

WAIMAKARIRI DISTRICT COUNCIL
MEMO

FILE NO AND TRIM NO: DDS-06-10-02-01/ 241104191572

DATE: 6 November 2024

MEMO TO: Hearing Commissioners and Independent Hearing Commissioners

FROM: Peter Wilson

SUBJECT: Hearing Streams 1 & 2, 4, 5, – Missed Submission Points, further submissions, and other errors.

1. The purpose of this memorandum is to inform the Hearing Panel and Independent Hearing Panel of submission points and further submission points that were missed in the s42A reports and to provide an update to the relevant Appendices B to address these. This is relevant to the following s42A reports:
 - Overarching Matters and Part 1;
 - Earthworks;
 - Natural Character of Freshwater Bodies;
 - Coastal Environment;
 - PDP Residential Rezonings s42A report.
2. This memo also identifies submission points that were missed from the Variation 2 Financial Contributions s42A report, Medium Density Residential Submissions s42A report, and Variation 1 Housing Intensification s42A report. For these missed submission points, the final Right of Reply reports due on 29 November 2024, will provide a full recommendation on each of the missed points. Consequently, only the missed submission points that sought amendments to plan provisions are identified in Attachment 1 and the submissions that sought provisions to be retained as notified will be addressed through the Right of Reply reports.

Proposed District Plan missed submissions

3. The submission points that were missed in the s42A reports and are addressed in this memo are as follows:
 - a Kaiapoi-Tuahiwi Community Board [147.22]
 - b Summerset Retirement Villages (Rangiora) Ltd [207.47]
 - c Ministry of Education [277.37]
 - d Woolworths New Zealand Limited [282.151];
 - e Kainga Ora [PDP 325.261 and 325.262]
 - f Waimakariri District Council [367.1 and 367.21]

- g Bellgrove Rangiora Ltd [PDP 408.21 and 408.49]
 - h Dairy Holdings Limited [420.39 and 408.42]
 - i Waimakariri Irrigation Limited [210.67]
4. There are 13 missed submission points overall.
 5. Of these points, I consider that:
 - Two points are PDP submissions on financial contributions, as financial contributions in the notified PDP contained a blank chapter for this topic. Financial contributions became a Variation 2 matter once the Variation was notified. These two submission points were supportive of the financial contributions provisions, or requested discussions with Council over it.
 - Two provisions requested amendment. The substantive content of one of these submissions has already been addressed with a similar submission point, with the other amendment still being generally supportive, however I address this specifically below.
 - Two submission points had already been addressed in prior hearings, although I will also address these specifically.
 - Three submission points were errata submissions. I will address these below.

Submissions on financial contributions

6. Kaiapoi-Tuahiwi Community Board [147.22] *“support the provisions in the Financial Contributions section”*.
7. Ministry of Education [277.37] state *“The Ministry wishes to be part of the ongoing discussions regarding financial contributions proposed under s108 of the Resource Management Act 1991”*.
8. I note that these are submissions on the Proposed District Plan, not on Variation 2 (Financial contributions). The Proposed District Plan contained a blank chapter with the following text:

“Section 108 of the Resource Management Act 1991 empowers a Council to impose financial contributions on resource consents in accordance with the purposes specified in a plan and at a level determined in a manner described by the plan.

Council is proposing to work through a review process to determine whether financial contributions will be required going forward. As part of this process Council will consult with key stakeholders and community, review funding options and look at amending this chapter at a later date as part of a variation to the District Plan.”¹.

¹ <https://waimakariri.isoplan.co.nz/draft/rules/0/300/0/0/0/224>

9. My understanding of the blank chapter was due to the direction of legislation at the time (Resource Legislation Amendment Act 2017) that was to remove or amend the financial contributions provisions in the RMA, in 2023 (5 years after the commencement of the 2017 amendments). The 2021 RMA Enabling Housing amendments then restored the financial contribution provisions within the RMA, by removing the scheduled alterations or deletions. Council responded accordingly by notifying Variation 2.
10. Ideally, I would have reported on these submissions in the context of the Stream 7A hearing on Financial Contributions², however, as the original submissions were broad, generally supportive, and did not request specific or particular changes, I do not consider the submitters have been disadvantaged.
11. I have recorded recommendations in respect of these submission points in Appendix B1 below.

Submissions requesting amendments

12. Summerset Retirement Villages (Rangiora) Ltd [207.47] requested:

Retain the exclusions for retirement villages from the site density and outdoor living space standards.

Amend GRZ-BFS4:

"1. ...

a. 8m above ground level except that where a site is larger than 6,000m², the maximum height of any building shall be 12m above ground level where the setback of buildings from the internal boundary is more than 10m.

Except where an ODP within a Development Area allows for a different maximum building height."

Amend GRZ-BFS6 to add (3):

"...

3. This rule does not apply to a residential unit in a retirement village."

² The Ministry of Education and Kaiapoi-Tuahiwi Community Board did not make submissions on Variation 2.

13. In response to this missed submission, I consider that I addressed the substance of the submission at para 64 of my s42A report on the PDP medium density residential zone provisions in the context of Summerset [207.46]³, which requested the same relief. Therefore my assessment in respect of the missed submission is the same as para 66 and 77 of my s42A, as follows:

For Summerset I note that this is the same relief as considered in Mr McLennan’s reports, which cover the general residential zone provisions. Whilst it is listed in their submission as for MRZ, the relief sought is not on the MRZ provision. I consider that this submission is either out of scope, or contains an error.

Regardless, I do not consider that this standard should apply to retirement villages. While I acknowledge that retirement villages are managed as either a restricted discretionary or discretionary activity by MRZ-R18 (or R19 under Variation 1), the matters of discretion that this rule applies are wider than the built form standard changes that the submitter seeks.

14. My recommendation in the s42A on [207.46] was to **reject** the Summerset relief, and my recommendation on Summerset [207.47] would be to **reject** as well. I have recorded this in Appendix B1 below.

15. Kainga Ora [325.261] generally support MRZ-R18 (R19 under Variation 1) – multi-unit residential development subject to amendments being made to RES-MD2 “Residential Design Principles”. Kainga Ora’s PDP submission sought the following or similar changes to RES-MD2. The relief sought is shown alongside the notified RESZ-MD2, where it best fits, noting that the Kainga Ora relief is far less text than in the notified MD.

