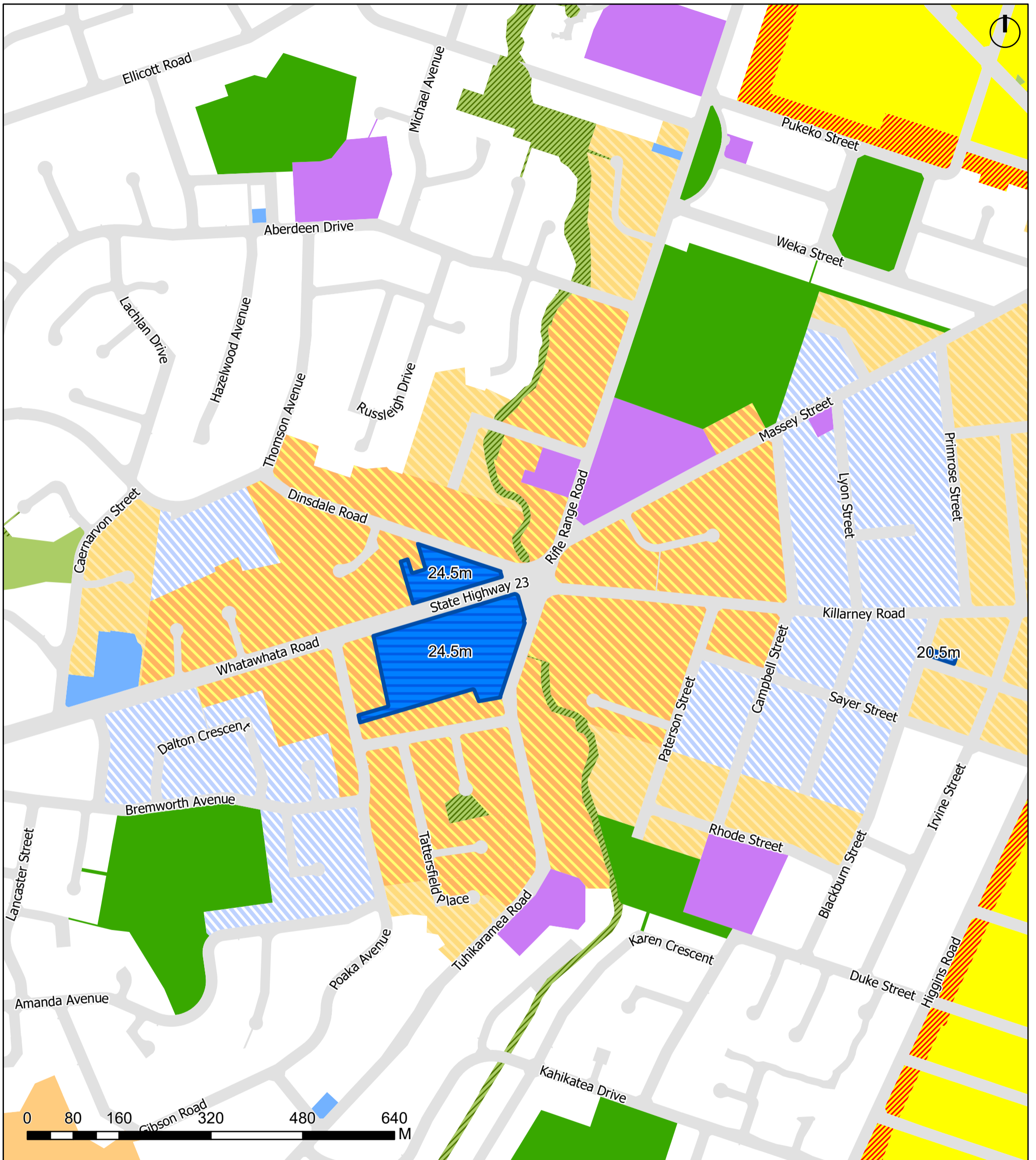
Proposed Plan Change 12

- General Residential Zone
- Medium Density Residential Zone
- High Density Residential Zone
- Industrial Zone
- Industrial Amenity Protection Area
- Business 2 Zone - Events Facilities Fringe
- Business 5 Zone - Suburban Centre Core
- Business 6 Zone - Neighbourhood Centre
- Business 7 Zone - Frankton Commercial Fringe

- Sports and Recreation Open Space Zone
- Neighbourhood Open Space Zone
- Natural Open Space Zone
- Destination Open Space Zone
- Natural Open Space - Waikato River and Lakes
- Central City Zone - City Living
- Community Facilities Zone
- Major Facilities Zone
- Transport Corridor Zone

