

5.6.2.8 City Wide Rule 1 – Submissions Seeking Amendments to Assessment Criteria

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
148/7	Vision Senior Living Limited	Amend City Wide Rule 1.0 Assessment Criteria 1(b) Apartment Size by deleting (iv) as follows: <i>(iv) The extent to which secure, covered bicycle storage will be provided for residents and visitors</i>	

Evidence Presented:

Evidence was presented on behalf of Vision Senior Living Limited by David Wren and Phil Molloy.

Discussion:

Consideration of the provision that is made for secure covered bicycle storage arises as the result of an assessment criterion. As such it is not a mandatory requirement, but needs to be considered in relation to any proposal for apartments along with a range of other matters. In these circumstances, consideration can be given to an appropriate amount of bicycle storage relative to the location of the apartments, the number of apartments, the circumstances of the residents, and any other relevant matters.

The Panel accepts that retirement apartments are unlikely to require significant facilities for cyclists, although staff and visitors may require some bicycle facilities as may the more independent residents. As such, the Panel recommends that the assessment criterion remain.

Panel Recommendation 5.6.2.8.1:

The Panel recommends that submission 148/7 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/440	Waitakere City Council	Delete Assessment Criteria 1(d) and replace as follows: "1(d) Outlook/Amenity The extent to which the light, air and amenity of the apartment(s) is protected from adverse effects resulting from the potential development on an adjoining site permitted by the Community Environment and Open Space Environment rules. <u>The extent to which the layout or arrangement of apartment(s) on the site or in a mixed use development and the design and location of the main glazing of the apartment(s) ensures adequate sunlight, daylight, and air admission.</u> "	Support and Opposed By: 95 Housing New Zealand Corporation (1)

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

Waitakere City Council - Proposed Plan Changes 13-18 - Report WCC 7 - Panel Recommendation Report of 28 May 2007 adopted as decisions of Waitakere City Council on 20 June 2007 - printed 31 July 2007.

The requested amendment to assessment criterion 1(d) is considered to be appropriate. The proposed amendments refer more specifically to the layout and arrangement of apartments on the site, and also do not limit consideration of adjoining sites to only those properties located within the Community Environment or Open Space Environment.

Panel Recommendation 5.6.2.8.2:

The Panel recommends that submission 257/440 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/439	Waitakere City Council	Amend City Wide Rule 1 to add a new Assessment Criterion under 1(b) (v) as follows: <i>“(v) <u>The extent to which the constraints of the total floor area of the development or site size limits the provision of a variety of unit apartment sizes.</u>”</i>	Support and Opposed By: 95 Housing New Zealand Corporation (1)
257/438	Waitakere City Council	Delete Assessment Criteria 1(b) (i) and (iv) and replace as follows: “1(b) Apartment Size (i) a variety of apartment sizes should be provided within a building or development <i><u>(i) The extent to which a variety of apartment sizes is provided within a building or development, or within a comprehensive development plan for a precinct in a Special Area or in an adjacent development.</u></i> <i><u>(iv) The extent to which apartments in the Community Environment - New Lynn or Hobsonville Base Village Special Area are provided with secure, covered bicycle storage.</u></i> ”	Supported By: 148 Vision Senior Living Limited

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

This submission seeks amendments to the assessment criterion that relates to the desirability of creating a range of apartment sizes. The proposed amendments are supported, as they use more appropriate language for assessment criteria and also recognise that a variety of apartments could be provided for over a wider area (such as within a comprehensive development plan area).

One of the submissions also seeks to limit the application of the bicycle storage assessment criterion to the Community Environment in New Lynn or the Hobsonville Base Village Special Area. The Panel considers that the assessment criterion should not be limited in this way. There is no compelling reason why a proposal for apartments in any location in the City should not at least give consideration to the need for a secure covered bicycle storage area.

Panel Recommendation 5.6.2.8.3:

The Panel recommends that submissions 257/439 and 257/438 are accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/437	Waitakere City Council	Amend Assessment Criterion 1(a) General by deleting those words struck through, and adding those in italics and underlined: "The assessment of Applications will relate to that comply with the General Performance Standards 1.0 (i) - (iv) will be assessed in relation to assessment criterion 1(a)(i) only. <i><u>(i) The extent to which each Apartment should be designed satisfy meets the design criteria of the Apartment Design Criteria Appendix to this rule."</u></i>	Supported By: 95 Housing New Zealand Corporation (1)

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

This submission requests changes to the general assessment criteria, in order to ensure the rule works in a way that was clearly intended. The proposed changes would ensure that, where proposed apartment developments meet the quantitative standards set out in rule 1.0 (i)-(iii), then those development proposals would only be assessed against the design criteria contained within the Apartment Design Criteria Appendix. The specific assessment criteria relating to such things as apartment size, balconies, and outlook/amenity would not apply.

As such it is recommended that the proposed amendments be incorporated within the Plan Change.

Panel Recommendation 5.6.2.8.4:

The Panel recommends that submission 257/437 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
142/23	PLC New Zealand Ltd	Amend Assessment Criteria for Rule 1.0 to enable noise emissions at a level presently permitted at night time at the adjoining boundary.	Opposed By: 218 AMP Capital Investors (NZ) Limited

Evidence Presented:

Evidence was presented on behalf of the submitter by Jim Bentley.

Discussion:

This submission relates to the situation in New Lynn where Working Environment land adjoins the proposed Living 6 Environment. A number of the industries in that area have sought that the current Working Environment noise limit of 65dBA on the boundary be retained. This issue has been discussed previously in this report, and a conclusion reached that it would be appropriate for the current noise limit to be retained. The relief sought by the submitter would therefore be provided.

Panel Recommendation 5.6.2.8.5:

The Panel recommends that submission 142/23 is accepted.

5.6.2.9 Submissions Seeking Amendments to Resource Consent Conditions

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/442	Waitakere City Council	Delete the words in the last bullet point "Such other matters provided for in Section 108 of the Act" and insert the words: <i><u>"Such other matters provided for in the assessment criteria."</u></i>	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The 'resource consent conditions' section of the District Plan rules identifies the nature of conditions that the Council may impose on any resource consent that is granted. The submission seeks that a reference be added to indicate that conditions may be imposed in relation to any matters that are provided for in the assessment criteria. This appears to be appropriate and is supported, although there is no apparent need to remove the reference to section 108 of the Act in making the change. Section 108 applies in any event as it is part of the statute, and it should be retained as well as the change that is sought by the submitter.

Panel Recommendation 5.6.2.9.1:

The Panel recommends that submission 257/442 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/443	Waitakere City Council	Amend the "Resource Consent Conditions" of City Wide Rule 1 to add a further bullet point to include notations that address issues of reverse sensitivity as follows: <ul style="list-style-type: none"> ▪ <i><u>"Ensuring appropriate conditions in body corporate documents and the like to provide advice or note limitations on the extent of compliance with a noise control."</u></i> 	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

It is understood that the intention of this request is to provide an opportunity for future apartment dwellers to be warned of potentially noisy activities within the surrounding environment. Problems have been experienced in other apartment developments within town centres or industrial areas, where new residents had not anticipated the level of ambient noise that exists in these environments. The Panel considers that there is merit in the submitter's request, insofar as it would allow prospective apartment residents to be fully aware of the characteristics of the location in which they are proposing to live. However, the requested change seems rather specific and

there may be benefit in adopting more flexible wording so that other options for warning residents are not excluded. Some proposed wording has been included in Appendix 1 of this report.

Panel Recommendation 5.6.2.9.2:

The Panel recommends that submission 257/443 is accepted in part.

5.6.2.10 City Wide Rule 1 – Apartment Design – Submissions Seeking Amendments to Apartment Design Criteria

5.6.2.10(i) General

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
148/9	Vision Senior Living Limited	Amend the City Wide Rule - Apartment Design Criteria as specified in Appendix 1 of the submission; Or Alternatively a separate rule for retirement apartments be included within the proposed plan change as specified submissions 148/10 - 148/20.	

Evidence Presented:

Evidence was presented on behalf of Vision Senior Living Limited by David Wren and Phil Molloy.

Discussion:

It is acknowledged that residents within retirement villages have different needs and circumstances than those applying to apartment dwellers generally. Specifically, experience has indicated that such apartments require fewer parking spaces, greater consideration of security issues, and potentially smaller outdoor living areas with less emphasis on privacy. On this basis it is recommended that amendments to the rules be made to recognise the situation that the submitter is pointing out. However, it is not considered necessary or appropriate to create a separate rule or to make substantial amendments to the Apartment Design Criteria, as such changes may then apply to other apartments. The preferred approach is to include a new assessment criterion that acknowledges that strict compliance with the performance standards or design criteria of the Apartment Design Criteria Appendix may not be appropriate where retirement apartments are proposed given the special circumstances and needs of the occupants. A similar change to the policy is also proposed.

Panel Recommendation 5.6.2.10(i).1:

The Panel recommends that submission 148/9 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
8/8	Danielle Hancock	Seeks that rules be included to control the use of external building materials that release heavy metals (such as copper, lead or zinc) into the environment .	

Evidence Presented:

No evidence was presented in support of the submission(s).

Discussion:

The release of heavy metals into the environment has the potential to impact on water quality. This is a matter that is governed by the Auckland Regional Council through the discharge consent and catchment management plan processes. As such, the Panel considers that there is no need to impose additional rules to control this matter.

Panel Recommendation 5.6.2.10(i).2:

The Panel recommends that submission 8/8 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
8/11	Danielle Hancock	Seeks that vehicle ownership be discouraged and public transport be encouraged.	

Evidence Presented:

No evidence was presented in support of the submission(s).

Discussion:

The objectives and policies of the District Plan seek to encourage the usage of public transport, as a way of minimising the environmental effects of transportation. Vehicle ownership *per se* is not discouraged, rather it is intended that there be a range of choices for residents as to how they would make their trips from place to place. No further changes to the District Plan are considered necessary in this regard.

Panel Recommendation 5.6.2.10(i).3:

The Panel recommends that submission 8/11 is accepted in part.

5.6.2.10(ii) Submissions Seeking Amendments to Element A

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/444	Waitakere City Council	Amend City Wide Rule 1 Appendix by adding the underlined words " <u>public space</u> " to the first paragraph of this section, after the words "surrounding properties".	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The requested amendment is considered to have merit, as it would more clearly indicate those elements of the environment that are potentially affected by new development. The requested change is therefore supported.

Panel Recommendation 5.6.2.10(ii).1:

The Panel recommends that submission 257/444 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/446	Waitakere City Council	Amend 'Design Criteria A2' by adding the following underlined words: <i><u>"(d) provides for an integrated 'streetscape' (glossary term)"</u></i>	

Evidence Presented:

Waitakere City Council - Proposed Plan Changes 13-18 - Report WCC 7 - Panel Recommendation Report of 28 May 2007 adopted as decisions of Waitakere City Council on 20 June 2007 - printed 31 July 2007.

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The proposed amendment would require consideration of the impact of new development on the existing streetscape, and in particular on the need to integrate with development that has already occurred. This is considered to be a positive amendment and is supported on that basis.

Panel Recommendation 5.6.2.10(ii).2:

The Panel recommends that submission 257/446 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/447	Waitakere City Council	Amend 'Design Criteria A3' by adding the following underlined words - <u>"A3 The extent to which the proposal and height of the proposed development</u> (a) <u>relates to adjacent buildings and site boundaries and the streetscape to ensure satisfactory amenity is maintained overshadowing and dominance is minimised."</u>	Supported By: 95 Housing New Zealand Corporation (1)

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The requested amendment would be preferable to the wording that currently exists in the proposed Plan Change. It would provide a greater deal of certainty about the particular effects that may eventuate as a result of the height of any proposed building.

Panel Recommendation 5.6.2.10(ii).3:

The Panel recommends that submission 257/447 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/445	Waitakere City Council	Amend to correct the rule names in the third paragraph by deleting those words struck through, and adding those in italics and underlined: <u>"The Site Analysis, <i>Building Design - Street Frontage</i>, and <i>General Apartment Design and Building Design - Mixed Use</i> rules in conjunction with the existing bulk and location rules for the different environments ensure that new apartment buildings or the retrofitting or constructing of additional floors to existing buildings within those specific environments, will provide certainty of quality urban design outcomes."</u>	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

This requested amendment seeks merely to correct the names of the various rules that are referred to in the Plan Change. The requested change is therefore supported.

Panel Recommendation 5.6.2.10(ii).4:

The Panel recommends that submission 257/445 is accepted.

5.6.2.10(iii)Submissions Seeking Amendments to Element B

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
95/24	Housing New Zealand Corporation (1)	<p>Delete the Apartment Design Criteria and replace with criteria which more clearly and succinctly set out the principles of the design outcomes sought, together with examples and diagrams of how these outcomes can be achieved. Criteria which:</p> <ul style="list-style-type: none">• Are already dealt with by Performance Standards;• Are covered by Building Code Standards;• Require confirmation of Body Corporate/building management documentation in advance of resource consent approval;• Are drafted as rules. <p>Should not be included in these redrafted criteria.</p> <p>And in the event that the above relief is not granted:</p> <ul style="list-style-type: none">• Delete the following criteria: B2, B4(iii), B5, C5, C6 and associated explanatory text; and• Either delete criteria B11, B12, B13 or else provide clarification that compliance with City Wide Rule 1.0 (iii) "Outlook/Amenity" satisfies criterion B11; and• If not deleted, amend Criterion B5 to clarify that external storage is optional by amending item (v) as follows " A minimum of 50% of the storage shall be within the apartment, <u>and with</u> the remainder <u>may be</u> provided externally. <u>Any</u> the storage component..."; and• Clarification should be given by way of amendment as to the meaning of "unattractive gaps" in the third paragraph under the heading "car parking and vehicle access".	

Evidence Presented:

Tabled evidence was provided on behalf of Housing New Zealand Corporation by Kristen McGavock.

Discussion:

The submitter suggests a number of general amendments to the apartment design criteria to improve the language in which they are drafted and to avoid repetition or inappropriate content. In general terms, these are supported.

The submitter also makes a number of more specific requests relating to particular assessment criteria. A number of these are requested deletions although there is little detail to explain why the deletions are required. It may be that these are covered through evidence that may be provided to the hearings panel on these matters. The request to clarify the provisions relating to external storage in criterion B5 has merit, and some amendments are recommended in Appendix 1 to this report in order to accept this submission point.

