

**BEFORE INDEPENDENT HEARING COMMISSIONERS
AT RANGIORA / WAIMAKARIRI**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHAKE
KI RANGIORA / WAIMAKARIRI**

**IN THE MATTER of the Resource Management Act 1991
AND**

**IN THE MATTER of the hearing of submissions and further
submissions on the Proposed Waimakariri
District Plan - Variation 1**

**HEARING TOPIC: Stream 7B – Variation 1 Housing
Intensification**

**STATEMENT OF PRIMARY EVIDENCE OF CLARE DALE
ON BEHALF OF KĀINGA ORA – HOMES AND COMMUNITIES**

PLANNING

11 SEPTEMBER 2024

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1. EXECUTIVE SUMMARY

- 1.1 My name is Clare Elizabeth Dale, and I am a Senior Planner at Novo Group Limited. I have been engaged by Kāinga Ora - Homes and Communities (**Kāinga Ora**) to provide evidence in support of its primary submission and further submissions (submitter #80) on Waimakariri District Council's (**WDC**) Variation 1 (**V1**) to the Proposed District Plan (**PDP**).
- 1.2 Kāinga Ora made submissions and further submission points in relation to the Residential and Subdivision Chapters of V1. In the Section 42A Report (**s42A**) the reporting officer Mr Wilson has recommended accepting some but not all of the changes requested by Kāinga Ora. This statement of evidence focuses on the submission points that remain in contention.
- 1.3 In summary, my evidence concludes that amendments are needed to V1 to appropriately reflect the intensification outcomes clearly sought in the National Policy Statement – Urban Development (**NPS-UD**) and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act (**the Amendment Act**). I have general concerns with the extent to which V1 proposes amended or new provisions that go beyond the scope of an IPI; and/or are inconsistent with strategic objectives that otherwise provide for evaluation of the merits or effects of increased height or density, in regards urban design or built form matters. Accounting for these concerns I consider a number of changes are required to the revised provisions provided by Council with the s42A report. Such changes include minor amendments that I have detailed below, whereas others require deletion or more fundamental changes to provisions that I have described in my evidence.
- 1.4 A marked up set of provisions showing the further amendments that I recommend is attached as **Appendix 2**. In my opinion, the underlying principles that have informed the proposed changes set out in Kāinga Ora submissions will better align V1 with the NPS-UD and the purpose,

principles and provisions of the RMA as amended by the Amendment Act.

1.5 A summary of the key points in my evidence is provided as follows:

- a) **General:** The officer's report has taken an approach to V1 that seeks to largely retain the status quo in terms of the character and amenity of residential areas and does not have sufficient regard to the relevant higher order documents, and in particular the NPS-UD and the Amendment Act. There is a general lack of assessment of submissions that support full enablement of the medium density residential standards (**MDRS**) or any further enablement of intensification under NPS-UD Policy 3.
- b) **Qualifying Matters:** Changes are required to identified qualifying matters ('**QM**' or '**QMs**') that restrict application of the intensification directed by the NPS-UD and MDRS. In particular, QMs relating to setbacks from strategic and arterial roads and rail corridors and sunlight and shading are opposed as they do not meet the stringent tests set out in Section 77 I - L of the Amendment Act.
- c) **General Residential and Medium Density Objectives and Policies:** The language / wording of objective and policy provisions should be consistent with terminology used in the NPS-UD and the Amendment Act. Specifically:
 - i. In relation to 'amenity values' the objectives and policies should refer to "planned urban built form" or "anticipated / planned urban environment". The NPS-UD focuses on the identification and promotion of the future character/amenity of urban environments, rather than protection and preservation of existing amenity (Objectives 1 and 4).
 - ii. Residential objectives and policies are critical to enablement of a variety of housing typologies to provide greater housing choice within the district, particularly in or

near centre zones and employment opportunities and requirement amendment to enable greater intensification. V1 should enable a full variety of housing typologies to be delivered in appropriate locations, that contribute to the provision of quality, affordable housing choices that meet the diverse needs of the community. Of particular relevance to the Waimakariri District, the NPS-UD directs district plans to enable more people to live in areas of an urban environment near a centre zone or other areas with many employment opportunities, access to community services, open space and transport links (Objective 3).

d) **Medium Density Built Form Standards and Matters of Discretion**

- i. The introduction of a Height Variation Control Area (**HVCA**) into the Medium Density Residential Zone (**MRZ**) within approximately an 800m walkable catchment of the Rangiora Town Centre Zone (**TCZ**) is recommended to enable building heights of 18m (five storeys) to give effect to policy 3(d) of the NPS-UD.
- ii. The extent to which development is required to achieve particular urban design outcomes should be clearly articulated in policies and subsequently referenced in matters for discretion (**MODs**) to enable clear and transparent assessment. Matters of discretion need to be commensurate with the standard breached and not subjective. The residential design principles should only apply to 4 or more dwellings/units and not to breaches of other built form standards.

e) **Subdivision:** Variation 1 should be amended to include a minimum shape factor for vacant lots in the MRZ. I note that this is a carryover of the V1 matters that were not covered in Hearing Stream 8 subdivision.

2. INTRODUCTION

2.1 My full name is Clare Elizabeth Dale. I am a senior planner practising with Novo Group Limited in Christchurch. My experience is detailed in my previous statements of evidence dated 1 May 2023 and 10 July 2023. I have recently obtained accreditation as a Hearings Commissioner under the MfE Making Good Decisions programme in May 2024.

2.2 Over the past two decades, I've gained extensive experience in the medium density housing sector, in my work across multiple roles. My experience has helped to inform my comprehensive understanding of the consenting issues associated with medium density housing. Of particular relevance to Hearing Stream 7B, I have a significant amount of experience including: as a consultant planner preparing and managing consent applications, a processing planner for Council (19 years) and as a decision maker for Christchurch City Council (15 years). This experience spans the full spectrum of residential development from individual houses and small-scale medium density proposals of 2 – 20 units, through to significant developments such as multi-storey apartment complexes, social housing complexes and large-scale retirement villages. Through that experience I have gained an excellent practical understanding of the application and implementation of District Plan provisions, particularly for residential developments. This experience has directly informed the opinions and conclusions set out in my evidence which follows.

2.3 I have undertaken a site visit with Ms Jane Rennie on the 20th of June 2024 where we focused on the Rangiora Town Centre area.

2.4 In preparing this evidence I have read the following:

- a) Section 32 reports applicable to the various QMs and Residential Zones;
- b) S42A reports prepared by Mr Wilson and Mr McLennan and attached Urban Design and Economic assessments.

- c) Resource Management (Enabling Housing Supply and Other Matters) Amendment Act;
- d) National Policy Statement – Urban Development;
- e) The Greater Christchurch Spatial Plan 2023 (the Spatial Plan);
and
- f) The evidence prepared by: (a) Mr Joshua Neville - Corporate;
(b) Ms Jane Rennie – Urban Designer and (c) Mr Tim Heath –
Economics.

Code of Conduct

- 2.5 Although this is a Council hearing, I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court’s Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence.
- 2.6 Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

Scope of Evidence

- 2.7 Given the broad scope of Kāinga Ora’s submissions, my evidence does not canvas all submission points and instead focuses on provisions that remain of particular interest to Kāinga Ora. Since submissions were made in 2022 the Kāinga Ora submission points have been further evaluated and refined including in response to the s42A reports.
- 2.8 My evidence will address the following matters raised in submissions and further submissions on the V1 provisions:
 - a) Qualifying matters: transport: road and rail (s80.15 and 80.17, Electricity (s80.16), Natural Hazards (80.19) and Sunlight and Shading (s80.50).

- b) General Residential and MRZ Objectives and Policies: RES-P15 (s80.39), MRZ-O1 (s80.40), MRZ-P1 (s80.41) and MRZ-P3 (s80.37¹).
- c) Medium Density Rules: MRZ BFS-4 Height, the introduction of a HVCA around Rangiora TCZ (s80.40, s80.41 and s80.51), MRZ BFS-7 Height in Relation to Boundary (**HIRB**) (s80.20) and how to assess accessory buildings and non-habitable spaces under MDRS (fs in relation to WDC s47.12).
- d) Medium Density Rules: Applicable matters of discretion for BFS-4, 5, 6, 7 and 8 (s80.15, s80.18, s80.20, s80.22 and 80.50).
- e) Matters of Discretion: RES-MD2 (s80.52), RES-MD12 (s80.53), RES-MD14 (s80.55) and RES-MD17 (s80.58).
- f) Subdivision Standards: SUB-S1 (s80.36).

2.9 The submissions by Kāinga Ora on V1 largely supersede those on the originally notified PDP. As such, my evidence is focused on the submissions on this later process.

2.10 I note that the relevant statutory documents have been identified and outlined within the Section 42A Reports of Mr Wilson (Variation 1 and PDP Medium Density) and Mr Maclennan (PDP Residential) and I agree with the identification of those matters.

3. KĀINGA ORA SUBMISSIONS AND FURTHER SUBMISSIONS

3.1 The Kāinga Ora submission and further submission points allocated to the Stream 7B hearing relate to: QMs located across the Plan, the Residential Chapter and the Subdivision Chapter. The submission and further submission points are attached in **Appendix 1**.

3.2 Overall, Kāinga Ora considers that V1 as notified and now proposed in the s42A report and amendments does not sufficiently provide for a range of housing types at a range of intensities to meet the needs of

¹ Note this is wrongly recorded in the summary of submission as a submission in support seeking retain as notified. See Appendix 1 submission point 3.6 that seeks significant changes to the policy MRS-P3.

current and future communities. This is in line with the imperatives of the NPS-UD² which notes that compact urban form in the context of existing urban areas requires further intensification.

- 3.3 Kāinga Ora considers that residential intensification in and around the Rangiora Town Centre should be further encouraged and enabled in accordance with the NPS-UD. The NPS-UD requires building height and density of urban form adjacent to Town Centre Zones to be commensurate with the level of commercial activity and community services³. Kāinga Ora is of the view that V1 as amended in the s42A report does not incorporate the necessary enablement of density as required by the NPS-UD particularly in the larger Town Centre of Rangiora.
- 3.4 Kāinga Ora generally support the QM notified in V1 with minor amendments and clarifications as proposed with the exception of: electricity transmission lines (not part of the national grid), rail corridors, and strategic and arterial roads in Rangiora, Kaiapoi and Woodend.
- 3.5 Kāinga Ora oppose the new 'Sunlight and Shading' QM proposed in the s42A report⁴ as these are contrary to the intent of the NPS-UD to provide for intensification and have not had regard to NPS-UD Objective 1, Objective 4 and Policy 6.
- 3.6 Kāinga Ora considers that changes to policies, rules and matters of discretion are necessary to better reflect the requirements and intent of the Amendment Act and NPS-UD. V1 is not currently framed to recognise that as the character of planned urban areas evolves to deliver a more intensive and compact urban form, amenity values will change.

² Objective 3 and Policy 1

³ Policy 3(d)

⁴ MRZ-BF4 Height and MRZ-BFS7 Height in relation to boundary (**HIRB**)

RECOMMENDATIONS BY SECTION 42A REPORT AND RESPONSE

- 3.7 The evidence below is structured around the key Kāinga Ora submission themes. Firstly, I identify the points of agreement with the s42A report by Mr Wilson, noting there are some recommendations in the s42A report that are consistent with my opinion and conclusions. Thereafter, my evidence is largely focused on those matters where I disagree with the recommendations of the s42A author.

POINTS OF AGREEMENT

- 3.8 I agree with Mr Wilson that generally there is improved clarity with how the QMs apply across the District Plan in various chapters for example for protected trees, heritage and waterway setbacks. Noting that these QMs don't prevent MDRS entirely on these affected sites, but rather allow for it with the heritage, tree or waterway rules also applying and enabling appropriate consideration of those effects. It was never the intention of the Kāinga Ora submission to suggest that MDRS should be fully permitted on sites containing listed heritage items, without consideration of effects on heritage.
- 3.9 With regards to the National Grid QM for Transpower's electricity transmission lines I agree with Mr Wilson⁵ that it is appropriate for the QM to cover the National Grid that adjoins the MRZ in NW Rangiora in relation to the National Grid Yard and Subdivision Corridors. Also, for the reasons detailed in my Stream 5 evidence (paragraphs 4.41 – 4.57) I agree with Mr Wilson's s42A recommendation that rejects MainPower's submission which appears to be a request for a new QM to require a setback from their Electricity Distribution Lines in the MRZ that are not part of the National Grid.
- 3.10 As per the Kāinga Ora submissions, Mr Wilson has also agreed to correct all of the activity status rules for MDRS built form standards to Restricted Discretionary ('**RDIS**') in accordance with the Amendment Act.

⁵ Starting at paragraph 159 of the s42A report

QUALIFYING MATTERS

- 3.11 The Kāinga Ora submissions covered a number of the proposed QMs, some of which are now resolved by amendments made in the s42A report (as noted above) and some that are not. In particular, Kāinga Ora still outright oppose QMs for strategic and arterial road setbacks, rail setbacks and seeks amendment to the Natural Hazard QM, but only with regard as to how this is mapped. I note the Airport Noise QM was covered in Hearing Stream 10A where Mr Wilson accepted in part the Kāinga Ora submission ensuring that the Airport Noise QM was not less enabling than the Operative District Plan.
- 3.12 The newly proposed s42A QM on sunlight and shading is opposed, however it is addressed in a separate section below, grouped with other submission points on building height and MRS-BFS4.

QMs Framework

- 3.13 Before considering the relevant QMs and submission points it is useful to summarise my understanding of the relevant statutory tests set out in the NPS-UD and the Amendment Act.

NPS-UD

- 3.14 Fundamentally, I consider that the introduction of MDRS standards 'lifts the base' for what urban Waimakariri looks like. There is an expectation clearly set out in the NPS-UD⁶ that medium density housing is enabled across urban areas, unless there are valid QMs that would limit such an outcome for specific sites⁷, where this can be justified. For the reasons discussed in my evidence, I consider that there are several proposed QMs that do not meet the required tests under sections 77I to 77R, and I recommend that these need to be either modified or, in certain circumstances, deleted in their entirety. The conclusions in my evidence reflect my understanding of the strategic direction of the Amendment Act, the NPS-UD and the CRPS, which collectively direct and enable the management of urban growth through intensification.

⁶ Policy 3

⁷ Policy 4

- 3.15 My conclusions reflect my opinion that zoning should not simply consider the future use of land in the context of that land's *existing* use, development form, or access to infrastructure. Rather, it sets the direction of land use to provide for the social, economic, cultural and environmental wellbeing of the community, both now but also importantly for future generations. Where zoning and/or enabled development within zones places heavy emphasis on preservation of existing intensities of development in reference to historic development patterns, or perceived short term infrastructure constraints, such as access to public transport, the long-term strategic objectives of new District Planning (in response to national direction such as that of the NPS-UD) can be compromised.
- 3.16 In summary, I consider the overarching objective of the NPS-UD (Objective 1) seeks to ensure 'well-functioning urban environments', Policy 3 of the NPS-UD is also highly relevant to the approach taken to the proposed building height in V1.
- 3.17 The NPS-UD also seeks to ensure that planning decisions improve housing affordability by supporting competitive land and development markets (Objective 2), and focuses on the identification and promotion of the future character/amenity of urban environments and their evolution over time (Policy 6), rather than protection and preservation of existing amenity, by promoting and enabling compact/efficient urban form and management of effects through good urban design (Objectives 1 and 4).

Amendment Act

- 3.18 Sections 77I sets out the circumstances where the Council may make the MDRS and relevant building height and density requirements of Policy 3 less enabling of development in relation to an area within a relevant residential zone only to the extent necessary to accommodate one or more of the QMs⁸.

⁸ (a) a matter of national importance that decision makers are required to recognise and provide for under section 6.

(b) a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010.

- 3.19 New qualifying matters being introduced as part of the IPI under section 77G to accommodate the matters covered by 77I (a – i) must be assessed against Section 77J. In addition to that, new qualifying matters under 77I(j) *“any other matter that makes higher density, as provided by the MDRS or Policy 3, inappropriate in an area”* must be assessed against 77L. Noting that 77L is the most stringent test and the test that applies to the proposed sunlight and shading QM.
- 3.20 Sections 77K covers “Existing Qualifying Matters” and provides for an alternative evaluation pathway when considering existing QMs. Subsection (3) states that an ‘existing qualifying matter’ is a QM referred to in sections 77I (a) to (i) that is operative in the relevant Operative District Plan (**ODP**) when the IPI is notified. Existing QMs are essentially, a ‘roll over’ or saving of matters of national importance or are subject to specific legislative requirements, as listed in s77I(a)-(i), that are already in the ODP. Reflecting that these matters have already been through a s32 evaluation and tested through a Schedule 1 process and therefore a more limited evaluation is required to allow them to continue to limit the application of the MDRS and Policy 3 response, but only to the extent necessary to accommodate the QM.
- 3.21 Section 77H allows the Council to enable greater development than provided by the MDRS, in addition to giving effect to Policy 3 in some circumstances. So even if outside of the catchment for Policy 3, the MDRS standards can be modified to be made more lenient.
- 3.22 QMs cannot change the status of activities in underlying zones to be more restrictive, including by changing definitions or adding criteria to the matters of assessment or discretion.

(c) a matter required to give effect to Te Ture Whaimana o Te Awa o Waikato—the Vision and Strategy for the Waikato River.

(d) a matter required to give effect to the Hauraki Gulf Marine Park Act 2000 or the Waitakere Ranges Heritage Area Act 2008.

(e) a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure.

(f) open space provided for public use, but only in relation to land that is open space.

(g) the need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order.

(h) a matter necessary to implement, or to ensure consistency with, iwi participation legislation

(i) the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand

(j) any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77L (or 77R) is satisfied.

- 3.23 Attached to Mr Neville's evidence is a flow chart developed for Kāinga Ora which illustrates the different evaluative steps required depending on the nature of the proposed QM. It is helpful to summarise the above sections and to apply it when thinking about whether the requirements of s32 and sections 77 I to L have been met.
- 3.24 Notwithstanding that a proposed QM, or amendment to or introduction of other provisions into the operative plan may achieve the wider purpose of the RMA on their own merit, unless those provisions are related to, supportive of and consequential to the mandatory requirements of an Intensification Planning Instrument (**IPI**), they cannot be subject to the Intensification streamlined planning process (**ISPP**) process. They should be pursued through a standard Schedule 1 process.

Transport (Rail and Strategic Roads)

Strategic and Arterial Roads QM

- 3.25 The Kāinga Ora submission opposed additional built form standards controlling road boundary setbacks in MRZ-BFS5 requiring a 6m setback from all strategic and arterial roads adjoining the MRZ. This setback goes beyond those included Schedule 3A, Part 2 of the Amendment Act and therefore requires justification as a QM under S77K (as an existing QM as there is a 6m setback in the ODP). The Kāinga Ora submission opposes the strategic and arterial road setback being a qualifying matter despite it being an existing matter in the ODP as it considers this to be inconsistent with the requirements of Section 77I(a -i) as all arterial roads in the district (that are not State Highways) are not nationally significant infrastructure. I agree with this position for several reasons outlined below and note that a 6m setback from arterial roads (not SH) would require a more robust assessment under S77L.
- 3.26 In the s42A report Mr Wilson rejects the opposing submission from Kāinga Ora considering that a 6m setback from all strategic and arterial roads is required and that "*This is primarily to address potential reverse*

*sensitivity effects on the roading authority, and to ensure that the effects of road noise on residents are considered*⁹.

- 3.27 I do not agree with Mr Wilson that the purpose of the setback is to address reverse sensitivity and noise effects for residents. There is no supporting acoustic evidence from the Council to support this in terms of efficiency and effectiveness (Section 32(b)(ii)). Further, as I understand the noise evidence from Stream 5, a 6m setback is simply not large enough to achieve significant noise reduction. Reverse sensitivity / noise effects are already adequately addressed through rules in the Noise Chapter¹⁰ requiring acoustic insulation within 80m¹¹ of an arterial or strategic road. It is noted that acoustic insulation does not need to be a QM as this does not affect density enabled by MDRS. Further, I note that the Waka Kotahi submission¹² questions the need for the 6m setback from strategic roads when the noise rules already cover reverse sensitivity concerns. They ask for further evidence as to why a 6m setback is more appropriate than a 1.5m setback. This has not been provided in the s42A report. The setback requirements therefore do nothing to ensure reverse sensitivity and noise are addressed.
- 3.28 Other than reverse sensitivity, the basis for this qualifying matter is otherwise unclear to me from the S32 evaluation for V1. The V1 S32 only refers back to the S32 assessment for the PDP Residential chapter where no reasons are provided for the 6m setback.
- 3.29 Residential amenity and opportunities for road boundary landscaping may be a potential reason for the setback. I consider that residential amenity can be maintained through design standards noted above (acoustic insulation) and through the built form standards for setbacks and landscaping in Schedule 3A Clauses 13 and 18 of the Amendment Act that set a baseline for an appropriate level of setback and landscaping for medium density developments. In considering residential amenity and character as a possible rationale for the

⁹ Section 42A Report Paragraph 150.

¹⁰ NOISE -R16

¹¹ Noting there are submissions seeking 100m.

¹² V1 46.1

proposed QM, I note that, fundamentally, effects on residential amenity generated by intensification are addressed explicitly in the NPS-UD. Objective 4 is clear that amenity values will change over time in response to the diverse and changing needs of people, communities, and future generations. Policy 6(b) of the NPS-UD likewise addresses the changes that may occur as part of a shift in planned urban form. This unambiguous policy direction is clear in terms of the amenity related effects generated by changes to front boundary setbacks and landscaping as a consequence of greater provision of more intensive housing forms.

