

Hearing 7B (Variation 1 / IPI)

Discuss approach to report. There were nearly 450 submission points. It was difficult to capture all submissions in a format that does not add unnecessary length and complexity.

Hybrid – addressed general themes in report, all submissions have an individualised response in Appendix B

It may be worth explaining what I see the differences are between this process and other implementations. Explain genesis of Proposed Plan zones and IPI zones. There are no operative medium density provisions in the district.

The proposed plan MDRZ is on a proposed plan. IPI is a variation to the proposed plan.

The proposed plan MDRZ zone (and other zones), proposed V1 MDRZ zone, and proposed qualifying matters are not operative – their proposed provisions are being tested through this process.

The proposed qualifying matters represent provisions of the operative district plan that have been carried forward, after undertaking the s77K test for existing qualifying matters in the s32. These are on matters that are assumed to affect, or potentially affect density. In response to submissions on V1, I have proposed an additional sunlight and shading qualifying matter. I will explain that in some detail after my high level discussion.

As notified, there are few differences between the PDP and V1 medium density zones – namely that the PDP version applies to a smaller area of land, has a minimum allotment size of 200m², and allows only one unit per allotment as a permitted activity.

Three storey development is not assessed to be feasible in the relevant residential zones in the district, either now or in the future. It has not been included in capacity assessments. As stated previously, under a full two-storey MDRS scenario, there is capacity in the district for at least 80,000 additional dwellings within the relevant residential zones.

Variation 1 did not include urban non-residential zones, such as town, local, and neighbourhood centre zones in its scope. This was addressed at some length in the s32 report, particularly at Appendix 4. I note that the RMA does not make the inclusion of urban non-residential zones to be mandatory. However, I note that many submitters appear to have assumed that the urban non-residential zones, such as the town, neighbourhood, and local centre zones are in scope of the Variation.

In considering the evidence put forward, and particularly around building height in relation to the compulsory MDRS objectives and policies, I consider that the urban non-residential zone question may be of substantial relevance, and could also resolve some of the concerns raised, particularly the NPSUD Policy 3(d) question.

The TCZ, NCZ, and LCZ provide for residential and mixed used developments, and are the only place in the district (outside of retirement villages) that has, thus far, received a three storey building containing residential apartments. The TCZ has a proposed 18m height limit (in Mr Willis's s42A on commercial zones), and the LCZ/NCZ have a 12m height limit.

However, as notified, the compulsory MDRS objectives and policies apply to the MDRZ zone only, and not the centre zones, even though the centre zones contain residential activity, and would be the logical place that intensification would occur. Residential development in these zones gives effect to the MDRS objectives and policies, however the arrangement of objectives and policies in both the

PDP and IPI may not clearly set this out. An inclusion of urban non-residential zones and/or a rearrangement of where the compulsory MDRS objectives and policies sit in respect of these zones might assist in ensuring that the plan clearly sets out how it does give effect to them. This is of relevance in ensuring that the requirement to include three-storey housing is given effect to.

Qualifying matters

I would like to take the Panel through this proposal, and have a presentation that outlines the aspects of the modelling exercise undertaken to understand it on a site-specific basis. Mr Graeme McIndoe also has a presentation that outlines similar matters in respect of his evidence.

Kainga Ora sought a Height Variation Control Area to increase the height to 18m. In its submission on the IPI, it sought that this HVCA apply to all relevant residential zones. In its evidence before this panel, the HVCA area is smaller, similar to the originally proposed PDP MDRZ zone.

National Grid Transmission Corridor matter.

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As notified, this applies to subdivision activities. Transpower request that it applies to land use activities as well. On reconsidering this, I agree, as some parcels of land in the qualifying matter area could be subject to development and thus inconsistent treatment compared with subdivision.

Heritage qualifying matter.

The PDP contains historic heritage and notable tree provisions. These could become qualifying matters if they meet the relevant tests for existing qualifying matters under s77K. However, the s32 report did not explicitly consider the subdivision components of historic heritage as a potential qualifying matter. It isn't clear to me that subdivision of sites is excluded as a qualifying matter, so if it was to be included, such as in response to HNZ V1 12.3, the existing PDP SUB-R6 rule would provide a mechanism to do that.