Panel Recommendation 5.6.2.10(iii).1:

The Panel recommends that submission 95/24 is accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
250/223	Auckland Regional Council	Amend <i>Design Criteria B2</i> by adding provisions in order to quantify the criteria.	

Evidence Presented:

Evidence was presented on behalf of the Auckland Regional Council by Duane Burt and Megan Patrick.

Discussion:

Design criterion B2 attempts to achieve a range of unit sizes within apartment developments or buildings. The submitter has sought amendments to the criterion in order to provide a clearer understanding of what range of sizes is acceptable. The Panel considers that there is merit in providing more clarity as to the proportion of apartments of various sizes, and in particular the percentage of apartments that can comprise one bedroom units or studios. In this regard, the Panel considers that a maximum limit of 60% for one bedroom or studio apartments would be acceptable, together with some threshold of apartment numbers before the criterion is applied. Recommended amendments are contained within Appendix 1.

Panel Recommendation 5.6.2.10(iii).2:

The Panel recommends that submission 250/223 is accepted.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
8/14	Danielle Hancock	Seeks that planting of larger tree species be encouraged.	

Evidence Presented:

No evidence was presented in support of the submission(s).

Discussion:

The submitter's request for planting of larger trees in apartment developments is noted. The rules and design criteria require consideration of appropriate landscaping in order to mitigate the impact of the built form on the surrounding environment. In some instances, larger trees may not be appropriate given the density that would be required within many of these developments. Decisions in relation to landscaping are more appropriately made in relation to any particular application, and it is considered desirable to retain some flexibility in this regard.

Panel Recommendation 5.6.2.10(iii).3:

The Panel recommends that submission 8/14 is rejected.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
8/13	Danielle Hancock	Support the use of roof gardens or green roofs in accordance with ARC Publication TP 10.	

Evidence Presented:

No evidence was presented in support of the submission(s).

Discussion:

The submitter supports the use of roof gardens or green roofs within apartment developments. There is nothing in the proposed Plan Change that would prevent such an outcome, and accordingly no changes to the rules are recommended.

Panel Recommendation 5.6.2.10(iii).4:

The Panel recommends that submission 8/13 is rejected.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/455	Waitakere City Council	Amend 'Design Criteria B6' by deleting those words struck through, and adding those in italics and underlined: "For developments in town centres, <i>apartments in mixed use developments and apartment developments, particularly</i> in town centres, there needs to be provision for secure bicycle storage shall be provided."	Opposed By: 148 Vision Senior Living Limited

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The submitter seeks to amend design criterion B6 so that it is not limited in its application only to town centres. The Panel considers that this is a desirable amendment and is therefore supported.

Panel Recommendation 5.6.2.10(iii).5:

The Panel recommends that submission 257/455 is accepted.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/460	Waitakere City Council	Amend 'Design Criteria B9' by adding the following underlined words in a new clause: <i>"(iv) are oriented to maximize sun and daylight access"</i>	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The requested amendments emphasise the importance for balconies to maximise sun and daylight access where possible, through design and orientation. The Panel considers that this proposed amendment is a useful addition to the current wording.

Panel Recommendation 5.6.2.10(iii).6:

The Panel recommends that submission 257/460 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/459	Waitakere City Council	Amend to add the following paragraph to the description and purpose of the "Balconies, Roof Gardens and Courtyards" design element between the third and fourth paragraphs: <i><u>"Any screens required to provide shelter from the wind, and handrails or balustrades on roof gardens must be designed to comply with the height requirements of the specific human environment that apply to the site in which the apartment is located."</u></i>	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The requested amendments are considered unnecessary, given that compliance with the relevant height rule (and height in relation to boundary rules) would be required in any event. The amendment would merely serve to clutter the rule with additional wording that is not required.

Panel Recommendation 5.6.2.10(iii).7:

The Panel recommends that submission 257/459 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/458	Waitakere City Council	Amend 'Design Criteria B7' by providing an illustration to depict the design criterion.	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

Illustrations can often assist in interpretation and clarification of rules, particularly where those rules are complex. Design criterion B7 would benefit from having an illustration to clarify the outcome that the criterion is seeking.

Panel Recommendation 5.6.2.10(iii).8:

The Panel recommends that submission 257/458 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/456	Waitakere City Council	Amend the description and purpose of the "Natural Ventilation and Daylight" design element by adding the following table or guide to specify minimum dimensions for main, secondary and tertiary glazing from site boundaries and adjoining apartments. "Table of Minimum Dimensions/separation distances for the Glazing of Apartments"	Opposed By: 148 Vision Senior Living Limited

		<p>The following table establishes requirements for minimum dimensions from the main, secondary and tertiary glazing of apartments to site boundaries or between the glazing of different apartments on the same site, to ensure there is adequate provision for solar and/or daylight access, visual amenity of outdoor spaces and visual privacy that relates to the type and purpose of the glazing.</p> <p>Main glazing/outside face of balcony, whichever is closer, to the nearest adjoining site boundary, provided that where the adjoining site boundary is adjacent to land that is; - a road reserve, or - land in the Open Space Environment that it is not freehold land Note: This part of the table is a performance standard in the City Wide Rule 1 - General Apartment Design The distance measured at right angles to the main glazing or outside face of the balcony, which is free of buildings/structures 4 storeys or 12m maximum height 5 - 8 storeys or 25m maximum height 9 storeys and over or over 25m maximum height</p> <p>Main glazing/outside face of balcony, whichever is closer, to the nearest adjoining main glazing/outside face of balcony within a development 4 storeys or 12m maximum height 5 - 8 storeys or 25m maximum height 9 storeys and over or over 25m maximum height</p> <p>Secondary window/outside face of balcony, whichever is closer, to the nearest tertiary window, within a development 4 storeys or 12m maximum height 5 - 8 storeys or 25m maximum height 9 storeys and over or over 25m maximum height</p> <p>Tertiary window to tertiary window within a development 4 storeys or 12m maximum height 5 - 8 storeys or 25m maximum height 9 storeys and over or over 25m maximum height</p> <p>Tertiary window to a site boundary 4 storeys or 12m maximum height 5 - 8 storeys or 25m maximum height 9 storeys and over or over 25m maximum height</p> <p>See definition for 'glazing' which describes main, secondary and tertiary"</p>	
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Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The relief sought by the submitter has been addressed by the revised outlook/amenity rule and associated assessment criteria. As such, the Panel considers that the requested amendments are no longer necessary. It is inappropriate to add new performance standards to address secondary and tertiary glazing and outlook. However these matters can be appropriately considered as design criteria in B11A. Therefore the submission is partially accepted.

Panel Recommendation 5.6.2.10(iii).9:

The Panel recommends that submission 257/456 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/450	Waitakere City Council	Add a further sentence (underlined) to the end of the third paragraph as follows: <i>“Within the new <u>special areas</u> the rules require the preparation of a comprehensive development plan of each precinct. This may negate the necessity for having a range of apartment sizes in one building as that variety can be achieved across the precinct in a number of buildings. <u>These same considerations may also apply to apartments in town centres particularly for smaller developments and additions to existing buildings, but would need to be addressed as part of a design response.</u>”</i>	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The requested amendments to the apartment design criteria recognise the fact that providing a range of apartment sizes within smaller developments may be difficult, and also that such variety within a single development may be unnecessary in situations where surrounding development is able to provide the desirable range of apartment sizes that is being sought. For these reasons, it is recommended that the relief sought by the submitter be incorporated within the Plan Change.

Panel Recommendation 5.6.2.10(iii).10:

The Panel recommends that submission 257/450 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/448	Waitakere City Council	Amend the title “Provisions for a Variety of Apartments” by replacing the word ‘variety’ with the word <u>“mix”</u> in the heading.	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

Use of the word ‘mix’ in preference to the word ‘variety’ is considered to be appropriate, as it more accurately aligns with the intention of the rules, being to avoid an overwhelming proportion of apartments that are effectively serving the same market. It is considered important that a mix of apartments is available to serve the market choices that exist within the wider population.

Panel Recommendation 5.6.2.10(iii).11:

The Panel recommends that submission 257/448 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/457	Waitakere City Council	Amend 'Design Criteria B7' by adding the following underlined and italicised words: "The standards for the height and depth of habitable rooms (excluding kitchens) are <u>set out below but it should be noted that this also requires the glazing to be designed to achieve daylight penetration to the maximum depth of the room.</u> "	Opposed By: 148 Vision Senior Living Limited

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The requested amendments add benefit to the design criterion through clarifying the outcome that is sought. For this reason, the Panel considers that design criterion B7 be amended in accordance with the submitter's request.

Panel Recommendation 5.6.2.10(iii).12:

The Panel recommends that submission 257/457 is accepted

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/449	Waitakere City Council	Amend to add a further paragraph after the second paragraph in the explanation that quantifies 'mix' as follows: <u>"As a guide no one type/mix of apartment should equate to more than 60% of the apartments in a development and developments that meet this guideline are deemed to comply. In smaller buildings with up to 4 or 5 apartments there is likely to be less opportunity to achieve a mix."</u>	Opposed By: 148 Vision Senior Living Limited

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The submitter has also sought similar amendments to quantify the acceptable mix of apartment sizes within the assessment criteria. It has been recommended that those amendments be accepted, in relation to design criterion B2. As a consequence, the Panel considers that there is little value in adding similar wording into the explanation, which already refers to the desirability of achieving a mix of apartments.

Panel Recommendation 5.6.2.10(iii).13:

The Panel recommends that submission 257/449 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/451	Waitakere City Council	Delete 'Design Criteria B2' and replace as follows: <p style="text-align: center;">"B2 The extent to which: (a) A range of unit sizes are provided in a development or building Developments that satisfy the guide are deemed to comply with the requirement for a mix of apartments."</p>	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

Amendments are recommended to criterion B2 in response to other submissions which seek further detail on the mix of apartments that is deemed to be acceptable. Those amendments would obviate the need for amendments of the nature sought in this submission.

Panel Recommendation 5.6.2.10(iii).14:

The Panel recommends that submission 257/451 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/452	Waitakere City Council	Amend 'Design Criteria B3' by adding the following underlined words to clause (iii): "Living areas of sufficient floor area to contain a dining table and chairs, standard size lounge seating <u>for the number of intended occupants</u> "	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The requested amendments seeks to relate the size and proportions of the apartment to the number of intended occupants, and ensure that sufficient space is available to furnish the apartment adequately. The requested amendments appear to be logical and are supported.

Panel Recommendation 5.6.2.10(iii).15:

The Panel recommends that submission 257/452 is accepted

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/453	Waitakere City Council	Amend to add further explanation relating to bicycle storage, under the heading "Requirements for Storage" as follows: <u>"In the Community Environment (New Lynn), because of the accessibility of integrated passenger transport facilities (bus and rail stations) with a high frequency of service, there is no requirement for car parking associated with residential developments.</u>	Opposed By: 148 Vision Senior Living Limited

		<u>Cycling is also an alternative mode of transport and is being encourage with the development of cycleways around the city and is also popular for recreation. Apartment developments, particularly in town centres and <i>special areas</i> where car parking requirements are relaxed, need to provide secure convenient bicycle storage.</u>	
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Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

Cycling has the potential to become an increasingly popular mode of transport, as an alternative to private motor vehicles. For this to occur, it is important that bicycle facilities are provided in significant new developments. This is particularly the case where such developments are located within town centres. The requested amendments would serve to clarify and explain the apartment design criteria, and are consequently supported.

Panel Recommendation 5.6.2.10(iii).16:

The Panel recommends that submission 257/453 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/454	Waitakere City Council	Amend 'Design Criteria B5(v)' by deleting those words struck through, and adding those in italics and underlined: "A minimum of 50% of the <i>required</i> storage shall be <i>provided</i> within the <i>apartment</i> with the remainder provided external <i>within the apartment complex.</i> "	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The requested amendment is similar to that which was raised by another submitter. The requested amendment would clarify that storage which is not contained within the apartment itself should be provided within the wider apartment building or complex.

Panel Recommendation 5.6.2.10(iii).17:

The Panel recommends that submission 257/454 is accepted

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
148/15	Vision Senior Living Limited	Amend Apartment Design Criteria Element B15 Overlooking as follows: B15 " <i>Windows and balconies should be designed to prevent reduce overlooking...</i> "	

Evidence Presented:

Evidence was presented on behalf of Vision Senior Living Limited by David Wren and Phil Molloy.

Discussion:

It would be difficult, if not impossible, to prevent overlooking of private open space within an apartment development from other units within the same development. As such, it is considered appropriate to replace the word 'prevent' with the word 'reduce' within design criterion B15.

Panel Recommendation 5.6.2.10(iii).18:

The Panel recommends that submission 148/15 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
148/14	Vision Senior Living Limited	Amend Apartment Design Criteria Element B14 Sun Access as follows: B14 <i>"The extent to which: (i) habitable rooms.....(As a guide habitable the living room for at least 70 percent of the units ...(June 21)) or whether alternative sitting areas are provided for residents."</i>	

Evidence Presented:

Evidence was presented on behalf of Vision Senior Living Limited by David Wren and Phil Molloy.

Discussion:

The provision that the submitter seeks to amend is a guide for appropriate solar access to apartments. Although the living room is the primary habitable room within most dwelling units, it is still reasonable to continue to apply the provision to all habitable rooms given that the wording in question comes from a guide which is not mandatory.

The submitter also seeks to deviate from the guide where alternative sitting areas are provided for residents, as is often the case in retirement apartments. Such alternative solar access would undoubtedly be a relevant consideration, but these relatively unique characteristics of retirement apartments can be taken into account through the assessment process of a resource consent application. Apartment developments will need to be approved by way of a resource consent in any event, and recommended amendments to the assessment criteria explicitly recognise the particular circumstances that apply in respect of retirement apartments.

Panel Recommendation 5.6.2.10(iii).19:

The Panel recommends that submission 148/14 is accepted in part

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
148/10	Vision Senior Living Limited	Amend Apartment Design Criteria Element B1 as follows: B1 <i>The Gross Floor Area...for occupants. (Note the needs of residents may differ depending upon the type of apartment complex being proposed)</i>	

Evidence Presented:

Evidence was presented on behalf of Vision Senior Living Limited by David Wren and Phil Molloy.