Dinsdale

Scale: 1:6,500@A3 | Date: 27/09/2022



Kāinga Ora Proposed Changes Sought

- Business Height Overlay
- Residential Height Overlay
- High Density Residential Zone
- Medium Density Residential Zone

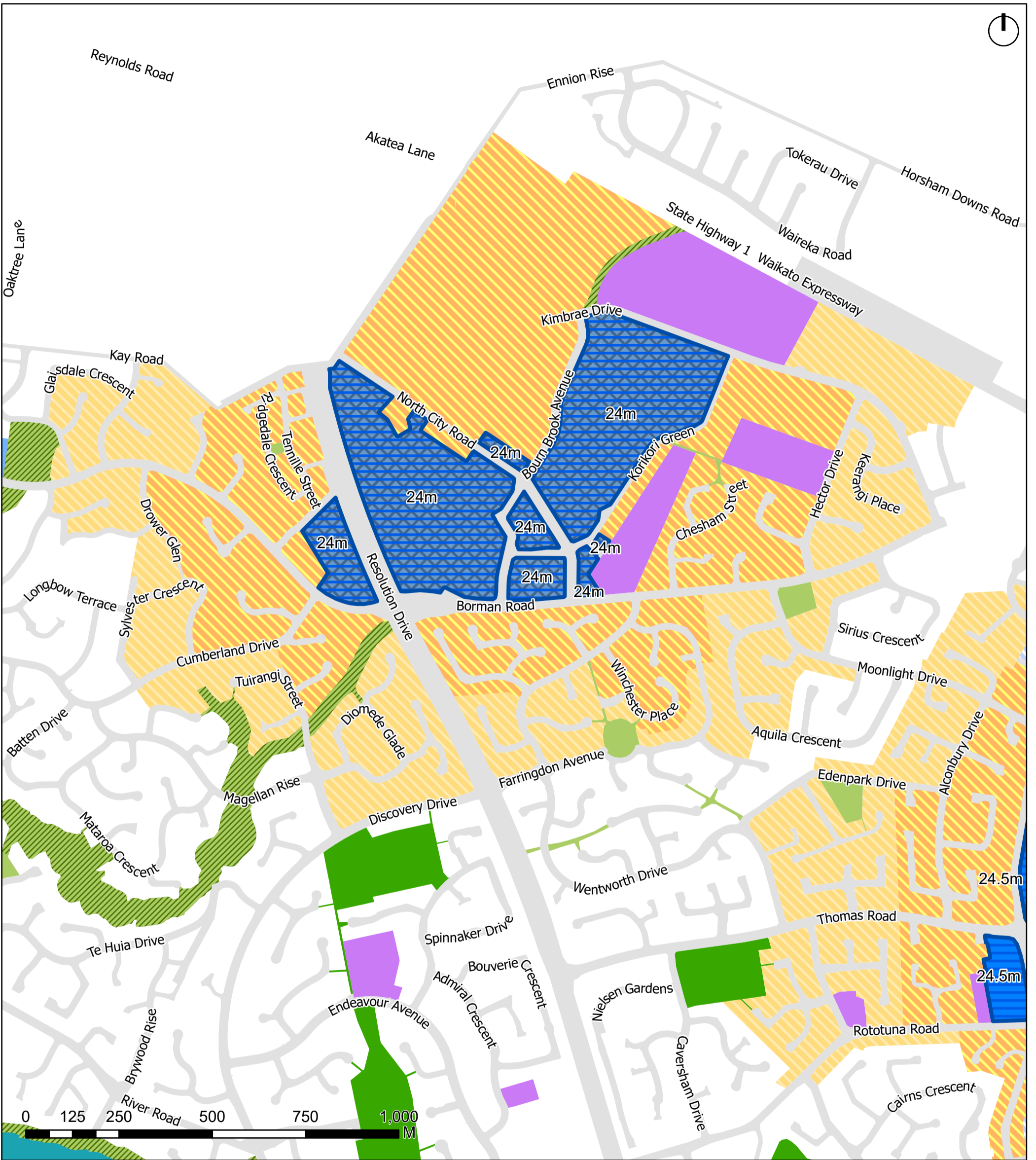
Proposed Plan Change 12

- General Residential Zone
- Medium Density Residential Zone
- Industrial Zone
- Industrial Amenity Protection Area
- Business 5 Zone - Suburban Centre Core
- Business 6 Zone - Neighbourhood Centre

- Sports and Recreation Open Space Zone
- Neighbourhood Open Space Zone
- Natural Open Space Zone
- Community Facilities Zone
- Future Urban Zone
- Transport Corridor Zone

Rototuna

Scale: 1:10,000@A3 | Date: 29/09/2022



Kāinga Ora Proposed Changes Sought

- Business Height Variation Overlay
- Residential Height Overlay
- High Density Residential Zone
- Medium Density Residential Zone