RESZ-MD2 – as notified	Kainga Ora relief
<p>Residential design principles</p> <p>1. Context and character:</p> <p style="padding-left: 40px;">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</p>	<p>1. The scale and form of the development is compatible with the planned urban built form of the neighbourhood;</p>

³ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0026/166391/STREAM-12A-S42A-REPORT-MEDIUM-DENSITY-PROVISIONS.PDF

<p>and relevant significant natural, heritage and cultural features.</p> <p>b. The relevant considerations are the extent to which the development:</p> <ul style="list-style-type: none"> 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 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>2. Relationship to the street and public open spaces:</p> <ul style="list-style-type: none"> 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. b. The relevant considerations are the extent to which the development: 	<p>2. The development contributes to a safe and attractive public realm and streetscape;</p>
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<ul style="list-style-type: none"> i. orientates building frontages including entrances and windows to habitable rooms toward the street and adjacent public open spaces; ii. designs buildings on corner sites to emphasise the corner; iii. needs to minimise south-facing glazing to minimise heat loss; and iv. avoids street façades that are blank or dominated by garages. <p>3. Built form and appearance:</p> <ul style="list-style-type: none"> a. The extent to which the development is designed to minimise the visual bulk of the buildings and provide visual interest. b. The relevant considerations are the extent to which the development: <ul style="list-style-type: none"> i. divides or otherwise separates unusually long or bulky building forms and limits the length of continuous rooflines; ii. utilises variety of building form and/or variation in the alignment and placement of buildings to avoid monotony; iii. avoids blank elevations and façades dominated by garage doors; and 	<p>3. 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.</p>
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<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,</p>	<p>4. The degree to which the development delivers quality on-site amenity and occupant privacy that is appropriate for its scale</p>
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boundaries, accessways,
and parking areas.

5. Access, parking and servicing:

- a. The extent to which the development provides for good access and integration of space for parking and servicing.
- b. The relevant considerations are the extent to which the development:
 - 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;
 - 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
 - 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.

6. Safety:

- a. The extent to which the development incorporates CPTED principles as

<p>required to achieve a safe, secure environment.</p> <p>b. The relevant considerations are the extent to which the development:</p> <ul style="list-style-type: none"> i. provides for views over, and passive surveillance of, adjacent public and publicly accessible spaces; ii. clearly demarcates boundaries of public and private space; iii. makes pedestrian entrances and routes readily recognisable; and iv. provides for good visibility with clear sightlines and effective lighting. 	
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16. I note that Ms Clare Dale’s PDP evidence on hearing 7A did not specify any changes to RES-MD2, these changes are from the V1 version of her evidence, however, I am considering them on their merits.

17. I consider that, apart from the three waters inclusion, that Kainga Ora version of MD2 does not add new material to the notified matter of discretion. In fact, I consider that the matters of discretion are so short that they may actually act counter to Kainga Ora’s intention and desire to speed up housing supply, as they leave substantially more room for interpretation, and may approach a discretionary status in terms of their broad nature.

18. For the three waters clause, I note that the subdivision provisions require consideration of three waters servicing already (SUB-S12, SUB-S13, SUB-S14, SUB-S15, SUB-S16), and for existing zoned land, the presumption is that servicing already exists⁴. An additional matter of servicing

⁴ Noting my discussion on this in the context of Variation 2, Financial Contributions and any rights of reply to come that respond to questions regarding servicing of existing medium density residential zones in the context of financial contributions.

tests in the matter of discretion would suggest that the zoning does not show the correct information in respect of servicing capacity.

19. I thus recommend that Kainga Ora [325.261] is **rejected**.

20. I note my Rights of Reply on PDP medium density residential, V1, rezonings, and Variation 2, and the Hearing Panels questions of myself across multiple streams, which include questions on Kainga Ora, so my above recommendation to reject may change in the context of these Rights of Reply, once I complete them, or any integration work required.

Submissions on prior hearings (Overarching and Part 1 Matters, Earthworks, NATC, and Coastal Environment)

21. Bellgrove Rangiora Ltd [408.21] requested to clarify if *that NATC-R9 applies to buildings within the setback but not the banks of the river itself (noting that for works within the river NATC-R8 applies)*. They requested to *amend the overlay extent of the Cam/Ruataniwha River to not extend west of the Belgrove farmhouse to ensure that any dwellings proposed within 20m of the top of the Cam/Ruataniwha River are not restricted unfairly when the ecological values of the river do not warrant such natural character protection*.

22. I considered this relief in the context of Bellgrove [408.20] which is a duplicate of [408.21], at para 240 of my s42A on natural character, in stream 4⁵. My response was as follows:

I have considered the relationship between NATC-R8 and NATC-R9, in response to ECan and Bellgrove. I agree that the rules need clarification on where they apply. R8 should apply to new structures within and over freshwater overlays and setbacks, not just the freshwater body itself. NATC-R9 applies to all new buildings and structures but only where the activity is not already covered by NATC-R4-R8. I consider that an amendment to the title of NATC-R8 to clarify where it applies would address the submitters' concerns: NATC-R8 – New structures within and over freshwater bodies overlays and setbacks

For Bellgrove's request to amend the setback adjacent to the Cam/Ruataniwha River, I note that that a reduction in freshwater setback width can be considered in a consenting context by way of NATC-MD6, which is triggered when any activity doesn't achieve the setbacks in NATC-S1. The Cam/Ruataniwha River is a NATC-SCHE2 freshwater body, with a setback of 20m in rural and

⁵ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0024/139209/S42A-REPORT-NATURAL-CHARACTER-OF-FRESHWATER-BODIES-FINAL.pdf

open space zones, and 10m in residential zones. Bellgrove are currently developing some of this land, and as such, the zoning is residential, and the requested 10m setback would apply.

Some of the Bellgrove land is already consented, by way of the Covid fast-track process, with development already occurring. I note that as part of this process, 10 metre esplanade reserves were agreed as an appropriate setback³³ with the same justification as within their Proposed Plan submission. As the land is now effectively zoned residential, I agree that the overlay mapping should be changed accordingly but consider that Bellgrove now have the setback at the 10m width they requested.

23. I recommended **accept in part** for Bellgrove [408.20], and I would also recommend **accept in part** for Bellgrove [408.21].

24. The Waimakariri District Council [367.21] requested the following:

Delete the following provisions from the PEG - Pegasus Township Development Area Chapter:

DEV-PEG-R1 Special Purpose area

DEV-PEG-R2 Conservation protection

DEV-PEG-R3 Western Ridge Conservation Area

DEV-PEG-R7 Pegasus Development Area Outline Development Plan

Appendix DEV-PEG-APP1 Pegasus ODP (including the ODP)

25. I consider that I addressed the substance of this submission point at para 236 of my s42A report on Future Development Areas, in hearing stream 10A, in the context of a similar request from Templeton Group. I stated:

For Templeton Group, I agree that the ODP for Pegasus is out of date. However, I note that as Pegasus township is not yet fully developed, there are provisions within DEV-PEG that are still relevant to manage existing and new subdivision and development.

My recommendation is instead to update the ODP by aligning the zoning existing residential and commercial areas with the ODP. I note that there are rezoning requests within Pegasus and that following the rezoning hearing may or may not result in further changes to the ODP to ensure alignment.