Discussion:

Although amendments are proposed to the apartment design criteria and rules to acknowledge the particular circumstances that apply in relation to retirement apartments, the minimum gross floor area of 40 square metres that is required under rule 1.0(i) is deemed to be an absolute minimum irrespective of the nature of the apartment. As a result, it is not considered that the additional wording proposed by the submitter is appropriate.

Panel Recommendation 5.6.2.10(iii).20:

The Panel recommends that submission 148/10 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
148/11	Vision Senior Living Limited	<p>Amend Apartment Design Criteria Element B3 as follows:</p> <p>B3 the extent to which the internal layout...the following:</p> <p>(ii) living areas with a minimum floor to ceiling height 2.4m provided that service areas may have lower ceiling for service as overhead. 2.7m provided that a floor to ceiling height less than 2.7m may be considered for part of the living areas and bedrooms of an apartment to accommodate multi or split levels, mezzanines and the like provided that 50% of these areas complies with the 2.7 m height requirement (see also ventilation requirements)</p> <p>(iii) the provision of the following basic furniture items floor plan:</p> <p>a) Living areas of sufficient floor areabed space plus two guests, storage for stereo.....</p> <p>b) Kitchens. Bench with a minimum length of 1.5m by 0.5 wide, storage units/drawers and cupboards for equipment and food, stove, and space for a 0.7m by 0.7m refrigerator.</p>	

Evidence Presented:

Evidence was presented on behalf of Vision Senior Living Limited by David Wren and Phil Molloy.

Discussion:

The first part of the submission refers to floor to ceiling height available within apartments. The design criteria as publicly notified in the Plan Change included provision for a minimum floor to ceiling height of 2.7 metres, provided that up to 50% of the apartment floor space could have a lesser floor to ceiling height where the higher height was impractical from a design perspective or unnecessary. It is recommended that the request of the submitter to reduce the minimum floor to ceiling height be accepted in part. A height of 2.4 metres is considered to be the minimum requirement within an apartment and, depending on the depth of the room, a higher floor to ceiling height may be desirable for reasons of ventilation, amenity and daylight access. For these reasons, it is proposed to amend design criterion B3 so that apartments should provide minimum floor to ceiling height of 2.4 metres, given that the height of habitable rooms is addressed in design criteria B7.

The submitter also raises issues regarding the internal layout requirements for apartments, and in particular the provision for certain items of furniture. The design criterion as currently drafted seeks provision for bed space including two guests, although the Panel considers that this requirement is excessive as noted by the submitter. The submitter also seeks to delete the provisions that

address layout of kitchens, including bench space, storage units and space for a refrigerator. The Panel considers that the design criterion seeks only minimum standards in this regard and the particular provisions should remain unchanged.

Panel Recommendation 5.6.2.10(iii).21:

The Panel recommends that submission 148/11 is accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
148/12	Vision Senior Living Limited	Amend Apartment Design Criteria Element B4 by deleting (iii) as follows: "(iii) Flexibility within the design of the floors and form of the units to allow alterations to partitioning to accommodate changes over time"	

Evidence Presented:

Evidence was presented on behalf of Vision Senior Living Limited by David Wren and Phil Molloy.

Discussion:

While there is benefit in retaining some flexibility in the form of units, there is also an advantage in having a substantial purpose-built structure that will endure for many years. Changes that are made over time to an apartment may have a negative impact, insofar as natural light may be blocked to areas of the unit or other alterations that were not envisaged or seen as desirable when the original design concept was created. As such, it is recommended that the amendment sought by the submitter is accepted.

Panel Recommendation 5.6.2.10(iii).22:

The Panel recommends that submission 148/12 is accepted.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
148/13	Vision Senior Living Limited	Amend Apartment Design Criteria Element B7 Apartment Dimensions as follows: B7 "Apartments that...are: (i) 2.4m ceiling height = 9.6m room depth from window (ii) 2.7m ceiling height = 9m maximum room depth from window (iii) 3.0m ceiling height = 12m maximum room depth from window"	

Evidence Presented:

Evidence was presented on behalf of Vision Senior Living Limited by David Wren and Phil Molloy.

Discussion:

The submitter seeks amendments to apartment design criterion B7, which sets out the floor to ceiling heights and room depth that are considered to adequately deliver daylight and ventilation into interior spaces within an apartment. In particular, the amendments seek to delete any reference to ceiling height above 2.4 metres. The various dimensions contained within criterion B7 are considered to be appropriate, and the relief sought by the submitter is not accepted.

Panel Recommendation 5.6.2.10(iii).23:

The Panel recommends that submission 148/13 is rejected.

5.6.2.10(iv) Submissions Seeking Amendments to Element C

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/472	Waitakere City Council	Amend to add a new clause (vi) to 'Design Criteria C9' as follows: <i><u>"(vi) Includes an implementation schedule outlining the methodology (including site works and construction) to be undertaken for the establishment of proposed landscaping on the site."</u></i>	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The submitter requests the addition of another clause to design criterion C9, which would seek a schedule for managing the implementation and establishment of landscaping proposed for a site. The requested addition is considered to have merit, as it would go some way to ensure that landscaping was implemented and maintained in a way that enhanced a particular development.

Panel Recommendation 5.6.2.10(iv).1:

The Panel recommends that submission 257/472 is accepted.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/471	Waitakere City Council	Amend to add a new paragraph to the end of the explanation for the "Landscape Treatment" design element as follows: <i><u>"For larger developments that are staged, the proposed landscaping needs to be undertaken prior to the completion of buildings to ensure that the planting can establish as quickly as possible to provide the necessary screening or mitigation of the development. Details of the implementation of and maintenance of landscaping will be required with applications."</u></i>	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The proposed additional paragraph is generally supported. However, it would not normally be appropriate for landscaping to be undertaken prior to the completion of buildings as landscaping may be damaged by construction activity. Some minor modification to the requested wording to indicate that landscaping should be established prior to the occupation of buildings in the same stage would align with the intent of the submission but would overcome that potential issue.

Panel Recommendation 5.6.2.10(iv).2:

The Panel recommends that submission 257/471 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/470	Waitakere City Council	<p>Delete 'Design Criterion C6' and replace as follows:</p> <p>"The extent to which body corporate management includes:</p> <ul style="list-style-type: none"> (i) Regular maintenance and cleaning (ii) Site security (iii) On site management (iv) Provisions for the regular maintenance throughout the lifetime of the apartment complex of amenities for use by residents including gymnasiums, spa pools swimming pools, outdoor gardens, courtyards, tennis courts, and planted vegetation. (v) Rubbish collection services <p><i><u>The extent to which the body corporate or other legal entity are appropriate management systems for the proposed development.</u></i></p>	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The requested wording would simplify the existing design criterion C6, and remove unnecessary detail. The proposed amended wording is supported, subject to some minor modification of the language to avoid the provision acting as if it were a District Plan assessment criterion.

Panel Recommendation 5.6.2.10(iv).3:

The Panel recommends that submission 257/470 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/469	Waitakere City Council	<p>Delete the following explanation for the "Site and Building Management", and replace with the new explanation in italics and underlined:</p> <p>"Details of the documentation for Body Corporate or other legal entity shall be provided with applications for resource consent and shall address the following:</p> <p><i><u>The ownership arrangements of most apartment buildings and developments are established under the Unit Titles Act 1972 (currently being reviewed). Day to day management of commonly owned property in the building is administered by a body corporate representing all owners. The body corporate sets annual fees to cover matters such as insurance, maintenance administration and property management. Building managers can be employed and</u></i></p>	<p>Support and Opposed By: 95 Housing New Zealand Corporation (1)</p>

		<p><u>some building managers live on site.</u></p> <p><u>The Council as the consent authority has an interest in ensuring that an appropriate system of management is put in place for apartment buildings to minimise potential adverse effects arising due to poorly maintained buildings or inadequate management.</u></p> <p><u>Therefore details of the documentation for Body Corporate or other legal entity shall be provided with applications for resource consent to address the proposed management systems for the apartments relating to the following matters:</u></p> <ul style="list-style-type: none"> ▪ <u>type of management - employment of an site manager or use of building management firm</u> ▪ <u>the regular maintenance, repair and renewal throughout the lifetime of the apartment complex of infrastructure and amenities for use by residents including (without limitation) gymnasiums, spa pools swimming pools, outdoor gardens, courtyards, tennis courts, drainage and planted vegetation.</u> ▪ <u>rubbish collection services</u> ▪ <u>cleaning</u> ▪ <u>site security”</u> 	
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Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The requested amendments to the apartment design criteria are useful and provide a clear indication of the reasons for site and building management including the nature of matters that would be relevant under a body corporate arrangement. Inclusion of the proposed provisions is therefore recommended, subject to some modification to the wording which currently indicates details of body corporate documentation need to be provided with applications for resource consent.

The Panel considers that such a provision is unrealistic given that those details are unlikely to have been finalised at the time of resource consent application. It would be appropriate for more general information to be provided as to the nature of the issues that would be managed under a body corporate arrangement, and a condition could be then imposed on any resource consent that was granted to ensure that satisfactory body corporate arrangements were put in place.

Panel Recommendation 5.6.2.10(iv).4:

The Panel recommends that submission 257/469 is accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/468	Waitakere City Council	Delete the text for clause (i) of 'Design	

		<p>Criteria C5' and replace with the following underlined words: "The extent to which the design (i) Provides for easy and cost effective building maintenance, both the interior and exterior surfaces and common spaces and of the units themselves. This includes entrances, parking areas, and windows (i) <u>utilises good quality durable building materials for the interior surfaces of common areas and for exterior cladding</u> (ii) <u>facilitates easy and cost effective building maintenance of parking and rubbish storage/collection areas with access to outdoor taps and power supply."</u></p>	
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Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The Panel considers that the proposed amended wording is an improvement on the text that currently appears in the apartment design criteria. Accordingly, it is recommended that the new wording be incorporated in the Plan Change.

Panel Recommendation 5.6.2.10(iv).5:

The Panel recommends that submission 257/468 is accepted.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/466	Waitakere City Council	Amend to add a new Design Criterion numbered C4A or C16 entitled " <u>ICT Infrastructure</u> ", with the following text: <u>"The extent to which each apartment is provided with the ability to access a Broadband standard of communications infrastructure."</u>	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The proposed design criterion is consistent with the Council's objectives in relation to communication infrastructure, and is likely to be a modern convenience that residents would demand in new apartments. The proposed language should be amended to remove the words 'the extent to which', as these words are more appropriate in a conventional assessment criterion.

Panel Recommendation 5.6.2.10(iv).6:

The Panel recommends that submission 257/466 is accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
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257/465	Waitakere City Council	<p>Amend to add a new paragraph titled 'Building Communications Connections' with the following text, after 'Building Facilities' or after 'Car Parking and Vehicle Access':</p> <p><u>"To provide infrastructure to all apartment developments that enables each apartment to be connected to Broadband. The installation of ducting capable of containing fibre optics infrastructure and providing connections from the front boundary of the site into each apartment is deemed to satisfy this requirement."</u></p>	<p>Opposed By: 148 Vision Senior Living Limited</p>
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Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The additional paragraph is a logical amendment to the apartment design criteria, given the proposed addition of a criterion that deals with ICT infrastructure.

Panel Recommendation 5.6.2.10(iv).7:

The Panel recommends that submission 257/465 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/462	Waitakere City Council	<p>Delete 'Design Criteria C1' and replace with the following underlined text:</p> <p>Design Criteria C1</p> <p>C1 Common or shared corridors to apartments providing for the following minimum widths are deemed to comply with the standards:</p> <p style="padding-left: 40px;">(i) 4m long corridors a minimum width of 1.6m</p> <p style="padding-left: 40px;">(ii) For corridors over 4m long a minimum width of 2m</p> <p><u>C1 Lobbies and common or shared corridors to apartments meeting the following criteria are deemed to comply:</u></p> <p style="padding-left: 40px;"><u>(i) Lobbies minimum dimension 2 metres in any direction</u></p> <p style="padding-left: 40px;"><u>(ii) Corridors providing access to a maximum of 5 apartments - a minimum width of 1.2 metres</u></p> <p style="padding-left: 40px;"><u>(iii) Corridors providing access to more than 5 apartments - a minimum width of 1.6 metres."</u></p>	<p>Opposed By: 148 Vision Senior Living Limited</p>

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The proposed amended design criterion C1 would impose more realistic expectations in relation to the dimension of corridors and lobbies within apartment buildings. The plan change should be amended to incorporate the proposed provisions subject to removing the ‘deemed to comply’ wording which is not appropriate in the context of the design criteria.

Panel Recommendation 5.6.2.10(iv).8:

The Panel recommends that submission 257/462 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/461	Waitakere City Council	<p>Amend by adding the underlined and italicised words to the heading, and delete the text in the second paragraph that starts with the words “A minimum dimension”, and replace with text as follows:</p> <p><u>“Element C - Apartment Buildings <i>and Apartments in Mixed Use Developments</i></u></p> <p>Building Entries, Circulation and Mail Boxes:</p> <p>...</p> <p><u>“A minimum dimension of 2 metres in any direction is a guide for a lobby.</u></p> <p><u>The main objective for common circulation areas is to ensure that have a high level of amenity allowing for ease of movement for people and their possession and for personal safety. Minimum dimensions are specified as a guide but lighting and ventilation should also be considered. For entrances to apartments in mixed use developments see City Wide Rule 4 Building Design Mixed Use and Appendix.</u></p> <p><u>The preferred design layout for apartment development is the provision of multiple lobbies as this allows access to dual aspect apartments.</u></p> <p><u>For apartment developments with central internal corridors providing access off both sides (double loading) to ‘single aspect’ apartments. Corridors which provide access to five or fewer apartments should be at least 1.2 metres wide. Corridors with access to more than five apartments should be a minimum width of 1.6 metres. Ideally no more than eight apartments should share a corridor.</u></p> <p><u>Longer corridors should be avoided and for proposals departing from the guidelines above there will need to be specific reasons</u></p>	<p>Opposed By: 148 Vision Senior Living Limited</p>

		<i>and a very high level of amenity demonstrated.”</i>	
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Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

It is recommended that the heading ‘apartment buildings and developments’ be amended by shortening it simply to apartment buildings. The Panel considers that there is no need to add any additional words ‘and apartments in mixed used developments’, as the provisions would simply apply to any apartment irrespective of what type of development it is located within.

