



KOMITI ITI AROTAKE MAHERE Ā-ROHE | DISTRICT PLAN REVIEW SUBCOMMITTEE

5 May 2022

Order Paper for the meeting to be held **via Zoom** on:

Thursday 12 May 2022 commencing at 2.00pm

The meeting will be live streamed on Council's Facebook page.
Members of the public wishing to speak to items on the agenda are asked to
contact: democraticservicesteam@huttcity.govt.nz

Membership

Cr S Edwards (Chair)

Cr K Brown

Cr B Dyer

Deputy Mayor T Lewis (Deputy
Chair)

Cr N Shaw

Maiora Dentice (endorsed by Te Rūnanganui o Te Ati Awa)

For the dates and times of Council Meetings please visit www.huttcity.govt.nz

Have your say

You can speak under public comment to items on the agenda to the Mayor and Councillors at this meeting. Please let us know by noon the working day before the meeting. You can do this by emailing DemocraticServicesTeam@huttcity.govt.nz or calling the Democratic Services Team on 04 570 6666 | 0800 HUTT CITY

DISTRICT PLAN REVIEW SUBCOMMITTEE

Membership: Chair of Policy, Finance and Strategy Committee
4 other councillors
Up to 2 representatives appointed by Iwi

NOTE:

Elected members should hold current certification under the Making Good Decisions Training, Assessment and Certification Programme for RMA Decision-Makers. The Chair should in addition hold Chair certification. Standing Orders 30 and 31 outlining provisions for Tangata Whenua and Taura Here do not apply to this Subcommittee, and Iwi appointees will have full voting rights as members of the Subcommittee under Standing Orders.

Meeting Cycle: As required
Quorum: 4

Reports to: Policy, Finance and Strategy Committee

PURPOSE:

To make recommendations to the Policy, Finance and Strategy Committee, for recommendation to Council on the matters to be addressed in the full review of the District Plan and development of a Proposed District Plan.

Provide:

Direction to Council officers on all matters relating to the drafting of content for the review of the District Plan. This includes but is not limited to:

- scoping and investigation of the issues
- engagement on possible content
- development of discussion documents and other draft documents for consultation
- development of a Draft District Plan for consultation
- development of a Proposed District Plan for statutory consultation.

General:

Any other matters delegated to the Subcommittee by Council in accordance with approved policies and bylaws.

HUTT CITY COUNCIL

**KOMITI ITI AROTAKE MAHERE Ā-ROHE |
DISTRICT PLAN REVIEW SUBCOMMITTEE**

Meeting to be held via Zoom on
Thursday 12 May 2022 commencing at 2.00pm.

ORDER PAPER

PUBLIC BUSINESS

1. OPENING FORMALITIES - KARAKIA TIMATANGA (22/894)

Whakataka te hau ki te uru	<i>Cease the winds from the west</i>
Whakataka te hau ki te tonga	<i>Cease the winds from the south</i>
Kia mākinakina ki uta	<i>Let the breeze blow over the land</i>
Kia mātaratara ki tai	<i>Let the breeze blow over the ocean</i>
E hī ake ana te atakura	<i>Let the red-tipped dawn come with a</i>
He tio, he huka, he hau hū	<i>sharpened air.</i>
Tihei mauri ora.	<i>A touch of frost, a promise of a</i>
	<i>glorious day.</i>

2. APOLOGIES

3. PUBLIC COMMENT

Generally up to 30 minutes is set aside for public comment (three minutes per speaker on items appearing on the agenda). Speakers may be asked questions on the matters they raise.

4. CONFLICT OF INTEREST DECLARATIONS

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

5. MINUTES

Meeting minutes District Plan Review Subcommittee, 7 April 2022 5

6. DRAFT INTENSIFICATION PLANNING INSTRUMENT (22/1009)

Report No. DPRS2022/2/86 by the Principal Environmental Policy Analyst 13

CHAIR'S RECOMMENDATION:

“That the recommendations contained in the report be endorsed.”

7. QUESTIONS

With reference to section 32 of Standing Orders, before putting a question a member shall endeavour to obtain the information. Questions shall be concise and in writing and handed to the Chair prior to the commencement of the meeting.

8. CLOSING FORMALITIES - KARAKIA WHAKAMUTUNGA (22/898)

Unuhia!	<i>Release us from the supreme</i>
Unuhia!	<i>sacredness of our tasks</i>
Unuhia i te uru-tapu-nui	<i>To be clear and free</i>
Kia wātea, kia māmā	<i>in heart, body and soul in our</i>
Te ngākau, te tinana, te wairua i te	<i>continuing journey</i>
ara takatū	<i>Oh Rongo, raise these words up</i>
Koia rā e Rongo whakairihia ake ki	<i>high</i>
runga	<i>so that we be cleansed and be</i>
Kia wātea, kia wātea!	<i>free,</i>
Ae rā, kua wātea!	<i>Yes indeed, we are free!</i>
Hau, pai mārire.	<i>Good and peaceful</i>

Annie Doornebosch
Democracy Advisor

HUTT CITY COUNCILKOMITI ITI AROTAKE MAHERE Ā-ROHE | DISTRICT PLAN REVIEW
SUBCOMMITTEE

Minutes of a meeting held via Zoom on
Thursday 7 April 2022 commencing at 2.00pm

PRESENT:
(via audio-visual link) Cr S Edwards (Chair) Cr K Brown
Cr B Dyer Deputy Mayor T Lewis
Cr N Shaw

APOLOGIES: Ms M Dentice

IN ATTENDANCE:
(via audio-visual link) Ms J Miller, Chief Executive
Ms H Oram, Director Environment and Sustainability
Ms P Rotherham, Head of Planning
Mr N Geard, Senior Environmental Policy Analyst
Mr C Page, Intermediate Policy Planner
Ms E Campbell, Tikanga Māori Policy Planner
Mr S Bellamy, Intermediate Policy Planner
Mr S Davis, Policy Planner
Mrs A Doornebosch, Democracy Advisor

PUBLIC BUSINESS**1. OPENING FORMALITIES - KARAKIA TIMATANGA**

Ki a tau ki a tātou katoa
Te atawhai o tō tatou
Ariki o Ihu Karaiti
Me te Aroha o te Atua
Me te whiwhinga tahitanga
Ki te wairua tapu
Ake ake ake
Amine

2. APOLOGIES

RESOLVED: (Cr Edwards/Shaw)

Minute No. DPRS22201

"That the apology received from Ms Dentice be accepted and leave of absence be granted."

3. **PUBLIC COMMENT**

There was no public comment.

4. **CONFLICT OF INTEREST DECLARATIONS**

There were no conflict of interest declarations.

5. **MINUTES**

RESOLVED: (Cr Edwards/Cr Dyer)

Minute No. DPRS 22202

“That the minutes of the meeting of the District Plan Review Subcommittee held on Thursday, 17 March 2022, be confirmed as a true and correct record.”

6. **RECOMMENDATION TO TE KAUNIHERA O TE AWA KAIRANGI**
| COUNCIL - 24 MAY 2022

Intensification Planning Instrument: Financial Contributions Assessment
(22/631)

Report No. DPRS2022/2/58 by the Intermediate Policy Planner

Mr Dwayne Fletcher from Vale Consulting was in attendance for the item.

The Intermediate Policy Planner elaborated on the report.

In response to questions from members, the Intermediate Policy Planner highlighted that financial contribution fees would not have an immediate legal effect until the full District Plan review change was complete. He noted this could create an influx of consents being lodged. He said Council could complete ongoing engagement with the development community by pursuing option 2 whilst also considering to extend this into the wider District Plan Review. He confirmed financial contributions would only be imposed on developments if this created an effect that needed to be managed. He advised officers would check to see if more recent census data could be added to the base calculation for the distribution of dwellings.