- 3.30 It is also possible that the intention of the QM was to enable road widening in the future to accommodate Council roading upgrades. However, rather than being described as being for “targeted infrastructure provision” or evidence that WDC’s arterial roads are nationally significant infrastructure, it appears the QM is predominantly focused on reverse sensitivity outcomes. In my view, road network management can be provided for within existing road corridors or with Notices of Requirement to alter such corridors and as such a 6m setback QM can not be justified for this reason. If road widening is indeed a key consideration, then Council has land acquisition powers available to it through the Public Works Act and associated designating powers as a Requiring Authority under the RMA. These tools are the appropriate planning and legal instruments for seeking land acquisition to support future transport projects. As things stand, there appears to be minimal transport infrastructure-related justification for the QM.
- 3.31 Finally, in my view the QM 6m road boundary setback from Council controlled arterial roads cannot be supported as some of the roads covered by this matter are not State Highways (ie: nationally significant infrastructure) and therefore are not matters of national significance under Section 77I of the Amendment Act. I agree that a QM such as a setback could apply to a State Highway, however there is still no evidence to support this and it would appear that Waka Kotahi are not supportive in any event.

3.32 I have therefore seen no evidence that leads me to conclude that this QM is needed to achieve the NPS-UD. There is likewise no need for it from an amenity perspective. In addition to not being necessary for either infrastructure or amenity reasons, it carries with it direct costs to landowners (and the wider community) through the reduction in design flexibility and potential building density / yields. As such, the QM is not efficient or effective in giving effect to the objectives of the NPS-UD and neither is it considered to meet the robust evidential thresholds required for it to be a QM under the Amendment Act. I therefore recommend that the Strategic and Arterial Roads QM be deleted.

Rail QM

3.33 In the original submission Kāinga Ora opposed the Rail Corridor QM outright, however since that time and through the evidence presented in Hearing Stream 9 they have refined the relief sought so that the QM requires a 2.5m setback rather than a 4m setback as notified or 5m in the s42A report. Kāinga Ora accept the need to protect this nationally significant infrastructure, however, question the need for the setback to be 4m/5m, based on other hearing processes that they have been involved with around the country where smaller setbacks of 2.5m have been agreed with Kiwi Rail.

3.34 The s42A report accepts KiwiRail's submission¹³ supporting the QM and seeking a 5m setback from rail corridor boundaries, despite there being no discussion of why the increase from 4 to 5m is more efficient or effective. There is no assessment of the Kāinga Ora submission opposing the QM.

3.35 I also note a number of errors in the S32 assessment of the rail QM as follows:

- The S32 does not consider the effects on the MRZ under S77J (3) and (4) and the assessment focuses on the TCZ only.
- The number of MRZ properties affected is not understood nor is the impact on density/ yields.

¹³ 51.1, 51.2 and 51.3

- In several instances it references rules in the PDP perhaps suggesting these are 'existing QMs' rather than new ones.

3.36 For the reasons provided in my evidence for Hearing Stream 9 Commercial paragraphs 4.43 to 4.51, which is equally relevant here for the MRZ, I support the relief sought by Kāinga Ora and have recommended a 2.5m setback QM from the rail corridor in the amended text in **Appendix 2**.

3.37 I also note that other than the 5m setback in the MRZ, the Plan is still unclear as to how the provisions in the Transport Chapter apply as QMs for the rail corridor. The introduction section of the chapter states the following: "*the provisions in this chapter have been justified where required by a s77J qualifying matter assessment contained in the relevant section 32 evaluation report under the RMA*". This might suggest that all transport rules are QMs as it is not clarified anywhere that this relates only to TRAN-R21 and related appendix TRAN-APP7 that was considered in the S32 report.

Natural Hazards

3.38 Kāinga Ora generally supports the Natural Hazard QMs as notified in the Variation and the general risk-based approach the PDP takes to managing natural hazards. The only submission point in relation to this QM was to seek that consistent with my Stream 3 evidence (dated 10 July 2023 - Section 5 – page 5) on Natural Hazards that flood hazard mapping, i.e. whether a site is subject to flood hazards, sits outside the District Plan in a GIS viewer that can be updated. The panel is referred to this evidence in relation to this submission point and it will not be repeated here.

GENERAL RESIDENTIAL AND MEDIUM DENSITY RESIDENTIAL OBJECTIVES AND POLICIES

Policy RESZ-P15 Medium Density Residential Standards

3.39 Kāinga Ora submitted on General Residential Policy RESZ-P15 – Medium Density Residential Standards, supporting it in part and

seeking that it was altered to allow for building heights of greater than three stories around the Rangiora TCZ. There is no direct response to, or assessment of, the requested changes to RESZ-P15 in the s42A report as Mr Wilson notes that all submitters were in support. However, the submission is rejected in Appendix B Recommended Responses to Submissions (**Appendix B**) noting that it is overridden by the new sunlight and shading QM.

- 3.40 Kāinga Ora support the inclusion of this mandatory policy as per Schedule 3A, Part 1 (6) RMA. However as noted above seek inclusion of a HVCA for the MRZ within the area (approx. 800m walkable catchment) around the Rangiora Town Centre in order to ensure appropriate levels of intensification around centres are encouraged and enabled in accordance with the NPS-UD. The amended wording sought for the policy is as follows:

RESZ-P15 Medium Density Residential Standards:

Apply the Medium Density Residential Standards across all relevant residential zones in the District Plan except in circumstances where greater building height is provided for in an identified area near Rangiora Town Centre and a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga).

- 3.41 I support the amendment sought subject to very minor wording changes in relation to additional height around the TCZ for the reasons elaborated on in the building height section of this evidence below. I note in relation to relevant residential zones the Council must include the objectives and policies set out in Schedule 3A clause 6 (the mandatory objectives) and may include additional objectives and policies and matters of discretion to support the MDRS. Provided they are limited by the need to have a connection to the purpose of the IPI and cannot propose changes outside of those matters. The policy change requested is clearly related to enabling height under NPS-UD policy 3
- 3.42 The amended wording sought for policy RESZ-P15 is included in **Appendix 2**.

MRZ-O1 Housing types and sizes and MRZ-P1 Housing types

3.43 Kāinga Ora sought similar amendments to these two provisions as sought for RESZ-P15 to allow for a HVCA of up to 19m or 5 stories in an area identified around the Rangiora TCZ in order to ensure appropriate levels of intensification around centres are encouraged and enabled in accordance with the NPS-UD. The provisions need to be amended to provide for additional height and the intensification around the Rangiora TCZ.

3.44 The Kāinga Ora submission seeks to amend the provisions as follows:

MRZ-O1 Housing types and sizes:

The Medium Density Residential Zone provides for a variety of housing types and sizes that respond to:

- i. housing needs and demand; and*
- ii. the neighbourhood's planned urban built character, including 3 storey buildings and up to 5 stories where identified.*

MRZ-P1 Housing Types

Enable a variety of housing types with a mix of densities within the zone, including 3-storey attached and detached dwellings, and low-rise apartments, including apartments of up to 5 stories in an identified area around the Rangiora Town Centre Zone.

3.45 I support the amendments sought subject to very minor wording changes in relation to additional height around the TCZ as the policy changes are clearly related to NPS-UD policy 3. The NPS-UD is specifically designed to facilitate a meaningful change from the status quo to enable greater commercial and residential intensification and heights. In the context of implementing Policy 3, the NPS-UD is a forward-looking document, and the policy response needs to be based on the urban form anticipated or sought over the next 30 years in line with Objective 6(b), rather than based on perpetuating the existing form or size of the centre.

3.46 Further reasons for supporting this change are elaborated on in the building height section of this evidence below. I also note that Mr Wilson

has not recommended any changes to these objectives and policies to reflect the recommended sunlight and shading QM into MRZ BFS-04. Rules are a method to implement stated objectives and policies in a District Plan, therefore, wherever a rule is to be introduced into the plan, it must have a lineage to a relevant objective and policy, which the sunlight and shading QM does not.

- 3.47 Amended text provisions for MRZ O1 and P1 are provided in **Appendix 2**.

MRZ-P3 Residential Character

- 3.48 Kāinga Ora sought wholesale changes to this policy to align with the NPS-UD and Amendment Act and better describe the character and amenity anticipated for the MRZ rather the perpetuating the maintenance of existing residential character. Kāinga Ora considers that changes to the provisions to focus on achieving the anticipated built form of the proposed zones are needed in order to be consistent with language used in the NPS-UD. Further they seek that the policy avoid the use of subjective or vague terms, such as: 'High quality building and landscape design', 'appropriate streetscape landscaping', 'positive contribution to streetscape character' and 'Provides for a peaceful residential environment'. No specific text changes were sought in the submission.
- 3.49 There is no direct assessment of this submission point in Mr Wilson's s42A report, however in Appendix B Mr Wilson has accepted this submission point stating: "reword as submitter requested". There is however no amended text provided in Appendix A Recommended Changes to V1 (**Appendix A**).
- 3.50 I agree with Kāinga Ora that the policy requires amendment to reflect the intent of the NPS-UD and Amendment Act and remove subjective and vague terminology and provide for specific outcomes.
- 3.51 Consistent with my evidence for Stream 1 Strategic Directions objectives and policies, in relation to 'amenity values' the objectives and policies I consider that provisions should refer to "planned urban built

form” or “anticipated / planned urban environment” rather than any reference to ‘maintaining existing character and amenity’. The NPS-UD focuses on the identification and promotion of the future character/amenity of urban environments, rather than protection and preservation of existing amenity (Objectives 1 and 4 and Policy 6).

- 3.52 The NPS-UD is specifically designed to facilitate a meaningful change from the status quo in line with Objective 6(b) to achieve intensification imperatives and provide a greater range of housing at more affordable price points, rather than based on perpetuating the existing residential densities and associated character and amenity. I note Policy 6 of the NPS-UD acknowledges that the planned urban built form under the NPS-UD may result in significant changes and that intensification in accordance with the NPS-UD will result in a reduction in existing amenity values for some. For example, an increase in height to three stories under the Amendment Act resulting in additional shading for neighbours is clearly anticipated by and consistent with the NPS-UD. For these reasons, it is important that the proposed policy package does not maintain the status quo in terms character and amenity.
- 3.53 There are also parts of MRZ-P3 as drafted that are better dealt with in other plan chapters or in the general residential provisions, such as noise, outdoor lighting, signs and the location and scale of non-residential activities.
- 3.54 Taking the above assessment into account, my suggested rewording for MRZ-P3 is as follows:

MRZ-P3 Residential Character

Enable development including building and activities to achieve the character and amenity values anticipated by the planned built form for the zone, which provides for:

- 1. Medium density living across the zone consisting of a mix of detached, semi detached, multi-unit and low rise apartment living options, with increased height opportunities surrounding the Rangiora Town Centre.*

2. Re-development opportunities for three or more residential units through flexible development controls.
3. Good quality building and landscape design which ensures development contributes to a safe and attractive public realm and streetscape.
4. Appropriate internal amenity for residents including quality outdoor living spaces and services space.
5. Integrated provision of vehicle and pedestrian access and parking.

3.55 Amended text provisions are also provided in **Appendix 2**. I also note that related changes to RES-MD2 Residential Design Principles are proposed further below in the matter of discretion section.

MRZ BUILT FORM STANDARDS AND APPLICABLE MATTERS OF DISCRETION

Building Height: MRZ-BFS4 QM and Height Variation Control Area

3.56 There are two building height related matters to be addressed in the following evidence:

- i. BFS4 Height and the new sunlight and shading QM restricting building height in the MRZ to 8m.
- ii. The Kāinga Ora proposed HVCA seeking an 18m height limit within approximately an 800m walking catchment to the Rangiora TCZ.

MRZ-BFS4 Height – New QM Sunlight and Shading

3.57 In the s42A report and assessment contained within the appendices, Mr Wilson has proposed a new QM for sunlight and shading access be inserted into MRZ-BFS4 Height, limiting building height to 8m (+ 1m for the roof) or two storeys. Where Schedule 3A, Clause 12 of the MDRS requires 11m (+1 for the roof) to enable three storey buildings. Mr Wilson has not directly responded to the Kāinga Ora submission seeking the inclusion of a HVCA within the MRZ-BFS4, supporting the

11m (+1) for the remainder of the MRZ or the mapping provided with the submission and has only summarised and responded to the submissions in opposition to three storey buildings.

3.58 Kāinga Ora oppose the sunlight and shading QM and the ramifications that this will have for enabling a variety of homes to cater for the different needs of the community, and consider that the Council have erred in their proposal for the following reasons:

- The clear policy intent of the NPS-UD that sets a change in national direction to enable a higher density of development to address housing affordability.
- The clear intent / premise of the Amendment Act to provide for three dwellings of up to three storeys per site as a permitted activity.
- The QM does not meet the tests for 'other' QMs under S77L.
- The matter of sunlight access was grappled with in the design and intention of the Amendment Act legislation, and that in considering the MDRS the government signalled that the cost of lost sunlight access did not outweigh the benefits provided by introduction of the MDRS.
- The QM seeks to protect existing levels of residential amenity experienced in the MRZ and fails to appropriately consider that the Resource Management Act 1991 and the NPS-UD are not 'no effects' legislation and that three storey buildings which are anticipated and to be enabled will cause shading/ access to sunlight effects.

3.59 While I understand Mr Wilson's and other submitters concerns about access to sunlight and shading and the important contribution that it makes to residential amenity, these concerns cannot be considered in a vacuum. I support Kāinga Ora opposition to this new QM for numerous reasons, but primarily the lack of reference to the objectives and policies of the NPS-UD and an inability to be forwards looking. In

my view the Council have over complicated the matter when there is a clear and simple message in the higher order documents. I note that both Ms Rennie and Mr Heath have reached the same conclusions, and I draw in their evidence below.

- 3.60 It appears that Mr Wilson's starting point for the QM is the protection of existing amenity/ sunlight and shading access (or retaining the status quo) and that he has worked backwards from there to justify the QM. An omission from Mr Wilson's s42A assessment of this QM is any consideration of the relevant NPS-UD Objectives (1 and 4) and Policies (3(d) and 6). In my view these provisions set the starting point or context for a QM being considered before then turning to evaluate the matters in S77J and L.
- 3.61 The towns of Rangiora, Kaiapoi, Woodend and Ravenswood offer access to jobs, community services, open spaces and transport. However, by perpetuating the existing two storey height limit, the QM is encouraging the continued delivery of larger single-family dwellings on larger sections or larger floor area two storey semi-detached units, but not delivering one bedroom attached units, low-rise apartments and other smaller more affordable options (as described in MRZ-O1 and MRZ-P1 and 2 – the mandatory MDRS provisions). As a result, a 'well-functioning urban environment' (Objective 1) will not be delivered, and housing will remain unaffordable for parts of the community. In my view the MDRS and supporting mandatory objectives and policies have intentionally been designed to deliver well-functioning urban environments as sought by the NPS-UD.
- 3.62 Further, I note Policy 6 of the NPS-UD acknowledges that the planned urban built form anticipated by those RMA planning documents that have given effect to the NPS-UD (which would include the Amendment Act and MRDS) may result in significant changes to an area, that intensification in accordance with the NPS-UD may result in a reduction in existing amenity values appreciated by some and that these changes are not in themselves an adverse effect. I therefore consider that the shading effect Mr Wilson is trying to mitigate via the

QM is not an adverse effect the decision makers need to place any significant weight on when having particular regard to Policy 6.

3.63 The proposed rule package does not need to maintain the status quo in terms of shading/sunlight access and visual effects. Additional housing choice and intensification is to be provided to all residential zoned land where possible, and this will in most cases mean developments will block more sun, reduce outlook and create larger-scale buildings relative to each other than has previously been the case.

3.64 I also agree with Mr Neville's corporate evidence that legislators have already grappled with these issues when drafting the MRDS package in relation to building height and HIRB. The costs of sunlight access, shading and amenity effects have already been weighed against the benefits of providing a greater variety of housing to meet the needs of the community and to deliver a well-functioning urban environment. It was decided that the costs of lost sunlight access did not outweigh the wider objectives and benefits of the NPS-UD. This is different from other QMs (for example heritage, infrastructure, natural hazards) that are clearly contemplated in the Amendment Act section 771, have a spatial context and sit within other plan chapters and rules.

3.65 In reflecting on all the evidence across the MRDS processes I have been involved in or have followed as part of the Kāinga Ora team working on MDRS, I have come to the conclusion that QMs are about *where* the MDRS should apply rather than *how* they should apply. I don't think it was intended that the MRDS standards for height, HIRB, site coverage, landscaping, outlook space themselves be modified. Rather, QMs are about spatial application. The MDRS setback standards are different as these can be mapped in relation to features such as rivers, rail corridors and the rules in other plan chapters can apply.

3.66 Another matter not considered by Mr Wilson is NPS-UD Policy 3(d) and what would be commensurate with the level of services available in the Districts TCZs or Centres. In my view 11m(+1) is certainly commensurate with TCZ and is provided for both in the MDRS and

under Policy 3(d). This policy will be elaborated on further below in relation to the HVAC, where it is concluded that additional height above 11m(+1) can be supported in Rangiora.

- 3.67 The evidence of Ms Rennie and Mr Heath should also be referred to as it raises similar issues as to the above and identifies errors in the modelling undertaken to support the QM. Ms Rennie and I both also note that there is no policy framework proposed in V1 that supports a height limit of 8m (+1) in the MRZ. The mandatory MRDS policies all refer to three storeys and I cannot see any submission points seeking to lower this.
- 3.68 In relation to economic effects of the QM Mr Heath has concluded that the cost of the proposed QM is a net economic loss, noting that the proposed 8m height limit may have wider-reaching impacts on the enablement of appropriate densities. Not only will it affect capacity, but also choice, affordability and location efficiency. He considers the function of V1 is to be a catalyst for development and that the recommendation by the s42A reporting planner to limit the height to 8m directly constrains the catalysing ability. Which is likely to have a direct impact on the typology, mix, price and location of housing that is brought to the market.
- 3.69 In conclusion, the simple answer here is the higher order documents do not contemplate the proposed sunlight and shading QM. Further, even if they did the economic and urban design evidence by Ms Rennie and Mr Heath raises significant concerns with the methodology and the lack of consideration of the costs of lowering the height limit. Therefore, it cannot be supported, and I recommend that it is deleted in its entirety. Amended text for MRZ-BFS4, back to the as notified version is provided in **Appendix 2**.

HVCA

- 3.70 In order to ensure appropriate levels of intensification around centres is encouraged and enabled in accordance with the NPS-UD, the Kāinga Ora submission seeks the inclusion of a Height Variation Control Area for the MRZ within the area around the Rangiora Town Centre (TCZ)

as mapped in **Appendix 2** and described in Ms Rennie's evidence. The evidence has refined the relief sought to a height limit of 18m or 5 storeys, rather than the 19m sought in the submission.

- 3.71 Kāinga Ora has not sought an uplift in zoning of this area from medium density to high density residential, as the requested height variation control coupled with the density of urban from proposed in MDRS is considered to be commensurate with the level of commercial activity and commercial services provided for and enabled within the TCZ as applied to Rangiora. I note that Waka Kotahi /NZTA also made a submission¹⁴ seeking greater enablement (suggesting 4 storeys) within a walkable catchment around the Rangiora TCZ. The s42A report does not address the HVCA noting that it is overridden by the sunlight and shading QM.
- 3.72 I support the Kāinga Ora submission seeking a HVCA. There are a number of factors that are relevant in the consideration of both the height limit and spatial extent of the HVCA in relation to Rangiora Town Centre and the application of NPS-UD Policies 1 and 3(d). In the Waimakariri context, subclause (d) is the correct part of Policy 3 to apply. As covered in my evidence for Stream 9 Commercial, Rangiora Town Centre is identified as the primary centre for the District in the District Plan comprising a full range of commercial, retail, community, medical, hospitality, education and public open spaces. It is also noted that S77H of the Amendment Act allows Council's to enable greater development than provided for in MDRS in addition to giving effect to Policy 3. So even if outside a policy 3 catchment more development can be enabled. As such there appears to be no high-level policy barriers to the HVAC.
- 3.73 Firstly, looking at the higher order documents and their requirements in terms of building heights and intensification. NPS-UD Policy 3 sets out the minimum height expectations for different parts of the centre hierarchy and as noted above the relevant subclause is (d). The NPS-UD is an internally consistent document in that that the delivery of Policy

¹⁴ Submission 46.2

3 outcomes is central to the delivery of a well-functioning urban environment.

- 3.74 Policy 3 is anticipated to result in an increase in heights and change in built form relative to the status quo outcomes which have been built up over the years as a result of earlier planning processes. The NPS-UD is specifically designed to facilitate a meaningful change from the status quo to enable greater residential intensification and heights. In the context of implementing Policy 3, the NPS-UD is a forward-looking document, and the policy response needs to be based on the urban form anticipated or sought over the next 30 years in line with Objective 6(b), rather than based on perpetuating the existing residential form.
- 3.75 Rangiora is anticipated to continue to grow and is intended to include the greatest range of commercial and community services in the District over the longer term. The Rangiora centre is identified as Key Activity Centres (KACs) in the Canterbury Regional Policy Statement (Map A and KAC definition) which are *“identified as focal points for employment, community activities, and the transport network; and which are suitable for more intensive mixed-use development”*. It is also identified as a ‘major town or locally important urban centre’ in the Greater Christchurch Spatial Strategy. Further, the strategy lists Rangiora as ‘Priority Development Area’. It is appropriate that Rangiora in particular allows for the greatest height limits and significantly more intensification than other centres in the district.
- 3.76 In my opinion, the inclusion of this control will help to incentivise more intensive development close to the town centre in an area that will better support centre vitality, provide greater housing choice (in terms of typology and location), and support the use of more sustainable modes of transport.
- 3.77 Ms Rennie’s evidence also supports the introduction of a HVCA (although over a more focused area than in the original submission) with an 18m height limit for the reasons which I have summarised as follows:

- The population of Rangiora is expected to continue to increase and result in increased demand for housing and business floorspace.
- The town includes a local bus service which focuses on connections with adjoining towns and Christchurch (rather than connections within the township). This includes regular and express bus services that provide access to and from Christchurch central city and other major employment centres such as Papanui and Christchurch Airport.
- The Town Centre is highly accessible for most residents given urban form and layout of the town, comprising largely a grid pattern, making it well suited to more intensive residential typologies and supporting a reduction in greenhouse gas emissions.
- The range of services and amenities within the Town Centre is reflective of Rangiora being a Key Activity Centre (“KAC”) in the Regional Policy Statement (“RPS”), and more recently a ‘Priority Development Area’ under the Greater Christchurch Spatial Plan. The HVCA will reinforce the primacy of the TCZ.
- In terms of town centre context and urban form matters, the TCZ includes the Residential Height Bonus Area Precinct (“PREC RHBA”) and this is recommended to include a height limit of 21m / 6 storeys as set out in the Council’s s42A report, where at least one floor is required to be residential in use. If this is not included, then 18m is the default height limit for this area. This allows a good transition to 18m being sought in the HVCA.
- The HVCA will enable a greater range of housing typologies and housing choice in the future in proximity to the TCZ.