The submission also seeks amendments to the ‘building entries, circulation and mailboxes’ explanation. While the nature of changes sought is generally accepted, the proposed wording would benefit from some simplification. Recommended new wording is set out in Appendix 1 of this report.

Panel Recommendation 5.6.2.10(iv).9:

The Panel recommends that submission 257/461 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
148/18	Vision Senior Living Limited	Amend Apartment Design Criteria Element C6 - Body Corporate as follows: C6 “ <i>The extent to which the body corporate or management organisation management includes:.....</i> ”	

Evidence Presented:

Evidence was presented on behalf of Vision Senior Living Limited by David Wren and Phil Molloy.

Discussion:

Presumably the submitter is seeking to provide for situations where body corporates are unnecessary, such as retirement apartments where a separate management structure is in place. It is important that some legal entity is established to ensure that ongoing management and maintenance is undertaken to an acceptable standard. The requested wording by the submitter is perhaps too loose, but this could be rectified by inserting wording that refers simply to an alternative legal entity rather than a body corporate.

Panel Recommendation 5.6.2.10(iv).10:

The Panel recommends that submission 148/18 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
148/16	Vision Senior Living Limited	Amend Apartment Design Criteria Element C1- Corridors as follows: C1 “ <i>Common or shared corridorswith the standards:</i> <i>(i) 4m long corridors - a minimum width of 1.6m 1.2m</i> <i>(ii) For corridors over 4m long - a minimum width of 2m 1.5m”</i>	

Evidence Presented:

Evidence was presented on behalf of Vision Senior Living Limited by David Wren and Phil Molloy.

Discussion:

Amendments to design criterion C1 are recommended in response to another submission, and those amendments are likely to largely satisfy the submitter. The only difference to the request in effect is that the current submitter is seeking a width for longer corridors which is 100mm narrower than the standard that is now considered to be acceptable.

Panel Recommendation 5.6.2.10(iv).11:

The Panel recommends that submission 148/16 is accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
148/17	Vision Senior Living Limited	Amend Apartment Design Criteria Element C5- Building Maintenance as follows: C5 <i>"The extent to which the design (iii) secure storage facilities for the body corporate <u>or management organisation, which...."</u></i>	

Evidence Presented:

Evidence was presented on behalf of Vision Senior Living Limited by David Wren and Phil Molloy.

Discussion:

The submitter seeks amendments to the design criterion C5 in order to provide for storage facilities for entities other than simply a body corporate. Amendments are recommended to the criterion in order to reflect the submitter's request, by simply making the clause apply to any management entity that requires storage space for maintenance or cleaning purposes.

Panel Recommendation 5.6.2.10(iv).12:

The Panel recommends that submission 148/17 is accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/464	Waitakere City Council	Amend 'Design Criteria C3', clause (v) by adding those words in italics and underlined: <i>"Adequately addresses issues of personal security and safety, <u>Crime Prevention Through Environmental Design, and access for younger and older residents, and those with disabilities (provided that only apartments with access to lifts must allow for full wheelchair access).</u>"</i>	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The requested amendments appear to be beneficial in order to ensure that apartments are designed to maximise accessibility for residents and visitors.

Panel Recommendation 5.6.2.10(iv).13:

The Panel recommends that submission 257/464 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/463	Waitakere City Council	Amend 'Design Criteria C3' by adding the following underlined words to clause (i): "Ensures that living spaces of apartments front and maintain views over public streets and open spaces <u>to provide passive surveillance.</u> "	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The proposed additional wording seeks to clarify the intent of the clause, and is supported.

Panel Recommendation 5.6.2.10(iv).14:

The Panel recommends that submission 257/463 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/467	Waitakere City Council	Amend the 'Explanation' of the "Building Maintenance" design element by deleting the sentence struck through, and adding the new paragraph in italics and underlined: " The provision of good building maintenance systems within the design of a development will be considered in relation to the relevant design criteria in C5. <u><i>This is not a reason for plain buildings with uninteresting facades and no articulation. Instead it requires both the use of good quality durable building materials for the exterior cladding and for the surfacing of common areas within the building in conjunction with the provision of good building maintenance systems. The design of a development will be considered in relation to the relevant design criteria in C5.</i></u> "	Opposed By: 148 Vision Senior Living Limited

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The requested amendments make it clear that ease of building maintenance should not be a reason for the development of buildings that are aesthetically undesirable. Rather, the emphasis is

on use of durable materials and consideration of maintenance arrangements. It is recommended that the requested amendments be incorporated within the plan change.

Panel Recommendation 5.6.2.10(iv).15:

The Panel recommends that submission 257/467 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/476	Waitakere City Council	Amend 'Design Criteria C14' by deleting the words struck through, and adding the underlined and italicised text: "Provision of bicycle parking/storage will be considered with all apartment developments, and may be <u>is</u> mandatory in the following circumstances:"	Opposed By: 148 Vision Senior Living Limited

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The requested amendment is supported, subject to deletion of the word 'mandatory' which is not appropriate in the context of a design criterion. A preferable word would be 'required'.

Panel Recommendation 5.6.2.10(iv).16:

The Panel recommends that submission 257/476 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/475	Waitakere City Council	Amend 'Design Criteria C13' by deleting those words struck through and adding those in italics and underlined: "Alternative parking arrangements such as complementary parking utilising parking spaces for adjoining commercial activities, which operate at different times, will be considered provided that the appropriate legal arrangements for shared parking are detailed in application for resource consent or <u>kerbside parking, will be considered.</u> "	Supported By: 148 Vision Senior Living Limited Opposed By: 153 The National Trading Company of New Zealand Ltd

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The design criterion C13 recognises that there may be instances where alternative parking beyond the bounds of the development is acceptable, particularly on commercial premises which operate at different times to the peak parking demand of an apartment development. Where such circumstances are proposed, it is important that a legal mechanism is in place to ensure parking is available in perpetuity. However, this level of detail is something that would be addressed through a resource consent application with a likely condition requiring legal protection of the parking spaces, and there is no need for that mechanism to be addressed in the criterion.

There is advantage in including kerb side parking, which can be efficiently used where there are few other competing activities.

Panel Recommendation 5.6.2.10(iv).17:

The Panel recommends that submission 257/475 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/474	Waitakere City Council	Amend to add a new clause (iv) to 'Design Criterion C10' as follows: <i>"(iv) A site context analysis provides an adequate assessment of effects and benefits from reducing the number of car parks required for a development."</i>	Supported By: 148 Vision Senior Living Limited Support and Opposed By: 153 The National Trading Company of New Zealand Ltd

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The issue raised through this proposed amendment would be addressed more appropriately through the site analysis rule which forms part of Plan Change 18. In that context the Panel considers that there is no value in adding the requested additional clause.

Panel Recommendation 5.6.2.10(iv).18:

The Panel recommends that submission 257/474 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/473	Waitakere City Council	Amend to add a new fourth paragraph to the explanation of the "Car Parking and Vehicle Access" design element as follows: <i>"For proposals where fewer carparks are proposed than are required by the rules, a 'site context' assessment discussing the relationship of the development site to public transport services including stops, distance, gradient, convenience, safety the frequency of services and destinations will be required. The range of adjacent facilities services, shops and opportunities including recreation, the target market for the proposed apartments and any other matter that may help determine the likely dependence of residents on private vehicle use rather than other modes of transport should be included."</i>	Supported By: 148 Vision Senior Living Limited Support and Opposed By: 153 The National Trading Company of New Zealand Ltd

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

This additional paragraph is not required given that the requested amendments from the previous submission were not accepted. As such, it is recommended that the additional paragraph sought through the submission should not be incorporated in the plan change as an amendment.

Panel Recommendation 5.6.2.10(iv).19:

The Panel recommends that submission 257/473 is rejected.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
148/20	Vision Senior Living Limited	Amend Apartment Design Criteria Element C14 - Bicycle Parking as follows: <u>C14 Bicycle Parking</u> <i>"Provision of bicycle parking/storage will be considered with all apartment developments <u>except retirement apartments</u>, and may be"</i>	

Evidence Presented:

Evidence was presented on behalf of Vision Senior Living Limited by David Wren and Phil Molloy.

Discussion:

It is accepted that bicycle parking is unlikely to be as well utilised within a retirement development as it would be within general apartment developments. However, the approach taken in considering submissions is to add an additional assessment criterion that recognises the unique circumstances of retirement villages rather than changing all of the assessment and design criteria to provide for such activity. On this basis, the Panel considers that design criterion C14 should not be amended as requested by the submitter.

Panel Recommendation 5.6.2.10(iv).20:

The Panel recommends that submission 148/20 is accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
148/19	Vision Senior Living Limited	Amend Apartment Design Criteria Element C10 - Carparking and Loading as follows: <u>C10 Car Parking and Loading</u> <i>"The extent to which: (i) sufficient car parks are provided onsite for residents and visitors <u>taking into account the characteristics of likely potential residents.</u>"</i>	

Evidence Presented:

Evidence was presented on behalf of Vision Senior Living Limited by David Wren and Phil Molloy.

Discussion:

The response to the previous submission is applicable in relation to this matter also. As a consequence, it is recommended that the submission be rejected.

Panel Recommendation 5.6.2.10(iv).21:

The Panel recommends that submission 148/19 is rejected.

5.6.3 Submissions Seeking Amendments to City Wide Rule 2 – Site Analysis

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/498	Waitakere City Council	Amend City Wide Rule 2 - 2.1 'Standards for Site Analysis, by deleting those words struck through, and adding those in italics and underlined: <i>"All applications for medium density housing, apartments, mixed use and retail development involving the construction of new buildings and or additions over 100m² gross floor area providing for retail development, mixed use, apartments and medium density housing must be accompanied by the following:"</i>	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The requested amendments are minor in nature, but improve the grammar of the clause in question and clarify the application of the rule. As such, the amendment is supported.

Panel Recommendation 5.6.3.1:

The Panel recommends that submission 257/498 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/499	Waitakere City Council	Amend clauses (iii) and (vi) of City Wide Rule 2, under the heading of "The site analysis shall include:" by adding the italicised and underlined text: (iii) Site plan of existing <i>physical</i> conditions ... (vi) Abutting <i>main</i> private open spaces, windows of habitable rooms, which have outlooks towards the subject site, <i>service areas and the like.</i>	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The requested amendments would assist in gathering information that is required for site analysis purposes, and give effect to the intention of the rule. It is noted that the second clause referred to is in fact clause (vii). The requested amendments are supported.

Panel Recommendation 5.6.3.2:

The Panel recommends that submission 257/499 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/500	Waitakere City Council	Amend Assessment Criteria 2(f) by adding the italicised and underlined words: <i><u>"The extent to which the design of buildings and associated features provide for, or connect to, pedestrian linkages on adjoining sites, <u>public accessways or parks.</u>"</u></i>	Supported By: 258 Auckland Regional Transport Authority 250 Auckland Regional Council

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The amendments requested in the submission are minor in effect and nature, but are considered to be beneficial. The Panel recommends that the submission is accepted.

Panel Recommendation 5.6.3.3:

The Panel recommends that submission 257/500 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
110/132	Warehouse Stationery Limited	If the whole Proposed Plan Change is not rejected, delete Assessment Criterion 2(b), Policy 11.33.	Opposed By: 208 Sylvia Park Business Centre Limited
110/133	Warehouse Stationery Limited	If the whole Proposed Plan Change is not rejected, delete the 5 th bullet of Site Analysis Rule - Resource Consent Conditions Policy 11.33.	Opposed By: 208 Sylvia Park Business Centre Limited 250 Auckland Regional Council
109/132	The Warehouse Ltd	If the whole Proposed Plan Change is not rejected, delete Assessment Criterion 2(b), Policy 11.33.	Supported By: 184 West Auckland Land Holdings Ltd Opposed By: 208 Sylvia Park Business Centre Limited
109/133	The Warehouse Ltd	If the whole Proposed Plan Change is not rejected, delete the 5 th bullet of Site Analysis Rule - Resource Consent Conditions Policy 11.33.	Supported By: 184 West Auckland Land Holdings Ltd Opposed By: 250 Auckland Regional Council 208 Sylvia Park Business Centre Limited

Evidence Presented:

Evidence was presented on behalf of the Warehouse Limited and Warehouse Stationery Limited by Vaughan Smith and Fiona Shilton.

Discussion:

Assessment criterion 2B refers to the extent to which buildings are compatible with the size of the site, and the fifth bullet point referred to in the submission indicates that resource consent conditions may be imposed limiting the bulk and scale of activities and other development. Clearly, some buildings need to be of substantial size due to their function and purpose, and the rule is not intended to in some way impose a limit on building size unless a building proposed is of such bulk that it cannot exist on a site without creating adverse effects. This would not be the case with the

vast majority of large format retail stores, because those activities tend to locate on large sites which are capable of accommodating the building along with parking and landscaping. On this basis, it proposed that the site analysis rule remain unchanged.

Panel Recommendation 5.6.3.4:

The Panel recommends that submissions 110/132, 110/133, 109/132 and 109/133 are rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
95/25	Housing New Zealand Corporation (1)	Amend Rule 2.1 Standards for Site Analysis by inserting item (b) as follows: <i>"b) Item (a) above shall not apply in instances where a Comprehensive Development Plan is required by the rules of this Plan in advance of development."</i>	Supported By: 109 The Warehouse Ltd 110 Warehouse Stationery Limited

Evidence Presented:

Tabled evidence was provided on behalf of Housing New Zealand Corporation by Kristen McGavock.

Discussion:

Presumably the submitter is concerned with the potential for duplication of consent processes, where a comprehensive development plan exists and development within such an area needs to be accessed in relation to the site analysis rule. In principle, that point is accepted. However, the Panel considers that the interrelationship between buildings is still best addressed at the detailed level under the site analysis rule. As a consequence, it is recommended that the rule is not modified in the manner sought by the submitter.

Panel Recommendation 5.6.3.5:

The Panel recommends that submission 95/25 is rejected.