In response to questions from members, Mr Fletcher from Vale Consulting advised it was common for local authorities in New Zealand to use financial contributions. He said this was to ensure medium density residential developments that would be permitted under the Intensification Planning Instrument were subject to the same financial contributions as those that did not require a resource consent. He noted this also ensured if local upgrades were required to infrastructure, local authorities could ask for some funding from developers to undertake this.

In response to questions from members, the Senior Environmental Policy Analyst advised work on the assessment of residential character as a qualifying matter would be reported to the next Subcommittee meeting. He said officers needed to consider what Council would like to achieve and what the cost would be in relation to financial contributions. He noted financial contributions could be part of the District Plan review which would enable it to be linked into spatial plan work within Council's next Long Term Plan. He said this was a good opportunity to assess development contributions and financial contributions together.

In response to questions from members, the Head of Planning advised she did not consider there was staff capacity to pursue option 3 at this time. She highlighted that there was no additional funding set aside for a consultant to undertake this work.

The Chair foreshadowed his intention to move an additional recommendation to ask officers to explore the potential of using option 3 for financial contributions which provided for an increased scope to include option 2 and new provisions to mitigate effects on streetscape and/or environmental offsetting, as part of the wider District Plan Review following the introduction of the Intensification Planning Instrument.

RECOMMENDED: (Cr Edwards/Cr Brown)

Minute No. DPRS 22203

"That the Subcommittee recommends that the Policy, Finance and Strategy Committee recommends that Council:

- (1) receives the information contained in the report;*
- (2) approves Option 2 for financial contributions in the Intensification Planning Instrument, which provides for limited changes to expand existing financial contributions for off-site services and adjustment to applying reserves financial contributions; and*
- (3) asks officers to explore the potential of using Option 3 for financial contributions, which provides for an increased scope to include option 2 and new provisions to mitigate effects on streetscape and/or environmental offsetting, as part of the wider District Plan Review following the introduction of the Intensification Planning Instrument."*

7. INTENSIFICATION PLANNING INSTRUMENT - QUALIFYING MATTERS (22/573)

Report No. DPRS2022/2/59 by the Intermediate Policy Planner

Ms A Pirie, Heritage Consultant, WSP was in attendance for the item.

The Intermediate Policy Planner elaborated on the report.

For the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:

In response to questions from members, the Tikanga Māori Policy Planner advised officers could provide further information regarding work on the cultural impact assessment conducted by Mr Morrie Love. She acknowledged this was completed on behalf of Mr Love's iwi and for other reasons not specifically related to Council. She said this had been shared with Council in good faith. She highlighted there was additional work to be completed and this would not be available in time for the introduction of the Intensification Planning Instrument (IPI). She noted the officers intent was to continue ongoing consultation with Mana Whenua to give them an opportunity to identify other sites that could be included as part of the wider District Plan review. She said it was important to ensure all narratives were accurately reflected and agreed to by all partners in the most authentic way. She noted the priority was to build relationships at a project level so the scope of work ahead was understood and systems were in place that were sustainable. She said there was a possibility of builds being undertaken on sites of significance. She noted a way of mitigating this would be to commence this piece of work as soon as possible so when Council was ready to notify the District Plan review, it would be ready to come into effect straight away. She said there were rules relating to archaeological discoveries that ensured that if something was uncovered any development would need to cease until it was appropriately managed. She noted this would include urupā.

For the protection of historic heritage:

In response to questions from members, the Tikanga Māori Policy Planner advised that Council could add historical areas through the IPI but could not list individual historic properties or items. She said officers were working through the buffer zones around historical precincts in the residential chapters. She advised there were existing heritage sites in the current District Plan and provisions for those would remain.

For the management of risk from fault rupture hazards:

In response to a question from a member, the Intermediate Policy Planner advised properties newly identified in this zone were the result of GNS Science providing updated information based on further refinement of that fault line area. He noted the area with the most changes were Manor Park properties.

For the management of impacts on residential character:

In response to questions from members, the Senior Environmental Policy Analyst advised information on residential character areas would be provided to the next Subcommittee meeting. He said officers had engaged consultants to complete a district wide assessment of residential character. He said this would only be a description of the character, not making a decision about how or whether it should be protected.

The Senior Environmental Policy Analyst advised the key issue relating to residential character to be a qualifying matter, would be to have specific requirements about what the characteristic was. He said officers would have to identify specific sites where that characteristic was and demonstrate that protecting this outweighed the importance of providing for taller houses, more denser development and residential development capacity in general. He said officers intended to assess the residential character of the special residential activity areas of Boulcott, Lowry Bay and Woburn to see if they warranted protection as a qualifying matter. He noted these areas were being considered as part of the development of the IPI and wider District Plan review. He advised these protections were long standing from the 1990s and had not been revisited by Council since the District Plan became operative in 2003. He said once Council had notified its IPI, the special residential character areas would then be open to submissions from the community. He noted Council would need to assess, in the coming years, a new requirement under the national planning standards for local authorities to implement better e-plans. He advised local authorities were taking a regionally consistent approach when looking at natural hazards within their respective District Plan reviews.

RESOLVED: (Cr Edwards/Cr Dyer)

Minute No. DPRS 22204

“That the Subcommittee:

- (1) *receives the information contained in the report; and*
- (2) *approves the following approaches for qualifying matters:*
 - (a) *For the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga*

Option 1 – Retaining existing schedule and chapter provisions for Sites of Significance to Māori and existing chapter provisions for the Community Iwi Activity Area;
 - (b) *For the protection of historic heritage*

Option 2 - Use existing heritage areas and heritage areas identified in the Historic Heritage Inventory Review as qualifying matters to address the qualifying matter: The protection of historic heritage from inappropriate subdivision, use, and development;
 - (c) *For the management of risk from fault rupture hazards*

Option 1 – Update the existing Wellington Fault Special Study Area overlay and retain existing restricted discretionary provisions to address the qualifying matter: The management of significant risks from natural hazards; Wellington Fault Rupture;
 - (d) *For the management of risk from flood hazards*

Option 2 – Develop flood risk overlays and apply a risk-based framework to development within the overlays to address the qualifying matter: The management of significant risks from natural hazards; Flooding;
 - (e) *For the management of risk from tsunami hazards*

Option 2 – Develop Tsunami risk overlays and apply a risk-based framework to development within the overlays to address the qualifying matter: The management of significant risks from natural hazards, Tsunami;
 - (f) *For the management of risk from coastal hazards*

Option 1 – Undertake further technical assessments to best understand the risks associated with the qualifying matter: The management of significant risks from natural hazards, Sea Level Rise/Coastal Inundation; and
 - (g) *For the management of impacts on residential character*

Option 1 – Evaluate whether building heights and density can be constrained to protect residential character as a qualifying matter.”

8. QUESTIONS

There were no questions.

9. **CLOSING FORMALITIES - KARAKIA WHAKAMUTUNGA**

Unuhia!
Unuhia i te uru-tapu-nui
Kia wātea, kia māmā
Te ngākau, te tinana, te wairua i
te ara takatū. Koia rā e Rongo
whakairihia ake ki runga Kia
wātea, kia wātea!
Ae rā, kua wātea!
Hau, pai mārire.

There being no further business the Chair declared the meeting closed at 3.55pm.