26. My recommendation on Waimakariri District Council [367.21] would be the same as for Templeton Group, which is **accept in part**.
27. I note that I have Rights of Reply on rezoning submissions, and development areas to come, and that these two submissions provide some scope to make changes to the existing Pegasus development area (DEV-PEG) if it is needed from an integration perspective across the existing, new, and proposed development areas.

Errata submission points

28. Dairy Holdings Ltd [420.39, 420.42] requested the following:

Remove Scheduled Natural Character Freshwater Bodies Overlay (NC-SCHED-1) overlay across Gorge Farm / Brown Rock Farm at 1453, 1047 and 1135A Thongcaster Road, Burnt Hill.

Remove the Scheduled Natural Character Freshwater Bodies Overlay from Eagle Hill at 369 Waimakariri Hill Road or, in the case of overlays relating to the Waimakariri River, the overlay is amended to only extend to the river bank and exclude areas of developed farmland.

29. Waimakariri Irrigation Limited [210.67] stated the following:

Concerned that Scheduled Natural Character Freshwater Bodies overlay cover large areas that do not function as streams or rivers, have been intensively developed and support activities that would not be enabled by the proposed provisions of these overlays, including submitter's intake and associated infrastructure at Browns Rock. These overlays must reflect the definition of "riverbed" under the RMA, as in the area covered by water when the river is at its fullest flow in "usual" conditions (as confirmed by the Court of Appeal in Canterbury Regional Council v Dewhirst Land Company [2019] NZCA 486). Notes that while it is important that rivers and streams are protected from inappropriate activities, it is essential that its activities that have a functional requirement to be in these locations are enabled, and the spatial extent of these overlays is directly related to what is being protected.

These overlays must reflect the definition of "riverbed" under the RMA, as in the area covered by water when the river is at its fullest flow in "usual" conditions (as confirmed by the Court of Appeal in Canterbury Regional Council v Dewhirst Land Company [2019] NZCA 486). Exclude intake infrastructure at Browns Rock from the Scheduled Natural Character Freshwater Bodies overlay.

30. My understanding is that these submissions were errata submissions, and allocated to chapters later, after I had completed my NATC Right of Reply. They were allocated to a category entitled "wrap up" as recommendations on them may have also required the finalisation of the ECO recommendations.

31. The NATC-SCHED1 overlay for the Waimakariri River covers part of the Dairy Holdings property as the submitter states. The Natural Character of Freshwater Bodies s42A report made recommendations on the application of the NATC-SCHED1 setbacks. This included:
- a. Clarifying that the NATC setbacks and overlays do not restrict farming activities – only structures and plantation forestry (now commercial forestry).
 - b. Clarifying that the setback did not apply in addition to the mapped overlay, the overlay is the setback in the context of the Waimakariri River.
 - c. Clarifying that most of the NATC-SCHED1 overlay in the context of the Waimakariri River is various forms of crown riverbed, local purpose reserve, or public conservation land, and not private farmland.
32. My recommendations included recommendations on similar Dairy Holdings submissions. I thus consider that the matter has been addressed and recommend that Dairy Holdings Ltd [420.39, 420.42] are **rejected**
33. For Waimakariri Irrigation Limited [210.67], I note NATC-R4, which sets a permitted activity status for new water intake structure, siphon and ancillary equipment where it has been authorised under the relevant ECan consents. Existing infrastructure, including the Browns Road intake, has the relevant ECan consents as well as existing use rights. Because of NATC-R4, which I understand was developed with Waimakariri Irrigation Limited in mind, I consider that no changes are required to give effect to WIL's relief. I thus recommend that this relief is **accepted in part**

Variation 1 missed submissions

34. The submissions that were missed in the s42A report are as follows:
- a. Mike Greer Homes Ltd [V1 13.2]
 - b. Momentum Land Ltd [V1 43.6]
 - c. David Michael Lawry [V1 44.1]
 - d. John and Coral Broughton [V1 54.2]
 - e. Miranda Hales [V1 55.2]
 - f. Dalkeith Holdings Ltd [V1 57.2]
 - g. Eliot Sinclair [V1 59.12]
 - h. Richard and Geoff Spark [V1 61.4]
 - i. Rick Allaway and Lionel Larsen [V1 62.1, 2, 3]
 - j. Stuart Allan [V1 63.1]
 - k. Williams Waimak Ltd [V1 65.1]

- l. M and J Schluter [V1 76.1 and 4]
- m. Bellgrove Rangiora Ltd [V1 79.12, 13, 15, 16]
- n. Kainga Ora - Homes and Communities [V1 80.36, and 56]
- o. Christchurch International Airport Ltd [V1 81.16, and 11]

35. There are 22 missed submission points overall.

36. Of these points, I consider that:

- a. Four of the points are in support of the notified provisions.
- b. 12 points request amendment of the notified provisions.
- c. Six points oppose the notified provisions.

37. Breaking the submissions down:

- a. 17 of the submission points are requesting or related to residential rezoning from submitters that were heard and considered in that hearing on their rezoning requests, either duplicating submissions or containing similar content to that heard in stream 12E. I consider there is no additional content from the submissions that has not already been addressed.
- b. Three submission points, from Rick Allaway and Lionel Larsen, on a rezoning request for Lehmans Road at Fernside, heard in hearing 12C. Mr Buckley discussed the PDP component of this submission at section 5.9 of the Large Lot Residential Rezonings s42A report⁶, with a recommendation (at para 380 of the report), to reject it.
- c. One rezoning request, from Williams Waimak Ltd [V1 65.1] on a rezoning request for a property in Kaiapoi that I omitted from the Variation 1 rezoning report. I address this below.
- d. Two submission points from Christchurch International Airport Ltd, which were not addressed in the Stream 10A s42A report on airport noise.