3.78 I accept Ms Rennie’s evidence of the need for and mapping of the HVCA.

3.79 Mr Heath’s evidence also supports the introduction of the 18m/five storey height limit, noting that the HVCA would play a pivotal role in directing intensification to the most efficient location surrounding the Rangiora TCZ. Further, that HVCA will enable the market to offer

greater housing typology choice at more affordable prices and result in more efficient use of infrastructure. He identifies no significant economic costs of the enablement that can't be managed or mitigated to a degree by urban design and planning policies contained within MDRS.

- 3.80 While NPS-UD policy 2 and strategic objective UFD-P1 requires that there is sufficient feasible development capacity at all times to meet anticipated demands for housing, I agree with Mr Heath that this does not mean that only sufficient development capacity should be provided and no more. The numbers in UFD-O1 are a bottom line (a minimum) and should not be treated as a cap or target. Mr Heath concludes that there are economic benefits from 'full enablement' of residential capacity and the consolidation of land use activities within a compact urban form, focussed within and around centres and transport routes.
- 3.81 As noted in Mr Neville's evidence, much of the recent development in Waimakariri, points to a risk that past land use development patterns will continue to promote a tendency towards urban sprawl and a preference for greenfield development. However, the overall direction of the NPS-UD, includes the consolidation of land use activities within a compact urban form, focussed within and around centres (and, ideally, also along key transport routes).
- 3.82 In my opinion, it is therefore appropriate that regulatory incentivisation in the form of enabling planning provisions for substantive infill and multi-unit development at greater heights, are critical in achieving compact urban form outcomes that capitalise on the favourable location that existing urban areas have to established or planned public transport, service amenities, employment and education opportunities. Offering greater housing choice including high and medium density in proximity to centres, not only creates more affordable options but also contributes to well-functioning urban environments.
- 3.83 In terms of a Section 32AA evaluation demonstrating that providing for an 18m building height in the MRZ within a walkable catchment of the Rangiora TCZ is the most appropriate way to achieve Policy 3(d) of the

NPS-UD and the objectives of the strategic objectives I note the following:

- i. This change is efficient and effective in achieving these objectives as the benefits, outlined in paragraph 377, 380 and 381 above, outweigh the potential costs, including any potential adverse effects of taller residential buildings.
- ii. The 'other reasonably practicable option' for achieving the objectives of the PDP is retaining the standard 11m (+1) height in the MRZ adjacent to the Rangiora Town Centre. However, for the reasons set out in paragraphs 372 -382 above this option would be less efficient and effective in achieving the objectives than the recommended amendment.

3.84 In conclusion, I agree with Mr Rennie's and Mr Heath's advice and recommend that the Height Variation Control Area mapped in **Appendix 2** should be included in the District Plan maps, relevant objectives and policies as noted above and in MRZ- BFS4.

MRZ-BFS7 Height in Relation to Boundary QM

3.85 Kāinga Ora supported MRZ-BFS7 the mandatory MDRS HIRB standard be retained as notified. In the s42A report Mr Wilson considers that no changes are required to this rule in response to sunlight and shading. However, in the text changes proposed in Appendix A there appears to be an error and changes proposed by Mr Wilson to MRZ-BFS7 that have not been assessed in the s42A assessment of height and shading as for MRZ-BFS4. If not an error then this also appears to be a new QM changing how the recession planes apply from being measured from 4m above ground level to 3m (the 4 has been crossed out and replaced with a 3). This is a significant change in terms of allowable built form permitted on a site.

3.86 Without any assessment of this proposed change justifying a 'new QM' I recommended that changes to MRZ-BFS7 be rejected, in accordance

with the text I have included in **Appendix 2** which retains the notified version of the standard.

Accessory Buildings and Non-habitable Spaces within Residential Buildings/ Units

- 3.87 WDC made a submission on V1 (s47.21) in relation to garages, accessory buildings and other non-habitable areas of residential units seeking to clarify if the MDRS apply to these. The submission point states:

“It is not clear how to treat garages and other non - living accommodation parts of a building under the MDRS. The Proposed District Plan definitions for ‘residential activity’ are clearly linked to the living accommodation only, which can be interpreted to exempt a garage from consideration under the MDRS, but this may need to be clarified. Clarify that the non - living parts of a building are not part of assessment under the relevant MDRS built form standards. This includes attached garages, roof cavity/facade, and foundations”.

- 3.88 Kāinga Ora made a further submission (fs23) in opposition to any rule that seeks to remove garages and other accessory buildings from being considered under the MDRS rules and to the suggestion that roof cavities, facades and foundations are ‘non-living accommodation’ or non-habitable parts of a building and are therefore not assessed under MDRS built form standards.

- 3.89 There is no direct response to the further submission in the s42A report and it is not possible to follow the further submission points in the Appendix B recommendations. However, in response to the WDC submission point in Appendix B Mr Wilson accepts the point and notes:

“Amendments are proposed to the definition of ‘residential activity’ to ensure they apply to the living accommodation only”.

- 3.90 In Mr McLennan's s42A report that covers the definition of both residential unit¹⁵ and residential activity¹⁶ no changes to the National Planning Standard definitions are proposed.
- 3.91 I entirely agree with the reasons provided in the Kāinga Ora submission. Garages and accessory buildings are simply an ancillary part of peoples living accommodation and just because they are not 'habitable spaces' does not make them 'non-residential'. The proposed approach is not practicable or sensible. In addition, if garages (and accessory buildings) and parts of residential units (facades, roof spaces) are not assessed under the MDRS built form standards, it is not clear what rules would apply as an alternative. I do not consider this submission needs any text amendments as the built form standards (for example for height, HIRB, setback and site coverage) are worded to apply to 'buildings' generally.

MRZ Built Form Standards Relevant MOD's

- 3.92 Kāinga Ora made submissions on MRZ-BFS4 Height, MRZ-BFS5 Building and Structure Setbacks, BFS6 Street Interface, BFS-BFS7 HIRB and BFS-8 Fencing, seeking to delete RES-MD2 Residential Design Principles as a relevant matter of discretion for these rules. These submission points are not addressed in the body of the s42A report, however, are all shown as rejected in Appendix B with no clear reasons provided in response to the matters raised in the submission.
- 3.93 I support the Kāinga Ora submissions and consider that the matters of discretion in RES- MD2 are not the appropriate matters for dealing with discrete boundary and built form issues. Likewise, the re-drafted text in Ms Rennie's evidence covers a full range of site design and layout issues (see next evidence section below). The list of matters in RES-MD2 is too broad ranging and require a full urban design assessment of the proposal. Instead, the relevant matters of discretion for these

¹⁵ In the PDP Residential Unit means: a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities.

¹⁶ In the PDP Residential Activity means: the use of land and building(s) for people's living accommodation.

rules can be found in RES-MD5 Impacts on Neighbouring Properties or RES-MD6 Road Boundary Setback.

- 3.94 I consider that this is appropriate given the effects of height, HIRB, setback and fencing breaches and are well understood and in my view the existing matters of discretion in RES-MD5 and RES-MD6 enable adequate consideration of these matters without the need for the additional matters in RES-MD2 applying to less than 3 units. It is noted that RES-MD2 would apply to any development of four or more units.
- 3.95 An example of RES-MD2 being excessive/ disproportionate for dealing with the effects of not meeting these built form standards would be if a two-unit development (permitted under MDRS/ less than 3 units) in the MRZ that complied with all other built form standards but was setback 0.9m from its rear internal boundary, rather than 1m (a non-compliance of 10cm). Instead of just considering the effects on the outlook, access to sunlight and privacy of the one neighbour that the building was too close to under RES-MD5 Impact on Neighbouring Property, RES-MD2 would open up discretion to consider the relationship of the building to the street, built form and appearance of the 2 units generally, outdoor living space, landscaping, access, parking, servicing and Crime Prevention Through Environmental Design (C{TED) which are unrelated to the rear boundary non-compliance. The same would apply for a small recession plane breach under MRZ-BFS7, or if a fence was 1.3m high (rather than 1.2m). In my experience applying for or processing medium density consents, if this extra discretion is provided in the Plan, it will be used to assess the proposal as a whole, adding uncertainty, time and cost to the process. This can be contrasted to a simpler, more pragmatic approach that is focused specifically on the non-compliance.
- 3.96 For the above reasons I recommend that RES-MD2 is removed as a relevant MOD for BFS5 – BFS8. Amended wording is provided in **Appendix 2**.

MRZ RESIDENTIAL MATTERS OF DISCRETION: RES-MD2, RES-MD12, RES-MD13 AND RES-14.

Urban Design Principles

- 3.97 Dealing firstly with RES-MD2 Residential Design Principles. The Kāinga Ora submission sought a number of changes to this to reflect the Amendment Act intent and to make the MOD's commensurate with the scale of development and issues that require to be addressed as identified in the objectives and policies and consistent with the built form standards. The s42A reporting officer has rejected the submission point without providing any assessment. It is simply noted in the Appendix B recommendations that "*The MDRS does not prescribe matters of discretion*".
- 3.98 While the residential design principles in RES-MD2 were not proposed as part of V1, as a consequential amendment under Section 80E(1)(b)(iii) I consider that they do need reviewing in light of the NPS-UD, the Amendment Act and the MDRS standards given the significant change in residential character proposed and intensification required.
- 3.99 Kāinga Ora seek more concise, succinct matters of discretion that are clear, easily understood, clearly state the outcomes intended, and provide for design innovation and choice. The submission made an initial suggestion of five new matters. The proposed assessment matters in rule RES-MD2 specify nearly 30 individual matters. The scope and extent of these assessment matters provide such broad discretion that they undermine the Amendment Act intent of a restricted discretionary activity status.
- 3.100 Kāinga Ora recommend the matters are reworded to capture the anticipated context (rather than the receiving environment) in line with the Amendment Act and NPS-UD and changes to the proposed matters of discretion to sufficiently address the likely changes to amenity values while providing for a range of housing typologies.
- 3.101 In my view the matters seem particularly onerous when applied, for example, to a single residential unit with a single boundary setback non-

compliance. Noting that a number of the 'boundary' standards list RES-MD2 as a matter to which discretion is restricted. RES-MD2 was clearly intended to apply to scenarios where 4 or more units are proposed.

- 3.102 RES-MD2 are the key set of assessment matters that are in play for multi-unit developments triggered by the '3+ units' rule. V1 continues the PDP approach of a 'long list' that extends to over 30 individual matters. The Amendment Act was quite clear in its direction to facilitate increased housing opportunities. Part of this enablement was a restricted discretionary activity status (rather than full discretion).
- 3.103 I also consider that the structure of the RES-MD2 Residential Design Principles, which is a near copy of the current Christchurch District Plan Residential Design Principles¹⁷ is confusing in my experience. In each of the 6 design principles, there appears to be a sentence outlining the principle, and then specific assessment matters under each of these sentences. In my experience, 'long-list' approaches mean that it is easy to lose perspective as there are simply too many matters in play with too much level of detail to work through. Invariably the optimal design solutions for one matter results in a compromised outcome for another, such that any design has to be assessed 'in the round' rather than as a point-by-point box ticking exercise. However, my experience is that often Council Planners start down a tick box path, requiring every matter to be met. When one is not, they may not be supportive of the proposal and suggest that it warrants refusal, consequently adding significant time and cost to negotiate, redesign and/or argue otherwise.
- 3.104 There also appears to be an overlap between the residential design principles and other matters of discretion for built form standards, and I recommended that RES-MD2 be consolidated to avoid duplication.
- 3.105 Ms Jane Rennie has also prepared urban design evidence on RES-MD2 and as a result, while not recommending the 5 matters in the initial submission, has provided a more focussed set of assessment matters that nonetheless in my opinion still properly enable Council and

¹⁷ Christchurch District Plan 14.15.1

decision makers to exercise an appropriate level of control over built form and amenity outcomes commensurate with a medium density residential environment.

3.106 The more focussed set of provisions sought by Ms Rennie is a 'short list' approach to urban design assessment, providing six simple, clear matters of assessment. In my experience the 'short-list' approach still provides for an appropriate level of design assessment to ensure good outcomes are delivered, while allowing for a more certain and efficient consenting process. The proposed amendments to the assessment matters strike an appropriate balance between flexibility of design, enabling opportunities and change to provide for higher density housing typologies in the context of achieving a well-functioning urban environment.

3.107 Ms Rennie has recommended the following MOD's to replace RES-MD2:

1. *The scale and form of the development is compatible with the planned urban built form of the neighbourhood and will provide visual interest. This includes a variety of building forms, articulation and materials to avoid overly lengthy or continuous rooflines and monolithic forms.*
2. *Development that contributes to a safe and attractive public realm and streetscape. This includes the provision of landscape and the orientation of building frontages to face the street and open spaces, avoiding street facing facades dominated by garages.*
3. *Development delivers quality on-site amenity and occupant privacy that is appropriate for its scale. This includes provision of planting including on site boundaries and accessways and creation of usable and attractive outdoor living spaces.*
4. *Provision of pedestrian and vehicle access and integration of parking (where relevant) in a way that does not dominate the*

development, particularly when viewed from the street or other public open spaces.

5. Provision of suitable storage and service spaces which are conveniently accessible, safe and/or secure and which are screened from the street or other public open space.

6. Crime Prevention through Environmental Design (CPTED) and the delivery of a safe environment for both occupants and users of any adjacent streets or public open areas.

3.108 In conclusion, based on my consent experience and Ms Rennie's advice on RES-MD2, I recommend that the MOD's above and included in **Appendix 2** are included in the District Plan.

Other Matters of Discretion for the MRZ

3.109 There are also new MOD's associated with MDRS standards for Outlook Space (RES-MD12), Landscape Areas (RES-MD14) and Site Coverage (RES-MD17) proposed as part of V1 that were covered in the Kāinga Ora submission. These were not addressed in the s42A report but were rejected in Appendix B noting that "*The MDRS does not prescribe matters of discretion*". However, the MOD text as proposed in V1 is still included in Appendix A text amendments.

3.110 While I agree with Mr Wilson that that the MDRS provisions specified in the Amendment Act do not prescribe particular compulsory MOD's, the MDRS does create new restricted discretionary activity-built form standards which consequently results in new MOD's being required. I don't understand Mr Wilson's statement and reason for rejecting these submission points when new MOD's are clearly proposed in V1 as notified.

3.111 Kāinga Ora had a number of reasons detailed in the submission for requesting changes to this group of MOD's and I support those reasons and the need for changes based on my significant experience with consenting medium density housing. The MOD as drafted create

uncertainty and I consider they will likely generate disagreement over their interpretation or the outcome required.

- 3.112 In relation to RES-MD12 I consider that these assessment matters are confusing and contain subjective terms that will add to consenting complexity and differences of opinion. For example, in point 2 what is 'sense of space' and in point 3 how would one assess a 'visual perception of cramped living conditions'. The 'perception' or 'sense' could vary significantly from planner to planner. Further, in my view this rule is primarily about 'outlook' not 'access to sunlight'. The matters as drafted require consideration of access to natural sunlight on the shortest day of the year, as distinct from access to natural light/ daylight via the outlook space. Access to natural sunlight on the shortest day of the year would simply not be possible for a south facing habitable space or several other different arrangements and orientations. The matters require redrafting to ensure that they are relevant to the built form standard breached and to reduce consent barriers and costs.
- 3.113 For RES-MD14 Kāinga Ora seek deletion of 1(d) relating to heat effects from intensification and impervious surfaces. From my significant medium density housing experience, I agree with the deletion, as I am not clear what expert assessment would be required to address this matter as it is not a matter typically addressed by Urban Designers or Landscape Architects and would require other expert analysis. This could be disproportionate in terms of cost burden on an applicant and the scale of the non-compliance (eg: 1% short of the 20% landscaping requirement for a single unit or two-unit development). There is significant uncertainty in how a processing planner would assess this and what expertise they would require to assist with this. I understand there are ArcGIS analysis tools for visualising urban heat island effects, but I am unsure whether these allow analysis of small site by site residential developments of a couple of units and what the costs involved would be. Further the S32 assessment does not provide any mention of heat effects or rationale for its inclusion. The deletion of matter of discretion 2 is also sought as it appears to relate more to building design considerations rather than landscaping which is the subject of other standards.

- 3.114 Finally in relation to RES-MD17 I agree with the Kāinga Ora submission and consider that the matters for site coverage should be reworded to capture the 'anticipated context' rather than the receiving environment, in line with the Amendment Act and NPS-UD. Further the provision of adequate outdoor living space is a separate issue covered by another MDRS rule and set of MOD's and therefore should be deleted from RES-MD17.
- 3.115 For the reasons provided above and in the original submission, I recommend the text amendments provided in the Kāinga Ora submission are adopted for RES-MD12, MD14 and MD17. These are provided in **Appendix 2**.

VARIATION 1 – SUBDIVISION: MEDIUM DENSITY RESIDENTIAL ZONE

- 3.116 In my Stream 8 evidence for the PDP subdivision chapter, I signalled the need to revisit subdivision in the MRZ as part of V1 process. This was agreed with Ms McClung the s42A officer at the hearing as she had only covered the PDP at that stage and agreed a 'mop up' or check for consistency may be required as part of Stream 7B. However, the s42A report by Mr Wilson now released, does not contain any assessment of the submissions on the V1 Subdivision Chapter changes other than the QMs and there is no update provided by Ms McClung. I set out my evidence on this below for the Panel's consideration and possible response from Mr Wilson or Ms McClung.
- 3.117 In the MRZ the PDP text has now been superseded by V1 which proposes no minimum site size or dimension requirements for this zone (where a qualifying matter does not apply). The Kāinga Ora submission on V1 sought a shape factor or 'building square' in the MRZ of 8m x 15m for vacant lot subdivision (rather than the 200m² area sought in the PDP submission).
- 3.118 The PDP s42A text (Appendix A to Ms McClung's s42A) still includes the PDP text retaining a 200m² site size for vacant lot subdivision in the MRZ with no minimum shape factor and Mr Wilson has not replaced this with V1 amendments.

- 3.119 I agree with Ms McClung's Stream 8 s42A report that no minimum site size or shape factor should be required in the MRZ where residential activity is proposed/approved. It is not clear however in V1, what would happen if vacant lots were proposed in the MRZ. In my view, a minimum shape or building square should be included in V1 to prevent the (albeit unlikely) situation whereby a developer might seek to promote a subdivision with lot sizes that do not enable reasonable MRZ/MDRS compliant buildings to be subsequently constructed.
- 3.120 The Kāinga Ora submission on V1 seeks a minimum shape factor or building square of 8m x 15m for vacant sites and I consider that in relation to the PDP and V1 this should now be adopted.
- 3.121 I have considered whether the shape factor sought by Kāinga Ora may lead to the creation of vacant allotments that are not of a sufficient size to accommodate an appropriate dwelling. Architectural modelling was undertaken by Tauranga City Council as part of their Plan Change 33 to demonstrate how this shape factor could accommodate a viable building that complies with the MDRS. I have reviewed this modelling and consider that it presents a realistic and appropriate model for how development could occur on an individual site with a shape factor of 8m x 15m assuming no other constraints exist on the site. The relevant parts of this modelling are included as **Appendix 3** to this evidence.
- 3.122 Providing a shape factor of 8 x 15m will ensure that vacant sites are able to accommodate a residential unit in compliance with the density standards of building height, height in relation to boundary, setbacks, building coverage, outdoor living space, outlook space, windows to street and landscaping.
- 3.123 An 8m x 15m shape factor results in a site area of 120m². enabling building coverage of 60m² (50%). Application of height-in-relation-to-boundary controls would limit development to two-storeys, and therefore limiting overall building floor area to 120m². Theoretically, this could enable three dwellings of 40m² each. While 40m² is sufficient for a studio or 1- bedroom apartment, internal dwelling configurations, access and open space requirements would likely make this difficult to

achieve in practice. As a result, development would likely be limited to a single detached dwelling (of 120m² or less) or duplex at densities consistent with that anticipated under the MDRS. Therefore, the 8m x 15m shape factor is sufficient to ensure that any vacant sites created through subdivision in the MRZ are suitable to provide for appropriate medium density residential development, and there is no need for further minimum size control.

- 3.124 While the current median size of dwellings in the district is likely to be significantly larger than both 40m² and 120m², these dwellings were developed under previous provisions that existed prior to the NPS-UD and MDRS. The NPS-UD and MDRS set out a clear change in national policy direction that requires district plans to enable a higher density of development and to enable a variety of homes in terms of type, price and the needs of different households. In my opinion this means enabling smaller dwellings than the historic median, particularly given the demographic trend towards smaller average household size. I note these are minimum standards and that larger sites can be created – still providing market choice.
- 3.125 For the above reasons, I consider that SUB-S1 in the PDP and V1 needs changing to reflect the above relief sought. I have provided amended wording in **Appendix 2**.

SUMMARY OF PROPOSED WORDING CHANGES SOUGHT AND SECTION 32AA

- 3.126 The proposed additional changes sought by Kāinga Ora are included in **Appendix 2** of my evidence. I can confirm that the version of relief in my evidence represents the full “updated” set of relief requested by Kāinga Ora in relation to these hearing topics.

4. CONCLUSION

- 4.1 Overall, I generally do not support the revisions made to V1 in the Section 42A Report. This is largely due to the approach taken to retain the status quo in regards to residential amenity and a lack of forward thinking in relation to ‘well-functioning urban environments’ that locate

intensification in proximity to centres and employment opportunities, housing choice and affordability.