Cr S Edwards
CHAIR

**CONFIRMED as a true and correct record
Dated this 12th day of May 2022**

26 April 2022

File: (22/1009)

Report no: DPRS2022/2/86

Draft Intensification Planning Instrument

Purpose of Report

1. The purpose of this report is to:
 - a. Seek direction from the Subcommittee on the parts of the draft Intensification Planning Instrument (IPI) where the Subcommittee has not previously given direction;
 - b. Present a working draft of key chapters of the IPI (the residential and commercial zone chapters), based on:
 - i. Previous direction from the Subcommittee on the IPI, in particular:
 1. Direction on the Draft Summary Document (from the 17 March 2022 Subcommittee meeting); and
 2. Direction on qualifying matters and financial contributions (from the 7 April 2022 Subcommittee meeting);
 - ii. For the parts of the draft IPI where the Subcommittee has not previously given direction, the options recommended through this report; and
 - iii. Responses received during engagement on the Draft Summary Document.
 - c. Seek the Subcommittee's endorsement of the working draft of key chapters of the IPI.

Recommendations

That the Subcommittee:

- (1) receives the information contained in the report, including:
 - (a) the working draft of key chapters of the Intensification Planning Instrument attached as Appendix 1 to the report; and
 - (b) the preliminary results of engagement on the Draft Summary Document;
- (2) notes the working draft of key chapters of the Intensification Planning Instrument;
- (3) requests officers to prepare an Intensification Planning Instrument for consideration at the next District Plan Review Subcommittee meeting through the following approach:
 - (a) activity statuses for rules that apply to 4-6 storey buildings
 - (i) restricted discretionary rule - resource consent required, may be granted or declined, but Council's discretion is restricted to matters specified in the District Plan (Option 3);
 - (b) specific development standards for 4-6 storey buildings
 - (i) maximum height of 22m;
 - (ii) for parts of a site within 20m of a road boundary - No maximum height in relation to boundary control;
 - (iii) for parts of a site more than 20m of a road boundary - maximum height in relation to boundary control of 4m + 60° (Option 3);
 - (c) notification requirements for 4-6 storey buildings
 - (i) public notification is precluded, but owners and occupiers of adjoining properties may be notified (Option 2);
 - (d) enabling residential character to be considered where resource consent is required
 - (i) no consideration of residential character where resource consent is required (Option 1); and
 - (e) where Council could provide greater building heights in commercial zones
 - (i) provide for taller buildings in Petone Commercial Activity Area - Area 2 (the western end of the Petone commercial area, near the railway station) with case-by-case resource consent assessment of any new building (Option 2).

Background

2. Since 2019, Council has been undertaking a full review of the City of Lower Hutt District Plan.
3. In December 2021, the RMA was amended to include additional requirements for enabling development in urban areas. As a result of these amendments, Council must prepare and notify an IPI by 20 August 2022.
4. At Council's meeting on 28 February 2022, Council resolved to proceed with the District Plan Review by:
 - Preparing and notifying an IPI by 20 August 2022, and
 - On the completion of the IPI, preparing a full new District Plan.
5. Since that meeting, officers have been preparing a draft IPI, under the direction of the District Plan Review Subcommittee. This has involved the following:
 - Preparation of a summary document for the draft IPI. This summary document was approved with amendments by the Subcommittee at its 17 March 2022 meeting. The summary document included the approach of the draft IPI for:
 - Building heights and density in the City Centre Zone;
 - Building heights and density in Suburban centres;
 - Location and extent of walkable catchment areas;
 - Enabling buildings of at least six storeys in walkable catchment areas;
 - Building heights and density in areas adjacent to suburban centres; and
 - Modifying Medium Density Residential Standards to be more enabling of development.
 - Identification and evaluation of options for qualifying matters and financial contributions. These options were presented to the Subcommittee at its 7 April 2022 meeting.
 - Engagement with Mana Whenua partners, the community and stakeholders on key aspects of the IPI. However, the level of engagement has been limited, in part because of the tight timeframes for preparing the IPI, but also because the options available to Council for the IPI are limited through the RMA.

6. More recently, officers have also identified and evaluated options for:
 - The approach to enabling 4-6 storey buildings;
 - The approach to managing the impacts of new buildings on residential character; and
 - The possibility of providing for greater building heights and densities in some areas than the minimum required to be included in the IPI.
7. This report presents a working draft of key chapters of the IPI, based on the previous direction from the Subcommittee, and seeks the Subcommittee's endorsement of the working draft.

Discussion

8. The following sections discuss the following:
 - What has been included in the working draft of key chapters of the IPI.
 - Interim results on engagement.
 - Parts of the draft IPI that officers are presenting options on through this report. Specifically:
 - Enabling 4-6 storey buildings;
 - Managing the impacts of new buildings on residential character; and
 - Building heights above the minimum requirements of the NPS-UD.

Summary of the draft Intensification Planning Instrument

9. The draft approach proposed for the IPI was approved (with amendments) by the Subcommittee at the 17 March 2022 meeting. For reference, this is available on Council's website at:

https://hccpublicdocs.azurewebsites.net/api/download/587890ba7b2542ef8532867346c3a343/_extcomms/4e7191705937fd140048e5f3d1745eafe93
10. The approach for qualifying matters (including heritage and natural hazards) was approved by the subcommittee at the 7 April 2022 meeting.
11. In short, the proposed approach includes:
 - No change to Hill Residential and Landscape Protection Residential activity areas.
 - Removing the Special Residential activity area and rezoning the land into other residential activity areas.
 - Removing the Historic Residential activity area and replacing it with heritage precincts within other residential activity areas.

- Modifying the General Residential activity area to implement the Medium Density Residential Standards.
 - Modifying the Medium Density Residential activity area to enable building heights of six storeys, and expanding its extent to implement Policies 3(c) and 3(d) of the National Policy Statement on Urban Development, being areas within a walkable catchment of the city centre, Petone metropolitan centre, and railway stations, as well as areas adjacent to the largest suburban commercial centres that were not already in a walkable catchment – Moera, Avalon, Stokes Valley, Wainuiomata, and Eastbourne.
 - Removing explicit building height limits in the city centre core and riverfront precincts.
 - Raising building height limits to six storeys in the Petone Commercial area, except within the Jackson Street Heritage Precinct.
 - Raising building height limits to provide for six storeys in other urban non-residential zones within walkable catchments.
 - Retaining existing provisions for the sites of significance to Māori and historic heritage, as well as modifying building heights and densities in residential areas to reflect new heritage areas not currently in the District Plan but that have been identified in the Heritage Inventory review conducted for the full district plan review. Sites of significance to Māori, heritage buildings, and heritage areas are all ‘qualifying matters’ under the NPS-UD and RMA.
 - Updates to natural hazard provisions for the fault line, flooding, and tsunami, including requiring resource consent for many developments in hazard areas that would otherwise be permitted. Natural hazards are ‘qualifying matters’ under the NPS-UD and RMA.
 - Updates to financial contributions policies.
 - Supporting changes to objectives, policies, information and notification requirements, and other explanations within the plan.
12. Since the 7 April 2022 Subcommittee meeting, further technical work has been undertaken alongside engagement with the public, Mana Whenua partners, and other stakeholders. Draft provisions have also been progressed. This work has resulted in some additional relatively minor proposals for inclusion in the IPI. These include:
- Consolidating the Suburban Commercial, Special Commercial, and Suburban Mixed Use activity areas into a single activity area. This change is recommended because once the IPI requirements are added to each chapter, there is little meaningful difference between the different activity areas. Leaving the chapters as they are would create unnecessary duplication in the District Plan and potential confusion for plan users.