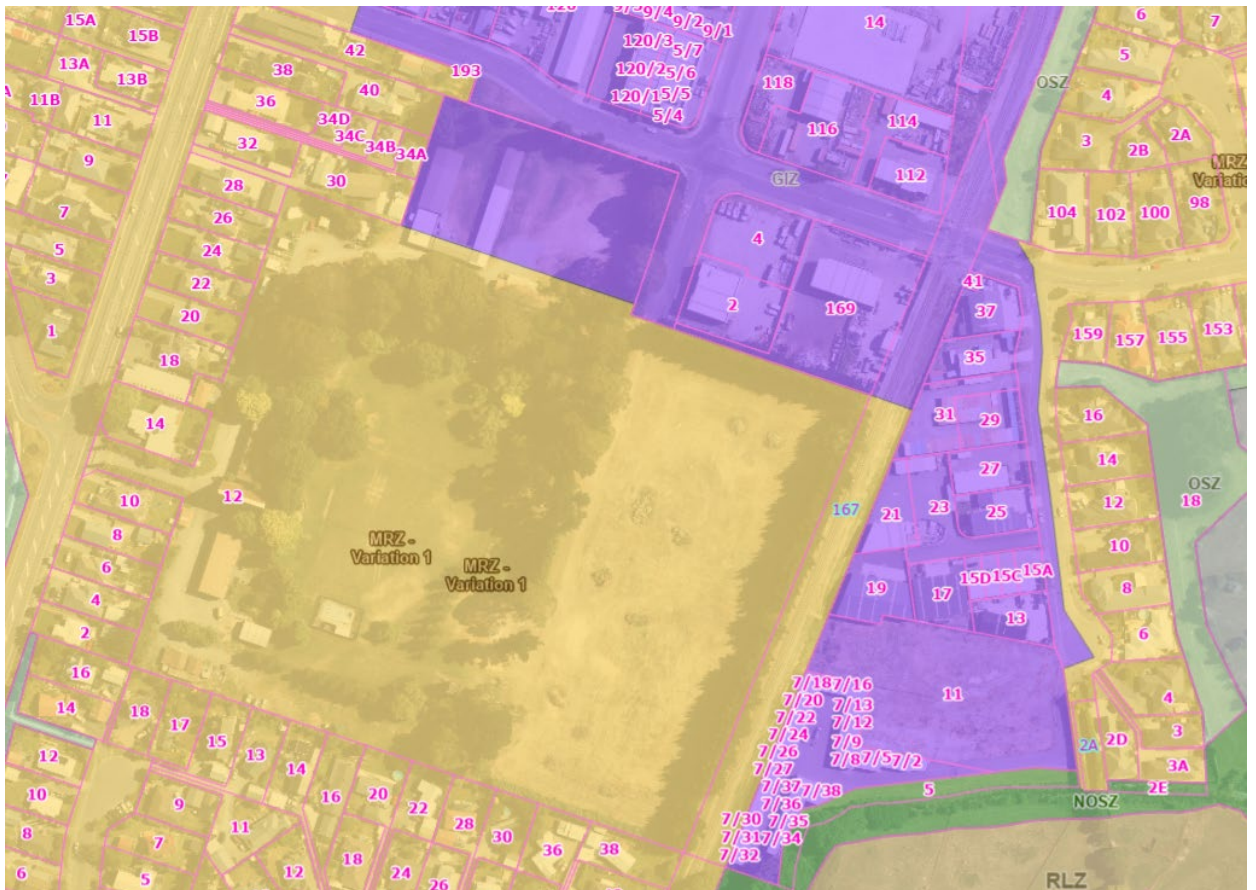
38. For Rick Allaway and Lionel Larsen, I have discussed the matter with Mr Buckley, and we agree that medium density residential, in the meaning of the MDRS, has not been sought by the applicant for the Fernside/Lehmans Road large lot rezoning. I have also discussed this with the consultant for the applicant, Ms Fiona Aston⁷, who is not seeking medium density residential zoning for this site currently, and is instead focusing on a large lot overlay instead. I thus

⁶ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0021/163137/STREAM-12C-LARGE-LOT-RESIDENTIAL-REZONE-S42A-REPORT.pdf, pg 76-78

⁷ Phone call, Monday 4 November 2024

recommend **rejection** of this submission.

39. For Kainga Ora [V1 80.36, V1 80.56] request to have no minimum lot size/area for the V1 MDRZ, and to amend the rule/table to delete any reference to the qualifying matter for airport noise. I will address this matter in my Right of Reply on V1, as well as respond to IHP questions on it. I have not recorded a recommendation in Appendix B2 below, leaving this to the Right of Reply.
40. For Williams Waimak Limited [V1 65.1], the site is in South Kaiapoi, and the proposed district plan zoning is as follows:



41. This property is owned by Williams Waimak Lt. It appears, as the submitter states, that the property is split zoned, with residential (residential 2 in the operative plan, proposed for general residential, as well as medium density residential) on the bulk of the site, and industrial (business 2 in the operative plan, proposed for LIZ) in the northern portion.
42. The submitter requested to be “rezoned” to medium density residential in their PDP submission [239.1], however when considering this submission now in the context of the missed Variation 1 submission, the submitter is seeking that the split zoning is removed. As the Variation 1

submission is the later submission, this to me clarifies the relief that the submitter seeks.

However, Variation 1 can only apply to a relevant residential zone, and as the northern part of the property is currently zoned rural, I consider that I do not have scope to recommend that it is rezoned under Variation 1 alone *unless it is also all rezoned as residential under the PDP*⁸.

43. I thus make the following change to my recommendation in hearing 12E at para 929:

Williams Waimak Ltd [239.1] is **accepted**

44. I can then make a subsequent recommendation in the context of Variation 1:

Williams Waimak Ltd [V1 65.1] is **accepted**

45. For Christchurch International Airport Ltd [V1.81.16], who request to retain the qualifying matter for airport noise, I consider I have responded to the substantive issue in this submission point in hearing stream 10A, which is, to recommend retention of the qualifying matter. I thus recommend **accepting in part**.

46. For Christchurch International Airport [V1 81.11], who recommend amending MRZ-P1 to include a reference to qualifying matters, I note my recommendation to accept similar relief from Transpower in hearing stream 7B, however, my change of recommendation in my response to Panel questions, and my upcoming Right of Reply that will address the qualifying matter issue. I will thus not make a recommendation on this matter at this time.

Further submissions

47. A number of missing further submissions have been identified. These further submissions are those which have made a further submission on original submissions which ranged across multiple plan chapters. I have responded to these for each of my s42A reports in Appendix B3 – B6 below.

48. A number of general further submissions were omitted from the s42A reports. Due to their general nature, these further submissions have not been included in the tables in Attachment 1 and are instead identified below.

- David Cowley [FS 41] on Kainga Ora [325] submission, Environment Canterbury [316] submission
- Richard and Geoff Spark [FS 37] on Kainga Ora [325] submission, Environment Canterbury [316] submission, Bellgrove Rangiora Ltd [408] submission
- Miranda Hales [FS 46] on Kainga Ora [325] submission

⁸ This is technically a matter for my Right of Reply on rezonings, however, I will record it here.

49. In order to distinguish between the recommendations made in the s42A reports and the recommendations that arise from this memo, recommendations from this memo are shown in blue text (with underline and ~~strike-out~~ as appropriate).