- 4.2 I am of the opinion that the amendments sought by Kāinga Ora (as discussed in this evidence) are appropriate and will assist in striking the balance between competing outcomes of providing for development of urban amenity and urban intensification. The amended provisions would also improve the certainty and usability of the residential sections of the Plan and enable consistent implementation by both plan users and the Council.
- 4.3 I consider that the amended provisions outlined within my evidence will be efficient, effective and the most appropriate option for achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents, including the NPS-UD and Amendment Act especially.

A handwritten signature in blue ink that reads "Clare Dale".

Clare Dale
11 September 2024

Appendix 1: Kāinga Ora Submission Points for Hearing Stream 7B

Variation 1 Submissions

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
Part 1 - Introduction and General Provision					
1.1	Te whakamāramatanga - Interpretation Definitions	Definition of 'Multi-unit Residential Development'	Oppose	Consistent with its submission on the PDP, Kāinga Ora seeks deletion of the definition of "multi-unit residential development" as it is not a term used in the NPS-UD or 'Housing Supply Act' along with consequential changes to the provisions to assist with simplification of plan administration and interpretation.	Delete the definition of 'multi-unit residential development' in its entirety and any reference to the definition or term across the Proposed Plan. MULTI-UNIT RESIDENTIAL DEVELOPMENT: means development involving more than one three residential unit (but excluding any minor residential unit or residential unit in a retirement village) undertaken comprehensively over one or more sites, and may include zero lot development, townhouses, apartments or terrace housing.
1.2	Te whakamahi māhere - How the plan works	Relationships between spatial layers –Table RSL- 1 Qualifying Matters	Support in part	Kāinga Ora consider that qualifying matters need expressing more clearly across V1 to assist with simplification of plan administration and interpretation. Kāinga Ora considers that Table RSL0 1 Qualifying Matters should more clearly and	Amend provisions relating to qualifying matters to provide additional clarity as to how each of the qualifying matters apply to MDRS and the MRZ standards.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>comprehensively describe the qualifying matters and how each of these, limit intensification.</p> <p>Kāinga Ora also note that while some of the qualifying matters are listed in the MRZ Built Form Standards, others are contained in the general rules chapters and overlays. Further, some of the chapters in Part 2 of the PDP (eg: historic heritage and notable trees) have been updated to include a reference to qualifying matters, but again not clearly expressed as a rule or in a way that provides clarity as to how the qualifying matter affects the MRZ provisions. It is not clear whether some of the matters preclude MDRS entirely or limit only density or another of the MDRS built form standards, or limit built form only on specific parts of sites. Noting this, Kāinga Ora consider that greater clarity and certainty is required as to the nature, extent and implications of qualifying matters proposed under V1.</p>	
Qualifying Matters - General Comments					
1.3	Qualifying Matter Electricity	- National grid transmission lines.	Oppose	Kāinga Ora oppose the National Grid Transmission Lines being a qualifying matter.	Delete the electricity/ national grid qualifying matter.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
		<p>- National Grid transmission lines within Medium Density Residential Zone in north-west Rangiora).</p> <p><i>As mapped in qualifying matter, national grid subdivision corridor.</i></p>		<p>Kāinga Ora, oppose the 39m setback 'National Grid Subdivision Corridor' included in V1 as the s32 assessment lacks a strong evidence base for this scale of setback as a qualifying matter.</p>	<p>Delete 39m setback 'National Grid Subdivision Corridor' as a qualifying matter.</p> <p>See further comments in SUB - 6 and MRZ -BFS5 about improving clarity of the rule.</p>
1.4	Qualifying Matter Transport	<p>- Railway Corridors: Railway designations adjacent to parts of the Town Centre within Medium Density Residential Zone of Rangiora and Kaiapoi.</p> <p><i>As mapped in qualifying matter, rail corridors</i></p> <p>- Strategic Roads and Arterial Roads: Properties within Medium Density Residential Zone immediately adjoining strategic and arterial roads in Rangiora, Kaiapoi and Woodend).</p>	<p>Oppose Rail Corridors QM.</p> <p>Oppose the 'Strategic and Arterial Roads' QM.</p>	<p>Kāinga Ora oppose the rail corridor being a qualifying matter as the s32 assessment lacks a strong evidence based for the scale of setback as a qualifying matter.</p> <p>Kāinga Ora oppose the Strategic and Arterial Roads qualifying matter. Some of the roads covered by this matter are not State Highways and therefore are not considered 'nationally significant infrastructure'. The basis for this qualifying matter is otherwise unclear from the s32 evaluation, however Kāinga Ora consider that residential amenity can be maintained through design standards; and road network management can be provided for within existing road corridors or Notices of Requirement to alter such corridors.</p>	<p>Delete the Railway Corridor qualifying matter.</p> <p>Delete the Strategic and Arterial Roads qualifying matter. See further comments to MRZ-BFS5 in this submission.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
1.5	Qualifying Matter Natural Hazards (Urban)	<p>- Properties within Kaiapoi Urban area within the High Hazard flood overlay.</p> <p><i>As mapped in qualifying matter, natural hazards.</i></p>	Support in Part	<p>Kāinga Ora support the management of significant risks from natural hazards as a qualifying matter (in appropriate circumstances), noting that it is a matter of national significance in Section 6.</p> <p>Kāinga Ora generally supports the risk-based approach to the management of natural hazards. However, consistent with its submission on the PDP, Kāinga Ora opposes flooding hazard information being incorporated as overlays within the PDP and now as a qualifying matter. These hazards are dynamic and are subject to constant change through hazard mitigation works and reshaping of ground contours (for individual sites or developments, or for wider areas).</p> <p>Spatial identification of flood hazard areas should be made available through a set of non-statutory flood hazard maps, which would operate as interactive maps on the Council's GIS website – thereby operating as a separate mapping viewer to the statutory DP maps. This approach is different to that of the traditional means of displaying hazard overlays on district plan maps and reflects that these maps do not</p>	<p>Amend the provisions to remove/delete the mapped Natural Hazard Overlays from within the PDP. Instead, the Natural Hazard Overlays should be based on non-statutory map layers in the Waimakariri District Natural Hazards Interactive Viewer that sits outside the PDP. Not included in the Proposed Plan and Variation.</p> <p>Specific text amendments are covered below under MRZ- BFS1.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>have regulatory effect. The advantage of this approach is the ability to operate a separate set of interactive maps which are continually subject to improvement and updates, outside of and without a reliance on the Schedule 1 Resource Management Act 1991 process. Kāinga Ora notes that this is an approach taken by other Councils around the country.</p>	
1.5	Qualifying Matter Airport noise - Christchurch International Airport	<p>- Properties within the Medium Density Residential Zone of Kaiapoi and within the Christchurch International Airport noise contour.</p> <p><i>As mapped in qualifying matter, airport noise.</i></p>	Oppose	<p>Consistent with its submission on the PDP Kāinga Ora opposes the airport noise contour as a qualifying matter. Kāinga Ora seeks the deletion of the Aircraft/ Airport noise provisions in full including any mapped noise overlays and contour maps.</p> <p>Kāinga Ora also opposes all provisions related to the Airport Noise Contour in the PDP and seeks all relevant airport noise contour provisions in the PDP including objectives, policies, rules and standards (with any associated tables, figures and overlays) are removed from the PDP.</p>	Delete this qualifying matter and any proposed provisions in the Variation.
1.6	Qualifying Matter Historic Heritage	<p>- Properties identified as a Heritage listed item within Medium Density Residential Zone of Rangiora, Kaiapoi and Woodend).</p>	Oppose	Kāinga Ora support the identification of historic heritage qualifying matters, in appropriate circumstances, noting that heritage is a matter of national significance in Section 6.	Retain heritage as a qualifying matter, and amend the rule package to clearly state that the heritage rules in (HH - R1 to HH-R9) apply in addition to the activity rules and built form standards in the MRZ.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
		<i>As mapped in qualifying matter heritage building or item.</i>		<p>However, it is not clear in the V1 text what this qualifying matter is seeking to limit (be less enabling of). For example, does the QM mean that MDRS standards do not apply to sites containing heritage buildings? Or is it that the heritage rules still apply in addition to the MDRS rules?</p> <p>In Kāinga Ora's view, except where there is site specific justification to exclude a site from the MDRS on heritage grounds, the general heritage rules in the District Plan sufficiently recognise and provide for heritage values. Such rules provide a suitable framework for considering new buildings on the site, alterations to heritage buildings, or the demolition/removal of heritage buildings.</p>	(Rather than MDRS being precluded on heritage sites generally).
1.7	Qualifying Matter Notable Trees	<p>- Properties with a notable tree within Medium Density Residential Zone of Rangiora, Kaiapoi and Woodend.</p> <p><i>As mapped in qualifying matter, notable tree.</i></p>	Oppose	<p>Kāinga Ora support the notable tree qualifying matter.</p> <p>However, it is not clear in the variation text what this qualifying matter is seeking to limit (be less enabling of). For example, does the QM mean that MDRS standards do not apply to sites containing notable trees? Or is it that the tree rules still apply in addition to the MDRS rules.</p>	Retain notable trees as a qualifying matter, and amend the rule package to clearly state that the tree rules in (TREE-R1 to TREE 7) apply in addition to the activity rules and built form standards in the MRZ. (Rather than MDRS being precluded on sites with notable trees generally).

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>In Kāinga Ora's view, except where there is site specific justification to exclude a site from the MDRS, the general rules in the District Plan sufficiently recognise and provide for the management of notable trees. Such rules provide a suitable framework for considering new buildings in proximity to notable trees, or their removal.</p>	
1.8	<p>Qualifying Matter Natural Character – Waterbody setbacks</p>	<p>- Properties adjoining a large waterbody within Medium Density Residential Zone of Rangiora, Kaiapoi and Woodend.</p> <p><i>As mapped in scheduled natural character freshwater bodies schedule 2, and schedule 3.</i></p>	Oppose	<p>Kāinga Ora support the Natural Character Waterbody setbacks qualifying matter noting it is a relevant matter of national significance in Section 6.</p> <p>However, it is not clear in the Variation text what this qualifying matter is seeking to limit (be less enabling of). For example, does the QM mean that MDRS standards do not apply to sites containing waterbodies? Or is it that the water body setbacks rules still apply in addition to the MDRS rules?</p> <p>In Kāinga Ora's view, except where there is site specific justification to exclude a site from the MDRS, the general rules in the District Plan sufficiently recognise and provide for the management of water body setbacks. Such rules provide a suitable</p>	<p>Retain the waterbody setbacks as a qualifying matter and amend the rule package to clearly state that the waterway rules (in NATC -R7 to R9 and NATC-S1 to S2) apply in addition to the activity rules and built form standards in the MRZ. (Rather than preclude MDRS on a site with a waterway setback generally).</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				framework for considering new buildings and development in proximity to waterbodies.	
1.9	Qualifying Matter Open space – Recreation Zone	<p>- Properties vested as recreation/ or utility reserve and owned by the Waimakariri District Council and located within Rangiora, Kaiapoi, Woodend and Pegasus.</p> <p><i>As mapped in qualifying matter, open space and recreation zone.</i></p>	Oppose	<p>Kāinga Ora considers this qualifying matter is unnecessary and should be deleted.</p> <p>While the use of areas for open space purposes is identified as a qualifying matter under RMA s770(f), the areas zoned Open Space and Recreation Zones (OSRZ) are owned by WDC and approximately half of the zoned OSRZ is administered under the Reserves Act 1977. Council ownership, and zoned OSRZ, makes it unlikely that these areas will be developed for medium density housing and such development would also be contrary to the purposes for which these sites were reserved. Further, the Housing Supply Act only requires WDC to incorporate MDRS into every relevant residential zone (not Open Space Zone).</p> <p>The PDP open space rules (OSZ-R10 and SARZ-R10) only permit residential activity where it is ancillary park management activity (i.e.: caretaker accommodation).</p> <p>The existing rules and Reserves Act requirements will ensure that any medium</p>	Delete the Open Space (recreation zone) qualifying matter and any relevant provisions proposed in its entirety.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				density housing activity is unlikely to eventuate and will not have adverse effects on the open spaces. Accordingly, this qualifying matter is considered unnecessary.	
1.10	Qualifying Matter Public Access: esplanade reserves	<p>- Land adjoining waterways within Medium Density Residential Zone, vested in recreation reserve and owned by the Waimakariri District Council and located within Rangiora, Kaiapoi, Woodend and Pegasus.</p> <p><i>As mapped in esplanade provisions.</i></p>	Oppose	<p>Kāinga Ora considers this qualifying matter is unnecessary and should be deleted.</p> <p>While the use of areas for open space purposes is identified as a qualifying matter under RMA s770(f), esplanade reserves are vested with/ owned by WDC and are administered under the Reserves Act 1977. Council ownership makes it unlikely that these areas will be developed for medium density housing and such development would also be contrary to the purposes for which these sites were reserved.</p> <p>The existing rules and Reserves Act requirements will ensure that any MDRS activity is unlikely to eventuate and will not have adverse effects on esplanade reserves. Accordingly, this qualifying matter is considered unnecessary.</p>	Delete the Open Space (esplanade reserves) qualifying matter and any relevant proposed provisions in its entirety.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
Part 2 – District Wide Matters					
Part 2 – Strategic Directions					
2.1	SD - Ruataki ahunga- Strategic directions	SD - 02 Well- functioning urban environments	Support	Kāinga Ora support the inclusion of this mandatory objective as per Schedule 3A, Part 1 (6).	Retain as notified.
Part 2 – SUB - Subdivision - Wāwāhia whenua					
2.2	SUB - Activity Rules	SUB- R2 Subdivision – Medium Density Residential Zone.	Support in part	In accordance with its earlier submission on the PDP Kāinga Ora generally support the rule as proposed. Amendment is sought to introduce the word ‘Vacant’ to describe the standard. This is to clarify the relationship between the creation of vacant sites through subdivision, and the establishment of reduced site sizes that are deemed acceptable through an approved land use consent for residential development.	Amend to state that the standard only applies to the creation of vacant lots.
2.3	SUB - Activity Rules	SUB- R6 Subdivision - Subdivision within the National Grid Yard / Subdivision Corridor	Oppose	Kāinga Ora oppose the National Grid Transmission Lines as a qualifying matter, including the proposed 39m setback required in the ‘National Grid Subdivision Corridor’ as adequate evidence has not been provided in the S32 analysis to justify this and explain why the setback is required.	Delete the qualifying matter for the ‘National Grid Subdivision Corridor’ including the 39m setback.
2.4	SUB – Subdivision Standards	SUB-1 – Allotment size and dimensions and Table SUB: 1	Support in part	Kāinga Ora support having no minimum lot size/ area for the MRZ. It is important that	Amend the rule/table to delete any reference to the QM for airport

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
		Minimum allotment sized and dimensions.		<p>the rules are clear that no minimums apply where a subdivision application is accompanied by evidence or an application that demonstrates compliance with MDRS. Subdivision as a controlled activity is likewise supported.</p> <p>In place of a minimum lot size/ area Kāinga Ora support minimum shape/ dimension requirements for vacant lot subdivisions. And request that one be added of 8m x 15m.</p> <p>The minimum lot size for the natural hazard QM is supported if the relevant maps are outside of the District Plan as noted above.</p> <p>Kāinga Ora oppose the minimum lot sizes proposed for the airport noise contour and national grid transmission line qualifying matters.</p>	<p>noise and national grid transmission lines and the 200m² minimum lot size associated with these.</p> <p>Add a minimum shape factor of 8m x 15m for vacant lot subdivisions in the MRZ.</p>
Part 3 – Area Specific Matters					
Part 3 - RESZ - Whaitua Nohonoho - Residential Zones					
3.1	RESZ - Whaitua Nohonoho - Residential Zones	General Objectives and Policies for all Residential zones – RES-P3(3), and RES-P8 (3).	Support	Kāinga Ora support the inclusion of these mandatory policies as per Schedule 3A, Part 1 (6).	Retain as notified.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
3.2	RESZ - Whaitua Nohonoho - Residential Zones	General Objectives and Policies for all Residential zones – RES-P15 – Medium Density Residential Standards.	Support in part	<p>Kāinga Ora support the inclusion of this mandatory policy as per Schedule 3A, Part 1 (6).</p> <p>In order to ensure appropriate levels of intensification around centres are encouraged and enabled in accordance with the NPS-UD, the Kāinga Ora submission seeks the inclusion of a greater building height for the MRZ within the area around the Rangiora Town Centre that was identified for a higher density of housing in the Proposed Plan. The policy needs to be amended to provide for additional height and intensification around the TCZ.</p>	<p>Amend policy as follows:</p> <p><u>Medium Density Residential Standards</u></p> <p><u>Apply the Medium Density Residential Standards across all relevant residential zones in the District Plan except in circumstances where greater building height is provided for in an identified area near Rangiora Town Centre and a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga).</u></p>

Part 3 – MRZ Medium Density Residential Zone Objectives and Policies

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
3.3	MRZ – Medium Density Residential Zone Objectives and Policies	MRZ-O1 Housing types and sizes	Support in part	<p>Kāinga Ora support the inclusion of this mandatory objective per Schedule 3A, Part 1 (6) of the Housing Supply Act.</p> <p>In order to ensure appropriate levels of intensification around centres are encouraged and enabled in accordance with the NPS-UD the Kāinga Ora submission seeks the inclusion of a Height Variation Control Area for the MRZ within the area around the Rangiora Town Centre that was identified for higher density housing in the Proposed Plan, enabling residential development of up to 19m in height or 5 stories. The objective needs to be amended to provide for additional height and intensification around the TCZ.</p>	<p>Amend policy as follows:</p> <p><u>Housing types and sizes</u></p> <p><u>The Medium Density Residential Zone provides for a variety of housing types and sizes that respond to:</u></p> <ul style="list-style-type: none"> i. <u>housing needs and demand; and</u> ii. <u>the neighbourhood's planned urban built character, including 3 storey buildings and up to 5 stories where identified.</u>
3.4	MRZ – Medium Density Residential Zone Objectives and Policies	MRZ-P1 Housing Types	Support in Part	<p>Kāinga Ora support the inclusion of this mandatory policy per Schedule 3A, Part 1 (6) of the Housing Supply Act.</p> <p>In order to ensure appropriate levels of intensification around centres are encouraged and enabled in accordance with the NPS-UD the Kāinga Ora submission</p>	<p>Amend policy as follows:</p> <p><u>Housing types</u></p> <p><u>Enable a variety of housing types with a mix of densities within the zone, including 3-storey attached and detached dwellings, and low-</u></p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>seeks a Height Variation Control Area for the MRZ within the area around the Rangiora Town Centre that was identified for higher density housing in the Proposed Plan. The objective needs to be amended to provide for additional height and intensification around the Rangiora TCZ.</p>	<p>rise apartments, including apartments of up to 5 stories in an identified area near Rangiora Town Centre.</p>
3.5	MRZ – Medium Density Residential Zone Objectives and Policies	MRZ-P2 Housing Developments	Support	<p>Kāinga Ora support the inclusion of this mandatory policy per Schedule 3A, Part 1 (6) of the Housing Supply Act.</p>	<p>Retain as notified</p>
3.6	MRZ – Medium Density Residential Zone Objectives and Policies	MRZ – P3 Residential Character	Oppose	<p>In accordance with its submission on the PDP Kāinga Ora seeks wholesale changes to this policy to align with the NPS-UD and ‘Housing Supply Act’ and better describe the character and amenity <u>anticipated</u> for the zone.</p> <p>MRZ-P3 states: ‘<i>Maintain the character anticipated for the zone</i>’ this is an oxymoron. Kāinga Ora seek that this is reworded to: “<i>Enable development to achieve the character and amenity values anticipated for the zone</i>” (or words of similar effect).</p> <p>Kāinga Ora seeks changes to the provisions to focus on achieving the anticipated built</p>	<p>Delete the policy as notified. Amend the policy to reflect the intent of the NPS-UD and ‘Housing Supply Act’ and remove subjective and vague terminology and provide for specific outcomes.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>form of the proposed zones. This requested change is consistent with language used in the NPS-UD.</p> <p>The policy also contains a number of subjective or vague terms, for example: <i>'High quality building and landscape design'</i>, <i>'appropriate streetscape landscaping'</i>, <i>'positive contribution to streetscape character'</i> and <i>'Provides for a peaceful residential environment'</i>. Clarification is necessary to confirm what outcomes are sought.</p>	
Part 3 – MRZ Medium Density Residential Zone Activity Rules					
3.7	MRZ – Medium Density Residential Zone Activity Rules	MRZ – R2 Residential unit	Oppose	<p>In accordance with its submission on the PDP Kāinga Ora does not support the current rule framework, whereby multi-unit residential development is considered under a separate rule (MRZ-R18). Kāinga Ora seeks integration of rule MRZ- R18 with MRZ- R2.</p>	Delete MRZ-R2 as notified. Amend rule by combining MRZ-R2 and MRZ-R18 and removing reference to 'multi- unit development'.
3.8	MRZ – Medium Density Residential Zone Activity Rules	MRZ - R3 Minor residential unit	Support	Kāinga Ora support deletion of this rule as it is no longer necessary.	Retain as notified.
3.9	MRZ – Medium Density Residential Zone Activity Rules	MRZ – R18 Multi-unit residential development	Oppose	Kāinga Ora seeks changes so that the rule only applies when there are more than three units proposed, that a design	Delete MRZ-R18 in its entirety and incorporate within MRZ-R2 as per above. Rule shall apply to more than