- Renaming the Medium Density Residential activity area to High Density Residential, and the General Residential activity area to Medium Density Residential. This change is recommended because these names better reflect the wording of policies and objectives and the zone framework set out in the National Planning Standards.
 - Mapping the specific boundaries for the Medium Density Residential and High Density Residential Activity areas.
 - Mapping more of the new qualifying matter areas.
 - Rezoning a privately-owned site in Waiwhetū, currently zoned General Recreation. This rezoning is recommended because the site is within the walkable catchment of Woburn Station and there is no applicable qualifying matter that would prevent the site from being upzoned.
13. The maps described above are available on the online viewer available at <https://maps.huttcity.govt.nz/portal/apps/webappviewer/index.html?id=50fc3e90f3934809824d0b29f57ac157>
14. Other matters including the treatment of residential character as a qualifying matter, and provisions relating to papakāinga have been investigated further and updates on those are presented in this report.
15. In the case of provisions relating to papakāinga development, the timeframes allotted to complete the IPI meant that this piece of work could not be sufficiently progressed in time for notification in August. This will instead be investigated in partnership with Mana Whenua in conjunction with an evaluation of the Community Iwi Activity Area as part of the full District Plan review.
16. Options for residential character are discussed in the options section.

Interim results of engagement

17. In preparing the IPI, council has engaged with Mana Whenua partners, other stakeholder groups, and with the public.
18. Hui was had recently with all four Mana Whenua partners on the draft IPI. The topics that were discussed in these hui included:
- A general overview of Council's approach to the IPI;
 - An explanation of our new draft residential and commercial zoning provisions, and draft zoning maps;
 - How sites of significance to Māori, marae, urupā and kōkiri centres may be impacted by the changes; and
 - Aspects of the IPI Mana Whenua partners can influence.
19. Initial feedback, concerns and questions were collected, and Officers are following these up to report back to our Mana Whenua partners in an upcoming webinar.

20. The key aim of the upcoming webinar is to present a summary of the final draft IPI and address any further questions. Following the webinar, Mana Whenua partners will receive the final draft IPI to provide additional formalised comments to.
21. Stakeholder engagement has been undertaken with other local and central government agencies, developers and planning practitioners. This has mostly been in the form of presenting information about the Council's approach, and those stakeholders informally signalling potential issues and concerns. Some of these issues and concerns may be able to be resolved prior to the public notification of Plan Change 56. Issues that cannot be resolved prior to notification, will likely be raised and discussed formally in the submissions and hearing process.
22. Engagement with the public has centred around the Have Your Say section of the Hutt City Council website. This has been publicised through our library network, roadside advertising, and social media, including a series of posts publicising particular issues for the IPI, such as the impact on the Special Residential areas identified in the Operative District Plan.
23. The feedback form was designed to focus responses on those matters of the IPI that the community can influence. Questions related to:
 - Walkable distances – whether the proposed walkable distances were about right, or whether they should be reduced or expanded based on respondents' willingness and ability to walk these distances. Respondents could also suggest alternative distances;
 - Whether the IPI should include heights and densities over and above the NPS-UD and MDRS requirements;
 - Design standards – specifically whether the IPI should include the three optional MDRS standards the district plan does not currently cover (landscaping, façade glazing, and outlook standards);
 - Financial contributions – what matters should be covered by financial contributions (e.g. reserves contributions, public realm improvements); and
 - Special Residential areas – general feedback on this topic was sought from respondents.
24. Feedback had not closed at the time this report was prepared. Results of engagement will be presented at the Subcommittee meeting.
25. It is worth noting that the feedback is a self-selected survey. It is not designed to be a proportional representation of views of the community, and every category of the demographic information collected as part of the feedback suggests that the results are not representative. Results disproportionately come from:
 - Middle-aged, rather than older and younger people;

- Owner-occupiers, rather than renters; and
- The Harbour, Central, and Eastern Wards.

26. The feedback on most issues at the time of writing is mixed:

- Respondents gave a wide range of opinions on suitable walkable distances, although the average is roughly in line with the distances proposed in the summary document. Many people identified specific barriers to walking that the Council has the ability to address (although not through the IPI), such as broken footpaths, obstacles like bins and parked cars, and safety at night.
- Some respondents identified areas where they thought greater heights and densities than the IPI were appropriate, with many people identifying those areas already listed as intensification targets by the National Policy Statement on Urban Development – the city centre, Petone, and along the rail corridor.
- Many respondents had concerns around aesthetics, sunlight, parking, traffic, and other issues that there is extremely limited scope in the IPI to address.
- Views on special residential areas are mixed but mostly at opposing ends of the spectrum: some thought these areas should remain as-is in the District Plan or be expanded; others thought there was no reason to retain a special status for those suburbs. Many respondents who otherwise opposed intensification in general nonetheless thought if it were to happen, that no suburb should be excluded or treated as “special”.
- People generally supported the expansion of financial contributions.

Enabling 4-6 storey buildings

27. The IPI must give effect to Policy 3 of the National Policy Statement on Urban Development (NPS-UD). To give effect to Policy 3 of the NPS-UD, the District Plan must (amongst other things) enable buildings heights of at least six storeys in walkable catchment areas. For areas adjacent to other centres, the District Plan must enable building heights and density of urban form commensurate with the level of commercial activities and community services.

28. The summary document for the draft IPI sets the following approach:

- The walkable catchment areas are those within:
 - 1200m walk of the Central Commercial and Petone Commercial Activity Areas; and
 - 800m walk of train stations on the Hutt Valley and Melling Lines.

- The areas with a similar level of access to commercial activities and community services as the walkable catchment areas are those areas adjacent to the Avalon, Eastbourne, Moera, Stokes Valley and Wainuiomata suburban centres.
 - In these areas:
 - 3 storey buildings will be permitted (subject to the other development standards); and
 - 4-6 storey buildings will require resource consent, but with policies and other provisions that ensure that resource consent can be obtained for six-storey buildings.
29. Requiring these heights to be enabled provides a starting point for enabling 4-6 storey buildings. Changing building heights in isolation from other plan provisions that also influence the scale and feasibility of a development will be insufficient to enable the development capacity that is required under the NPS-UD. The full package of provisions to enable 4-6 storey buildings is discussed further in Appendix 2. In essence, the key provisions for enabling 4-6 storey buildings are:
- The activity status for rules;
 - The development standards, particularly standards for maximum building heights and maximum height in relation to boundary (recession planes); and
 - Notification requirements.
30. An option identification and evaluation (as outlined in Appendix 2) is included in the Options section of this report.

Managing the impacts of new buildings on residential character

31. The buildings heights and densities that must be enabled by the IPI is significant change from the current level of built development in the residential areas of Lower Hutt.
32. The building heights and densities of the IPI are only able to be modified to the extent necessary to accommodate the qualifying matters identified in the RMA. While these qualifying matters cover some characteristics of residential areas that contribute to the character of an area (such as historic heritage), residential character is not identified as a qualifying matter.
33. However, one of the qualifying matters provided for by the RMA *“any other matter that makes higher density, as provided for by the MDRS or Policy 3 [of the NPS-UD], inappropriate in an area, but only if section 77L is satisfied.”* Section 77L of the RMA outlines the evaluation that must take place in order to justify the use of an *other matter* as a qualifying matter.
34. There has been a question of whether the residential character, or specific characteristics, of any of Lower Hutt’s residential areas could be a qualifying matter through this *other matter* category.

35. In recent weeks, officers have investigated this issue. The findings of this investigation are attached to this report (Appendix 3).
36. The conclusion of this investigation was that, while there are characteristics of residential areas in Lower Hutt that are highly valued by some parts of the community, they do not meet the requirements to be a qualifying matter in the IPI. As a result, building heights and density cannot be modified to accommodate these characteristics.
37. Council does have the option of including provisions in the IPI that enable Council to take the character of the surrounding residential area into account when processing a resource consent application. This is the existing approach of the District Plan for comprehensive residential developments in residential areas of Petone and Moera. These options are presented in the Options section of this report.