ATTACHMENT 1 – RECOMMENDATIONS ON MISSED SUBMISSION POINTS, FURTHER SUBMISSION POINTS, AND OTHER ERRORS

Table B1: Recommended responses to PDP missed submissions

Sub. Ref	Submitter Name	Provision	Submission Point Summary	Decision requested	Section of this Report where Addressed	Officer's Recommendation	Officer's Reasons/Comments	Recommended Amendments to Proposed Plan?
Financial Contributions								
147.22	Kaiapoi-Tuahiwi Community Board	General	Supports the provisions in the Financial Contributions section.	Not specified		Accept	Submission point will be addressed in the Variation 2 Right of Reply report.	No
277.37	Ministry of Education	Section 108 RMA	Ministry of Education will assess any financial contribution requirements at such time as the further consultation is undertaken. Notwithstanding that the imposition of financial contributions under section 108 Resource Management Act forms part of the national legislation therefore does not oppose it in principle.	The Ministry wishes to be part of the ongoing discussions regarding financial contributions proposed under section 108 of the Resource Management Act 1991.		Accept	Submission point will be addressed in the Variation 2 Right of Reply report.	No
PDP missed submissions								
207.47	Summerset Retirement Villages (Rangiora) Ltd	General	The construction of a retirement village, as a subset of buildings, needs to comply with all the applicable built form standards, regardless of the activity status of the activity itself. Retirement villages are excluded from some standards, however the application of GRZ-BFS4 (height does not accord with height allowance provided in development area provisions) and GRZ-BFS6 (requires configuration of residential units not appropriate for comprehensive retirement village design) is problematic.	Retain the exclusions for retirement villages from the site density and outdoor living space standards. Amend GRZ-BFS4: "1. ... a. 8m above ground level except that where a site is larger than 6,000m ² , the maximum height of any building shall be 12m above ground level where the setback of buildings from the internal boundary is more than 10m. <u>Except where an ODP within a Development Area allows for a different maximum building height.</u> " Amend GRZ-BFS6 to add (3): " ... 3. <u>This rule does not apply to a residential unit in a retirement village.</u> "		Reject	Submission point will be addressed in the PDP Medium Density Right of Reply report.	No
FS 88	FS Kainga Ora			<i>Oppose</i>		<i>Accept</i>		
282.151	Woolworths New Zealand Limited	MRZ-R33	Support non-complying activity status for supermarkets within Residential Zones as the appropriateness of such an activity should be assessed on a case-by-case basis, and it does not preclude an appropriate application however ensures it will be suitably assessed.	Retain non-complying activity status for supermarkets within Residential Zones.		Accept	Submission point 282.150, seeking similar relief, was addressed in the Residential and Large Lot Residential Zones s42A report (see para 436 of that report). Submission point will be addressed in the PDP Right of Reply report.	No

325.261	Kainga Ora - Homes and Communities	MRZ-R19	Generally support MRZ-R19 subject to amendments to RES-MD2 Residential design principles.	Amend residential design principles RES-MD2.		Reject	Submission point will be addressed in the PDP Medium Density Right of Reply report.	No
325.262	Kainga Ora - Homes and Communities	MRZ-R20	Generally support MRZ-R20 subject to amendments to RES-MD2 Residential design principles.	Amend residential design principles RES-MD2.		Accept	Submission point will be addressed in the PDP Medium Density Right of Reply report.	No
367.1	Waimakariri District Council	General	The wrong colour and zoning was applied to areas that were originally agreed as General Residential Zone on the north side of the Kaiapoi River. The plans in Attachment 1 show originally agreed layout.	Amend planning maps to correct Medium Density Residential Zone and General Residential Zone boundaries for Kaiapoi as per Attachment 1 of the full submission.		Reject	Zoning and planning maps for this part of Kaiapoi have been largely superseded by Variation 1. Relief submitter seeks is superseded. Submission point will be addressed in the PDP Medium Density Right of Reply report.	No
FS 80	Christchurch International Airport Ltd			Oppose		Accept		
FS 88	Kainga Ora			Oppose		Accept		
408.49	Bellgrove Rangiora Ltd	MRZ-R19	Retirement Villages should be controlled (as opposed to restricted discretionary) subject to compliance with the built form standards, with control restricted to certain matters. MRZ-R19 requires a design statement to be prepared for any retirement village proposed within the General Residential Zone (regardless of scale). The matters of discretion against which a proposal would be assessed, as outlined in RES-MD2, are extensive and will not provide certainty to an applicant as to the final design outcome of a village.	Amend MRZ-R19 so that retirement villages which comply with all the relevant built form standards are 'controlled' to provide greater developer certainty. In addition, only require a design statement for retirement villages over a certain size/scale and/or where villages do not comply with the other built form standards of the residential zone.		Reject	No changes recommended to MRZ-R19, it is not superseded or altered by Variation 1. Summerset sought similar relief to this submitter, which was recommended to be rejected, so the matter has been canvassed. Bellgrove attended the hearing, but did not raise this matter in evidence. Submission point will be addressed in the PDP Medium Density Right of Reply report.	No
408.21	Bellgrove Rangiora Ltd	NATC-R9	The difference between NATC-R9 and NATC-R8 is unclear. NATC-R8 appears to be for structures and buildings within or over the waterway, whereas NATC-R9 for structures and buildings within the waterway setback but this is not explicitly specified.	Clarify that NATC-R9 applies to buildings within the setback but not the banks of the river itself (noting that for works within the river NATC-R8 applies). Amend the overlay extent of the Cam/Ruataniwha River to not extend west of the Belgrove farmhouse to ensure that any dwellings proposed within 20m of the top of the Cam/Ruataniwha River are not restricted unfairly when the ecological values of the river do not warrant such natural character protection.		Accept in part	The issue has already been addressed in the Natural Character of Freshwater Bodies s42A report, with 408.21 seeking similar relief to 408.20 (on NATC-R8) that was addressed in the NATC s42A report.	No
420.39	Dairy Holdings Limited	NC-SCHED-1	The part of the property (Gorge Farm / Brown Rock Farm at 1453, 1047 and 1135A Thongcaster Road, Burnt Hill) within the Scheduled Natural Character Freshwater Bodies Overlay contains grazed land which is not part of the water body.	Remove Scheduled Natural Character Freshwater Bodies Overlay (NC-SCHED-1) overlay across Gorge Farm / Brown Rock Farm at 1453, 1047 and 1135A Thongcaster Road, Burnt Hill.		Reject	Errata submission that was missed from the NATC s42A report. NATC recommendations have clarified that the scheduled natural character overlay does not affect grazing.	No