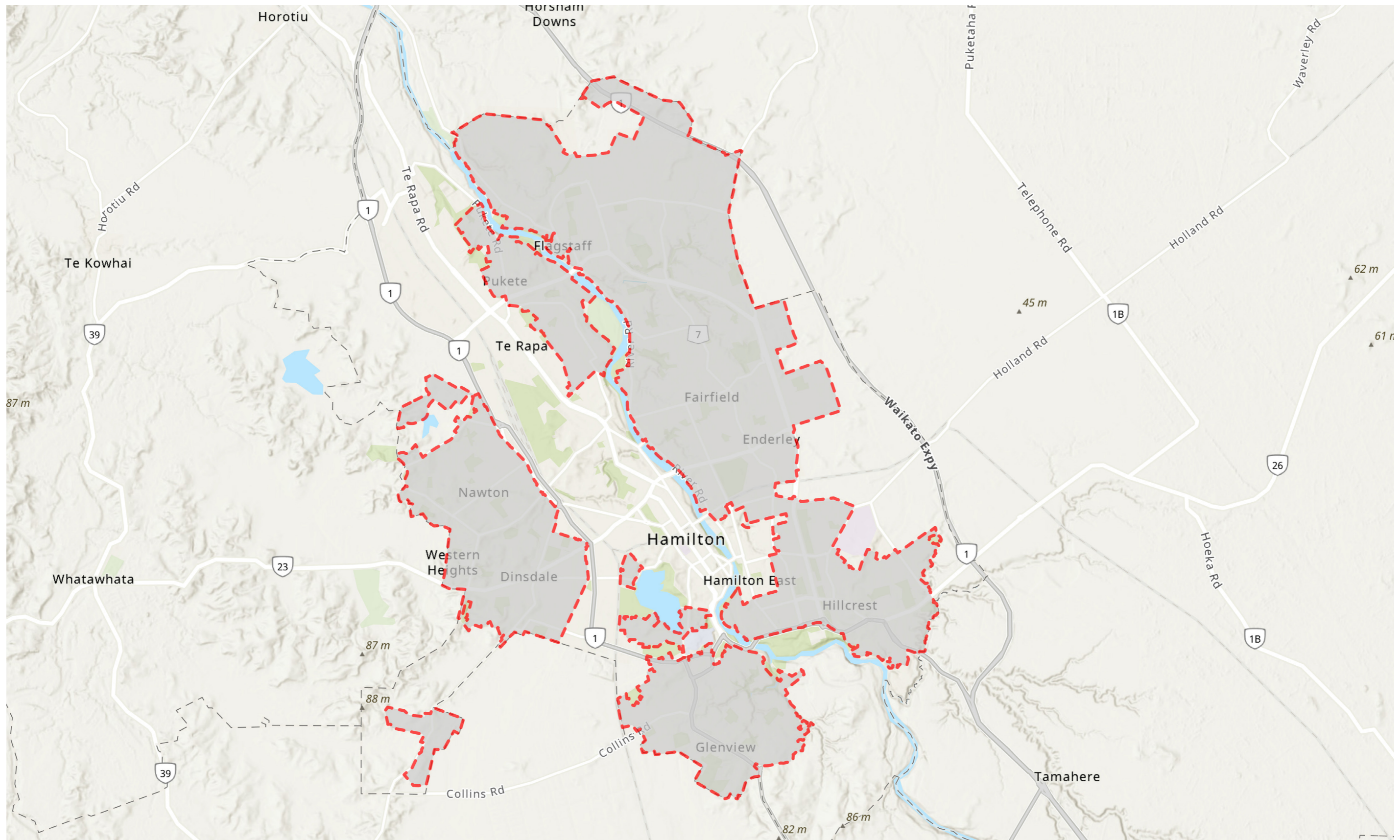
Proposed Plan Change 12

- General Residential Zone
- Medium Density Residential Zone
- Business 5 Zone - Suburban Centre Core
- Business 6 Zone - Neighbourhood Centre
- Sports and Recreation Open Space Zone

- Neighbourhood Open Space Zone
- Natural Open Space Zone
- Natural Open Space - Waikato River and Lakes
- Community Facilities Zone
- Rototuna Town Centre

Appendix 3: Maps – Infrastructure Capacity Overlay

Identifies the infrastructure capacity overlay which Kāinga Ora opposes and seeks deletion.



**Hamilton City District Council
Plan Plan Change 12**

**Kāinga Ora submission
Appendix 3**
Identifies the 'Infrastructure Capacity Overlay' that
Kāinga Ora oppose

Legend

- PC12 Proposed Three Waters Infrastructure Capacity Overlay
- Kāinga Ora Submission Opposing



HCDC-01
28.09.2022
Rev A