Building heights in the Central Commercial Activity Area and western end of the Petone Commercial Activity Area.

38. The NPS-UD requires that the District Plan enable “as much development capacity as possible” in the “city centre”, which is defined in the NPS-UD. Applying this to the operative District Plan, this applies, at minimum, to the Core, Riverfront (Core), and Riverfront (Commercial) precincts of the Central Commercial Activity Area. These areas will need to provide for buildings of any height. However, it remains a question what level of development to enable in the remainder of the Central Commercial Activity Area – the Commercial and Residential Transition precincts.
39. In those other areas of the Central Commercial Activity Area, as well as in the Petone Commercial Activity Area (aside from where qualifying matters apply), and other commercial areas within walkable catchments, the NPS-UD requires that the District Plan must provide for building heights of *at least* six storeys. That is, Council is only obliged to provide for buildings up to six storeys, but it has the option to provide for buildings taller than six storeys. This could be through the inclusion of a higher limit, or allowing buildings of any height (no height limit).
40. A key reason to consider providing for greater heights than what is required by the NPS-UD is to encourage a greater level of development in locations best suited for that type of development. In Lower Hutt, these areas are the main commercial area and some mixed use centres that serve a large catchment and have a wide range of key services. This provides a point of difference in terms of the development capacity that could be realised, compared to other areas that also provide for six storeys, but are less well located or serviced.
41. The main such areas that are best located for higher levels of intensification, identified by staff are:
 - The Petone Commercial 2 Area (Petone West) – the part of the Petone Commercial area outside the western end of the Jackson Street heritage precinct, bounded roughly by Hutt Road, the Esplanade, Petone Avenue, and Sydney Street;

- The parts of the Central Commercial area that are not the City Centre core or Riverfront Precincts (as these areas already must provide for unlimited building height) – roughly north of Raroa Road and east of Bloomfield Terrace; and
 - Some suburban commercial centres that have railway stations and were identified in Plan Change 43 as being centres that have the strongest local centres, supporting amenities, and connection to public transport, and where greater development capacity will help achieve greater results from planned investment. Of these, Waterloo, Naenae, and Taitā were the highest scoring.
42. These are all areas where the NPS-UD already requires that heights of at least six storeys be enabled. Officers' opinion is that there is little purpose in having an explicit height limit that is higher than six storeys but still a specific number. Buildings of this height are rare and it is difficult to predict their likely effects in general, rather than case by case. Accordingly, the options are either to:
- Retain a six storey height limit, discouraging buildings above that height; or
 - Provide no explicit height limit and support taller buildings, but require a case-by-case resource consent assessment of the effects of tall buildings (e.g. wind, character, and design effects).
43. These two approaches can be applied in different areas.
44. Regardless of the decision made on this issue in the IPI, it can be revisited in the full district plan review. However, the Council may want to signal now that it intends to alter building heights, as the full plan review would be the third plan change proposing alterations to commercial height limits in six years. This could create reputational risks for the Council alongside confusion for property owners and the community. However, it is likely that the community's level of interest around building heights is lesser in commercial areas.
45. However, enabling and encouraging taller buildings requires rewriting the design guides that apply to areas where those buildings are enabled. This is a subject that needs to be addressed in the full district plan review regardless of the outcome of the IPI. Any work on the design guides is effectively duplicated given the much larger rewrite that will be required for the full plan review. Given Council's current resourcing, this will require outsourcing.

Options

46. As discussed, this report presents options on parts of the draft IPI where the Subcommittee has not yet made decisions. These are:
- The approach to enabling 4-6 storey buildings;
 - The approach to managing the impacts of new buildings on residential character; and

- The options for providing for greater building heights than required by the IPI in some areas.
47. The following sections identify and evaluate the options on these matters, with officer's recommended options. The Discussion section of this report includes more information on these matters. The working draft of key chapters of the IPI appended to this report incorporates the recommended options.

Options for enabling 4-6 storey buildings

48. As discussed in the Discussion section of this report, in order to enable 4-6 storey buildings, the District Plan needs to include an appropriate package of provisions.
49. This report presents three sets of options for this package of provisions:
- Options for the activity status for rules that apply to 4-6 storey buildings.
 - Options for the development standards that apply to rules for 4-6 storey buildings.
 - Options for notification requirements for resource consent applications for 4-6 storey buildings.

Options for activity statuses for rules that apply to 4-6 storey buildings

50. A key aspect of a rule, particularly when considering if a rule is enabling, is the rule's activity status. The activity status of a rule effectively sets the consenting requirements under that rule.
51. Three activity statuses have been identified that would enable 4-6 storey buildings:
- Permitted activities
 - Controlled activities
 - Restricted discretionary activities.

52. Table 1 includes an evaluation of these options.

Table 1. Evaluation of options for activity statuses for rules that apply to 4-6 storey buildings.	
<p>Option 1</p> <p>Permitted activity rule</p> <p>(no resource consent required)</p>	<p><u>Pros</u></p> <ul style="list-style-type: none"> • This option would have the lower financial costs for developers than Options 2 and 3. • This option has a higher level of certainty for developers than Option 2 and 3. • Likely to enable more development than Options 2 and 3, due to the lower financial costs and level of uncertainty.
	<p><u>Cons</u></p> <ul style="list-style-type: none"> • As no resource consent would be required, Council would have no influence on the design of the new development other than through the permitted activity condition that are applied.
<p>Option 2</p> <p>Controlled activity rule</p> <p>(resource consent required, but must be granted)</p>	<p><u>Pros</u></p> <ul style="list-style-type: none"> • While resource consent would be required, resource consent applicants can be certain that the resource consent would be granted if the proposal meets the standards specified in the District Plan. • Likely to have lower financial costs for developers than Option 3. • Likely to enable more development than Option 3 as the financial costs and level of uncertainty would be lower.
	<p><u>Cons</u></p> <ul style="list-style-type: none"> • While Council could address some matters through a controlled activity rule through the resource consent process, as consent for a controlled activity must be granted, Council’s ability to address these matters would be limited. • Given the wide variety of sites in the district, it would be difficult to develop criteria for controlled activity rules that would adequately cover all sites. As a result, there would be a risk of unintended outcomes. • Less enabling of development than a permitted activity rule.

<p>Option 3</p> <p>Restricted discretionary rule</p> <p>(resource consent required, may be granted or declined, but Council’s discretion is restricted to matters specified in the District Plan)</p>	<p><u>Pros</u></p> <ul style="list-style-type: none"> • While resource consent would be required, the matters that would be considered during the resource consent process would be specified in the District Plan. • As Council would have the ability to decline resource consent applications, Council has a greater ability to address potential effects of development (although this could not be to the point of preventing 6-storey buildings).
	<p><u>Cons</u></p> <ul style="list-style-type: none"> • Less enabling of development than a permitted activity rule. • As Council would have the ability to decline a resource consent application, there would be less certainty for developers (although, the vast majority of resource consent applications for restricted discretionary activities are granted). • The resource consent process is likely to have greater financial costs for developers than Option 2.

53. Option 3 is the recommended option. The key determining factor for recommending Option 3 is that enables Council to address the potential impacts of development while still enabling 6-storey buildings.

Options for the development standards that apply to rules for 4-6 storey buildings

54. Another key aspect for enabling 4-6 storey buildings is the development standards that specify when an enabling rule applies. The two key development standards are:

- A maximum height standard, and
- A maximum height in relation to boundary standard.