420.42	Dairy Holdings Limited	NC-SCHED-1	The part of the property (Eagle Hill, 369 Waimakariri Hill Rd) that is within the Scheduled Natural Character Freshwater Bodies Overlay contains grazed land which is not part of the water body.	Remove the Scheduled Natural Character Freshwater Bodies Overlay from Eagle Hill at 369 Waimakariri Hill Road or, in the case of overlays relating to the Waimakariri River, the overlay is amended to only extend to the river bank and exclude areas of developed farmland.		Reject	Errata submission that was missed from the NATC s42A report. NATC recommendations have clarified that the scheduled natural character overlay does not affect grazing.	No
210.67	Waimakariri Irrigation Limited	NC-SCHED-1	Concerned that Scheduled Natural Character Freshwater Bodies overlay cover large areas that do not function as streams or rivers, have been intensively developed and support activities that would not be enabled by the proposed provisions of these overlays, including submitter's intake and associated infrastructure at Browns Rock. These overlays must reflect the definition of "riverbed" under the RMA, as in the area covered by water when the river is at its fullest flow in "usual" conditions (as confirmed by the Court of Appeal in Canterbury Regional Council v Dewhirst Land Company [2019] NZCA 486). Notes that while it is important that rivers and streams are protected from inappropriate activities, it is essential that its activities that have a functional requirement to be in these locations are enabled, and the spatial extent of these overlays is directly related to what is being protected.	These overlays must reflect the definition of "riverbed" under the RMA, as in the area covered by water when the river is at its fullest flow in "usual" conditions (as confirmed by the Court of Appeal in Canterbury Regional Council v Dewhirst Land Company [2019] NZCA 486). Exclude intake infrastructure at Browns Rock from the Scheduled Natural Character Freshwater Bodies overlay.		Accept in part	Errata submission that was missed from the NATC s42A report. NATC recommendations have clarified that the scheduled natural character overlay does not affect grazing and amended the NATC-SCHED1 boundaries.	No
367.21	Waimakariri District Council	General	Keep most of the Pegasus Township Development Area Chapter but delete those rules that no longer apply. The provisions in relation to finished ground levels, earthworks and height in relation to boundary should be kept as they are still applicable to the present Pegasus township. These provisions are sufficiently detailed as they do not require the Outline Development Plan (ODP) to be operative. Those provisions that relate to the Special Purpose Zone (DEV-PEG-R1), Conservation protection (DEV-PEG-R2), Western Ridge Conservation Area (DEV-PEG-R3), Pegasus Development Area ODP (DEV-PEG-R7) and the appendix (DEV-PEG-APP1) can be deleted.	Delete the following provisions from the PEG - Pegasus Township Development Area Chapter: DEV-PEG-R1 Special Purpose area DEV-PEG-R2 Conservation protection DEV-PEG-R3 Western Ridge Conservation Area DEV-PEG-R7 Pegasus Development Area Outline Development Plan Appendix DEV-PEG-APP1 Pegasus ODP (including the ODP)		Accept in part	The matters of DEV provisions and how long they remain in a plan was discussed at para 236 of the FUDA s42A report and I refer to that discussion for the assessment of this submission point.	No

Table B2: Recommended responses to Variation 1 Housing Intensification missed submissions (Stream 7B)

Sub. Ref.	Submitter Name	Provision	Submission Point Summary	Decision requested	Section of this Report where Addressed	Officer's Recommendation	Officer's Reasons/Comments	Recommended Amendments to Proposed Plan?
V1 13.2	Mike Greer Homes Ltd	SD-O2	<p>Amend to add in the proposed South Kaiapoi Development Area as an additional New Development Area. The site is located in an area in southern Kaiapoi to the east of Main North Road, west of railway line, and south of the Kaikanui Stream containing the following properties:</p> <ul style="list-style-type: none"> - Pt RS 37428 (CB701/7) limited to the land to the west of the Main Trunk Railway Line; - RS 39673; and - Lot 1 DP 19366. <p>The 14ha site is referred to as the South Kaiapoi Development Area. Refer to full submission for Attachment A - location plan, Attachment B - draft chapter provisions, Outline Development Plan and a planning assessment. This site is the subject of submission #332 lodged by Mike Greer Homes Ltd on the Proposed District Plan.</p> <p>The land area generally satisfies relevant national, regional and district level policy. While the site is outside Kaiapoi's urban limits, it meets the relevant criteria for the residential growth of Kaiapoi as it adjoins the south-eastern boundary. It is a logical and efficient extension of the residential area of southern Kaiapoi, maintaining its compact nature. The proposed South Kaiapoi Outline Development Plan (refer to Attachment B) provides for integration of the development with Kaiapoi with transport links and reserves. The proposed Medium Density Residential Zone development will yield approximately 200 lots, resulting in improved housing choice for Kaiapoi.</p> <p>The proposed development will require upgrades to services and Main North Road access, and mitigation for localised flooding. There are opportunities for open space and it will integrate with Kaiapoi via transport links and reserves. The proposed development will significantly alter the site's rural character however some existing trees could be incorporated into reserves which would retain a connection to the original site's character.</p> <p>Adjoining land uses are currently residential to the north, farming to the east, and industrial to the</p>	<p>Add a new Residential Development Area (SK – South Kaiapoi Development Area) for South Kaiapoi over the following land:</p> <ul style="list-style-type: none"> - Pt RS 37428 (CB701/7) limited to the land to the west of the Main Trunk Railway Line - RS 39673 - Lot 1 DP 19366 <p>Refer to Plan A in full submission for map of area above. Refer to Attachment B for Development Area document, Outline Development Plan, and Planning Assessment.</p> <p>Refer to submission #332 lodged on the Proposed District Plan which contains this rezone request and supporting documentation.</p>		Reject	Rezoning has been addressed in 12E. This recommendation is subject to a Right of Reply on V1 and IHP questions on application of Clearwater test.	No

			<p>south; however these will not cause adverse effects on residents of the site. The site is within the 50dBA and 55dBA Christchurch International Airport noise contour, however this contour covers a large proportion of Kaiapoi thus would not create additional potential for reverse sensitivity. While the site's versatile soils would not be utilised for rural production, they could still be utilised by the development for reserves and gardens.</p> <p>The planning assessment concludes that the proposed rezoning of the site is generally consistent with relevant high-level policy of the Proposed District Plan. Demand for housing has grown significantly and it is necessary to develop additional blocks of land to enable housing choice and achieves Policy 1, 2, and 8 of the National Policy Statement on Urban Development. The proposal partially aligns with the Draft National Policy Statement for Highly Productive Land as the Waimakariri 2048 District Development Strategy identifies the sites for urban growth. In terms of consistency with the provisions of Chapter 5 and Chapter 6 of the Canterbury Regional Policy Statement, while there is sufficient infrastructure capacity, and it will implement the requirements of consolidation and integration, it is inconsistent with the requirements for future residential development areas to be identified on Map A.</p>					
V1 43.6	Momentum Land Ltd	General	<p>Support in part the minimum allotment area of 200m² in the Medium Density Residential Zone where the airport noise qualifying matter applies. This is on the proviso that the submitters relief is accepted with regard to use of the Annual Average Outer Control Boundary (AAOCB) as defining the spatial extent of the qualifying matter. As a result, the 200m² minimum lot area would only apply to Lot 2 DP83191, being the South Block (retirement village).</p>	<p>Retain SUB-S1 as notified, insofar as it relates to minimum allotment area in the area covered by airport noise qualifying matter. This relief is sought on the basis that the qualifying matter will only apply to the South Block (retirement village site).</p>		Accept	Rezoning has been addressed in 12E.	No