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>statement is not required and that this triggers RDIS status not DIS with assessment against RES-MD2 only. This aligns with the changes sought to MRZ-R2.</p> <p>As noted at MRZ-R2 – Kāinga Ora opposes “multi-unit residential development” being subject to its own rule and instead seeks its integration with MRZ-R2. Deletion of this rule is sought.</p>	<p>three units, not require a design statement, be RD with matters of discretion limited to MRZ-R2.</p> <p>MRZ-R187 Multi-unit residential development</p> <p>Activity status: RDIS Where:</p> <p>1. any residential unit fronting a road or public open space shall have a habitable room located at the ground level;</p> <p>2. at least 50% of all residential units within a development shall have a habitable space located at ground level; and</p> <p>3. 1. a design statement shall be provided with the application.</p> <p>Matters of discretion are restricted to:</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>RES-MD2—Residential design principles</p> <p>RES-MD7—Outdoor storage Notification</p> <p>An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p> <p>Activity status when compliance not achieved: DIS</p>
Part 3 – MRZ Medium Density Residential Zone Built Form Standards					
3.10	MRZ – Medium Density Residential Zone Built Form Standards	MRZ - BFS1 Site Density (old standard – PDP)	Support	Kāinga Ora support the deletion of this density standard.	Retain the deletion as notified.
3.11	MRZ – Medium Density Residential Zone Built Form Standards	MRZ - BFS1 Number of residential units per site (new standard V1)	Support in part	<p>Kāinga Ora support the inclusion of this mandatory rule as per Schedule 3A, Part 2 (10) of the Housing Supply Act.</p> <p>However, Kāinga Ora seek amendments to the rules to delete the airport noise QM</p>	Amend the rule to delete the airport noise QM and provide certainty as to how the natural hazards QM limits density.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>and clarify how the natural hazard QM applies to limit density.</p> <p>The rule permits up to 3 units per site except within the QM natural hazards there must be no more than one residential unit per site. Kāinga Ora seek to clarify the minimum site size required in the natural hazard QM. Noting that this should be as specified in SUB-S1.</p>	<p><i>Kāinga Ora seeks amendments to the rule, as listed below or changes with similar effect':</i></p> <p><u>MRZ-BFS1 Number of residential units per site:</u></p> <p><u>1. There shall be no more than 3 residential units per site, except where:</u></p> <p><u>a. Within the qualifying matters - natural hazards area and qualifying matters</u> <u>airport noise, there must be no more than</u> <u>1 residential unit per:site</u></p> <ul style="list-style-type: none"> - 200m² for Kaiapoi Area A. - 500m² for Kaiapoi Area B: <p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<ul style="list-style-type: none"> • RES-MD2 - Residential design principles • RES-MD15 -Effects from qualifying matters—airport noise • RES-MD16 - Effects from qualifying matters - natural hazards. <p><u>Notification</u> <u>An application for the construction and use of 4 or more residential units that <i>does comply</i> with standards MRZ-BFS-2,3,4,5,6,7,8,9,10,11,12 is precluded from being publicly or limited notified.</u></p> <p><u>An application for the construction and use of 4 or more residential units that <i>does not comply</i> with 1 or more of MRZ-BFS-2,3,4,5,6,7,8,9,10,11,12 is precluded from being publicly notified.</u></p>
3.12	MRZ – Medium Density Residential Zone Built Form Standards	MRZ – BFS2 Building Coverage	Support	Kāinga Ora support the inclusion of this mandatory rule as per Schedule 3A, Part 2 (14) of the Housing Supply Act.	Retain as notified.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
3.13	MRZ – Medium Density Residential Zone Built Form Standards	MRZ – BFS3 Landscaped Permeable surface.	Oppose	Kāinga Ora request deletion of this rule as it duplicates new MRZ - BFS12 that contains the mandatory wording in Schedule 3A, Part 2 (18) of the Housing Supply Act.	Delete MRZ- BFS3.
3.14	MRZ – Medium Density Residential Zone Built Form Standards	MRZ – BFS4 Height	Support in part	<p>Kāinga Ora support the inclusion of this mandatory rule as per Schedule 3A, Part 2 (11) of the Housing Supply Act. However, seek the following amendments:</p> <ul style="list-style-type: none"> - Kāinga Ora note that the activity status for this rule is incorrect and not aligned with the requirements of schedule 3A Part 1 (4) of the Housing Supply Act. The activity status for non-compliance with this rule should be restricted discretionary (RDSI) not discretionary (DIS). Matters of discretion relate to impacts on neighbours. - In order to ensure appropriate levels of intensification around centres are encouraged and enabled in accordance with the NPS-UD the Kāinga Ora submission seeks the inclusion of a Height Variation Control Area for the MRZ within the area around the 	<p>Amend the rule as follows:</p> <p>MRZ-BFS4 Height</p> <p>1. <u>Buildings must not exceed 11 metres in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more, as shown in Figure MRZ-1</u></p> <p>except in the Height Variation Control area, buildings must not exceed 19 metres in height.</p> <p><u>Activity status when compliance not achieved: DIS RDIS</u></p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>Rangiora Town Centre that was identified for higher density housing in the Proposed Plan. The rule needs to be amended to provide for additional height and intensification around the TCZ. Refer to Map in Appendix 2.</p> <p>An uplift in zoning of this area from medium density to high density residential has not been sought as the requested height variation control coupled with the density of urban from proposed is considered to be commensurate with the level of commercial activity and commercial services provided for and enabled within the Town Centre Zone as applied to Rangiora, which is observed as less than other town centre locations within other areas of Christchurch region.</p>	<p>Matters of discretion are restricted to: RES-MD5 - Impact on neighbouring property.</p>
3.15	MRZ – Medium Density Residential Zone Built Form Standards	MRZ- BFS5 Building and structure setbacks	Support in part	<p>Kāinga Ora support the inclusion of the mandatory setback rule as per Schedule 3A, Part 2 (13) of the Housing Supply Act.</p> <p>However, Kāinga Ora considers that the wording in V1 as presently written contains additional restrictions over and above those included in the setback rule contained in Schedule 3A of the Housing</p>	<p>Delete existing rule and amend the rule to:</p> <p>- Clearly express any additional setbacks over and above those contained Schedule 3A, Part 2 (13) as qualifying matters.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>Supply Act. In the absence of robust justification in the s32 evaluation, the additional setbacks introduced for QM's should be removed from the Plan.</p> <p>Kāinga Ora also consider that the matters of discretion in RES- MD2 are not the appropriate matters for dealing with setback issues. The list of some 30 matters is too broad ranging and requires a full UD assessment of the proposal. Instead, the relevant matters can be found in RES-MD5 and RESMD6.</p>	<ul style="list-style-type: none"> - Delete the rail corridor setback QM. - Amend the national grid transmission line setback. - Simplify the rule to reflect Schedule 3A, Part 2 (13). - Delete part 3 of the rule and associated figure MRZ-2. - Delete RES-MD2 Residential Design Principles as a relevant matter of discretion. - Insert RES-MD6 Road Boundary Setbacks as a relevant matter of discretion. <p><i>Kāinga Ora seeks amendments to the rule, similar or same, to the matters listed below or changes with similar effect':</i></p> <p>MRZ- BFS5 Building and structure setbacks</p> <p>(1) Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below except as listed in (2):</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>Yard Minimum depth</p> <p>Front 1.5 metres</p> <p>Side 1 metre</p> <p>Rear 1 metre (excluded on corner sites)</p> <p>(2) Qualifying Matters:</p> <p>(a) All buildings shall be set back a minimum of 5m from any site boundary with the rail corridor.</p> <p>(b) Any building or structure shall be set back a minimum of 12m from any National Grid support structure as per rule EI-R51.</p> <p>(3) This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</p> <p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<ul style="list-style-type: none"> • RES-MD2 – Residential design principles • RES-MD5 - Impact on neighbouring property • RES-MD6 Road Boundary Setbacks
3.16	MRZ – Medium Density Residential Zone Built Form Standards	MRZ- BFS6 Street Interface	Oppose	<p>Kāinga Ora request deletion of this rule as it duplicates the outcomes sought by new MRZ - BFS11 that contains the mandatory wording in Schedule 3A, Part 2 (18) of the Housing Supply Act.</p> <p>BFS6 also contains additional built form standards controlling front doors and garages that go beyond those included Schedule 3A, Part 2 of the ‘Housing Supply Act’ and that are not qualifying matters. Kāinga Ora note the need for a high evidential threshold to justify the inclusion of additional built form standards beyond those specified in the Amendment Act and in the absence of such justification, it seeks the deletion of this standard.</p>	Delete MRZ- BFS6.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
3.17	MRZ – Medium Density Residential Zone Built Form Standards	MRZ-BFS7 Height in relation to boundary	Support in part	<p>Kāinga Ora support the inclusion of this mandatory rule as per Schedule 3A, Part 2 (12) of the Housing Supply Act.</p> <p>However, Kāinga Ora consider that the matters of discretion in RES- MD2 are not the appropriate matters for dealing with boundary issues. The list of some 30 matters is too broad ranging and requires a full UD assessment of the proposal. Instead, the relevant matters for this rule can be found in RES-MD5 Impacts on Neighbouring Properties.</p>	<p>Amend the rule to delete RES-MD2 Residential Design Principles as a relevant matter of discretion:</p> <p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> • RES-MD2 – Residential design principles • RES-MD5 - Impact on neighbouring property
3.18	MRZ – Medium Density Residential Zone Built Form Standards	MRZ-BFS8 Fencing	Support in part	<p>BFS8 is not included Schedule 3A, Part 2 of the ‘Housing Supply Act’ and is an additional built form matter. Kāinga Ora note the need for a high evidential threshold to justify the inclusion of additional built form standards beyond those specified in the Amendment Act.</p> <p>Kāinga Ora seek amendments to simplify the rule as it is considered unduly restrictive when compared to the potential effects. Further it is considered that the rule should only relate to fencing on the</p>	<p>Amend MRZ- BFS8 as follows:</p> <p>MRZ-BFS8 Fencing</p> <p>1. All fencing or walls fronting the road boundary; or within 2m of a site boundary with a public reserve, walkway or cycleway shall be:</p> <p>a. no higher than 1.2m above ground level for solid fences; or</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>road boundary and not boundaries with walk and cycle ways.</p> <p>Kāinga Ora consider that the matters of discretion in RES- MD2 are not the appropriate matters for dealing with fence issues. The list of some 30 matters is too broad ranging and requires a full UD assessment of the proposal. The relevant matter of discretion are found in MD6.</p>	<p>b. where fences exceed 1.2m in height shall be at least 50% visually permeable up to a maximum height of 1.8m. the site is a corner site, on one road boundary the height can be increased to 1.8m above ground level where at least 45% of the fence is visually permeable.</p> <p>2. Any fence greater than 0.9m in height above ground level shall be at least 45% visually permeable as depicted in Figure MRZ 4, within 5m of any accessway, or within the structure and vegetation set back area shown in Figure MRZ 2.</p> <p>Activity status when compliance not achieved: RDIS</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>Matters of discretion are restricted to:</p> <p>RES-MD2—Residential design principles</p> <p>RES-MD6 - Road boundary setback</p> <p>....</p>
3.19	MRZ – Medium Density Residential Zone Built Form Standards	MRZ – BFS9 Outdoor Living Space (per unit)	Support	Kāinga Ora support the inclusion of this mandatory rule as per Schedule 3A, Part 2 (15) of the ‘Housing Supply Act’.	Retain as notified.
3.20	MRZ – Medium Density Residential Zone Built Form Standards	MRZ-BFS10 Outlook Space (per unit)	Support	<p>Kāinga Ora support the inclusion of this mandatory rule as per Schedule 3A, Part 2 (16) of the ‘Housing Supply Act’.</p> <p>It is noted that there is an error in the naming of associated Figure MRZ-5. This should read ‘Outlook space’.</p>	Retain as notified but amend Figure MRZ-5 to read ‘Outlook space’.
3.21	MRZ – Medium Density Residential Zone Built Form Standards	MRZ-BFS11 Windows to the street	Support	Kāinga Ora support the inclusion of this mandatory rule as per Schedule 3A, Part 2 (17) of the ‘Housing Supply Act’.	Retain as notified.
3.22	MRZ – Medium Density Residential Zone Built Form Standards	MRZ-BFS12 Landscaped area	Support	Kāinga Ora support the inclusion of this mandatory rule as per Schedule 3A, Part 2 (18) of the ‘Housing Supply Act’.	Retain as notified.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
Part 3 – RESZ - Whaitua Nohonoho - Residential Zones – Matters of Discretion for all Residential Zones					
3.23	Matters of Discretion for all Residential Zones	RES-MD2 Residential Design Principles	Oppose	<p>Kāinga Ora oppose RES-MD2 as notified.</p> <p>Kāinga Ora’s seek more concise/ succinct matters of discretion that are clear, easily understood, clearly state the outcomes intended, and provide for design innovation and choice. The proposed assessment matters in rule MRZ -MD2 specify nearly 30 individual matters. The scope and extent of these assessment matters provide such broad discretion that they undermine the ‘Housing Supply Act’s’ intent of a restricted discretionary activity status.</p> <p>Kāinga Ora supports nationally consistent matters of discretion for MDRS standards, whilst allowing for some evidence based local context nuances. In particular, Kāinga Ora supports the use of consistent ‘Urban Design Principles’ in District Plans throughout the country.</p> <p>Kāinga Ora recommend the matters are reworded to capture the anticipated context (rather than the receiving environment) in line with the ‘Housing</p>	<p>Delete RES-MD2 as notified.</p> <p>Amend the matters of discretion to:</p> <ul style="list-style-type: none"> - Reflect the intent of the ‘Housing Supply Act’ and NPS-UD, - Clearly state the outcomes intended, and provide for design innovation and choice, - Achieve nationally consistent UDP MD’s (as suggested below), - Apply only to the development of four or more units. - Reflect the anticipated context rather than the receiving environment, - Reduce the number of matters to 5- 6, and - Avoid duplication with other matters of discretion applying to MRZ.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>Supply Act' and NPS-UD and changes to the proposed matters of discretion to sufficiently address the likely changes to amenity values while providing for a range of housing typologies.</p> <p>The matters seem particularly onerous when applied to a single residential unit with a single boundary setback non-compliance. Noting that a number of the 'boundary' standards list this as a RD matter. RES-MD2 was clearly intended to apply to scenarios where 4 or more units are proposed.</p> <p>The structure of the RES-MD2 Residential Design Principles is confusing. In each of the 6 design principles, there appears to be a sentence outlining the principle, and then specific assessment matters under each of these sentences. Considering these are assessment matters, having six overarching design principles is not necessary.</p> <p>There also appears to be an overlap between the residential design principles and other matters of discretion, it is</p>	<p><i>Kāinga Ora seeks amendments to the matters of discretion, similar or same, to the matters listed below:</i></p> <ol style="list-style-type: none"> <i>1. <u>The scale and form of the development is compatible with the planned urban built form of the neighbourhood;</u></i> <i>2. <u>The _____ development contributes to a safe and attractive public realm and streetscape;</u></i> <i>3. <u>The extent and effects on the three waters infrastructure, achieved by demonstrating that at the point of connection the infrastructure has the capacity to service the development.</u></i> <i>4. <u>The degree to which the development delivers quality on-site amenity and occupant privacy that is appropriate for its scale.</u></i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				recommended that the assessment matters be consolidated to avoid duplication.	
3.24	Matters of Discretion for all Residential Zones	RES-MD12 Outlook Space	Oppose	<p>Kāinga Ora oppose RES-MD12 as notified.</p> <p>Kāinga Ora consider these assessment matters are confusing and contain subjective terms. For example, in point 2 what is <i>'sense of space'</i> and in point 3 how would one assess a <i>'visual perception of cramped living conditions'</i>? The perception could vary significantly from person to person.</p> <p>Further, Kāinga Ora note that this rule is primarily about 'outlook' not access to sunlight.</p> <p>The matters require consideration of access to natural sunlight on the shortest day of the year. As distinct from access to daylight, access to natural sunlight on the shortest day of the year would simply not be possible for a south facing habitable space or several other different arrangements and orientations.</p>	<p>Delete MD12 as notified and amend matters of discretion to remove subjective terms and reference measurable outcomes. Remove reference to receiving natural sunlight and daylight 'especially on the shortest day of the year'.</p> <p>RES-MD12 Outlook space</p> <ol style="list-style-type: none"> 1. The ability of the affected habitable room to receive natural sunlight and daylight especially on the shortest day of the year. 2. The extent to which habitable rooms have an outlook and sense of space. 3. The degree to which a reduction in outlook space would contribute to a visual perception of cramped living conditions. 4. The extent to which visual privacy is provided between habitable rooms of

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>different residential units, on the same or adjacent sites.</p> <p>Kāinga Ora seeks amendments to the matters of discretion, similar or same, to the matters listed below or changes with similar effect':</p> <ol style="list-style-type: none"> 1. <u>The ability of the affected habitable rooms to receive daylight.</u> 2. <u>The visual and landscape quality of the outlook space from the habitable rooms.</u> 3. <u>The extent to which visual privacy is provided between habitable rooms of different residential units, on the same sites.</u> 4. <u>The extent to which the development provides additional outlook spaces from habitable rooms.</u>
3.25	Matters of Discretion for all Residential Zones	RES-MD13 Windows to the Street	Oppose	Kāinga Ora seek that RES-MD13 Windows to Street be consolidated with RES – MD6 Road Boundary Setbacks as the points are	Delete RES-MD13 and combine with RES-MD6.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				interrelated. The number of individual matters could also be reduced.	<p><i>Kāinga Ora seeks amendments to the matters of discretion, similar or same, to the matters listed below or changes with similar effect':</i></p> <p>RES-MD6 Road boundary setback</p> <p>1. The effect of a building's reduced setback on amenity and visual streetscape values. especially where the frontage is to an arterial road or collector road that has a gateway function to a township.</p> <p>2. The extent to which the reduced setback of the building is opposite any Residential Zones, Rural Zones, or Open Space and Recreation Zones and the effects of a reduced setback on the amenity and outlook of those zones.</p> <p>3. The extent to which the building presents a visually attractive frontage to the street through the</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>inclusion of glazing, ancillary offices, and showrooms in the front façade.</p> <p>4. The extent to which the visual effects of a reduced setback are mitigated</p> <p>through site frontage landscaping, the width of the road corridor, and the character of existing building setbacks in the wider streetscape.</p> <p>5. The extent to which the front façade provides for visual engagement with adjacent streets and any other adjacent public open spaces.</p> <p>6. The extent to which the development incorporates CPTED principles as required to achieve a safe, secure environment.</p> <p>RES-MD13 Windows to street</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					<p>7. The extent to which the development engages with adjacent streets and any other adjacent public open spaces and contributes to them being lively, safe and attractive.</p> <p>8. The extent to which the development is designed to minimise the visual bulk of the buildings and provide visual interest, when viewed from the street.</p> <p>9. The extent to which the development incorporates CPTED principles as required to achieve a safe, secure environment.</p>
3.26	Matters of Discretion for all Residential Zones	RES-MD14 Landscaped Areas	Support in part	Kāinga Ora seek deletion of matter of discretion 1(d) relating to heat effects from intensification and impervious surfaces. It is not clear what expert assessment would be required to address this matter and this could be disproportionate the scale of the non-compliance (eg: 1% short of the 20% landscaping requirement). The deletion of matter of discretion 2 is also sought as it	<p>Amend the matters of discretion to delete points 1(d) and 2 as shown:-</p> <p>RES-MD14 Landscaped areas</p> <p>1. The extent to which the proposed landscaping enhances residential amenity and is integrated within the site design to:</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>appears to relate more to building design considerations than landscaping.</p>	<ul style="list-style-type: none"> a. define and enhance on-site outdoor living spaces; b. reduce the visual impact of large buildings through screening and planting; c. screen service areas, loading areas, and outdoor storage areas from public vantage points; and d. mitigate the heat effects from intensification and impervious surfaces. <p>2. The extent to which the development incorporates CPTED principles as required to achieve a safe, secure environment.</p> <p>3. The effects on the permeability of the site for stormwater run-off and subsequent effects on adjoining sites.</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
3.27	Matters of Discretion for all Residential Zones	RES-MD15 Effects from qualifying matters – airport noise	Oppose	For the reasons outlined above under submission point (1.4) the airport noise qualifying matter is opposed by Kāinga Ora in its entirety including these associated matters of discretion.	Delete RES-MD15 in its entirety.
3.28	Matters of Discretion for all Residential Zones	RES-MD16 Effects from qualifying matters – natural hazards	Support	<p>For the reasons outlined above under submission point (1.5) the mapping of flooding natural hazards as a qualifying matter is opposed in its entirety by Kāinga Ora.</p> <p>The matters of discretion contain no reference to mapping and are therefore supported.</p>	Retain as notified.
3.29	Matters of Discretion for all Residential Zones	RES-MD17 Building Coverage	Oppose	<p>Kāinga Ora consider that the matters should be reworded to capture the <i>anticipated</i> context (rather than the receiving environment) in line with the 'Housing Supply Act' and NPS-UD.</p> <p>Further the provision of adequate outdoor living space is a separate issue covered by another MDRS rule and therefore RES- MD17 should be deleted.</p>	<p>Amend matters of discretion to refer to 'Compatibility of the built form with the <u>anticipated character</u> of the area' and to delete point 2 relating to outdoor living space as follows:</p> <p><u>Building Coverage</u></p> <p><u>1. Effects on visual amenity values, including dominance, and the compatibility of the built form with the anticipated character of the area.</u></p> <p><u>With the receiving environment.</u></p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					2. Provision of adequate outdoor living space on site.
Part 3 - Area Specific Matters - Wāhanga waihanga - Development Areas New - Development Areas					
3.30	SWR - Southwest Rangiora Development Area	Zone Maps and ODP	Support in Part	Kāinga Ora support the new MRZ within the SWR Development Area but note that there are discrepancies between the extent of the MRZ area shown on the ODP and the underlying zone maps.	Amend zoning maps or ODP to address inconsistencies.
3.31	NER - North East Rangiora Development Area	Zone Maps and ODP	Support in part	Kāinga Ora support the new MRZ within the NER Development Area but note that there are discrepancies between the extent of MRZ area shown on the ODP and the underlying zone maps.	Amend zoning maps or ODP to address inconsistencies.