5.6.4 Submissions Seeking Amendments to City Wide Rule 3 – Street Frontage

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/515	Waitakere City Council	Amend the Plan Change to consider extending a similar rule to that specified in D(ii), and/or of a appropriate height across all street typologies to avoid deviations between the finished ground floor of a building (at street level) and the street, extend ground floor façade requiring display space or glazing between 1 and 3 metres across all street typologies.	Opposed By: 109 The Warehouse Ltd 110 Warehouse Stationery Limited

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The submission seeks rewording of the street frontage rules to extend some of the provisions so that they have wider application. The particular provisions in question are recommended to be modified or deleted in response to other submissions. As such, the Panel recommends that the submissions are rejected.

Panel Recommendation 5.6.4.1:

The Panel recommends that submission 257/515 is rejected.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/518	Waitakere City Council	Amend City Wide Rule 3 to provide more specific performance standards (that either includes or excludes tenancy width) that ensures the intent of Policy 11.47 and Assessment Criteria 3(a)(i) is achieved.	Opposed By: 109 The Warehouse Ltd 218 AMP Capital Investors (NZ) Limited 110 Warehouse Stationery Limited

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The submission is relatively general in the relief that it is seeking. A number of amendments to the rules are recommended in order to more effectively deliver the policy intentions of the plan change, including modifications to performance standards. As a consequence, the submission is accepted in part, subject to a number of recommended amendments that are contained within Appendix 1.

Panel Recommendation 5.6.4.2:

The Panel recommends that submission 257/518 is accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/538	Waitakere City Council	Amend City Wide Rule 3 to include signage and lighting performance standards and assessment criteria.	Opposed By: 184 West Auckland Land Holdings Ltd 109 The Warehouse Ltd 218 AMP Capital Investors (NZ) Limited 110 Warehouse Stationery Limited

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

Lighting and signage are controlled by rules that already exist within the District Plan. However, it would be appropriate to also include such provisions within the streetscape rule. Some amendments to the plan change are recommended in response to this submission.

Panel Recommendation 5.6.4.3:

The Panel recommends that submission 257/538 is accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
184/7	West Auckland Land Holdings Ltd	Amend the rules and assessment criteria to be more realistic in the design expectations for developments outside of the mainstreet areas of town centres.	Supported By: 109 The Warehouse Ltd 110 Warehouse Stationery Limited

Evidence Presented:

No evidence was presented in support of the submission(s).

Discussion:

The Panel considers that the submitters concerns have some merit. The provisions as currently drafted in the plan change may be somewhat unrealistic, particularly in relation to larger format stores that would seek to establish outside of the main street areas of town centres. A number of amendments are recommended in order to more appropriately provide for a full range of retail and development activities without triggering unnecessary resource consent applications.

Panel Recommendation 5.6.4.4:

The Panel recommends that submission 184/7 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/441	Waitakere City Council	Amend Assessment Criterion 3(k) by adding those words in italics and underlined: “The extent to which, for any development not meeting the minimum building height where fronting a Mainstreet Typology 1 or 2, <i><u>there are exceptional circumstances relating to the nature of the activity that would make upper storeys impractical.</u></i> ”	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The requested amendment to Assessment Criteria 3k recognises that there will be some activities that would have significant difficulties if it were mandatory to incorporate an upper storey into the design of the building. It is recommended that an amendment is made to the design criterion in response to the submission, in order to provide a more flexible approach to development.

Panel Recommendation 5.6.4.5:

The Panel recommends that submission 257/441 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/541	Waitakere City Council	Amend City Wide Rule 3 to include a new street typology definition and associated performance standards and assessment criteria to address design requirements for the possibility of mixed use activities at the ground level of a mostly residential building located in particular in the Living 6 Environment.	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

There will be a number of situations where mixed use development is occurring in and around town centres. It is appropriate that there be some means in the District Plan to address development of

this nature to ensure that amenity standards are maintained and enhanced. Amendments to the Street Frontage Rule are recommended in order to address this matter, and the Panel considers that those recommended amendments would satisfy the relief sought by the submitter.

Panel Recommendation 5.6.4.6:

The Panel recommends that submission 257/541 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
107/96	Westfield (New Zealand) Limited	Delete City Wide Rule 3 or, alternatively, substantially redraft Rule 3 to recognise the particular operational characteristics of retail activities.	Supported By: 109 The Warehouse Ltd 110 Warehouse Stationery Limited Opposed By: 250 Auckland Regional Council Support and Opposed By: 208 Sylvia Park Business Centre Limited
108/133	Progressive Enterprises Limited	Delete Rule 3 or, alternatively, substantially redraft Rule 3 to recognise the particular operational characteristics of retail activities such as supermarkets.	Supported By: 109 The Warehouse Ltd 208 Sylvia Park Business Centre Limited 110 Warehouse Stationery Limited Opposed By: 250 Auckland Regional Council

Evidence Presented:

No evidence was presented in support of the submission(s).

Discussion:

A number of recommended modifications to the Street Frontage Rule are proposed in order to take a more flexible approach to development by recognising the particular operational characteristics of retail activities and other activities. Those recommended changes are likely to, at least in part, address the submissions.

Panel Recommendation 5.6.4.7:

The Panel recommends that submissions 107/96 and 108/133 are accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/537	Waitakere City Council	Assessment Criteria 3(j) needs to read as follows: <i><u>“Comprehensive retail developments, with street frontage to a Town Centre - Mainstreet 1 & 2, Town Centre - Commercial or Town Centre - Transitional Commercial, with a gross floor area greater than 10,000 m2 (either by itself or in combination with existing buildings on the site) involving a shopping mall/multi tenancy complex activity (which generally has shop frontage internally rather than externally focussed) should ensure that:”</u></i>	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

Some amendments to Assessment Criteria 3(j) are recommended, in order to clarify the criterion and improve the language. The recommended amendments do not accord entirely with those requested in the submission but are considered to satisfy the submitter's intentions.

Panel Recommendation 5.6.4.8:

The Panel recommends that submission 257/537 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
315/5	New Lynn Properties Ltd	Delete reference in City Wide Rule 3.1 Resource Consent Conditions to "building height" in bullet point 1, and "location" in bullet point 2, and make any consequential amendments.	

Evidence Presented:

No evidence was presented in support of the submission(s).

Discussion:

The Streetscape Rule is intended to manage the effect of buildings and development on the streetscape. In this context, it is important that the Council retains the ability to impose conditions that control the bulk and location of buildings. For this reason, the relief requested by the submitter is not accepted.

Panel Recommendation 5.6.4.9:

The Panel recommends that submission 315/5 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
315/2	New Lynn Properties Ltd	Amend City Wide Rule 3.1C Town Centre - Commercial Typology (v) as follows: <i>"Car parking areas within the ground floorspace of a building are screened from the street by a non-residential activity or through the use of architectural features."</i>	
315/3	New Lynn Properties Ltd	Amend City Wide Rule 3.1C Town Centre - Commercial Typology Assessment Criteria 3(a), (v) and (j) to give effect to the relief sought in The Panel recommends that submission 315/2.	

Evidence Presented:

No evidence was presented in support of the submission(s).

Discussion:

The Panel considers that the particular clause in question is effectively redundant due to existing provisions in the Street Frontage Rule and recommended amendments. The effect of this is that the relief requested by the submitters is accepted, to the extent that the clause is removed from the proposed Plan Change.

Panel Recommendation 5.6.4.10:

The Panel recommends that submissions 315/2 and 315/3 are accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/115	IMF Westland Ltd	<p>Amend Rule 3.1 to add a new typology for large format areas e.g. Precinct B</p> <p>The urban quality established for precinct B in terms of buildings, street details, landscaping treatment and the manner in which the public realm is addressed should have regard to the following: -</p> <ul style="list-style-type: none">■ Dominant pedestrian movement patterns■ The need to mitigate the effects of large format buildings■ Etc	Support and Opposed By: 81 IB, GA and IE Midgley

Evidence Presented:

Tabled evidence was provided on behalf of IMF New Zealand Limited by Craig Cairncross.

Discussion:

A number of changes are recommended to the proposed rules that would, in part, address the relief sought by the submitter. In particular, there is an acceptance that large format retail activities are a part of commercial development that may locate in and around town centres. The Panel considers that some flexibility should be provided to enable such activities to locate in these areas, although providing at the same time a range of appropriate controls to manage and address amenity considerations.

Panel Recommendation 5.6.4.11:

The Panel recommends that submission 300/115 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
153/29	The National Trading Company of New Zealand Ltd	<p>Amend Part (ii) of Assessment Criteria 3(a) by adding those words in italics:</p> <p>(iv) avoiding blank walls, <i>where practicable</i>, on street frontages...</p>	Supported By: 184 West Auckland Land Holdings Ltd Opposed By: 258 Auckland Regional Transport Authority 250 Auckland Regional Council
153/30	The National Trading Company of New Zealand Ltd	<p>Amend Part (v) of Assessment Criteria 3(a) by adding those words in italics:</p> <p>(v) mitigating blank walls, <i>where appropriate or practicable</i>, sleeving large format...</p>	Supported By: 184 West Auckland Land Holdings Ltd Opposed By: 258 Auckland Regional Transport Authority 250 Auckland Regional Council

Evidence Presented:

Evidence was presented on behalf of the National Trading Company of New Zealand Limited by Barry Rae, John Burgess, and Angela Hurst.

Discussion:

It should be noted that Assessment Criteria are, by their nature, not absolute. An application is assessed against the criteria to determine whether the consent should be granted. As such, there may be instances where development applications are accepted notwithstanding the fact that blank walls are proposed where certain circumstances dictate that this is appropriate. However, if such wording as is sought by the submitter is added into Assessment Criterion 3(a), it will create a level of uncertainty that is not desirable when assessing resource consent applications. The requested wording would require an interpretation as to when it is "appropriate or practicable" to mitigate a blank wall. Such amendments would dilute the intention of the rule.

Panel Recommendation 5.6.4.12:

The Panel recommends that submissions 153/29 and 153/30 are rejected.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
153/31	The National Trading Company of New Zealand Ltd	Amend Part (vi) of Assessment Criteria 3(a) by adding those words in italics: <i>(vi) with the exception of the Periphery Typology, designing carparking...</i>	Supported By: 184 West Auckland Land Holdings Ltd Opposed By: 258 Auckland Regional Transport Authority

Evidence Presented:

Evidence was presented on behalf of the National Trading Company of New Zealand Limited by Barry Rae, John Burgess, and Angela Hurst.

Discussion:

The periphery typology is not intended to be captured by this particular part of the Street Frontage Rule. A recommended amendment is proposed to satisfy the relief sought by the submitter.

Panel Recommendation 5.6.4.13:

The Panel recommends that submission 153/31 is accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
300/116	IMF Westland Ltd	Amend Assessment Criteria 3(a) as follows: All development should contribute to pedestrian amenity, safe and attractive streets and public places, stimulate desired pedestrian activity and contribute to appropriate standards of design by:	Support and Opposed By: 81 IB, GA and IE Midgley

Evidence Presented:

Tabled evidence was provided on behalf of IMF New Zealand Limited by Craig Cairncross.

Discussion:

It is not immediately clear what value the proposed amendments would add to the existing provisions. It would appear that the requested changes would not have any significant benefit or impact, and accordingly it is recommended that the provision remain unchanged.

Panel Recommendation 5.6.4.14:

The Panel recommends that submission 300/116 is rejected.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
300/117	IMF Westland Ltd	Delete Assessment Criteria 3(a)(v) and replace with the following: <i>mitigating extensive blank walls and encouraging active street frontages by utilisation of appropriate methods such as sleeving large format buildings with smaller scale buildings and activities, architectural techniques such as use of different materials, articulation and display space, landscaping elements, streetscape treatment etc.</i>	Supported By: 218 AMP Capital Investors (NZ) Limited Support and Opposed By: 81 IB, GA and IE Midgley

Evidence Presented:

Tabled evidence was provided on behalf of IMF New Zealand Limited by Craig Cairncross.

Discussion:

The submission effectively makes the point that sleeving may not be appropriate or required in every situation that large format buildings are proposed. Amendments to the Assessment Criteria are recommended in order to address this issue. The extent of those changes is set out in Appendix 1.

Panel Recommendation 5.6.4.15:

The Panel recommends that submission 300/117 is accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
300/119	IMF Westland Ltd	Delete Assessment Criteria 3(b)(ii) and replace with the following: <i>activate street frontages through techniques such as glazing, display space, outdoor plazas, building articulation, setbacks and materials, emphasised pedestrian access points, front door placement etc.</i>	Supported By: 218 AMP Capital Investors (NZ) Limited Opposed By: 250 Auckland Regional Council Support and Opposed By: 81 IB, GA and IE Midgley

Evidence Presented:

Tabled evidence was provided on behalf of IMF New Zealand Limited by Craig Cairncross.

Discussion:

It is recommended that the Assessment Criterion 3(b)(ii) be deleted, and replaced with more flexible provisions elsewhere within the plan change. Those provisions are considered to be consistent with the matters raised in the submission.

Panel Recommendation 5.6.4.16:

The Panel recommends that submission 300/119 is accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
300/120	IMF Westland Ltd	Amend to insert the following to the end of Assessment Criteria 3(c)(ii): ..and techniques such as detailed in 3 (b) ii above. (assuming amendments sought in The Panel recommends that submission 300/119	Supported By: 218 AMP Capital Investors (NZ) Limited Support and Opposed By: 81 IB, GA and IE Midgley

		are accepted)	
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Evidence Presented:

Tabled evidence was provided on behalf of IMF New Zealand Limited by Craig Cairncross.

Discussion:

Some changes are recommended to this particular assessment criterion, in order to provide examples of techniques that would be acceptable in creating an active street frontage. The Panel considers that the proposed changes, while not exactly as requested by the submitter, would satisfy the intent of the submission.

Panel Recommendation 5.6.4.17:

The Panel recommends that submission 300/120 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/121	IMF Westland Ltd	Delete Assessment Criteria 3(d)(ii) and replace with the following: <i>activate street frontages through techniques such as glazing, display space, outdoor plazas, building articulation, setbacks and materials, emphasised pedestrian access points, front door placement etc.</i>	Supported By: 218 AMP Capital Investors (NZ) Limited Support and Opposed By: 81 IB, GA and IE Midgley

Evidence Presented:

Tabled evidence was provided on behalf of IMF New Zealand Limited by Craig Cairncross.

Discussion:

As noted in response to the previous submission, it is anticipated that recommended amendments to the provisions would satisfy the relief sought by the submitter.