55. Note, other development standards could also be varied to be more enabling of development, such as minimum outdoor living space and permeable surface area standards. However, as other standards do not need to be altered to enable 6-storey buildings, they are not addressed in these options.

56. Table 2 identifies three options for these development standards.

Table 2. Evaluation of options for development standards for 4-6 storey buildings.	
<p>Option 1</p> <p>Maximum height of 22m</p> <p>Maximum height in relation to boundary of 4m + 60°</p>	<p><u>Pros</u></p> <ul style="list-style-type: none"> • Simpler to apply than Option 3. • Building dominance, access to sunlight and privacy effects would be smaller than those for Options 2 and 3. <p><u>Cons</u></p> <ul style="list-style-type: none"> • Would be more limiting of development than the other options. • Would not enable six-storey buildings for the vast majority of residential sites without amalgamating adjoining sites. A site would need a width of approximately 20.8m to accommodate a building with a peaked roof at a height of 22m (in this case, the top storey of the building would be oddly shaped and possibly unusable to fit under the slope of the recession plane). • Buildings built out to the recession plane would have unusual designs, with severe slopes or setbacks for upper levels.
<p>Option 2</p> <p>Maximum height of 22m</p> <p>Maximum height in relation to boundary of 8m + 60°</p>	<p><u>Pros</u></p> <ul style="list-style-type: none"> • Simpler to apply than Option 3. • For parts of sites within 20m of road boundaries, building dominance, access to sunlight and privacy effects would be smaller than those for Option 3. • Would enable more development than Option 1 (unclear whether it would enable more than Option 3 as this would depend on the size and shape of a property). <p><u>Cons</u></p> <ul style="list-style-type: none"> • Building dominance, access to sunlight and privacy effects would be greater than those for Option 1. • For parts of sites more than 20m from road boundaries, building dominance, access to sunlight and privacy effects would be greater than those for Option 3. • Would not enable six-storey buildings for some sites without amalgamating adjoining sites. A site would need a width of approximately 16.2m for buildings achieve 22m in height (in this case, the top storey of the building would be oddly shaped and possibly unusable to fit under the slope of the recession plane). • Buildings built out to the recession plane would have unusual designs, with severe slopes or setbacks for upper levels.

<p>Option 3</p> <p>Maximum height of 22m</p> <p>For parts of a site within 20m of a road boundary – No maximum height in relation to boundary control</p> <p>For parts of a site more than 20m of a road boundary - maximum height in relation to boundary control of 4m + 60°</p>	<p><u>Pros</u></p> <ul style="list-style-type: none"> • Would enable more development than Option 1 (unclear whether it would be more than Option 2 as this would depend on the size and shape of a property). • For parts of sites more than 20m from road boundaries, building dominance, access to sunlight and privacy effects would be less than those for Option 2. • Would avoid the unusual designs that would result from Options 1 and 2 as buildings would not need severe slopes or setbacks to get to six storeys. <p><u>Cons</u></p> <ul style="list-style-type: none"> • While this height in relation to boundary control is simple to apply to <i>regular</i> square properties, it would be more complex to apply to unusually shaped properties like those that often occur at the end of cul-de-sacs. The standard would also be unlikely to enable development on rear sites. • For parts of sites within 20m of road boundaries, building dominance, access to sunlight and privacy effects would be greater than those for Option 2.
<p>Option 4</p> <p>Maximum height of 22m</p> <p>No maximum height in relation to boundary standard</p> <p>Additional standard requiring a minimum level of sunlight access for adjoining properties to be retained</p>	<p><u>Description</u></p> <p>Option 4 differs from Options 1-3 as it does not rely on a maximum height in relation to boundary standard to control impacts of tall buildings. Instead, an additional standard would be included that requires new buildings to ensure adjoining sites retain a certain level of access to sunlight (a sunlight access standard).</p> <p>While there are several ways a sunlight access standard could be applied, an example would be a standard that requires new development to ensure that adjoining sites retain access to sunlight for a specific area and for a specific length of time each day. Alternatively, access to sunlight could be retained for a proportion of adjoining sites or for specific locations on an adjoining site, such as main outdoor and indoor living areas.</p> <p><u>Pros</u></p> <ul style="list-style-type: none"> • Would ensure that the District Plan directly addresses one of the key impacts of taller buildings (reduction in access to sunlight). An access to sunlight standard would also address privacy and building dominance impacts to some extent. • Would provide certainty to owners and occupiers of properties adjoining development sites that a level of access to sunlight will be retained.

	<p><u>Cons</u></p> <ul style="list-style-type: none"> • Given the number of variables involved, developing a sunlight access standard that manages access to sunlight appropriately would be a complicated process. • Due to the number of variables involved, a sunlight access standard would be more difficult to apply than a maximum height in relation to boundary standard. • If the variables used in a sunlight access standard are not selected carefully, there is a risk that the standard would not enable 6-storey buildings.
<p>Option 5</p> <p>Maximum height of 22m</p> <p>No maximum height in relation to boundary standard, relying on policies and matters of discretion that require assessment of impacts on privacy and access to sunlight for adjoining sites on a case-by-case basis through the resource consent process</p>	<p><u>Description</u></p> <p>Option 5 differs from Options 1-3 as it does not rely on a maximum height in relation to boundary standard. Instead, the policies and matters of discretion would provide for a case-by-case assessment of the impacts on privacy and access to sunlight for adjoining sites through the resource consent process. While this could not be applied to the extent of preventing 6-storey buildings, it could be used to ensure that impacts on adjoining sites are considered during the design of new developments that include 4-6 storey buildings. This may result in modifications to the design of the proposed development to mitigate or lessen the effects on adjoining properties.</p> <p><u>Pros</u></p> <ul style="list-style-type: none"> • Council would be able to consider impacts of 4-6 storey buildings more thoroughly through the resource consent process. • This option would enable buildings that would otherwise breach a height in relation to boundary standard to be built where it can be demonstrated (through a resource consent application) that the effects on privacy and access to sunlight are acceptable. • Through this approach, buildings could be set back further from the boundary in order to manage impacts on privacy and access to sunlight, although this would not be able to be done to an extent that a reasonable 4-6 storey building would not be able to be built. <p><u>Cons</u></p> <ul style="list-style-type: none"> • Lack of certainty for developers on whether the location and design of their proposed development would be able to obtain resource consent. • Lack of certainty for owners and occupiers of residential sites on the location and design of buildings that could be built on adjoining sites.

	<ul style="list-style-type: none"> • There would be additional costs and time involved in the resource consent process due to the need to consider a wide range of alternative building designs. This would include an assessment by Council of alternative designs (which would require Council to have the architectural capability to assess alternatives in-house).
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57. Option 3 is the recommended option. This is principally because it would enable 4-6 storey buildings on the greatest number of sites, whilst also ensuring a level of access to sunlight and privacy for the rear of sites. It is acknowledged that there would be some cases where 4-6 storey buildings would not be enabled (notably rear properties). However, this is an issue for all sites. It is also acknowledged that the access to sunlight and privacy for the rear of sites under Option 3 would be at the cost of access to sunlight and privacy for the front of sites.

Options for notification requirements for 4-6 storey buildings

58. There are three main processing pathways for resource consent applications:

- *Non-notified pathway*, where no parties are notified of the proposal, and Council makes its decision on whether to grant the application
- *Limited notified pathway*, where specific parties are notified of the proposal and given the opportunity to formally submit on the proposal and appear in support of their submission at a hearing.
- *Publicly notified pathway*, where the proposal is publicly notified and anyone (including members of the public, companies and government entities) can formally submit on the proposal and appear in support of their submission at a hearing.