Further Submission Points (FS#23)

Submitter Number and Name	Submission Point Number	Chapter Topic/ Provision	Submission Position	Summary of Decision Requested (Decision Sought)	Kāinga Ora response (support or oppose)	Kāinga Ora reasons	Decision(s) sought (allow or disallow)
#12 Heritage New Zealand Pouhere Taonga	12.1	Relationships between spatial layers – Table	Support	Supports inclusion of historic heritage items within Medium Density Residential Zone of Rangiora, Kaiapoi and Woodend as qualifying matter.	Oppose	Consistent with its primary submission on Variation 1 Kāinga Ora opposes the heritage QM as currently drafted and considers greater clarity is required as to how the framework applies.	Disallow

#12 Heritage New Zealand Pouhere Taonga	12.4	MRZ – Medium Density Residential Zone MRZ-BFS1	Oppose	<p>Encourages greater consideration to the physical impact of intensification, in terms of increased density and height, on the values of heritage items. While rules within the Historic Heritage Chapter provide protection within identified settings, cumulative intensification on a site beyond the vicinity of an identified setting could be detrimental. Requests that the impact on historic heritage be identified and assessed at the subdivision consent stage in order to determine the appropriateness of three residential units.</p> <p><i>Amend MRZ-BFS1:</i> <i>"1. There shall be no more than 3 residential units per site, except where:</i> <i>...</i> <i>b. Within the qualifying matters – historic heritage area, a heritage impact assessment has been undertaken by a suitably qualified professional, to ascertain the number of residential units per site."</i></p>	Oppose	Kāinga Ora considers the submitter has not provided adequate evidence to demonstrate why the heritage QM should be expanded to include sites adjoining those containing heritage items to address cumulative effects. The proposed provision creates uncertainty as it is not clear where and how it would apply, and additional expert assessment would be required for rule interpretation.	Disallow
#12 Heritage New Zealand Pouhere Taonga	12.5	General	Not stated	<p>Agrees that more housing is needed and supports Variation 1's direction for intensification. Waimakariri's history plays an important role in promoting identity, wellbeing, and intergenerational connection. Notes need for robust provisions to protect historic heritage via greater consideration that intensification does not adversely affect the district's heritage. Requests relief to strengthen provisions in relation to management and protection of historic heritage.</p>	Oppose	Kāinga Ora considers the submitter has not provided adequate evidence to demonstrate why the heritage QM should be strengthened.	Disallow
#26 Kim McCracken -on behalf of Doncaster Development Ltd	26.1 - 26.3	<ul style="list-style-type: none"> - Planning Maps - SD-O2 - General 	Amend	<p>Requests a more appropriate provision for medium density housing for Rangiora that only applies to parts of the Rangiora located within walking distance, or 800m, from the town centre, and the balance of residential areas, including 260- 282 Lehmans Rd and 32 Parrott Road,</p>	Oppose	Kāinga Ora oppose restricting MDRS or the MRZ to within 800m of the TCZ and other parts of Rangiora remaining as GRZ as a QM. This is not aligned with the directives of the NPS-UD and Housing Supply Act.	Disallow

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				<p>Rangiora ('the site'), being General Residential Zone.</p> <p><i>Allow in full the submitter's submission on the Proposed District Plan and include 260-282 Lehmans Rd and 32 Parrott Road, Rangiora in the General Residential Zone, along with adjacent areas of Rangiora, if Variation 1 is appropriately modified to enable that outcome.</i></p> <p><i>Alternatively, rezone 260-282 Lehmans Rd and 32 Parrott Road, Rangiora to Medium Density Residential Zone if Variation 1 proceeds in approximately its notified form.</i></p>			
#39 Anderson Lloyd - Alex Booker – on behalf of Foodstuffs South Island Ltd and Foodstuffs (South Island) Properties Ltd	39.1 - 39.3	Medium Density Residential Zone - MRZ MRZBFS	Amend	<p>Seeks appropriate recognition for commercial activities, such as supermarkets, and associated effect through the objectives and policies framework to ensure future compatibility between activities; particularly in terms of any effects on residential amenity for new MDRZ developments locating near commercial centres and existing commercial operations to avoid reverse sensitivity issues.</p> <p>Supports the management of zone interfaces and considers this should be managed from both directions to ensure that activities within differing zones are appropriate.</p> <p><i>Amend to include provisions which explicitly recognise the existing amenity effects of adjacent commercial activities to Medium Density Residential Zone (MDRZ); and any other amendments which ensure operational and functional needs of existing lawfully established activities are not hindered or constrained in future by new residential development in the MDRZ.</i></p> <p><i>Amend Variation 1 to reflect the matters raised in submission.</i></p>	Oppose	Kāinga Ora oppose the relief sought as it is not up to residential activities to mitigate the effects of business activities in this context.	Disallow
#42 Transpower New Zealand Ltd - Pauline Whitney	42.1	Relationships between spatial layers – Qualifying Matters	Amend	<p>Considers the reasoning in Table RSL-1 does not make it clear how reducing minimum lot sizes will protect the National Grid. Considers it is unclear why National Grid subdivision corridor is a qualifying matter, and the National Grid Yard is not. The Medium Density Residential Standards allows intensification that may not require subdivision. The National Grid Yard must</p>	Oppose	In accordance with its primary submission on V1 Kāinga Ora oppose the inclusion of Nation Grid Transmission Lines and National Grid Yard setbacks as qualifying matters.	Disallow

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				<p>be included to manage land use in order to apply the National Grid as a qualifying matter and give effect to the National Policy Statement on Electricity Transmission (NPSET).</p> <p><i>Amend Table RSL-1 As follows:</i></p> <p><i>Qualifying matter and area - Electricity</i></p> <p><i>- National grid transmission lines National Grid transmission lines within Medium Density Residential Zone in north-west Rangiora). As mapped in qualifying matter, <u>National Grid Subdivision Corridor and National Grid Yard</u></i></p> <p><i>Reasoning: Identifies the location of <u>nationally Significant Electricity Distribution transmission Lines within the Medium Density Residential Zones, and avoids potential effects of subdivision and development on the ability to safely and efficiently operate, maintain, develop and upgrade the National Grid, by imposing minimum setbacks and reducing minimum allotment size ensures</u></i></p> <p><i>the safe or efficient operation of nationally significant infrastructure.</i></p>			
#42 Transpower New Zealand Ltd - Pauline Whitney	42.2	Relationships between spatial layers – Qualifying Matters	Oppose	<p>Opposes lack of restrictions relating to structures and activities in the National Grid Yard. Seeks addition of definition of 'National Grid Yard' to improve clarity regarding this qualifying matter.</p> <p><i>Insert a definition of "NATIONAL GRID YARD":</i></p> <p><i>"means:</i></p> <p><i>a. <u>The area located 12m in any direction from the outer visible edge of a foundation of a National Grid support structure;</u></i></p> <p><i>b. <u>The area located 10m either side of the centreline of an overhead 66kV National Grid transmission line;</u></i></p> <p><i>c. <u>The area located 12m either side of the centreline of any overhead 220kV or 350kV National Grid transmission line.</u>"</i></p>	Oppose	In accordance with its primary submission on V1 Kāinga Ora oppose the inclusion of Nation Grid Transmission Lines and National Grid Yard setbacks as qualifying matters.	Disallow
#42 Transpower New Zealand Ltd - Pauline Whitney	42.6	EI - Pungao me te hanganga hapori – Energy and infrastructure	Oppose	<p>Opposes lack of inclusion of restrictions that relate to structures and activities in the National Grid Yard. Seeks inclusion of new provisions to</p>	Oppose	In accordance with its primary submission on V1 Kāinga Ora oppose the inclusion of Nation Grid Transmission Lines and National Grid Yard setbacks as qualifying matters.	Disallow

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				<p>provide clarity that land use is also managed as a qualifying matter in the National Grid Yard.</p> <p><i>Amend the 'Activity Rules - Managing effects of activities and development on the National Grid': EI-R51 Activities and development (other than earthworks) within a National Grid Yard</i></p> <p><u>Qualifying matter – National Grid Yard status:</u> <u>PER</u> <u>Where:</u> <u>1. the activity is not a sensitive activity;</u> <u>2. buildings or structures comply with NZECP34: 2001 and are:</u> <u>a. for a network utility; or</u> <u>b. a fence not exceeding 2.5m in height above ground level; or</u> <u>c. building alterations or additions to an existing building or structure that do not increase the height above ground level or footprint of the building or structure;</u> <u>3. A building or structure provided for by (2)(a) to (c) must:</u> <u>a. not be used for the handling or storage of hazardous substances with explosive or flammable intrinsic properties in greater than domestic scale quantities;</u> <u>b. not permanently obstruct existing vehicle access to a National Grid support structure;</u> <u>c be located at least 12m from the outer visible edge of a foundation of a National Grid support structure, except where it is a fence not exceeding 2.5m height above ground level that is located at least 6 metres from the outer visible edge of a foundation of a National Grid support structure</u> <u>Activity status when compliance not achieved: NC Notification</u> <u>An application under this rule is precluded from being publicly notified but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.</u></p>			
#42 Transpower New Zealand Ltd - Pauline Whitney	42.8	SUB – Wawahia Whenua-Subdivision-Standards	Oppose	Opposes the 200m ² minimum allotment size for the National Grid Subdivision Corridor qualifying matter as there is no rationale for how this gives effect to the National Policy Statement on Electricity Transmission and Canterbury Regional Policy Statement, or for how it provides	Oppose	In accordance with its primary submission on V1 Kāinga Ora oppose the inclusion of Nation Grid Transmission Lines and National Grid Yard setbacks as qualifying matters.	Disallow

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				a matter of national significance and ensures the safe or efficient operation of nationally significant infrastructure. <i>Amend minimum allotment size that applies to the National Grid Subdivision Corridor qualifying matter to reflect the minimum area in the Proposed District Plan.</i>			
#42 Transpower New Zealand Ltd - Pauline Whitney	42.11	MRZ – Medium Density Residential Zone MRZ-P1	Amend	Supports MRZ-P1's direction, and notes it reflects Schedule 3A, Part 1, Clause (6)(2)(a) of the Resource Management Act 1991, however requests reference to qualifying matter areas as they directly influence capacity for intensification. <i>Amend MRZ-P1: MRZ-P1 Housing types Enable a variety of housing types with a mix of densities within the zone, including 3-storey attached and detached dwellings, and low-rise apartments, while avoiding inappropriate locations, heights and densities of buildings and development within qualifying matter areas as directed by the relevant qualifying matter area provisions.</i>	Oppose	In accordance with its primary submission on V1 Kāinga Ora oppose the inclusion of Nation Grid Transmission Lines and National Grid Yard setbacks as qualifying matters.	Disallow
#42 Transpower New Zealand Ltd - Pauline Whitney	42.24	General	Oppose	Supports the Variation 1 Section 32 report's precautionary approach of including the 39m setback. Generally supports the Section 32 report's analysis of the National Grid as a qualifying matter.	Oppose	In accordance with its primary submission on V1 Kāinga Ora oppose the inclusion of Nation Grid Transmission Lines and National Grid Yard setbacks as qualifying matters.	Disallow
#46 Waka Kotahi NZ Transport Agency- Gemma Kean	46.2	Town Centre Zone – TCZ	Amend	Consider an increased height limit to be included immediately surrounding a town centre zone, to better provide for denser residential development within a walkable catchment, for example, at least 4 storeys. This could be stepped down as the walking catchment extends further out from the towncentre.	Support	In accordance with its primary submission on V1 Kāinga Ora supports the inclusion of increased height limits immediately surrounding the Rangiora TCZ.	Allow
#46 Waka Kotahi NZ Transport Agency- Gemma Kean	46.10	Relationships Between Spatial Noise Layers	Amend	Waka Kotahi seeks further evidence on why a 6m setback for new buildings on sites bordering a strategic or arterial road (state highways) is considered a qualifying matter and why this setback is more appropriate than the required 1.5m standard. Provide further evidence on why a 6m setback for new buildings on sites bordering a strategic	Support in part	In accordance with its primary submission on V1 Kāinga Ora supports that part of submission point 46.10 that queries the need / evidence for an increased 6m road boundary setback as a QM.	Allow

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				or arterial road (state highways) is considered a qualifying matter and why this setback is more appropriate than the required 1.5m standard.			
#46 Waka Kotahi NZ Transport Agency- Gemma Kean	46.11	Noise Noise -R16	Amend	<i>In NOISE-R16, increase the area in which sensitive activities adjacent to strategic and arterial roads are required to be adequately designed and constructed to the relevant noise standards to address reverse sensitivity, from 80m to 100m.</i>	Oppose	In accordance with its primary submission on the PDP and V1 Kāinga Ora does not support the relief sought and does not consider that these issues are qualifying matters.	Disallow
#47 Waimakariri District Council – Tracey Tierney	47.12	MRZ – Medium Density Residential Zone		It is not clear how to treat garages and other non-living accommodation parts of a building under the MDRS. The Proposed District Plan definitions for 'residential activity' are clearly linked to the living accommodation only, which can be interpreted to exempt a garage from consideration under the MDRS, but this may need to be clarified. <i>Clarify that the non-living parts of a building are not part of assessment under the relevant MDRS built form standards. This includes attached garages, roof cavity/facade, and foundations.</i>	Oppose	Kāinga Ora oppose: (1) Any rule change that seeks to remove garages and other accessory buildings from being considered under the MDRS built form standards. (2) The suggestion that roof cavities, facades and foundations are 'non-living accommodation or' non-habitable parts of a building and are therefore not assessed under MDRS built form standards. The proposed approach is not practicable or sensible. In addition, if garages (and accessory buildings) and parts of residential units (facades, roof spaces) are not assessed under the MDRS built form standards, it is not clear what rules would apply as an alternative. It is also not clear what is meant by 'non-living accommodation' or whether this is the same as 'non-habitable'.	Disallow
#49 National Public Health Service / Te Whatu Ora Waitaha – Rosa Verkasalo	49.1	General	Amend	Supports qualifying matters in Variation 1 but requests amendment in relation to the rules applying to mapped natural hazards / flooding. Are concerned about MDRS being introduced into low lying parts of Kaiapoi particularly in high hazard areas. Does not consider that minimum floor levels are enough to mitigate the natural hazard and consider additional assessment should be made of cumulative effects of new development displacing flood waters on to existing dwellings. Concerned that the Proposed Plan recognises the limitations of the wastewater and drainage infrastructure but does not clearly state methods to improve or prepare for increased capacity of infrastructure or redundancy in flood events.	Oppose	To the extent that it is consistent with its primary submission on V1 Kāinga Ora oppose flood maps or overlays being incorporated within the District Plan and instead promote that spatial identification of flood hazard areas should be made available through a set of non-statutory flood hazard maps that can be responsive to dynamic nature of hazards. In relation to minimum floor levels and cumulative effects of displacement Kāinga Ora consider that specified minimum floor levels along with built form standards controlling site coverage are adequate to mitigate effects. In relation to wastewater and drainage limitations and preparing for increased capacity in flood events, this is more appropriately addressed by Council outside of the district plan.	Disallow

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#51 Kiwirail Holdings Ltd – Michelle Grinlinton-Hancock	51.2	MRZ – Medium Density Residential Zone MRZ-BFS5	Amend	Supports the identification of the rail corridor as a qualifying matter and its application to protect sight triangles and setbacks. Supports the retention of TRAN-R21, TRAN-APP7 and MRZ-BFS5. Seeks an amendment to MRZ-BFS5. Considers 5m is an appropriate distance for setbacks from the rail corridor in MRZ-BFS5. However, the proposed matters of discretion in MRZ-BFS5 do not require consideration of the effects where the setback from the rail corridor is infringed. Considers a matter of discretion directing consideration of impacts on the safety and efficiency of the rail corridor is appropriate in situations where the 5m setback standard is not complied with. "MRZ-BFS5 Building and structure setbacks ... <i>RES-MDX - The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.</i> ..."	Oppose	Consistent with its submission on V1 Kāinga Ora oppose the rail corridor being a qualifying matter as the s32 assessment lacks a strong evidence based for the scale of setback as a qualifying matter.	Disallow
#51 Kiwirail Holdings Ltd – Michelle Grinlinton-Hancock	51.3	General	Support	Supports the identification of the rail corridor as a qualifying matter and its application to protect sight triangles and setbacks. Supports the retention of TRAN-R21, TRAN-APP7 and MRZ-BFS5. <i>Retain identification of the rail corridor as a qualifying matter.</i>	Oppose	Consistent with its submission on V1 Kāinga Ora oppose the rail corridor being a qualifying matter as the s32 assessment lacks a strong evidence based for the scale of setback as a qualifying matter.	Disallow
#53 Resource Management Group – Melanie Foote - on behalf of MainPower New Zealand Ltd	53.1	General	Amend	Seeks to maintain, build, operate, and upgrade the critical network infrastructure in a safe, efficient and effective manner. The electricity distribution network in North Canterbury and Kaikoura regions covers Waimakariri, Hurunui and Kaikoura districts. The electricity distribution network is identified as critical infrastructure, regionally significant infrastructure, is an essential lifeline service and is recognised in the Canterbury Regional Policy Statement (2013). Seeks the Council insert corridor protection rules into the Medium Density Residential zone, or as alternate relief to be clearly cross referenced by rule requirements within the relevant zone	Oppose	Kāinga Ora opposes the inclusion of MainPower's lines as a qualifying matter. They are not Nationally Significant Infrastructure and should not be identified as a qualifying matter in the Variation. Kāinga Ora opposes the relief and changes sought.	Disallow

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				<p>chapters. This submission should be read alongside the original submission on the Proposed District Plan.</p> <p><i>Grant the relief as set out in Appendix One; and or grant any other consequential or similar relief that is necessary to deal with the concerns and issues raised in this submission.</i></p>			
#53 Resource Management Group – Melanie Foote - on behalf of MainPower New Zealand Ltd	53.2	MRZ – Medium Density Residential Zone	Amend	<p>Seeks to insert a new objective and policy to support the introduction of new corridor protection rules for electricity distribution lines with</p> <p><i>Relief as set out in Appendix One; and or grant any other consequential or similar relief that is necessary to deal with the concerns and issues raised in this submission.in the Medium Density Residential Zone.</i></p>	Oppose	Kāinga Ora opposes the inclusion of MainPower's lines as a qualifying matter. They are not Nationally Significant Infrastructure and should not be identified as a qualifying matter in the Variation. Kāinga Ora opposes all of the relief and changes sought in appendix 1.	Disallow
#64 Environment Canterbury Regional Council - Jeff Smith	64.1 – 64.3	Relationships between spatial layers Natural Hazard and Airport QM	Amend	<p>Support the inclusion of natural hazards as a qualifying matter under Variation 1 to the Proposed Waimakariri District Plan. However, concerned regarding the density of development provided for within the areas subject to high hazard risk within Kaiapoi. Note that the qualifying matter for Kaiapoi Area A provides for a minimum allotment area of 200m². While Policy 11.3.1 of the Canterbury Regional Policy Statement (CRPS) provides for development within existing residential areas that may be subject to high hazard risk (provided that the risk is appropriately mitigated), it is considered it would be more appropriate to avoid further intensification in these areas that are subject to high hazard risk (ie. Within the High Hazard Flooding Overlay).</p> <p>Support inclusion of the operative airport noise contour (specifically 50 dBA) as a qualifying matter in the proposed Waimakariri District Plan as part of Variation 1 and consider this gives effect to Policy 6.3.5 of the CRPS.</p> <p><i>Request that the Council quantifies the potential number of new dwellings that could be located in high hazard areas and considers the effects that this will have on increasing the risk from a high hazard flood event. Retain the minimum allotment size for sites within Kaiapoi Area A</i></p>	Oppose	<p>To the extent that it is consistent with its primary submission on V1 Kāinga Ora oppose flood maps or overlays being incorporated within the District Plan and instead promote that spatial identification of flood hazard areas should be made available through a set of non-statutory flood hazard maps that can be responsive to dynamic nature of hazards. Kāinga Ora seek to clarify the minimum site size required in the natural hazard QM. Noting that this should be as specified in SUB-S1 – 200m² (area A and 500m² area B).</p> <p>Kāinga Ora also opposes all provisions related to the Airport Noise Contour in V1 and seeks all relevant airport noise contour provisions in the PDP including objectives, policies, rules and standards (with any associated tables, figures and overlays) are removed from the PDP.</p>	Disallow

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				<i>(and in any other areas) that are affected by the High Hazard Flood Overlay, as was notified in the Proposed District Plan. Further assess these provisions, having regard to the efficiency and effectiveness, to determine whether what is proposed is the most appropriate way of achieving the objectives under section 32 of the Resource Management Act 1991. Retain the operative airport noise contour (specifically 50 dBA) as a qualifying matter.</i>			
#67 Chapman Tripp - Luke Hinchey – on behalf of Retirement Villages Association of New Zealand Incorporated	Submission in its entirety – All Submission Points	Variation 1 – Housing Intensification (Medium Density Residential Standards)	Amend	<p>Seeks that Variation 1 is amended to provide a retirement-village specific framework as follows:</p> <ul style="list-style-type: none"> - The MDRS must be accurately translated into the Proposed Plan. Seek some amendments to the MDRS to ensure they are workable for retirement villages. Seek amendments to other provisions to ensure there is no conflict, overlap or inconsistency with the MDRS. - The objectives and policies of the Plan must enable appropriate accommodation and care for the aging population. - Rules to enable retirement villages in the Medium Density Residential Zone. - Tailored matters of discretion for retirement villages. - Proportionate notification. - Clear, targeted and appropriate development standards. - Providing for retirement villages in commercial, mixed use and other zones. Any alternative or consequential relief to address the matters addressed in this submission. 	Oppose	<p>Kāinga Ora considers that retirement villages are just one housing option and that the objective and policy framework should be encompassing, enabling housing choice and type, rather than being specific to 'retirement villages'. With regard to more specific submission points on rules, built form standards, and matters of discretion, Kāinga Ora considers that RVA's interpretation of how the provisions will apply in practice is unclear and that the changes sought by RVA would result in a more complicated consenting pathway overall, or potentially result in a more restrictive rule framework for other individuals or organisations providing housing options for aging or higher needs populations.</p> <p>RVA have also sought a permitted activity status in zones (such as the NCZ and LCZ), which would be inconsistent with the intent of the zones.</p> <p>Overall, while some of the submission points have merit (and should be more inclusive of other housing options), the amendments sought as a package are overly complicated, and in some cases inappropriate for specific locations.</p>	Disallow.
#77 Beca - Nola Smart - on behalf of Fire and Emergency New Zealand	77.5	MRZ – Medium Density Residential Zone MRS-BFS1 and RES-MD2	Amend	<p>Support in part, however seek additions to the Residential design principles in RES-MD2 to take into account provision for firefighting.</p> <p><i>Amend RES-MD2 (5):</i> <i>"...</i> <i>5 c. provides appropriate emergency access to the site</i> <i>i. any access to on-site alternative firefighting water supply complies with</i></p>	Oppose	<p>Kāinga Ora oppose the additional matters of discretion being added to address issues more appropriately addressed under the Building Act or Transport chapter of the PDP.</p>	Disallow

