

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

**MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHAKE  
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**

**HEARING TOPIC:** Stream 7B Variation 1

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**SUMMARY OF EVIDENCE  
ON BEHALF OF KĀINGA ORA – HOMES AND COMMUNITIES**

**CLARE DALE**

**17 SEPTEMBER 2024**

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- 1.1 My name is Clare Dale, and I have prepared a Statement of Evidence on behalf of Kāinga Ora – Homes and Communities in which my qualifications and experience are set out. I now provide a summary of my Statement of Evidence.
- 1.2 In my view 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.
- 1.3 Changes are required to identified qualifying matters 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 assessment set out in Section 77 I - L of the Amendment Act.
- 1.4 The language / wording of objective and policy provisions should be consistent with terminology used in the NPS-UD and the Amendment Act. 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).
- 1.5 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).
- 1.6 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.

- 1.7 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.
- 1.8 In regard to 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.

#### **Response to Panel S42A Questions**

- 1.9 I have also taken the opportunity to comment on some of the questions raised by the Panel in relation to the S42A Report that are relevant to Kāinga Ora's submission.
- Para 135 – Flood Hazard QM: Difference between the two Kāinga Ora submission points. I agree with Mr Wilson's response, noting that one opposed flood hazards as a QM entirely and the other opposed the way the QM was mapped (see hearing stream 3 evidence). My evidence on this QM now only covers mapping and I accept flood hazards as a relevant QM.
  - Para 151 – Heritage QM: I agree with Mr Wilson that Heritage needs to be a QM. This is because the heritage rules affect the residential density that could otherwise be achieved under MDRS as permitted.
  - Para 176 What circumstances have changed since council notified 12m in MRZ BFS-4 in the PDP:

Not a direct response to the question about 'what's changed', I also note that Mr Wilson's response makes a comment about NCZ, LCZ, MUZ and TCZ all enabling 12m or greater in height and that

these zones are outside of the scope of V1. I disagree with this statement and note that V1 as notified made changes to building heights in the NCZ and LCZ from 8m/10m to 11m (not 12m) under policy 3(d). Further, Mr Willis considered this in paragraph 379 of his Stream 9 Commercial evidence where he recommends a height limit of 12m for these zones under eh PDP. Given Mr Wilson's V1 S42A does not cover the changes to heights in the commercial zones (noting I can't see any submissions on these) I consider that these needs to be some further co-ordination with Mr Willis's evidence.

- Para 227 Amending MRDS Objectives and Policies: I agree with Mr Wilson that there is an ability to amend the mandatory MDRS objectives and policies. In addition to S77G(6), I would also note 77G(5)(b) "may include additional objectives and policies to those set out in clause 6 of Schedule 3A to provide for MOD's to support MDRS and link to S77H (provisions providing for greater level of enablement than MDRS) and S80E(b) (iii) that relates to consequential amendments to objectives, policies, rules, standards and zones to support MDRS and NPS-UD policies 3, 4 and 5.
- MRZ-BFS3 Landscape permeable surface, matters of discretion. As per my evidence at paragraphs 3.92- 3.96 I do not support RES-MD2 Residential Design Principles being appropriate matters of discretion for not meeting the % of landscaping. In checking this question, I have also noted that MRZ-BFS3 should have been deleted /replaced by MRZ-BFS12 Landscape Areas where the only MOD's listed are RES-MD14 Landscape Area.