59. In terms of notification, a district plan can be more or less enabling of development by:

- Requiring notification of a resource consent application (which typically adds to the cost and uncertainty for a resource consent application),
- Precluding notification of a resource consent application (which typically reduces the cost and uncertainty for a resource consent application), or
- Enabling Council to determine the consenting pathway on a case-by-case basis through the resource consent process.

60. In general, the preference for a developer is for an application to be processed through the non-notified pathway. This is because the costs are lower, it is normally a faster process, and there is a higher level of certainty on the outcome. The length of time that the process takes has an effect on the costs of a development and delays can contribute to increased holding costs. The level of certainty of an outcome contributes to the financial risk associated with a development.

61. However, a non-notified pathway prevents people who may be impacted by a development from having an input into Council’s decision on the application.

62. Table 3 includes an evaluation of the options for notification requirements.

Table 3. Evaluation of options for notification requirements for 4-6 storey buildings.	
<p>Option 1</p> <p>No notification requirements (District Plan is silent on notification, so public notification, limited notification and non-notification are possible)</p>	<p><u>Pros</u></p> <ul style="list-style-type: none"> • If the Council decided that notification was necessary, this would enable the community (including owners and occupiers of adjoining properties and other stakeholders, such as network utility providers) to have a say on the potential impacts of a proposal. The decision to notify would be based on an assessment by the resource consent planner under section 95 of the RMA.
	<p><u>Cons</u></p> <ul style="list-style-type: none"> • If a resource consent application is notified, the cost and length of time for obtaining a resource consent would be increased. Delays in a resource consent process can also add to the holding costs for a development. • Adds to the uncertainty for the resource consent process. Uncertainty for the resource consent process contributes to the financial risk associated with a development.
<p>Option 2</p> <p>Public notification is precluded, but owners and occupiers of adjoining properties may be notified (limited notification)</p>	<p><u>Pros</u></p> <ul style="list-style-type: none"> • If the Council decided that limited notification was necessary, this would enable the parts of the community most likely to be impacted by a taller building (the owners and occupiers of adjoining properties) to have a say on the potential impacts of a proposal. The decision to notify would be based on an assessment by the resource consent planner under section 95 of the RMA. • Provides a level of certainty to a developer that while an application may be notified, that the notification would be limited to owners and occupiers of adjoining properties.

	<p><u>Cons</u></p> <ul style="list-style-type: none"> • If a resource consent application is notified (albeit limited notified), the cost and length of time for obtaining a resource consent would be increased. Delays in a resource consent process can also add to the holding costs for a development. • Adds to the uncertainty for the resource consent process. Uncertainty for the resource consent process contributes to the financial risk associated with a development.
<p>Option 3</p> <p>Both public and limited notification are precluded</p>	<p><u>Pros</u></p> <ul style="list-style-type: none"> • Provides a high level of certainty for developers on the resource consent process, including certainty on the costs and length of time for the process. • Simpler approach for Council to administer. <p><u>Cons</u></p> <ul style="list-style-type: none"> • Would prevent owners and occupiers of properties adjoining a development site from having a say during the resource consent process.

63. Option 2 is the recommended option as it ensures that Council is able to notify the people who are most likely to be affected by a proposed development (the owners and occupiers of adjoining properties). This is particularly relevant given the level of development that the District Plan will be enabling is a significant change to the development that currently exists in the residential areas of Lower Hutt.

Options for managing the impacts of new buildings on residential character

64. Table 4 identifies the options for enabling Council to consider the impacts of a development on residential character where resource consent is required.

Table 4. Evaluation of options for enabling residential character to be considered where resource consent is required.	
<p>Option 1</p> <p>No consideration of residential character where resource consent is required</p>	<p><u>Pros</u></p> <ul style="list-style-type: none"> • The simplest option to apply. • As Council would not be considering residential character when processing resource consent applications, resource consent applications would not need to include an assessment of the effects of a development on residential character. This would reduce the costs of preparing a resource consent application.
	<p><u>Cons</u></p> <ul style="list-style-type: none"> • Reduces Council’s ability to consider the impact of a proposed development on the existing character of the surrounding.
<p>Option 2</p> <p>Consideration of residential character for resource consents in all residential areas</p>	<p><u>Pros</u></p> <ul style="list-style-type: none"> • Ensures that consideration is given to how well the proposed development fits with the existing character of an area, although this would not be able to be used to prevent six-storey buildings.
	<p><u>Cons</u></p> <ul style="list-style-type: none"> • This would require resource consent applications to include assessments on residential character. However, this may be of little value given the scale of development that must be enabled differs significantly from that of the development that currently exists. It would be challenging to show that larger scale developments ‘fit’ with existing character. As a result, the cost of preparing a resource consent application may be increased for little to no value.
<p>Option 3</p> <p>Consideration of residential character for specific residential areas</p>	<p><u>Pros</u></p> <ul style="list-style-type: none"> • Ensures that consideration is given to how well a proposed development ‘fits’ with the character of the specific areas, although this would not be able to be used to prevent six-storey buildings. • Would target the residential character considerations to the areas that have already been identified as having distinct residential character.

	<p><u>Cons</u></p> <ul style="list-style-type: none"> • This would require resource consent applications to include assessments on residential character. However, this may be of little value given the scale of development that must be enabled differs significantly from that of the development that currently exists. It would be challenging to show that larger scale developments ‘fit’ with existing character. As a result, the cost of preparing a resource consent application may be increased for little to no value.
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65. Option 1 is the recommended option. This option is recommended because the scale of development that must be enabled differs significantly from the existing character and there would be unnecessary costs in requiring consideration of the fit of the development with existing character.

Options for providing greater building heights than required by the IPI

66. Table 5 identifies the options for areas where Council could provide for greater building heights.

Table 5. Evaluation of options for areas where Council could provide greater building heights in commercial zones.	
<p>Option 1</p> <p>Do the minimum required by the NPS-UD: provide for unlimited height in the Core and Riverfront precincts in the Central Commercial Area, 6 storeys in Petone Commercial and walkable catchments.</p>	<p><u>Pros</u></p> <ul style="list-style-type: none"> • The simplest option to apply. • Minimises the building dominance, privacy, and shading impacts of taller buildings on adverse effects of taller buildings.
	<p><u>Cons</u></p> <ul style="list-style-type: none"> • Provides the lowest development capacity of all the options. • Reduces ability to maximise growth in the most central locations -the height limit in commercial centres would be the same as in many residential areas, so there would be less incentive for development to locate within commercial centres.

<p>Option 2</p> <p>Provide for taller buildings in Petone Commercial 2 (the western end of the Petone commercial area, near the railway station), with case-by-case resource consent assessment of any new building.</p>	<p><u>Pros</u></p> <ul style="list-style-type: none"> • Relatively simple to apply. • Provides greater development capacity in an area with reasonably strong demand and a good location. • May encourage redevelopment of large low density commercial, industrial, and retail sites. • Avoids complications of Option 3 (see below). <p><u>Cons</u></p> <ul style="list-style-type: none"> • Given the need to also acquire resource consent for natural hazard risks in many parts of the area, the actual development capacity added by this option may be limited in practice. • Increased building dominance, privacy, and shading impacts from taller buildings, particularly in areas near boundaries with residential zones.
<p>Option 3</p> <p>As with Option 2, and also provide for taller buildings in the remainder of the Central Commercial area that is not already required to provide for unlimited height (north of Raroa Rd and east of Bloomfield Tce), with case-by-case resource consent assessment of any new building.</p>	<p><u>Pros</u></p> <ul style="list-style-type: none"> • Provides greater development capacity in an area that is well-served by a range of activities and transport options. • May encourage redevelopment of large low density commercial and retail sites. <p><u>Cons</u></p> <ul style="list-style-type: none"> • Requires a significant change to the approach of the Commercial and Residential Transition Precincts of the Central Commercial area, including a large-scale rewrite of the design guide and possibly removing those precincts. Given current workloads, to be done in time for the IPI this would require outsourcing. This would be duplicated work as this will need to be re-assessed as part of the full plan review anyway. • Increased building dominance, privacy, and shading impacts from taller buildings, particularly in areas near the boundaries with residential zones.