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				<p>SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice.</p> <p>ii. developments give effect to the guidance provided in the Firefighting Operations Emergency Vehicle Access Guide.</p> <p>iii. pedestrian accessways are clear. unobstructed and well-lit.</p> <p>iv. wayfinding for different properties on a development are clear in day and night.</p> <p>v. pedestrian accessways have a minimum width of:</p> <p>a. 3m on a straight accessway.</p> <p>b. 6.2m on a curved or cornered accessway</p> <p>c. 4.5m space to position the ladder and perform operational tasks.</p> <p>..."</p>			
#77 Beca - Nola Smart - on behalf of Fire and Emergency New Zealand	77.7	MRZ – Medium Density Residential Zone MRZ-BFS5	Oppose	<p>Concerned by the risk of fire spreading due to setbacks from boundaries. It can inhibit Fire and Emergency personnel from getting to the fire source. Seek an additional matter of discretion to respond to this.</p> <p><i>Include an additional matter of discretion:</i></p> <p><i>RES-MDX Fire risk mitigation incorporated to avoid horizontal spread of fire across boundaries.</i></p>	Oppose	Kāinga Ora oppose the additional matters of discretion being added to address issues more appropriately addressed under the Building Act.	Disallow
#77 Beca - Nola Smart - on behalf of Fire and Emergency New Zealand	77.8	Matters of Discretion for all Residential Zones	Amend	<p>Seek additions to the Residential design principles to take into account provision for firefighting.</p> <p><i>Amend RES-MD2 (5):</i></p> <p>..."</p> <p><i>5 c. provides appropriate emergency access to the site</i></p> <p><i>i. any access to on-site alternative firefighting water supply complies with SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice.</i></p> <p><i>ii. developments give effect to the guidance provided in the Firefighting Operations Emergency Vehicle Access Guide.</i></p> <p><i>iii. pedestrian accessways are clear. unobstructed and well-lit.</i></p>	Oppose	Kāinga Ora oppose the additional matters of discretion being added to address issues more appropriately addressed under the Building Act or Transport chapter of the PDP.	Disallow

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				<p>iv. wayfinding for different properties on a development are clear in day and night.</p> <p>v. pedestrian accessways have a minimum width of:</p> <p>a. 3m on a straight accessway.</p> <p>b. 6.2m on a curved or cornered accessway</p> <p>c. 4.5m space to position the ladder and perform operational tasks.</p> <p>..."</p>			
#81 Chapman Tripp - Annabelle Lee - on behalf of Christchurch International Airport Ltd	81.1 – 81.2	Relationships between Spatial Layers	Amend	<p>The planning maps currently show the spatial extent of the Airport Noise Contour qualifying matter. An amendment is required, however, to provide for two density areas beneath the contour; being Area A (600m²) and Area B (300m²), and to recognise the remodelled Annual Average and Outer Envelope contours and the existing operative contour. The densities proposed reflect the density standards of the operative District Plan and are required to ensure appropriate amenity outcomes for residents below the contour and to ensure the effective and efficient operation of the Airport. It is important that the qualifying matter is included on the planning maps with the technically correct label and spatial extent.</p> <p><i>Amend the Airport Noise Contour qualifying matter on the planning map to show two residential density areas beneath the 50dBA Ldn Air Noise Annual Average, Outer Envelope and Operative Contours, as illustrated on the Plan attached as Appendix B(i) (see full submission). Amend the qualifying matter name so that it is correctly identified on the planning maps as follows: "Qualifying Matter Airport Noise Christchurch International Airport 50 dBA Ldn Air Noise Contour".</i></p> <p><i>Retain the "Airport noise" qualifying matter in Table RSL-1. Amend the description and reasoning as follows:</i></p> <p><i>"Qualifying Matter and Area: Airport noise Christchurch International Airport 50 dBA Ldn Air Noise Contour Properties within the Medium Residential Zone of Kaiapoi and within the Christchurch International Airport noise contour.</i></p>	Oppose	Consistent with its submission on the PDP Kāinga Ora opposes the airport noise contour as a qualifying matter.	Disallow

Submitter Number and Name	Submission Point Number	Chapter Topic/ Provision	Submission Position	Summary of Decision Requested (Decision Sought)	Kāinga Ora response (support or oppose)	Kāinga Ora reasons	Decision(s) sought (allow or disallow)
				<i>Reasoning: A spatial overlay within Kaiapoi, reducing development within the Christchurch International Airport 50 dBA Ldn Air Noise Contour airport noise contour to avoid adverse amenity effects on residents, reduce reverse sensitivity effects on Christchurch Airport, and to ensure the efficient operation of nationally significant infrastructure."</i>			
#81 Chapman Tripp - Annabelle Lee - on behalf of Christchurch International Airport Ltd	81.3 – 81.11	Objectives and Policies -Strategic Directions -Subdivision -Residential	Amend	A range of amendments/ relief to the Objectives and Policies across the plan chapters to emphasise the importance of protecting infrastructure (in particular the Christchurch International airport) from adverse reverse sensitivity effects caused by incompatible land use. Consider that within existing residentially zoned areas in Kaiapoi, further intensification should be avoided, beyond that which is already permitted. Seek that the residential density in this area within the 50dB Ldn Air Noise Contour is not increased compared to what is presently allowed. Amendment is required, to provide for two density areas beneath the contour; being Area A (600m2) and Area B (300m2), and to recognise the remodelled Annual Average and Outer Envelope contours and the existing operative contour. The densities proposed reflect the density standards of the operative District Plan and are required to ensure appropriate amenity outcomes for residents below the contour and to ensure the effective and efficient operation of the Airport.	Oppose	Consistent with its submission on the PDP Kāinga Ora opposes the airport noise contour as a qualifying matter.	Disallow
#81 Chapman Tripp - Annabelle Lee - on behalf of Christchurch International Airport Ltd	81.12 – 81.13	MRZ – Medium Density Residential Zone MR2 and MR18	Amend	An amendment is required, to provide for two density areas beneath the contour; being Area A (600m2) and Area B (300m2), and to recognise the remodelled Annual Average and Outer Envelope contours and the existing operative contour. <i>Amend MRZ-R2: "1. Within the Christchurch International Airport 50 dBA Ldn Air Noise Contour as shown on the planning maps the minimum net site area is as</i>	Oppose	Consistent with its submission on the PDP Kāinga Ora opposes the airport noise contour as a qualifying matter.	Disallow

Submitter Number and Name	Submission Point Number	Chapter Topic/ Provision	Submission Position	Summary of Decision Requested (Decision Sought)	Kāinga Ora response (support or oppose)	Kāinga Ora reasons	Decision(s) sought (allow or disallow)
				<p><i>follows:</i> <u>Kaiapoi Area A 600m2 Kaiapoi Area B 300m2.</u> <u>Activity status when compliance not achieved:</u> <u>1. Within the Christchurch International Airport Air Noise Contour – RDIS; with the Matters of discretion restricted to RES-MD15 Effects from qualifying matters – airport noise</u> <u>2. as set out in the relevant built form standards.</u> <u>Notification: An application for a residential unit that does not comply with MRZ-R2 clause 1 shall be limited notified at least to Christchurch International Airport (absent its written approval)."</u></p> <p>Support Restricted Discretionary activity status for Medium Density Residential Zone rule MRZ-R18 Multi Unit Residential Development but seek an additional matter of discretion for proposals that are located within the 50dBA Ldn Air Noise Contour.</p> <p><u>Amend MRZ-R18:</u> <u>"1. a design statement shall be provided with the application; or</u> <u>2. where the site is located within the Christchurch International Airport 50 dBA Ldn Air Noise Contour."</u></p> <p><u>Include an additional matter of discretion:</u> <u>"RES-MD15 – Effects from qualifying matters - airport noise."</u></p> <p><u>Amend the notification clause:</u> <u>"An application for a restricted discretionary activity under this rule is precluded from being publicly notified or limited notified, except where:</u> <u>1. the application site is located with the Christchurch International Airport 50 dBA Ldn Air Noise Contour, in which case any application shall be limited notified at least to Christchurch International Airport (absent its written approval)."</u></p>			
#81 Chapman Tripp - Annabelle Lee - on behalf of Christchurch International Airport Ltd	81.14 and 81.15	MRZ – Medium Density Residential Zone MRZ-BFS1 – 2	Amend	Amend the notification provisions of Medium Density Residential Zone built form standard MRZ-BFS1 by adding an additional clause as follows: "An application for the construction of residential units that does not comply with MRZ-BFS1 clause 1.a. shall be limited notified at least	Oppose	Consistent with its submission on the PDP Kāinga Ora opposes the airport noise contour as a qualifying matter.	Disallow

Submitter Number and Name	Submission Point Number	Chapter Topic/ Provision	Submission Position	Summary of Decision Requested (Decision Sought)	Kāinga Ora response (support or oppose)	Kāinga Ora reasons	Decision(s) sought (allow or disallow)
				<p><i>to Christchurch International Airport (absent its written approval)."</i></p> <p><i>In Medium Density Residential Zone built form standard MRZ-BFS2, include an additional matter of discretion as follows: "RES-MD15 – Effects from qualifying matters – airport noise".</i></p> <p><i>Amend the notification provision as follows: "Refer to notification status in MRZ-BFS1, except where an application for residential units does not comply with MRZ-BFS2 clause 1 shall be limited notified at least to Christchurch International Airport (absent its written approval)."</i></p>			
#81 Chapman Tripp - Annabelle Lee - on behalf of Christchurch International Airport Ltd	81.16	MRZ – Medium Density Residential Zone RESMD15	Support	Support Matter of Discretion RES-MD15 for the Residential Zones.	Oppose	Consistent with its submission on the PDP Kāinga Ora opposes the airport noise contour as a qualifying matter.	Disallow

Appendix 2: Kāinga Ora Stream 7B Updated Relief Sought following s42A

In the tables below black text is as notified, red text is V1 as notified, “green mark up” amendments from Section 42A Report, and “pink mark up” Kāinga Ora evidence relief sought.

Variation 1 – Relief Sought

<p>RESZ-P15</p>	<p>Medium Density Residential Standards</p> <p>Apply the Medium Density Residential Standards across all relevant residential zones in the District Plan except in circumstances where greater building height is provided for in an identified area around the Rangiora Town Centre Zone and a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga).</p>
<p>MRZ-O1</p>	<p>Housing types and sizes</p> <p>The Medium Density Residential Zone provides for a variety of housing types and sizes that respond to:</p> <ul style="list-style-type: none"> i. housing needs and demand; and ii. the neighbourhood's planned urban built character, including 3-storey buildings and up to five stories where identified.
<p>MRZ-P1</p>	<p>Housing types</p> <p>Enable a variety of housing types with a mix of densities within the zone, including 3-storey attached and detached dwellings, and low-rise apartments, including apartments of up to five stories in an identified area around the Rangiora Town Centre Zone, except as directed by a qualifying matter.</p>
<p>MRZ-P3</p>	<p>Residential character</p> <p>Enable development including building and activities to achieve the character and amenity values anticipated by the planned built form for the zone, which provides for:</p> <ol style="list-style-type: none"> 1. Medium density living across the zone consisting of a mix of detached, semi detached, multi-unit and low rise apartment living options, with increased height opportunities surrounding the Rangiora Town Centre. 2. Re-development opportunities for three or more residential units through flexible development controls. 3. Good quality building and landscape design which ensures development contributes to a safe and attractive public realm and streetscape. 4. Appropriate internal amenity for residents including quality outdoor living spaces and services space. 5. Integrated provision of vehicle and pedestrian access and parking. <p>Provide for activities and structures that support and maintain the achieve the character and amenity values anticipated for the zone, which provides for:</p> <ol style="list-style-type: none"> 1. higher density living in areas with better access for walking to parks, main centres or local commercial centres; 2. multi-unit redevelopment opportunities through flexible development controls and encouragement for multi-site redevelopment; 3. high quality building and landscape design for multi-unit residential development with appropriate streetscape landscaping and positive contribution to streetscape character; 4. provides for a peaceful residential environment, in particular minimising the adverse effects of night-time noise and outdoor lighting, and limited signs;

- 5. appropriate internal amenity within sites;
- 6. a mix of detached, semi-detached and multi-unit living;
- 7. small-scale commercial, or community-based activities, that service the local community, and home businesses; and a wider range of home business-based commercial activity in the Residential Commercial Precinct adjacent to Rangiora Town Centre.

MRZ-BFS4 Height

1. The maximum height of any building shall be 12m above ground level.
1. Buildings must not exceed ~~11~~ **8.11** metres in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more, as shown in Figure MRZ-1.

Legal Effect

The highlighted yellow text identifies the part of the standard that has immediate legal effect if no qualifying matter applies.

Activity status when compliance not achieved: **RDIS**

Matters of discretion are restricted to:

- **RES-MD5 - Impact on neighbouring property**

Notification

Refer to notification status in MRZ-BFS1.

MRZ-BFS5 Building and structure setbacks

1. Any building or structure **other than a garage** shall be set back a minimum of **21.5m** from any road boundary **(other than a strategic road or arterial road boundary where the minimum setback shall be 6m)** except for:
 - a. any fence permitted by MRZ-BFS8;
 - b. poles and masts up to 6.5m in height above ground level;
 - c. structures other than a fence, less than 10m² and less than 3m in height above ground level;
 - d. any caravan;
 - e. the replacement, maintenance and minor upgrading of any infrastructure; and
 - f. any structure or residential unit adjoining an accessway that does not have doors or windows that open into that accessway.

2. Any garage shall be set back a minimum of 6m from the road boundary.

3. 2. Any building or structure shall be set back a minimum of 1m from any internal boundary **(except on corner sites)** except that buildings on adjoining sites which share a common wall, the internal setback shall not apply along that part of the internal boundary covered by such a wall.

4. Habitable room windows within any residential unit on the first floor or above shall avoid direct views into an adjacent residential unit located within 9m by:

- a. being offset by a minimum of 0.5m in relation to any existing window in an adjacent residential unit; or
- b. having sill heights of 1.5m above floor level; or
- c. having fixed obscure glazing below 1.5m above floor level.

5.3. On corner sites, vegetation or structures exceeding 1m in height above ground level shall not be located within the structure and vegetation setback area identified by Figure MRZ-21.

6.4. All buildings shall be set back a minimum of ~~45m~~ **2.5m** from any site boundary with the rail corridor.

Activity status when compliance not achieved: **RDIS**

Matters of discretion are restricted to:

- ~~RES-MD2 - Residential design principles~~
- RES-MD5 - Impact on neighbouring property
- **RES-MD6 - Road boundary setback**

Notification

An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.

Refer to notification status in MRZ-BFS1.

5. Any building or structure shall be set back a minimum of 12m from any National Grid support structure as per rule EI-R51.

Legal Effect

The highlighted yellow text identifies the part of the standard that has immediate legal effect if no qualifying matter applies.

MRZ-BFS6 Street interface

1. Where the site has direct road frontage, any residential unit or minor residential unit facing the road shall:
 - a. have at least one habitable room or kitchen located facing the street at ground level; and
 - b. include at least 20% of the front façade in glazing (within window or door panels) of which at least half is clear; and
 - c. shall have a door that is directly visible and accessible from the street.
2. Garage doors that face the street shall have a combined maximum width of 6.5m.

Activity status when compliance not achieved: RDIS

Matters of discretion are restricted to:

- RES-MD13 Windows to the street
- RES-MD2 – Residential design principles

Notification

An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
Refer to notification status in MRZ-BFS1.

MRZ-BFS7 Height in relation to boundary

1. Buildings must not project beyond a 60° recession plane measured from a point 3-4 metres vertically above ground level along all boundaries, as shown Figure MRZ-3. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way. This standard does not apply to:
 - a. a boundary with a road
 - b. existing or proposed internal boundaries within a site
 - c. site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

2. Structures shall not project beyond a building envelope defined by recession planes measured 2.5m from ground level above any site boundary in accordance with the diagrams in Appendix APP3 except for the following:

- a. flagpoles;
- b. lightning rods, chimneys, ventilation shafts, solar heating devices, roof water tanks, lift and stair shafts;
- c. decorative features such as steeples, towers and finials;
- d. for buildings on adjoining sites which share a common wall, the height in relation to boundary requirement shall not apply along that part of the internal boundary covered by such a wall; and

Activity status when compliance not achieved: RDIS

Matters of discretion are restricted to:

- RES-MD2 – Residential design principles
- RES-MD5 - Impact on neighbouring property

Notification

An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
Refer to notification status in MRZ-BF

- e. ~~where the land immediately beyond the site boundary forms part of any rail corridor, drainage reserve, or accessway (whether serving the site or not), the boundary of the rail corridor, drainage reserve, or accessway furthest from the site boundary may be deemed to be the site boundary for the purpose of defining the origin of the recession plane, provided this deemed site boundary is no further than 6m from the site boundary;~~

~~3. Provided that none of the structures listed in (1) (c) to (e) above has a horizontal dimension of over 3m along the line formed where the structure meets the recession plane as measured parallel to the relevant boundary.~~

~~3. 2.~~ Where the site is within the Urban Flood Assessment Overlay or Kaiapoi Fixed Minimum Finished Floor Level Overlay, the height of the Finished Floor Level specified in a Flood Assessment Certificate can be used as the origin of the recession plane instead of ground level, but only up to an additional 1m above original ground level.

Legal Effect

The highlighted yellow text identifies the part of the standard that has immediate legal effect if no qualifying matter applies.

RES-MD2

Residential design principles

1. The scale and form of the development is compatible with the planned urban built form of the neighbourhood and will provide visual interest. This includes a variety of building forms, articulation and materials to avoid overly lengthy or continuous rooflines and monolithic forms.
2. Development that contributes to a safe and attractive public realm and streetscape. This includes the provision of landscape and the orientation of building frontages to face the street and open spaces, avoiding street facing facades dominated by garages.
3. Development delivers quality on-site amenity and occupant privacy that is appropriate for its scale. This includes provision of planting including on site boundaries and accessways and creation of usable and attractive outdoor living spaces.
4. Provision of pedestrian and vehicle access and integration of parking (where relevant) in a way that does not dominate the development, particularly when viewed from the street or other public open spaces.
5. Provision of suitable storage and service spaces which are conveniently accessible, safe and/or secure and which are screened from the street or other public open space.
6. Crime Prevention through Environmental Design (CPTED) and the delivery of a safe environment for both occupants and users of any adjacent streets or public open areas.

1.—Context and character:

- a.—The extent to which the design of the development is in-keeping with, or complements, the scale and character of development anticipated for the surrounding area and relevant significant natural, heritage and cultural features.
- b.—The relevant considerations are the extent to which the development:
 - i.—includes, where relevant, reference to the patterns of development in and/or anticipated for the surrounding area such as building dimensions, forms, setback and alignments, and secondarily materials, design features and tree plantings; and

	<p>ii.—retains or adapts features of the site that contribute significantly to local neighbourhood character, potentially including existing historic heritage items, Sites of Ngāi Tahu Cultural Significance shown on the planning map, site contours and mature trees.</p> <p>2.—Relationship to the street and public open spaces:</p> <p>a.—Whether the development engages with and contributes to adjacent streets, and any other adjacent public open spaces to contribute to them being lively, safe and attractive (including impacts of setback requirements for road or rail);</p> <p>b.—The relevant considerations are the extent to which the development:</p> <p>i.—orientates building frontages including entrances and windows to habitable rooms toward the street and adjacent public open spaces;</p> <p>ii.—designs buildings on corner sites to emphasise the corner;</p> <p>iii.—needs to minimise south-facing glazing to minimise heat loss; and</p> <p>iv.—avoids street façades that are blank or dominated by garages.</p> <p>3.—Built form and appearance:</p> <p>a.—The extent to which the development is designed to minimise the visual bulk of the buildings and provide visual interest;</p> <p>b.—The relevant considerations are the extent to which the development:</p> <p>i.—divides or otherwise separates unusually long or bulky building forms and limits the length of continuous rooflines;</p> <p>ii.—utilises variety of building form and/or variation in the alignment and placement of buildings to avoid monotony;</p> <p>iii.—avoids blank elevations and façades dominated by garage doors; and</p> <p>iv.—achieves visual interest and a sense of human scale through the use of architectural detailing, glazing and variation of materials.</p> <p>4.—Residential amenity:</p> <p>a.—In relation to the built form and residential amenity of the development on the site (i.e. the overall site prior to the development), the extent to which the development provides a high level of internal and external residential amenity for occupants and neighbours.</p> <p>b.—The relevant considerations are the extent to which the development:</p> <p>i.—provides for outlook, sunlight and privacy through the site layout, and orientation and internal layout of residential units;</p> <p>ii.—directly connects private outdoor spaces to the living spaces within the residential units;</p> <p>iii.—ensures any communal private open spaces are accessible, usable and attractive for the residents of the residential units; and</p> <p>iv.—includes tree and garden planting particularly relating to the street frontage, boundaries, accessways, and parking areas.</p> <p>5.—Access, parking and servicing:</p> <p>a.—The extent to which the development provides for good access and integration of space for parking and servicing;</p> <p>b.—The relevant considerations are the extent to which the development:</p> <p>i.—integrates access in a way that is safe for all users, and offers convenient access for pedestrians to the street, any nearby parks or other public recreation spaces;</p> <p>ii.—provides for parking areas and garages in a way that does not dominate the development, particularly when viewed from the street or other public open spaces; and</p> <p>iii.—provides for suitable storage and service spaces which are conveniently accessible, safe and/or secure, and located and/or designed to minimise adverse effects on occupants, neighbours and public spaces.</p> <p>6.—Safety:</p> <p>a.—The extent to which the development incorporates CPTED principles as required to achieve a safe, secure environment.</p> <p>b.—The relevant considerations are the extent to which the development:</p> <p>i.—provides for views over, and passive surveillance of, adjacent public and publicly accessible spaces;</p> <p>ii.—clearly demarcates boundaries of public and private space;</p> <p>iii.—makes pedestrian entrances and routes readily recognisable; and</p> <p>iv.—provides for good visibility with clear sightlines and effective lighting.</p>
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RES-MD12	<p>Outlook space</p> <ol style="list-style-type: none"> 1. The ability of the affected habitable room to receive natural light, natural sunlight and daylight especially on the shortest day of the year. 2. The extent to which habitable rooms have an outlook and visual and landscape quality of that space, and sense of space. 3. The degree to which a reduction in outlook space would contribute to a visual perception of cramped living conditions.
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	<ol style="list-style-type: none"> 4. The extent to which visual privacy is provided between habitable rooms of different residential units, on the same site. or adjacent sites. 5. The extent to which the development provides additional outlook spaces from habitable rooms.
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RES-MD14	<p>Landscaped areas</p> <ol style="list-style-type: none"> 1. The extent to which the proposed landscaping enhances the anticipated residential amenity and is integrated within the site design to: <ol style="list-style-type: none"> a. define and enhance on-site outdoor living spaces; b. reduce the visual impact of large buildings through screening and planting; c. screen service areas, loading areas, and outdoor storage areas from public vantage points. ; and d. mitigate the heat effects from intensification and impervious surfaces. 2. The extent to which the development incorporates CPTED principles as required to achieve a safe, secure environment. 3. The effects on the permeability of the site for stormwater run-off and subsequent effects on adjoining sites.
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RES-MD17	<p>Building Coverage</p> <ol style="list-style-type: none"> 1. Effects on visual amenity values, including dominance, and the compatibility of the built form with the anticipated character of the zone. with the receiving environment. 2. Provision of adequate outdoor living space on site.
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Table SUB-1: Minimum allotment sizes and dimensions