V1 44.1	David Michael Lawry	General	The 50 dBA Ldn Air noise contour should not be accepted as or come under the classification of a qualifying matter so as to restrict further residential intensification. The current contours are highly inaccurate. In the last review of the contours back in 2007 CIAL projections were found to be so exaggerated that the then contours shrunk by approximately one third of the previous residential development restricting contours, once more accurate data was feed into the process. One outcome result was that residential intensification on Land in Rolleston was allowed as previous 50 dBA Ldn contours shrank. To our knowledge no increased noise complaints resulted certainly this change has had no adverse impact on CIAL operations despite their assertions that it would. There was an agreed requirement that the parties would re-evaluate the contours every 10 years. As a result the contours should have been re-evaluated in 2017. Future air movement growth projections, actual runway capacity and actual noise profiles of the current flying aircraft fleet are critical components of the input data that result in the contour size. This review is now being carried out by an ECAN led panel of experts with the skills and will to objectively review CIAL led inputs. The outcomes of this process and setting of the outer control boundary is expected by the end of this year.	It is submitted that as the entire question around the outer control boundary and accuracy of the air noise contours is already the subject Regional Council deliberation, that in the interests of reducing the matters for consideration of Variation 1 and in making decisions based on accurate, up to date information that the issue raised by CIAL regarding the 50 dBA Ldn contour being considered as a qualifying matter, be rejected. This includes Rule MRZ-BFS1, assessment matter RES-MD15 planning Maps and the Supporting section 32 Analysis. Alternatively, if the contours are retained, RES-MD15 should be re-worded as it is difficult to reconcile "managed" with "avoidance", to read as follows: "The extent to which effects, as a result of the sensitivity of activities to current and future noise generation from aircraft are proposed to be managed, in particular through building design."		Reject	This matter was addressed by myself at section 10.1 in my s42A on airport noise matters (including V1 submissions) in hearing stream 10A.	No
V1 54.2	John and Coral Broughton	SD-O23	Amend SD-O3 to require provision of housing to as a minimum achieve housing bottom lines, in order to enable the submitter's request to rezone 113 and 117 Townsend Road, Rangiora from Rural Lifestyle Zone to Medium Density Residential Zone.	Amend SD-O3: "Urban development and infrastructure that: 1. provides a range of housing opportunities, focusing new residential activity within existing towns, and identified development areas in Rangiora and Kaiapoi, in order to <u>as a minimum</u> achieve the housing bottom lines in UFD-O1."		Reject	Rezoning has been addressed in 12E. This recommendation is subject to a Right of Reply on V1 and IHP questions on application of the Clearwater test.	No
V1 55.2	Miranda Hales	SD-O23	Amend SD-O3 to require provision of housing to as a minimum achieve housing bottom lines, in order to enable the submitter's request to rezone 125 Lehmans Road, Rangiora from Rural Lifestyle Zone to Medium Density Residential Zone.	Amend SD-O3: "Urban development and infrastructure that: ... 4. provides a range of housing opportunities, focusing new residential activity within existing towns, and identified development areas in Rangiora and Kaiapoi, in order to <u>as a minimum</u> achieve the housing bottom lines in UFD-O1 ..."		Reject	Rezoning has been addressed in 12E. This recommendation is subject to a Right of Reply on V1 and IHP questions on application of the Clearwater test.	No

V1 57.2	Dalkeith Holdings Ltd	SD-O23	Amend SD-O3 to require provision of housing to as a minimum achieve housing bottom lines, in order to enable the submitter's request to rezone [212 Johns Rd and 63 Oxford Rd, Rangiora] from Rural Lifestyle Zone to Medium Density Residential Zone.	Amend SD-O3: "Urban development and infrastructure that: ... 6. provides a range of housing opportunities, focusing new residential activity within existing towns, and identified development areas in Rangiora and Kaiapoi, in order to <u>as a minimum</u> achieve the housing bottom lines in UFD-O1. ..."		Reject	Rezoning has been addressed in 12E. This recommendation is subject to a Right of Reply on V1 and IHP questions on application of the Clearwater test.	No
V159.12	Eliot Sinclair - Samuel Hammond	General	Amend DEV-SWR-APP1 Southwest Rangiora ODP.	Amend DEV-SWR-APP1: "Land Use Plan The Outline Development Plan for the <u>South</u> West Rangiora located within Fixed Outline Development Plan Features for the South West Rangiora Development Area: - Location of a concentration of medium density residential activity (meaning a minimum ratio of 70% medium density residential zone density and a maximum 30% general residential zone density) immediately adjoining the new north/south road. - Location of the local/neighbourhood centre at the juncture of Oxford Road and the north/south road - Green link with cycleway adjoining the north/south road - Location of stormwater corridor at eastern edge of the West Rangiora Development Area - Separated shared pedestrian/cycleway at Johns Road and southern part of new north/south road - Cycleways at Oxford Road, the new north/south road, Johns Road, Lehmans Road and southern flow path - Integrated road connections with 77A Acacia Avenue, Beech Drive, Walnut Way and Sequoia Way. - Flow paths and adjoining green links and cycleways, including any required water body setbacks."		Reject	Rezoning has been addressed in 12E. This recommendation is subject to a Right of Reply on V1 and IHP questions on application of Clearwater test.	No

				<p>The Submitter seek to have the South West Rangiora Outline Development Area included as proposed in Appendix 1 of DEV-SWR-APP1 South West Rangiora Outline Development Plan.</p> <p>The Submitter request that the West Rangiora Outline Development Plan in DEV-WR-APP1 be updated accordingly to be consistent with DEV-SWR-APP1.</p>				
FS 3	Waka Kotahi NZ Transport Agency			Oppose		Accept		
FS 12	Eliot Sinclair & Partners			Support		Reject		
V1 61.4	Richard and Geoff Spark	SD-O23	<p>Amend SD-O3 to enable the submitter's request to rezone for residential development an area of land located north and south of Boys Road, Rangiora that adjoins a Future Development Area as this is consistent with the National Policy Statement on Urban Development's requirement of ensuring there is 'at least' sufficient capacity to meet housing needs.</p>	<p>Amend SD-O3: "Urban development and infrastructure that: ... 4. provides a range of housing opportunities, focusing new residential activity within existing towns, and identified development areas in Rangiora and Kaiapoi, in order to <u>as a minimum</u> achieve the housing bottom lines in UFD-O1 ..."</p>		Reject	<p>Rezoning has been addressed in 12E. This recommendation is subject to a Right of Reply on V1 and IHP questions on application of the Clearwater test.</p>	No