Panel Recommendation 5.6.4.18:

The Panel recommends that submission 300/121 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
153/32	The National Trading Company of New Zealand Ltd	Amend the Assessment Criteria 3(e) applying to the Periphery typology by adding those words in italics and deleting those words struckthrough: Development with street frontage to a Town Centre - Periphery should: i. ensure carparking, manoeuvring, and loading areas and site access do not dominate the streetscape and pedestrian environment or result in the building being distant from the street; ii. provide active street frontages for that part of the <i>where</i> a building adjoining s the street; iii. design and implement ...to soften	Supported By: 184 West Auckland Land Holdings Ltd Opposed By: 258 Auckland Regional Transport Authority 250 Auckland Regional Council

		the <i>dominance and visual appearance to the street and pedestrian environment of parking areas...</i>	
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Evidence Presented:

Evidence was presented on behalf of the National Trading Company of New Zealand Limited by Barry Rae, John Burgess, and Angela Hurst.

Discussion:

It is considered important for buildings to contribute to an attractive streetscape, notwithstanding the function of that building. Flexibility is provided through the identification of streets within each typology, and through the particular assessment criteria that are applied to an individual proposal. A number of recommended changes are proposed in relation to the assessment criterion in question, and these may address in part the concerns of the submitter.

Panel Recommendation 5.6.4.19:

The Panel recommends that submission 153/32 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/520	Waitakere City Council	Amend City Wide Rule 3 to clarify whether particular activities need to be acknowledged within the street typologies and recognition through performance standards subsequently given.	Opposed By: 109 The Warehouse Ltd 218 AMP Capital Investors (NZ) Limited 110 Warehouse Stationery Limited

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The submission is not specific and it is not immediately clear what is being sought by the way of relief. A number of amendments to City Wide Rule 3 are proposed, and some of these may be consistent with the objectives of the submitter.

Panel Recommendation 5.6.4.20:

The Panel recommends that submission 257/520 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/525	Waitakere City Council	Amend Performance Standard 3.1D(i) to read as follows: <i><u>“Buildings (excluding canopies) are built on and continuous for the full width of the site’s street frontage and which adjoin adjacent buildings, unless the following applies: One vehicular access (but not car parking spaces) not exceeding 6 metres in width, per 50 metres of the street A maximum setback of 1.5 metres to provide a recessed main pedestrian entrance with a maximum width of 5 metres”</u></i>	

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Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The Panel considers that the submission has merit in the changes that are sought, and recommended amendments are contained within Appendix 1. The recommended wording does not align in its entirety with that sought in the submission, although the recommended wording would be consistent in general terms with that contained within the submission.

Panel Recommendation 5.6.4.21:

The Panel recommends that submission 257/525 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/529	Waitakere City Council	Amend Assessment Criteria 3(a)(v) to read as follows: <i><u>“Avoiding blank walls by sleeving large format retail or large buildings (above 2500m2 ground floor area) with smaller buildings and activities which provide active street frontages.”</u></i>	Supported By: 258 Auckland Regional Transport Authority Opposed By: 109 The Warehouse Ltd 110 Warehouse Stationery Limited

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The submission seeks to make minor amendments to the plan change provisions that were publicly notified. Other submissions related to “sleeving” of large format retail buildings have resulted in recommended amendments to these provisions. The recommended amendments would provide an opportunity to utilise active street frontages on large format buildings as an alternative to sleeving. This would provide greater flexibility for design solutions to respond to the circumstances of the building and surrounding environment.

Panel Recommendation 5.6.4.22:

The Panel recommends that submission 257/529 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/528	Waitakere City Council	Amend Performance Standard 3.1F(iii) to read as follows: <i><u>“(iii) Buildings are set back no greater than 3 metres from the street, except that garages and car ports, where they front or adjoin a street shall be setback a minimum of 5 metres from the street.”</u></i>	

Evidence Presented:

Waitakere City Council - Proposed Plan Changes 13-18 - Report WCC 7 - Panel Recommendation Report of 28 May 2007 adopted as decisions of Waitakere City Council on 20 June 2007 - printed 31 July 2007.

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The submission requests minor grammatical amendments, which are accepted.

Panel Recommendation 5.6.4.23:

The Panel recommends that submission 257/528 is accepted.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/527	Waitakere City Council	Amend Performance Standard 3.1E(iii) to read: <i>“(iii) Buildings with a pedestrian entrance located within 3 metres and directly accessible from the street with a canopy across the pedestrian entrance to provide sufficient weather protection for pedestrians.”</i>	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

It is recommended that this particular performance standard be deleted, in response to other submissions. The matters raised in this particular submission are able to be addressed by existing and proposed assessment criteria.

Panel Recommendation 5.6.4.24:

The Panel recommends that submission 257/527 is accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/526	Waitakere City Council	Amend Performance Standard 3.1D(i) to provide certainty with regards to the extent of the setback requirement.	Supported By: 258 Auckland Regional Transport Authority

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

As far as possible, it is desirable to have certainty in the way that a rule is expressed. The performance standard can be amended, in the manner set out in Appendix I, to provide sufficient certainty for those seeking to develop in this area.

Panel Recommendation 5.6.4.25:

The Panel recommends that submission 257/526 is accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
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257/524	Waitakere City Council	Delete Performance Standard 3.1B(ii).	
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Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The Panel considers that the performance standard has merit and should not be deleted. However, there are a number of proposed changes in response to issues raised through the submission process that would, at least partially, give effect to the submitter's request.

Panel Recommendation 5.6.4.26:

The Panel recommends that submission 257/524 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/523	Waitakere City Council	<p>Amend Performance Standard 3.1B(i) as follows:</p> <p><u><i>“Buildings (excluding canopies) with a minimum of two storeys of useable floorspace built on and continuous for the full width of the site’s street frontage, unless the following applies:</i></u></p> <p>(a) <u><i>an outdoor plaza associated with the building’s ground floor activities not exceeding 10 metres of the site’s street frontage and with a maximum depth from the street to the building of 10 metres, with no requirement for a building above the airspace of the plaza and where the outdoor plaza does not involve walls or other structures of more than 1 metre in height.</i></u></p> <p>(b) <u><i>A maximum setback of 1.5m to provide a recessed main pedestrian entrance that has a maximum width of 1.5m.</i></u></p> <p>(c) <u><i>One vehicular access (but not car parking spaces) not exceeding 6 metres in width, per 50m of the street frontage, provided that no vehicle access shall be permitted within the Mainstreet identified on the Massey North Urban Concept Plan.”</i></u></p>	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

Recommended amendments have been made to give effect to the submission. The wording that is recommended does not completely follow that set out in the submission, although the Panel considers that the intent of the submission would be met. The wording recommended is considered to be an improvement on that sought in the submission.

Panel Recommendation 5.6.4.27:

The Panel recommends that submission 257/523 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/540	Waitakere City Council	Amend City Wide Rule 3 to include Assessment Criteria related to landscape treatment and planting, with wording similar in content to that utilised by Assessment Criteria 3(e)(iii) and (iv).	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

It is considered important that landscape treatment and planting are an integral part of new development within town centres, where the desired typology of the street provides opportunities for planting. Some amendments to the assessment criteria are recommended through Appendix I in order to address the submission.

Panel Recommendation 5.6.4.28:

The Panel recommends that submission 257/540 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/521	Waitakere City Council	Amend Performance Standard 3.1A(i) by deleting those words struck through, and adding those in italics and underlined: “(i) <u>Buildings (excluding canopies) with a minimum of two storeys of useable floorspace built on and continuous for along the full width of the site’s street frontage of the site, unless the following applies:</u> (a) an outdoor plaza associated with the building’s ground floor activities not exceeding 10 metres of the site’s <i>street frontage</i> and with a maximum depth from the <i>street</i> to the <i>building</i> of 10 metres, <u>with no requirement for a building above the airspace of the plaza,</u> and where the outdoor plaza does not involve walls or other structures of more than 1 metre in <i>height</i> . (b) <u>one vehicular access (but not car parking spaces) not exceeding 3 metres in width except where access can be achieved by a service lane or from a <i>street</i> not identified as <i>Town Centre - Mainstreet</i></u> ”	

		<u>Typology 1 in which case no vehicular access shall be provided on the Town Centre - Mainstreet Typology frontage.</u>	
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Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The changes sought through the submission are accepted in principle, subject to some amendment to the wording in order to fit better with the proposed provisions in the plan change.

Panel Recommendation 5.6.4.29:

The Panel recommends that submission 257/521 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/519	Waitakere City Council	Amend City Wide Rule 3 to incorporate service lanes into the street typology with the exception of "A. Town Centre -Mainstreet Typology 1" and "B. Town Centre- Mainstreet Typology 2", that also avoids the proliferation of service lanes into the streetscape.	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The Street Frontages Rule does provide for vehicular access points through street frontages to serve the rear portions of properties. Thus, this service lane provision is already existing within the rules as they stand. The rules that are proposed do incorporate controls on the frequency of such service lanes and other access points serving the rear of properties to ensure that the street frontage is not unnecessarily broken.

Panel Recommendation 5.6.4.30:

The Panel recommends that submission 257/519 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/516	Waitakere City Council	Amend the Plan Change to provide more specific rules with regard to the establishment of canopies to ensure continuous weather protection unless exemptions apply.	Supported By: 250 Auckland Regional Council Opposed By: 109 The Warehouse Ltd 218 AMP Capital Investors (NZ) Limited 110 Warehouse Stationery Limited
257/517	Waitakere City Council	Amend the Plan Change to make any consequential amendments, to give effect to the relief sought in The Panel recommends that submission 257/516, to include but not	Opposed By: 153 The National Trading Company of New Zealand Ltd

		be limited to the provision of certain performance standards that extend across all street typologies.	109 The Warehouse Ltd 218 AMP Capital Investors (NZ) Limited 110 Warehouse Stationery Limited
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Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The submissions seek amendments to the Rules and Assessment Criteria relating to the establishment of canopies for pedestrian weather protection. The submissions note that there may well be exceptions to the otherwise desirable continuity of such protection, and recommended amendments to the plan changes provide for specific exceptions where approved vehicle access is provided. On this basis, the submissions are at least partially accepted.

Panel Recommendation 5.6.4.31:

The Panel recommends that submissions 257/516 and 257/517 are accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/514	Waitakere City Council	Amend "A. Town Centre - Mainstreet Typology 1", "B. Town Centre - Mainstreet Typology 2", and "C. Town Centre - Commercial Typology" to consider a minimum of two storeys of useable floorspace with the exclusion of basement/semi-basement of a building, or a minimum of two storeys of useable floorspace above the finished level of the street, or specified heights above the finished level of the street.	Opposed By: 153 The National Trading Company of New Zealand Ltd

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The Panel considers that development of more than a single storey is particularly desirable within a town centre situation. Where development is greater than one storey in height it provides opportunities for mixed use, such as offices or residential apartments being developed above ground floor retail. It also has an advantage of preserving ground floor space for retail uses which provide for a more attractive and interesting pedestrian environment. In the town centre main streets the Panel considers that a minimum height of two storeys is appropriate. As such, a number of amendments to the rules are recommended to ensure that new buildings are at least two storeys in height.

Panel Recommendation 5.6.4.32:

The Panel recommends that submission 257/514 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/512	Waitakere City Council	Amend the Plan Change to make any consequential amendments to give effect to the relief sought, and to include but not be limited to clarification on the requirements to where sites front onto the additional areas	Supported By: 250 Auckland Regional Council

		sought in submissions 257/510 and 257/511. Amend the relevant policies, rules and assessment criteria, to provide for all buildings to be subject to relevant design criteria.	
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Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

This submission is insufficiently detailed to determine specifically the relief that is required. As such, the submission is not supported in its entirety, although it is noted that matters raised in the submission are addressed in the assessment of submissions 257/510 and 257/511.

Panel Recommendation 5.6.4.33:

The Panel recommends that submission 257/512 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/508	Waitakere City Council	Amend the "Street Typology" definition to read as follows: "Means one or more of the street typologies referred to in the City Wide Rule <u>3 Building Design -Street Frontage.</u> "	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The requested amendment simply identifies the correct name of the Rule within the definition.

Panel Recommendation 5.6.4.34:

The Panel recommends that submission 257/508 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/509	Waitakere City Council	Amend all the street typology "Town Centre - " definitions to read as follows: "Means the street typology identified on an Urban Concept Plan, Human Environment maps or on an Approved Comprehensive Development Plan to which the standards in the City Wide Rule <u>3 Building Design - Street Frontage apply.</u> "	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

Again, the submitter requests a simple amendment to the definitions of each street typology in order to reflect the correct name of the Rule.

Panel Recommendation 5.6.4.35:

The Panel recommends that submission 257/509 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/510	Waitakere City Council	Amend the Plan Change to broaden the definition of "Street" (as defined in WCC Plan Change 17) to include, but not be limited to, the inclusion of private roads, proposed roads, indicative roads or accessways to ensure better environmental outcomes. (see also submission 257/542)	Opposed By: 109 The Warehouse Ltd 110 Warehouse Stationery Limited

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The relief sought by this submitter is intended to broaden the definition to ensure that the street frontage rules apply to any existing or proposed access way which it is intended that the public would have access over from time to time. This would ensure that the urban design objectives that are implemented through the Plan Change will apply in all appropriate situations. The comprehensive development planning framework that is proposed in new development areas, such as Massey North, would ensure that any streets are categorised within the appropriate typology.

Panel Recommendation 5.6.4.36:

The Panel recommends that submission 257/510 is accepted, subject to amended wording to make it clear that private roads are only included where it is intended that the road will provide for public access.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/522	Waitakere City Council	Delete Performance Standard 3.1A(ii).	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

Recommended changes in response to other submissions have redrafted this particular provision of Plan Change 18. It is envisaged that the amended wording would, at least partially, satisfy the submitter's request.

Panel Recommendation 5.6.4.37:

The Panel recommends that submission 257/522 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/531	Waitakere City Council	Amend City Wide Rule 3 to clarify requirements relating to street furniture, lighting standards, advertisement structures	Opposed By: 109 The Warehouse Ltd 110 Warehouse Stationery

		located within the street or road, and apply appropriate performance standards and assessment criteria where necessary.	Limited
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Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

Items of street furniture and public lighting, and advertisement structures that would be located within the street or road are able to be controlled by the Council as landowner outside of the District Plan process. For this reason, there is no necessity to manage these structures through the District Plan, which would tend to duplicate powers that the Council already possesses. For this reason, the submission is not accepted.