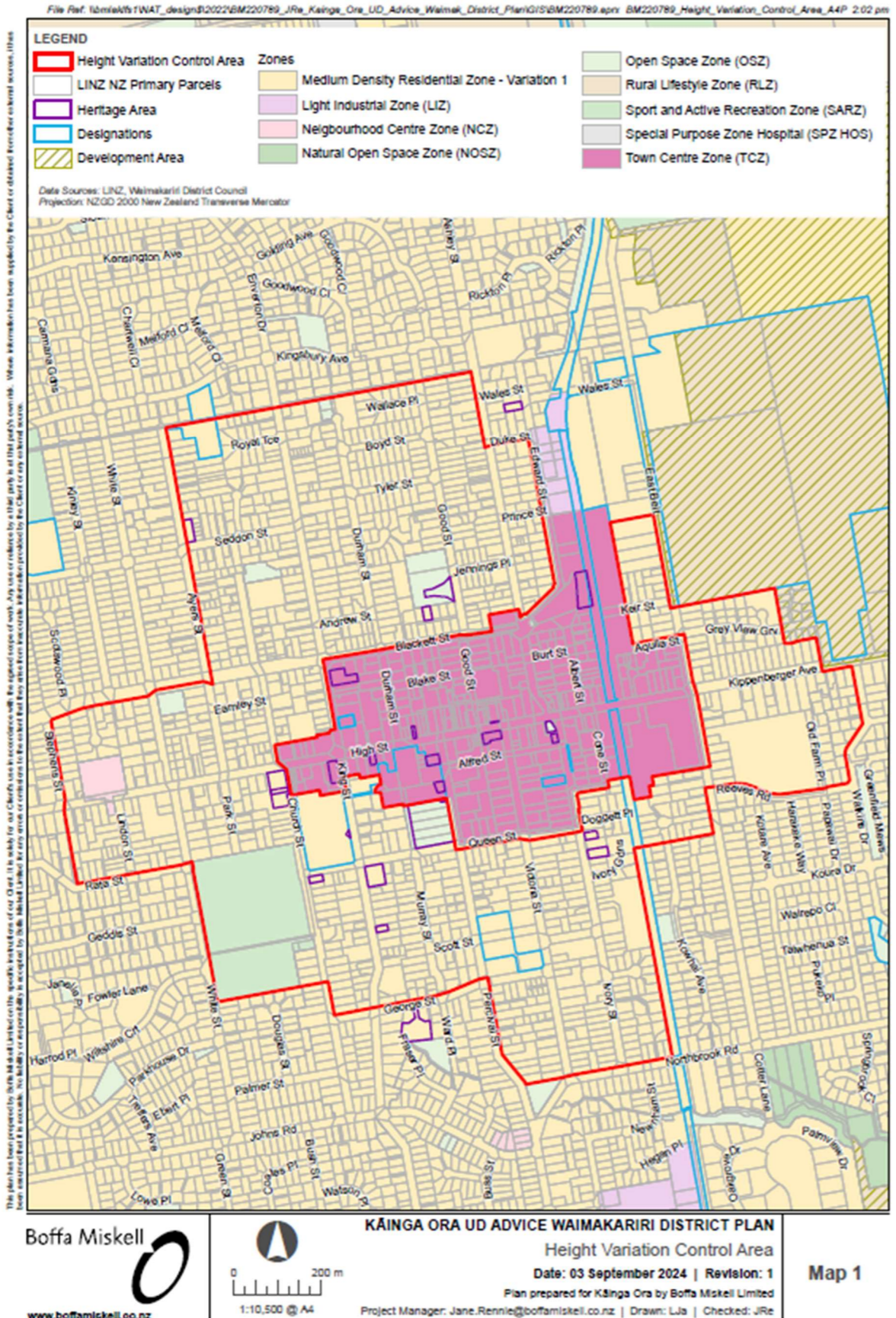
The following shall apply:

- For unit title or cross-lease allotments, the allotment area shall be calculated per allotment over the area of the parent site.
- Minimum areas and dimensions of allotments in Table SUB-1 for Commercial and Mixed Use Zones, Industrial Zones and Residential Zones shall be the net site area.
- Allotments for unstaffed infrastructure, excluding for any balance area, are exempt from the minimum site sizes in Table SUB-1.

Zone	Minimum allotment area	Internal square	Frontage (excluding rear lots)
<i>Residential Zones</i>			
Medium Density Residential Zone (without qualifying matters) ↗	<p>200m² n/a</p> <p>for the purpose of the construction and use of residential units</p> <p>No minimum for multi-unit residential development where the design statement and land use consent have been submitted and approved</p> <p>For the purpose of creating vacant lots there is no minimum site size</p>	<p>n/a</p> <p>for the purpose of the construction and use of residential units</p> <p>For the creation of vacant lots</p> <p>8m x 15m</p>	<p>n/a</p>

<u>Medium Density Residential Zone</u> <u>(with qualifying matter - airport noise)</u>	200m² <u>(except if subject to qualifying matter - natural hazards)</u>	n/a	n/a
<u>Medium Density Residential Zone</u> <u>(with qualifying matter - natural hazards)</u>	<u>Kaiapoi Area A 200m²</u> <u>Kaiapoi Area B 500m²</u>	n/a	n/a
<u>Medium Density Residential Zone</u> <u>(with qualifying matter - national grid subdivision corridor)</u> <u>also refer to rule SUB-R6</u>	200m²	n/a	n/a

Mapping Relief Sought / Height Variation Control Area



Appendix 3: Tauranga PC33 Modelling of Minimum lot Dimensions/ Shape Factor

Appendix 5: Architectural Testing

1. A selection of draft provisions from PPC33 have been architecturally tested by DesignGroup Stapleton Elliot to show concept analysis of the bulk and location that may be enabled to ensure that the draft provisions are workable. An overview of the testing is set out below and the attached sheets illustrate the outcomes of testing.
2. A comparison of the MDRS building envelope against the permitted intrusions in the operative City Plan is shown in SK001.
3. A series of concepts were tested to inform the subdivision provisions:
 - a. SK002 demonstrates the MDRS on the minimum suburban residential allotment size of 325m² in the operative City Plan.
 - b. SK003 demonstrates a minimum gross site area of 429m² is required to accommodate the MDRS (horizontally attached) including one carpark per unit.
 - c. SK004 demonstrates the minimum shape factor required to accommodate one typical independent dwelling unit within the MDRS.
4. SK202 demonstrates the proposed standards that manage height in relation to boundary for the HDRZ. The testing uses a 5metre setback from side and rear boundaries for any part of the building above 9metres to enable two-storeys 1metre from the boundary. A third storey balcony/courtyard could be accommodated above but the building facade for three or more storeys would subsequently need to be setback at least 5metre from the boundary.
5. The testing also uses a 4metres setback from the road boundary for any part of the building above 12metres to reduce dominance effects at the street level and 12metres is proposed to align with the maximum height enabled by the MDRS.
6. This testing indicates the following:
 - a. The proposed height in relation to boundary setbacks for the HDRZ are overall more lenient and enable a greater building envelope than the MDRS. The use of setbacks instead of an angle allows for a greater number of stories on smaller sites. Relying on the MDRS height in relation to boundary effectively requires four or more storey buildings to have larger sites to avoid encroaching the envelope by continuously increasing the building setback relative to height.
 - b. The 5metre side/rear setback above 9metres provides a minimum 10metre separation distance from residential units opposite each other to contribute to on-site amenity. When considered in conjunction with minimum outdoor balcony standards, this would result in a minimum of 14metres between two living rooms or 12metres between a balcony and a living room.
 - c. All habitable spaces must meet the requirements of G7 Natural Light of the Building Code. Depending on the site orientation and existing nearby obstructions, the minimum setback may need to be increased to achieve compliance. This is more relevant to lower levels where the minimum separation of 5metres is not proposed.
7. SK301-303 demonstrates the potential building setbacks and heights enabled where HDRZ adjoins or is adjacent the MDRZ to inform the acceptability of zone boundaries and heights. This testing demonstrates that the proposed provisions enable an appropriate transition in building scale.




8. A series of concepts were tested for the MDRZ and HDRZ to inform the zone provisions. The outcomes below only consider the maximum development potential for the proposed bulk and location standards and potential building layout in accordance with the Building Code to demonstrate how enabling or restrictive the proposed building standards are for development greater than the MDRS (i.e. four or more dwellings). The concepts do not include assessment against urban design outcomes or requirements of transportation assessments. Therefore, it is recognised that further refinement of the concepts would be needed to improve their acceptability through any resource consent process.
9. For the purposes of a base dimension that could be transferrable across different parts of the City, a 'representative site' of 18metre frontage by 40metre depth, being 720m² site area, was used for the following concepts. This is based on the typical size of allotments that have not been subject to infill subdivision.
10. SK401-403 demonstrates the potential bulk and location enabled within the MDRZ on a single site, while SK410-414 demonstrates this across a double site. This testing shows that six horizontally attached dwellings could be accommodated on a single representative site without breaching the bulk and location standards, and a double site could provide for 16 horizontally attached dwellings due to maximizing the use of a shared accessway.
11. SK420-425 demonstrates the potential bulk and location enabled within the HDRZ on a double site up to 16metres or four storeys, while SK430-438 considered up to 21metre or six storeys.
12. All of these concepts consider 1 carpark being provided per dwelling to reflect the community expectation that this is supplied on site. However, it is recognised that parking supply is market led and developers can choose to design accordingly, with or without on-site parking.
13. Overall, this series of testing indicated the following:
 - a. The proposed standards in the MDRZ and HDRZ for four or more dwelling units are not unreasonably restricting development potential. However, they are likely to result in unacceptable outcomes if they are not supported by urban design assessment criteria and associated policies.
 - b. The need for an urban design assessment to accompany any application for four or more dwelling units is important to help achieve positive outcomes for future residents and the surrounding community. However, some design solutions, particularly for underground carparking, may not be achievable until feasibility increases.
 - c. The scope and detail of the proposed matters of discretion for four or more dwelling units seek to address the layout and design issues that are enabled by the bulk and location standards. These matters are consistent with direction provided by a non-statutory design guide, the Residential Outcome Framework.
 - d. The need for a transport assessment to accompany large scale applications will be necessary to address safety and logistical matters with higher densities of people, and potentially vehicles, moving about the site than currently enabled under the operative City Plan.

SK004_{REV.2}

8*15m SITE

TCC PLAN CHANGE 33
T703
General

LEGEND

	Minimum front, side and rear setbacks.
	4x4m Outlook space (Living Areas)
	Landscape Area

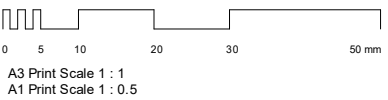
Contractors shall verify all dimensions on site before commencing work. Do not scale from the drawings. If in doubt ask. Copyright of this drawing is vested in Designgroup Stapleton Elliott.

PROJECT No. **T703**
PLOT DATE. **18/07/2022 3:38:55 pm**

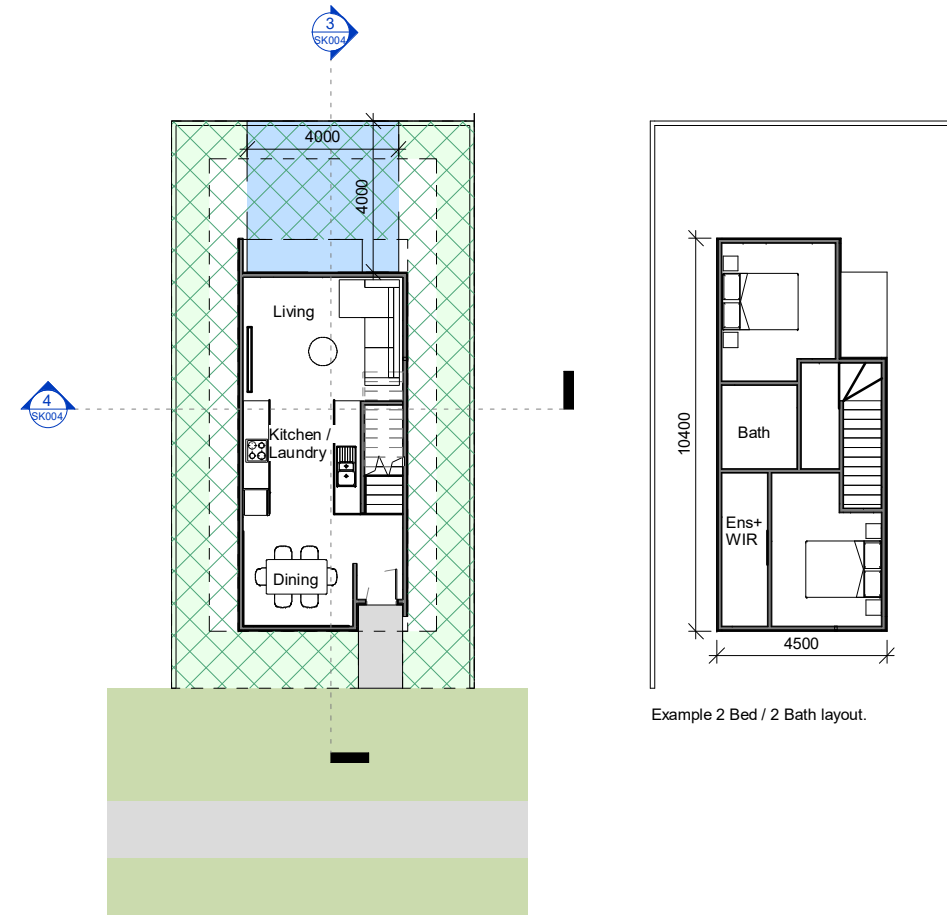
2	PC 33 Testing Package	2022.07.18
1	8x15m Site Study	2022.05.27
NO.	DESCRIPTION	DATE

Site Information

Rainfall Intensity: 1 mm/h
Climate Zone: CLIMATE ZONE
Corrosion Zone: CORROSION ZONE
Legal Description: LEGAL DESCRIPTION
Wind Zone: WIND ZONE
NZBC E2 Compliance: Compliance with NZBC E2 is by means of NZBC E2 AS1. Refer Risk Matrix provided.



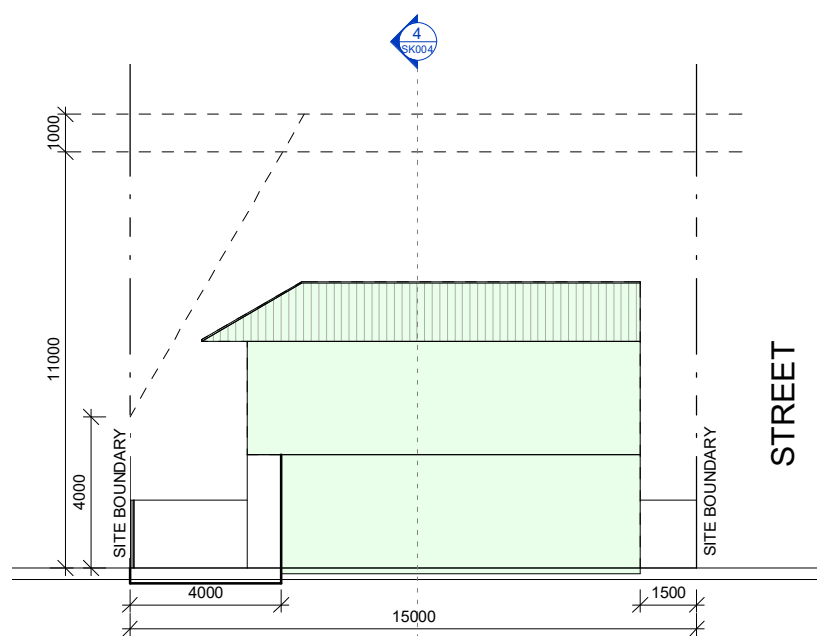
Wellington	+64 4 920 0032	wn@dgse.co.nz
Palmerston North	+64 6 357 4534	pn@dgse.co.nz
Tauranga	+64 7 925 6238	tr@dgse.co.nz
Napier	+64 6 835 6173	np@dgse.co.nz
Auckland	+64 9 976 8288	ak@dgse.co.nz



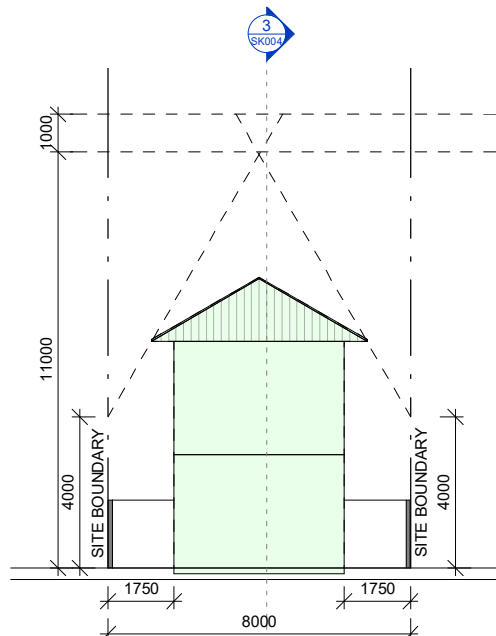
Example 2 Bed / 2 Bath layout.

NOTES:
Site area to accommodate typical dwelling within MDRZ.
Site Area: 120m²
Build coverage 47m² (max 60m²)
Impervious Surfaces: 47 + 3 = 50 = 42%
Landscape Area: 71m² (min = 24m²).
House area: 94m² if 2 levels. 2 bed/2 bath.
Design complies with MDRZ bulk and location rules

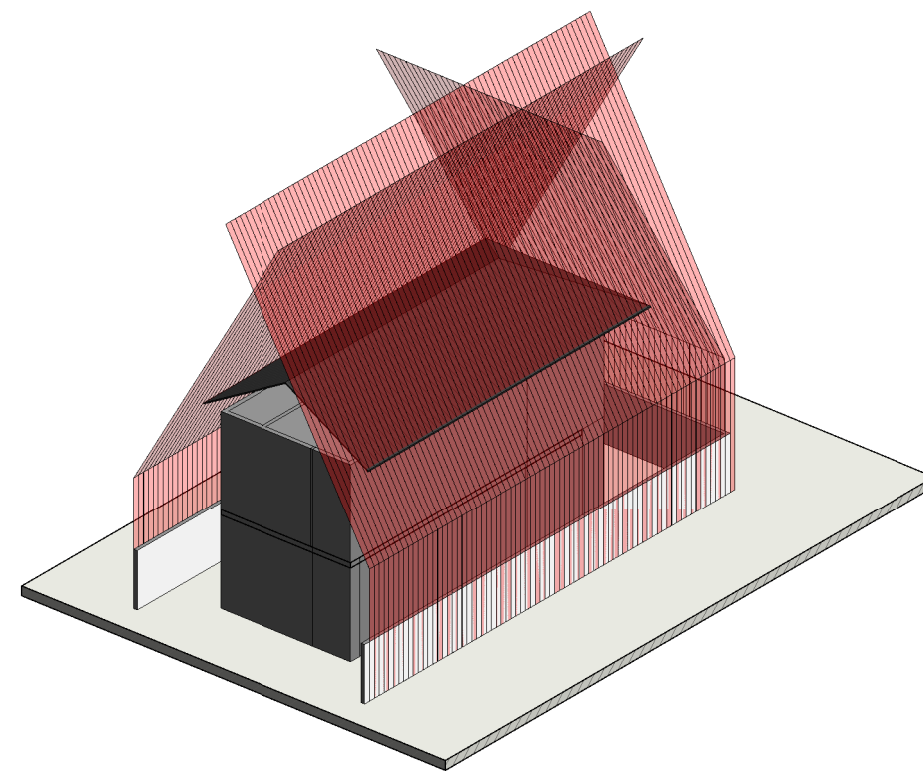
8X15M SINGLE SITE GF
SCALE @ A3 - 1 : 200 | SCALE @ A1 - DOUBLE SCALE



8X15m Long Section
SCALE @ A3 - 1 : 200 | SCALE @ A1 - DOUBLE SCALE



8X15m Cross Section
SCALE @ A3 - 1 : 200 | SCALE @ A1 - DOUBLE SCALE



8x15m Site
SCALE @ A3 - | SCALE @ A1 - DOUBLE SCALE