<p>Option 4</p> <p>As with Option 3, and also provide for taller buildings in the Waterloo, Naenae, and Taitā suburban mixed use centres, with case by case resource consent assessment of new building where those are over 6 storeys or do not meet design standards</p>	<p><u>Pros</u></p> <ul style="list-style-type: none"> • Provides the greatest level of development capacity of any option • Supports increased council, regional council, and central government investment underway or proposed for these areas (e.g. Naenae Pool redevelopment, proposed GWRC redevelopment of Waterloo station)
	<p><u>Cons</u></p> <ul style="list-style-type: none"> • Given current workloads, to be done in time for the IPI this would require outsourcing. • Greatest risks for building dominance, privacy, and shading impacts given proximity to residential areas • Greatest risks for wind effects given the lack of any previous tall buildings in the area • Significant change in direction from the Naenae Spatial Plan • Requires significant expansion of the design guidance for the Suburban Mixed Use zone which will be challenging to deliver in the IPI time frame.

67. Based on this assessment, the recommended option is to select Option 2 for the IPI and revisit the issue as part of the full district plan review. Regardless of the option selected now, this issue will come up in the full plan review.

Next Steps

68. The next steps for the preparation of the IPI are:

- May 2022: Present the draft IPI to Mana Whenua partners to enable them to provide advice on the detail of the proposal.
- May/June 2022: Integration, peer review and legal review of the draft IPI.
- May/June 2022: Amendments to the draft IPI, to respond to the outcomes of the peer review, legal review and engagement. Preparation of a recommended IPI for the Subcommittee's consideration on 23 June 2022.
- 23 June 2022: District Plan Review Subcommittee meeting to receive, consider and adopt the proposed IPI for recommendation to the Policy, Finance and Strategy Subcommittee.
- 5 July 2022: Policy, Finance and Strategy Committee Meeting to receive, consider, and adopt the recommendation from the District Plan Review Subcommittee (to be recommended to full Council).

- 5 July 2022: Council meeting to consider the recommendation from the Policy, Finance and Strategy Committee, and to adopt the proposed IPI for public notification.
- By 20 August 2022: Public notification of the proposed IPI.
- August 2022 to mid-2023: Process the proposed IPI through the process set in the RMA (including submissions, further submissions and hearings).

Note: There may be some minor changes to these dates.

Climate Change Impact and Considerations

69. The matters addressed in this report have been considered in accordance with the process set out in Council's Climate Change Considerations Guide.
70. The impacts of climate change have been taken into account in the identification of areas at risk to natural hazards. In particular, the influence on flood and tsunami risk.
71. With regard to the IPI in general, providing for population growth through intensification in existing urban areas and around rapid transit stops supports greater use of public and active transport, and enables an urban form that would contribute to a reduction in carbon emissions, particularly when compared to an urban form that provides for growth on the urban fringe and through areas where public and active transport modes are constrained.

Engagement

72. The engagement to date for the IPI, including an initial summary of responses from this engagement, is summarised in the Discussion section of this report. The responses received during this engagement will inform the ongoing work on the IPI.
73. Once Council has made its decision on the proposed IPI, it will be publicly notified. This is followed by a submissions and further submission process, which provides the opportunity for members of the public to submit on the proposal. Submitters are then given the opportunity to speak to their submission at a public hearing.

Legal Considerations

74. The key legal consideration for the IPI Plan Change is the necessity for Council to meet the requirements of the RMA. The key considerations are meeting the requirement to notify an IPI by 20 August 2022, and to ensure that the IPI Plan Change is prepared in accordance with the requirements set out in Sections 77F-77T of the RMA.

Financial Considerations

75. All options presented through this report can be undertaken within the current District Plan review budget for the 2021/22 financial year.

Appendices

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1 ↓	Working draft of residential and commercial zone chapters	39
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3 ↓	Assessment of residential character as a qualifying matter	337

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Structure, format and content may change.

Chapter 4 Residential

The residential areas of the City vary considerably and cover a variety of landforms from coastal environments to exposed ridge tops. They are characterised by low rise dwelling houses, with many split-level houses on steeper hillsides.

Residential development has taken place on the valley floor, along the coastal areas of the Eastern Bays and Eastbourne, and on the Western and Eastern Hills, and the valley and hillside areas of Stokes Valley and Wainuiomata.

Dwelling densities range from high to low, within the context of this City. Higher dwelling densities can be found in Petone between the Esplanade and Jackson Street, which are a reflection of historical subdivision patterns. Medium densities are found in most parts of the City, whereas low dwelling densities are present in the steeper hillside areas of the Western Hills, Stokes Valley, Wainuiomata, and Eastbourne, and also in parts of Woburn, Military Road and Lowry Bay.

Residential areas of the City are seen not only as places to live, but places in which to work as well. As technology advances, it is becoming easier to conduct a business from home. While residential areas are generally free from large scale commercial and industrial activities, there are some non-residential activities which are suited to residential areas and can serve the local community.

The Plan will provide opportunity for home occupations and non-residential activities while ensuring characteristics of the surrounding area, and the amenity values are maintained or enhanced.

Access to education and emergency facilities is crucial to the overall wellbeing of residents of the City. Such facilities can be out of scale with surrounding areas, and it is necessary to ensure that adverse effects are managed.

~~Taking into account the diverse topography, native bush and vegetation, different characteristics and amenity values present in the residential areas of the City, six residential activity areas have been identified. Emphasis is placed on maintaining and enhancing the characteristics and amenity values which contribute to each residential area.~~

Four residential activity areas have been identified for the City, taking into account the diverse topography and native vegetation, and the need to provide for sufficient residential development capacity while managing the effects of development on the surrounding area.

The ~~six~~ four activity areas are:

(a) **General Medium Density Residential Activity Area**

~~This activity area covers a large proportion of the City's residential areas. It is characterised by low to medium density residential development consisting of single or double storey dwelling houses, open space, gentle topography, and an absence of large scale commercial or industrial activities.~~

~~Within the General Residential Activity Area opportunity will be made for higher density through comprehensive residential developments on larger sites which manage any effects on the surrounding area.~~

This activity area is currently characterised by a relatively low level of built development, open space, gentle topography and an absence of large scale commercial or industrial activities.

However, building heights and densities are expected to change over time. A mix of low to medium density residential development is permitted in the General Residential Activity Area. This includes stand-alone and multi-unit developments (such as semi-detached and terrace housing) of three storeys. Resource consent is required for higher density development that does not meet the development standards for the zone.

(b) **Historic Residential Activity Area**

~~Recognises that several areas of the City have a collection of buildings with distinctive form, style and character, based on their historical significance. These areas are to be protected from inappropriate development.~~

(c) **Special Residential Activity Area**

~~Recognises those parts of the City characterised by low density residential development, mature vegetation, and a high standard of development. This includes residential areas adjacent to the commercial area of Lower Hutt around Woburn, Military Road and Hathaway Avenue, and Lowry Bay in Eastbourne.~~