Panel Recommendation 5.6.4.38:

The Panel recommends that submission 257/531 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/539	Waitakere City Council	Amend assessment Criteria 3(m) by deleting the word struck through, and adding that in italics and underlined: "The extent to which areas of open space, plazas, parking <u>planting</u> and street frontage treatment are used to offset the visual impact of buildings and development."	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The submission seeks to clarify and correct a simple typographical error. The issues addressed by this Assessment Criterion are dealt with elsewhere in the Plan Change in any event.

Panel Recommendation 5.6.4.39:

The Panel recommends that submission 257/539 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/533	Waitakere City Council	Amend the Street Typology definitions to provide more precise definitions for the purposes of clarifying all street typologies, and include illustrated graphical information (sketches).	Opposed By: 109 The Warehouse Ltd 218 AMP Capital Investors (NZ) Limited 110 Warehouse Stationery Limited

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

It is not considered that there is any benefit to be gained from expanding on the definitions that are contained within the Plan Change. The outcomes that are sought are encapsulated within the Assessment Criteria, and these tend to therefore describe the particular street typology in question. The Panel considers that there may be benefit in including illustrated graphical information (sketches) for each particular street typology, although it is noted that this could be done under Clause 16(2) of the First Schedule of the RMA which provides for amendments without further formality, to a proposed District Plan where such alteration is of minor effect.

In this regard it is noted that the definitions and rule headers for the typologies are amended to introduce a numbering system and the header for the Mainstreet typology is amended to more accurately reflect the town centre streets subject to this control.

Panel Recommendation 5.6.4.40:

The Panel recommends that submission 257/533 is accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/532	Waitakere City Council	Amend City Wide Rule 3 to include the word “ <i>and</i> ” after each sub-clause, to ensure each performance standard is read as a list for each street typology.	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The Panel considers that such an amendment would be unnecessary as the requirements and performance standards for each street typology would clearly need to be read as a whole.

Panel Recommendation 5.6.4.41:

The Panel recommends that submission 257/532 is rejected.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/511	Waitakere City Council	Amend the Plan Change to broaden the definition of “Street Frontage” (as defined in WCC PC17) to include, but not be limited to, the inclusion of public streets and roads, urban open space, reserves, proposed roads, pedestrian walkways, drainage/ecological open space, open space and rear sites. (see also submission 257/543)	Supported By: 258 Auckland Regional Transport Authority

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The amendments requested in the submission are considered to be too broad. Some modification to the street frontage definition is warranted, to clarify its application and correct errors. As a result, the submission is accepted in part only.

Panel Recommendation 5.6.4.42:

The Panel recommends that submission 257/511 is accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/534	Waitakere City Council	Delete the definitions for "Town Centre - Mainstreet Type 1" and "Centre Commercial" from WCC Plan Change 17.	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The definitions in question that are found within Plan Change 17 have been superseded by amendments to Plan Change 18 and should be deleted.

Panel Recommendation 5.6.4.43:

The Panel recommends that submission 257/534 is accepted.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/535	Waitakere City Council	Amend City Wide Rule 3 to ensure that the street frontage rules remain applicable where a building fronts onto a plaza.	Supported By: 250 Auckland Regional Council

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

Recommended amendments to the performance standards and definitions would ensure that street frontage rules continue to apply in situations where a building has frontage to a plaza.

Panel Recommendation 5.6.4.44:

The Panel recommends that submission 257/535 is accepted.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/530	Waitakere City Council	Amend Performance Standard 3.1C(i -iii) to read as follows: <u>"(i) Buildings and development on sites with a street frontage of 24.99 metres or less where:</u> <ul style="list-style-type: none">▪ <u>Buildings are set back no more than 3 metres from the street.</u>▪ <u>Buildings have a minimum of 2 storeys of useable floorspace along the street frontage.</u>▪ <u>Buildings are built along the entire street frontage of the site, provided that one 6 metre wide vehicle access may be provided.</u> <u>(ii) Buildings and development on sites with a street frontage of between 25</u>	Opposed By: 153 The National Trading Company of New Zealand Ltd

		<p><u>and 49.99 metres, where:</u></p> <ul style="list-style-type: none"> ▪ <u>Buildings are set back no more than 3 metres from the street.</u> ▪ <u>Buildings have a minimum of 2 storeys of useable floorspace along the street frontage.</u> ▪ <u>Buildings occupy at least 50% of the street frontage of the site.</u> <p><u>(iii) Buildings and development on sites with a street frontage of 50 metres or greater where</u></p> <ul style="list-style-type: none"> ▪ <u>50% of the street frontage of the building is set back a maximum 3m from the street and the remaining building is set back a maximum 25m from the street</u> ▪ <u>Buildings have a minimum of 2 storeys of useable floorspace along that part of the street frontage within 3.0m of the street."</u> 	
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Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

A number of the requested amendments identified in the submission have been incorporated in the recommended wording of the Street Frontage Rule. Not every aspect from the submission has been covered however, partly due to the complexity of the wording that is proposed in the submission. The Panel considers that the intent of the submission is given effect to by recommended alterations to the Street Frontage Rule that appear in Appendix 1.

Panel Recommendation 5.6.4.45:

The Panel recommends that submission 257/530 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/536	Waitakere City Council	Amend City Wide Rule 3 to ensure that the compatibility between matters of road (and pedestrian) safety and good urban design are achieved.	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The relief sought in this submission is not specific. However, the Panel considers that the matters referred to would be addressed by recommended amendments to the Street Frontage Rule.

Urban designers commonly use the principles of Crime Prevention Through Environmental Design and Universal Design to address issues of public safety and accessibility for all and it is appropriate

to include these matters in the assessment criteria. Rooding safety is adequately addressed through the District Plan.

Panel Recommendation 5.6.4.46:

The Panel recommends that submission 257/536 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
153/27	The National Trading Company of New Zealand Ltd	Delete Part (i) of E. Town Centre - Periphery Typology as follows: (i) Buildings are set back a minimum of 3 metres from the street.	Supported By: 184 West Auckland Land Holdings Ltd

Evidence Presented:

Evidence was presented on behalf of the National Trading Company of New Zealand Limited by Barry Rae, John Burgess, and Angela Hurst.

Discussion:

The deletion sought by the submitter is accepted. The Panel considers that the current wording of the provisions would impose an unnecessary restriction on site development opportunities. Design considerations can more appropriately be addressed through Assessment Criteria.

Panel Recommendation 5.6.4.47:

The Panel recommends that submission 153/27 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
153/28	The National Trading Company of New Zealand Ltd	Amend Part (i) of E. Town Centre - Periphery Typology by deleting those words struckthrough: (iv) Buildings with a pedestrian entrance directly accessible from the street with a canopy <u>ies</u> across the pedestrian entrances to provide...	Supported By: 184 West Auckland Land Holdings Ltd

Evidence Presented:

Evidence was presented on behalf of the National Trading Company of New Zealand Limited by Barry Rae, John Burgess, and Angela Hurst.

Discussion:

The submission is accepted in part, on the same basis as the previous submission. The relevant provisions would be deleted from the Proposed Plan Change, with the issue of pedestrian movement and amenity being dealt with through Assessment Criteria.

Panel Recommendation 5.6.4.48:

The Panel recommends that submission 153/28 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/105	IMF Westland Ltd	Amend Rule 3.1(A)(i) by inserting the following proviso: <i>Provided, where it can be shown that the urban quality of the mainstreet is retained,</i>	Supported By: 218 AMP Capital Investors (NZ) Limited Support and Opposed By: 81 IB, GA and IE Midgley

		<i>opportunities can be provided for double volume tenancies, atriums or arcade entries to be established.</i>	
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Evidence Presented:

Tabled evidence was provided on behalf of IMF New Zealand Limited by Craig Cairncross.

Discussion:

The Panel considers that the submission has some merit and amendment is recommended to provide for atriums or arcade entries as sought.

Panel Recommendation 5.6.4.49:

The Panel recommends that submission 300/105 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/106	IMF Westland Ltd	Amend Rule 3.1(A)(ii) by inserting adding an additional item (c) as follows: <i>(c) For a central town square contained by building frontages</i>	Support and Opposed By: 81 IB, GA and IE Midgley
300/110	IMF Westland Ltd	Amend Rule 3.1(B)(ii) by inserting adding an additional item (c) as follows: <i>(c) For a central town square contained by building frontages</i>	Support and Opposed By: 81 IB, GA and IE Midgley
300/107	IMF Westland Ltd	Amend Rule 3.1(A)(iv) by inserting the following text: <i>Provided that this requirement may be reduced to 50% if the balance to 75% includes high quality reflective permanent building materials or other appropriate techniques.</i>	Supported By: 218 AMP Capital Investors (NZ) Limited Support and Opposed By: 81 IB, GA and IE Midgley
300/111	IMF Westland Ltd	Amend Rule 3.1(B)(v) by inserting the following proviso: <i>Provided that this requirement may be reduced to 50% if the balance to 75% includes high quality reflective permanent building materials or other appropriate techniques.</i>	Supported By: 218 AMP Capital Investors (NZ) Limited Support and Opposed By: 81 IB, GA and IE Midgley
300/108	IMF Westland Ltd	Amend Rule 3.1(A)(v) to read as follows: <i>Provided that where a major tenancy is to be established, such as a department store, then a street frontage of greater than 30m can be used if the street frontage is active and meets the requirement of (iv) above</i>	Supported By: 218 AMP Capital Investors (NZ) Limited Support and Opposed By: 81 IB, GA and IE Midgley
300/112	IMF Westland Ltd	Amend Rule 3.1(B)(vi) to insert the following: <i>Provided that where a major tenancy is to be established, such as a department store, then a street frontage of greater than 30m can be used if the street frontage is active and meets the requirement of (v) above</i>	Supported By: 218 AMP Capital Investors (NZ) Limited Support and Opposed By: 81 IB, GA and IE Midgley

300/109	IMF Westland Ltd	Amend Rule 3.1(B)(i) by inserting the following proviso: <i>Provided, where it can be shown that the urban quality of the mainstreet is retained, opportunities can be provided for double volume tenancies, atriums or arcade entries to be established.</i>	Supported By: 218 AMP Capital Investors (NZ) Limited Support and Opposed By: 81 IB, GA and IE Midgley
300/113	IMF Westland Ltd	Amend Rule 3.1(C)(i) by inserting the following proviso to the 2 nd bullet: <i>Provided, where it can be shown that the urban quality of the street is retained, opportunities can be provided for double volume tenancies, atriums or arcade entries to be established</i>	Supported By: 218 AMP Capital Investors (NZ) Limited Support and Opposed By: 81 IB, GA and IE Midgley
300/114	IMF Westland Ltd	Amend Rule 3.1(C)(ii) by inserting the following proviso to the 2 nd bullet: <i>Provided, where it can be shown that the urban quality of the street is retained, opportunities can be provided for double volume tenancies, atriums or arcade entries to be established.</i>	Supported By: 218 AMP Capital Investors (NZ) Limited Support and Opposed By: 81 IB, GA and IE Midgley

Evidence Presented:

Tabled evidence was provided on behalf of IMF New Zealand Limited by Craig Cairncross.

Discussion:

This group of submissions seek amendments to Rule 3.1(A). A number of amendments are recommended to the performance standard to address the issues raised by the submitter. The 75% glazing requirement is recommended to be deleted, which would satisfy part of the submissions. In addition, a concept of urban open space being fronted by buildings would include the 'central town square' as requested by the submitter. Furthermore, the requirement for a maximum tenancy width in clause (v) would be deleted, thereby satisfying the relief contained in that part of the submissions.

Panel Recommendation 5.6.4.50:

The Panel recommends that submissions 300/106, 300/107, 300/108, 300/109, 300/110, 300/111, 300/112, 300/113 and 300/114 are accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/118	IMF Westland Ltd	Delete Assessment Criteria 3(a)(vi) and replace with the following: <i>designing car parking that:</i> <i>(a) preferably is developed to a perimeter block layout and is located predominantly behind buildings or active street frontages; or</i> <i>(b) reduces the dominance of the parking at the street frontage through use of landscaping, pedestrian access points and amenity treatment or other mitigation techniques; and</i> <i>(c) maximises the opportunities for provision</i>	Opposed By: 250 Auckland Regional Council Support and Opposed By: 81 IB, GA and IE Midgley

		<i>of communal parking areas.</i>	
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Evidence Presented:

Tabled evidence was provided on behalf of IMF New Zealand Limited by Craig Cairncross.

Discussion:

The submitter’s request is accepted in principle, with a number of changes proposed to the Assessment Criteria in order to accommodate the relief sought. The changes recognise that larger format retail activities and sites that are not located in the main street of the town centre may have some difficulty with the Rules as previously drafted.

Panel Recommendation 5.6.4.51:

The Panel recommends that submission 300/118 is accepted in part.

5.6.5 Submissions Seeking Amendments to City Wide Rule 4 – Mixed Use (Rule 1.10)

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/502	Waitakere City Council	Delete the reference to “City Wide Rule 4” in City Wide Rule 4.1(b) and replace with “ <u>City Wide Rule 1.10.</u> ”	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The proposed Rule 4 *Building Design – Mixed Use* was intended to address the effects relating to the design of a building that would include both non-residential and residential activities within it. It was not intended to relate to mixed use areas. As a consequence of submissions relating to mixed use activities and mixed use buildings in the Business Topic, it has been recommended by that reporting officer as a response to submissions, that the definition of *mixed use* be amended to clarify its relationship with mixed use areas, activities and buildings and that the requirement for a 3.6 metre floor to floor stud height be included in the definition itself. This is because mixed use activities, areas and buildings are located in a variety of different locations, relating to specific plan changes. Because of this it was considered appropriate in the Business Topic Report to allow specific limitations on mixed use activities (either the residential or non-residential components) to be addressed in the specific location based plan changes as opposed to the City-Wide rule.

The Panel considers that the proposed performance standard 4.1(a) is now superfluous as it is addressed in the proposed Mixed Use Street Typology and in the proposed amendments to the mixed use definition. Therefore, a performance standard would double up provisions in the District Plan, resulting in confusion as to the discretions and use of multiple provisions covering similar issues.

Likewise, performance standard 4.1(b) is a cross-reference (albeit with the wrong reference number) to compliance with the City-Wide rule 1.10 relating to residential buildings and noise attenuation. It is not necessary to create a potential double-up in performance standards for the sake of a cross-reference. These provisions automatically apply to the design of buildings containing residential activities where located in town centres and identified mixed use areas (eg. New Lynn, Westgate). Furthermore, the rule seeks to control amplified music which is already addressed by the maximum noise controls relating to specific environments in the District Plan. In addition, the City Wide Rule 1.10 (incorrectly referenced as Rule 4) only addresses noise

attenuation in apartment design and not noise compliance relating to the source of the noise. Therefore the performance standard in Rule 4.1(b) is erroneous.

Other aspects which Rule 4 seeks to manage is the internal reverse sensitivity and design issues where a mixed use building includes within it a component of residential activities (apartments) which are most likely located on upper floors. These are addressed by an appendix (*Mixed Use Building Design Criteria*) which are triggered when an apartment is proposed in a mixed use building, or a building is proposed that contains apartments. The essential trigger with these criteria is not that the building contains non-residential activities, rather it contains apartments which require further consideration of reverse sensitivity and designing for compatibility between a range of activities on one building. Therefore, the design criteria proposed in the appendix are more appropriately located in Appendix 1 (*City Wide Rule 1 Appendix – Apartment Design Criteria*) as opposed to splitting relevant design criteria between two different rules. This assists in the ease of use of the design criteria by applicants and their consultants and in the processing of proposals by Council’s planners. The intent of the City-wide rules was to establish in one place in the District Plan a set of rules and criteria to address the design of apartments. Therefore, it does not seem logical to the Panel to split design criteria relating to apartments between two separate rules.

The Panel recommends that a number of submissions be accepted, deleting performance standards 4.1 (a) and (b) and relocating the design criteria appendix to Rule 1 *Apartment Design*.

Panel Recommendation 5.6.5.1:

The Panel recommends that submission 257/502 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/501	Waitakere City Council	Amend City Wide Rule 4 to add a new clause (c) to 4.1 “Standards for Mixed Use” as follows: <i>“(c) For the avoidance of doubt, floors providing residential accommodation in a mixed use building are subject to City Wide Rule 1 - General Apartment Design and City Wide Rule 1 Appendix - Apartment Design Criteria.”</i>	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The requested change is unnecessary as a consequence of the substantive recommendation (above) to delete and reorder relevant parts of the rule and design criteria.

Panel Recommendation 5.6.5.2:

The Panel recommends that submission 257/501 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/123	IMF Westland Ltd	Amend Rule 4.1(a)(i) to insert a definition for ceiling heights: <i>“Ceiling Height” is the height as defined between the upper level of the floor below to the upper level of the next floor above.</i>	Support and Opposed By: 81 IB, GA and IE Midgley

Evidence Presented:

Tabled evidence was provided on behalf of IMF New Zealand Limited by Craig Cairncross.

Discussion:

The proposed definition is useful for reasons of clarity and should be introduced as part of Rule 3 *Building Design – Street Frontages*.

Panel Recommendation 5.6.5.3:

The Panel recommends that submission 300/123 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/124	IMF Westland Ltd	Amend Rule 4.1(a) as follows: Mixed Use buildings or development involving Non-Residential Activities on the ground floor and above: i. the internal ground floor floor to floor heights shall be no less than 2.4 metres for residential tenancies / spaces and no less than 3.6 metres for non residential tenancies/spaces, and ii. the internal floor to floor heights shall be no less than 3.6 metres on the first floor and above providing for the above uses.	Support and Opposed By: 81 IB, GA and IE Midgley

Evidence Presented:

Tabled evidence was provided on behalf of IMF New Zealand Limited by Craig Cairncross.

Discussion:

The submission should be accepted in part to the extent that it has been recommended to delete Rule 4 in favour of the introduction of a mixed use street typology (Rule 3) and amendments to the definition of mixed use.

Panel Recommendation 5.6.5.4:

The Panel recommends that submission 300/124 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
148/22	Vision Senior Living Limited	Amend Section (a)(iii) to the following: <i><u>“The design level above shall be achieved with windows and doors open unless adequate alternative ventilation is provided.”</u></i>	

Evidence Presented:

Evidence was presented on behalf of Vision Senior Living Limited by David Wren and Phil Molloy.

Discussion:

The submission is considered to have merit insofar as it seeks to ensure that habitable rooms are adequately ventilated. However, a separate clause of this rule already requires that habitable rooms are ventilated in accordance with the Building Code when noise measurement is undertaken.

Panel Recommendation 5.6.5.5:

The Panel recommends that submission 148/22 is accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/506	Waitakere City Council	Amend the Plan Change to clarify Rule 1.10.1 (b) and simplify as it seeks to ensure that each unit can provide acoustic privacy regardless of actual ownership.	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

It is accepted that Rule 1.10.1(b) is somewhat confusing in its application, particularly as it relates to the design of residential buildings to avoid reverse sensitivity effects. The issue of ownership is not relevant to the effects that the rule is attempting to manage, as all residential activities are required to achieve the appropriate level of acoustic attenuation. Amendments are recommended to clarify the rule, including formatting changes and re-ordering of clauses.

Panel Recommendation 5.6.5.6:

The Panel recommends that submission 257/506 is accepted.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/504	Waitakere City Council	Amend the Plan Change to clarify Rule 1.10.1 (a) (ii) to ensure the rule applies to all the human environments where issues of reverse sensitivity need to be covered by the rule.	Opposed By: 142 PLC New Zealand Ltd 213 CSR Building Products NZ Ltd ('Monier Brickmakers') 214 Henkel NZ Ltd (The Sellotape Company) 215 Huhtamaki NZ Limited 216 Waitakere Working Environment Group 217 Sullivan & Armstrong Building Supplies Ltd (Placemakers New Lynn)

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

It is necessary to specifically list those environments where the rule applies. Additions include the Community (Periphery) Environment and Living 5 and 6 Environments. Other noise generating areas are covered in the amendments to Rule 1.2 and 1.3 (High Noise Routes and Future High Noise Routes), and Rule 8 of the Working Environment.

Panel Recommendation 5.6.5.7:

The Panel recommends that submission 257/504 is accepted.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/505	Waitakere City Council	Amend the Plan Change to clarify Rule	

		1.10.1(a)(iii) as to the measurement of noise inside habitable rooms.	
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Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

It is appropriate to specify the point from which noise is assessed as the rule requires a technical report from an acoustic engineer to demonstrate compliance. Consequently, the format of the rule requires amendment to ensure that it provides clear instruction as to the preparation of the acoustic assessment and the New Zealand standards that apply to that assessment. There are a number of paragraphs in 1.10.1 that require re-ordering to clarify the exact nature of the assessment required and the compliance sought by the performance standard itself.

Panel Recommendation 5.6.5.8:

The Panel recommends that submission 257/505 is accepted.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/507	Waitakere City Council	Amend the "Resource Consent Conditions" in City Wide Rule 1.10 by adding two bullet points as follows: <ul style="list-style-type: none"> ▪ <u>"Imposing restrictions on the opening hours of activities</u> ▪ <u>Ensuring appropriate conditions in body corporate documents and the like to provide advice or note limitations on the extent of compliance with a noise control."</u> 	Opposed By: 109 The Warehouse Ltd 110 Warehouse Stationery Limited

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

The submission inappropriately seeks amendments that would limit noise from the generator. That is not the intention of the rule. Rather, the rule is designed to require residential buildings in proximity to sources of permitted noise to be appropriately designed to achieve an internal acoustic attenuation of 35 dBA.

However, as a consequential amendment to Rule 1 Apartment Design it is appropriate to provide for a resource consent condition that could require the registration of covenants (or similar legal mechanisms) on the titles of residential buildings to specifically recognise that the apartment is located in an area where the permitted noise level can be up to 65 dBA. This advice would provide clear information to prospective apartment owners, to assist in avoiding nuisance issues arising and unreasonable expectations of quiet in town centres and mixed use areas.

Panel Recommendation 5.6.5.9:

The Panel recommends that submission 257/507 is accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/503	Waitakere City	Amend the "Resource Consent Conditions" in	Opposed By:

	Council	City Wide Rule 4 by adding new bullet points as follows: <ul style="list-style-type: none"> ▪ <u>“Imposing restrictions on the opening hours of activities which create substantial noise</u> ▪ <u>Requiring the provision of legal mechanisms for apartments where parking requirements have been reduced, to limit their possible subsequent conversion to other uses.”</u> 	109 The Warehouse Ltd 110 Warehouse Stationery Limited
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Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

These matters do not relate directly to the purpose of the rule and, in any event, would need to be addressed in some way through the resource consent process irrespective of any specific recognition in the rule.

Panel Recommendation 5.6.5.10:

The Panel recommends that submission 257/503 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/418	Waitakere City Council	Amend Policy 10.1 to better require developments to avoid, remedy and mitigate reverse sensitivity effects.	

Evidence Presented:

Evidence was presented on behalf of Waitakere City Council by John Mackay and Mark Tollemache, with tabled evidence provided by Michael Cullen.

Discussion:

Residential activities in town centres and mixed use areas should provide appropriate attenuation measures in their design so as to avoid reverse sensitivity effects. This will facilitate residential intensification of town centres, which by their nature are noisier environments than suburban areas. An amendment to Policy 10.1 is therefore recommended, together with a consequential change to related assessment criteria.

Panel Recommendation 5.6.5.11:

The Panel recommends that submission 257/418 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
142/24	PLC New Zealand Ltd	Amend Assessment Criteria for Rule 1.0 to establish a night time noise emission level of 65dBA at the interface between Living 6 and Working Environment zones and between Working Environment and Community Environment Zones.	Opposed By: 218 AMP Capital Investors (NZ) Limited
215/20	Huhtamaki NZ Limited	Amend the Plan Change to establish a night time noise emission level of 65dBa at the interface between Living 6 and Working Environment zones, and between Working Environment and	Support and Opposed By: 218 AMP Capital Investors (NZ) Limited

		Community Environment Zones.	
217/9	Sullivan & Armstrong Building Supplies Ltd (Placemakers New Lynn)	Amend the Plan Change to establish a night time noise emission level of 65dba at the interface between Living 6 and Working Environment zones, and between Working Environment and Community Environment Zones.	Opposed By: 218 AMP Capital Investors (NZ) Limited
214/21	Henkel NZ Ltd (The Sellotape Company)	Amend the Plan Change to establish a night time noise emission level of 65dBA at the interface between Living 6 and Working Environment zones.	Opposed By: 218 AMP Capital Investors (NZ) Limited
216/26	Waitakere Working Environment Group	Amend the Plan Change to establish a night time noise emission level of 65dba at the interface between Living 6 and Working Environment zones, and between Working Environment and Community Environment Zones.	Opposed By: 218 AMP Capital Investors (NZ) Limited
213/31	CSR Building Products NZ Ltd ('Monier Brickmakers')	Amend the Plan Change to establish a night time noise emission level of 65dBa at the interface between Living 6 and Working Environment zones and between Working Environment and Community Environment Zones.	Opposed By: 218 AMP Capital Investors (NZ) Limited

Evidence Presented:

Evidence was presented on behalf of the submitters by Jim Bentley.

Discussion:

This matter has been addressed previously in this report. The Plan Changes have attempted to place an emphasis on the management of reverse sensitivity effects through the design of residential buildings, rather than through the imposition of constraints on industry or other business. Technical information has been obtained to indicate that apartments, with appropriate mitigation measures, could provide reasonable amenity for occupants in situations where noise emissions at the boundary were up to 65 dBA. Accordingly, the relief sought by the submitters is accepted.

Panel Recommendation 5.6.5.12:

The Panel recommends that submissions 142/24, 215/20, 217/9, 214/21, 216/26 and 213/31 are accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/126	IMF Westland Ltd	<p>Delete Ground Floor Design Criteria item (ii) and replace with the following:</p> <p><i>The extent to which the design of the development or building addresses the street and public spaces by providing for design responses which address the following objectives (being complimentary to the relevant Street Frontage performance standards of the City Wide Rule 3 - Building Design -Street Frontage):</i></p> <p><i>a) Objective: Safety and Security</i></p> <p><i>Desired Outcomes:</i></p> <p><i>(i) Safer pedestrian and public places</i></p> <p><i>(ii) Safer and secure private spaces and the links between these places</i></p> <p><i>b).....</i></p> <p><i>etc.</i></p>	Support and Opposed By: 81 IB, GA and IE Midgley

Evidence Presented:

Tabled evidence was provided on behalf of IMF New Zealand Limited by Craig Cairncross.

Discussion:

The submission can be supported in part. The design criteria repeats matters already addressed through Rule 3 *Building Design – Street Frontage* and the design criteria for apartments in Appendix 1. It is considered appropriate to delete the criteria to avoid repetition of matters in the District Plan.

Panel Recommendation 5.6.5.13:

The Panel recommends that submission 300/126 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/127	IMF Westland Ltd	Seeks that if submission 300/126 is not accepted, delete Ground Floor Design Criteria item (ii) and replace with the following: <i>The extent to which the design of the development or building addresses the street and public spaces by providing for design responses which may include the following (being complimentary to the relevant Street Frontage performance standards of the City Wide Rule 3 - Building Design -Street Frontage):</i> a)..... b)..... etc.	Support and Opposed By: 81 IB, GA and IE Midgley

Evidence Presented:

Tabled evidence was provided on behalf of IMF New Zealand Limited by Craig Cairncross.

Discussion:

This matter has been addressed in the response to the previous submission.

Panel Recommendation 5.6.5.14:

The Panel recommends that submission 300/127 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/125	IMF Westland Ltd	Amend Assessment Criteria 4(c)(b) by inserting the following words in italics: security for residential car parks (if provided). <i>NB: There made be a variety of appropriate solutions with regard to security.</i>	Support and Opposed By: 81 IB, GA and IE Midgley

Evidence Presented:

Tabled evidence was provided on behalf of IMF New Zealand Limited by Craig Cairncross.

Discussion:

It is not considered necessary to include the requested “note” in relation to this design criterion. It is recognised that active security may not be appropriate or necessary in relation to car parks as this could be adequately addressed through the design of the site and building.

Panel Recommendation 5.6.5.15

The Panel recommends that submission 300/125 is rejected.