V1 62.1	Rick Allaway and Lionel Larsen	General	<p>Rezone 181, 201, 255, 257, 259, 261, 263, 265, 267, 271, 285, 305, 311, and 315 Lehmans Rd, Rangiora (Lot 2 DP 83770, Lot 1 DP 83770, Lot 1 DP 328154, Lot 2 DP 328154, Lot 3 DP 328154, Lot 4 DP 328154, Lot 5 DP 328154, Lot 6 DP 328154, Lot 7 DP 328154, Lot 8 DP 328154, Lot 8 DP 83612, Lot 7 DP 83612, Lot 6 DP 83612, and Lot 5 DP 83612 respectively) ('the site') from Rural Lifestyle Zone to Medium Density Residential Zone (MDRZ); or a mix of MDRZ and Large Lot Residential – Specific Control Area Density 2, with a minimum net site area 1000m2 and minimum average net site area 1500m2 (or similar); or a mix of MDRZ and Large Lot Residential (LLR); or a mixed density residential zone which enables a wide range of residential lot sizes from MDRZ to LLRZ sizes.</p> <p>The site adjoins an urban area and its development will help achieve a compact, efficient, and connective urban form. This mix of densities will provide for varying needs, and is therefore consistent with the requirement of National Policy Statement on Urban Development (NPS-UD) to enable housing variety. The rezoning is consistent with the NPS-UD provision for plan changes that add significant additional development capacity and contribute to a well-functioning urban environment. The total area of land rezoned by Variation 1 is inconsistent with NPS-UD requirements - as the yield is insufficient to meet Rangiora's housing needs in both the short and medium term; and it favours just two developers thus would not promote a competitive market.</p> <p>Notes that except where this submission provides an update the relief sought, this submission should be read subject to the submitter's submission on the Proposed District Plan.</p>	<p>Rezone 181, 201, 255, 257, 259, 261, 263, 265, 267, 271, 285, 305, 311, and 315 Lehmans Rd, Rangiora (Lot 2 DP 83770, Lot 1 DP 83770, Lot 1 DP 328154, Lot 2 DP 328154, Lot 3 DP 328154, Lot 4 DP 328154, Lot 5 DP 328154, Lot 6 DP 328154, Lot 7 DP 328154, Lot 8 DP 328154, Lot 8 DP 83612, Lot 7 DP 83612, Lot 6 DP 83612, and Lot 5 DP 83612 respectively) from Rural Lifestyle Zone to Medium Density Residential Zone (MDRZ); or a mix of MDRZ and Large Lot Residential – Specific Control Area Density 2, with a minimum net site area 1000m2 and minimum average net site area 1500m2 (or similar); or a mix of MDRZ and Large Lot Residential (LLR); or a mixed density residential zone which enables a wide range of residential lot sizes from MDRZ to LLRZ sizes.</p>		Reject	Rezoning has been addressed in 12C. Submitter was contacted and is happy with rejection, noting that the matter is outside of a relevant residential zone.	No
FS 2	Transpower			Neutral		Accept		
V1 62.2	Rick Allaway and Lionel Larsen	SD-O23	<p>Amend SD-O3 to help enable the submitter's request to rezone 181, 201, 255, 257, 259, 261, 263, 265, 267, 271, 285, 305, 311, and 315 Lehmans Rd, Rangiora to Medium Density Residential Zone, or a mix of residential density zones.</p>	<p>Amend SD-O3: "Urban development and infrastructure that: ... 6. provides a range of housing opportunities, focusing new residential activity within existing towns, and identified development areas in Rangiora and Kaiapoi, in order to <u>as a minimum</u> achieve the housing bottom lines in UFD-O1 ..."</p>		Reject	Rezoning has been addressed in 12C. This recommendation is subject to a Right of Reply on V1 and IHP questions on application of Clearwater test.	No

V1 62.3	Rick Allaway and Lionel Larsen	General	Amend the West Rangiora Outline Development Plan to include 181, 201, 255, 257, 259, 261, 263, 265, 267, 271, 285, 305, 311, and 315 Lehmans Rd, Rangiora as Medium Density Residential or a mix of MDRZ and Large Lot Residential – Specific Control Area Density 2, with a minimum net site area 1000m2 and minimum average net site area 1500m2 (or similar); or a mix of MDRZ and Large Lot Residential (LLR); or a mixed density residential zone which enables a wide range of residential lot sizes from MDRZ to LLRZ sizes.	Amend the West Rangiora Outline Development Plan (ODP) to include 181, 201, 255, 257, 259, 261, 263, 265, 267, 271, 285, 305, 311, and 315 Lehmans Rd, Rangiora (Lot 2 DP 83770, Lot 1 DP 83770, Lot 1 DP 328154, Lot 2 DP 328154, Lot 3 DP 328154, Lot 4 DP 328154, Lot 5 DP 328154, Lot 6 DP 328154, Lot 7 DP 328154, Lot 8 DP 328154, Lot 8 DP 83612, Lot 7 DP 83612, Lot 6 DP 83612, and Lot 5 DP 83612 respectively) as Medium Density Residential Zone (MDRZ); or a mix of MDRZ and Large Lot Residential – Specific Control Area Density 2, with a minimum net site area 1000m2 and minimum average net site area 1500m2 (or similar); or a mix of MDRZ and Large Lot Residential (LLR); or a mixed density residential zone which enables a wide range of residential lot sizes from MDRZ to LLRZ sizes.		Reject	No, rezoning has been addressed in 12C. This recommendation is subject to a Right of Reply on V1 and IHP questions on application of Clearwater test.	No
V1 63.1	Stuart Allan	General	Concerned that 249 Coldstream Road, Rangiora would not adjoin any Rural Lifestyle Zone land, and any adjoining medium density residential developments could affect the site's rural lifestyle activities.	Rezoning 249 Coldstream Road, Rangiora from Rural Lifestyle Zone to Medium Density Residential Zone.		Reject	Rezoning of the area was considered in hearing stream 12E, with this property recommended for rezoning under both the PDP and V1. This recommendation is subject to a Right of Reply on V1 and IHP questions on application of Clearwater test.	No
V1 65.1	Williams Waimak Ltd	General	Rezoning the northern portion of 12 Williams St, Kaiapoi from General Industrial Zone (GIZ) to Medium Density Residential Zone (MDRZ) so the entire site is MDRZ. This is a more cohesive and efficient use of this largely vacant land adjoining a residential environment, rather than retrospective infill development. This rezoning would benefit residents of the MDRZ properties adjoining the west of the site as they would no longer be adjacent to industrial activities thus reducing the potential for reverse sensitivity. Courtenay Drive and Stone Street will provide a buffer between the MDRZ and adjoining GIZ. The rezoning would allow for additional housing to help alleviate the housing crisis. The current GIZ boundary line goes through existing buildings which could create boundary issues. In terms of Section 32 considerations, the rezoning would be a more efficient and effective method of providing for medium density housing, rather than a non-complying resource consent process.	Rezoning the northern portion of 12 Williams St, Kaiapoi from General Industrial Zone to Medium Density Residential Zone (MDRZ) so the entire site is MDRZ.		Accept	Recommend removal of split zoning, with northern part of this site rezoned as residential	Yes

V1 76.1	M and J Schluter	General	Land located 237 Johns Road, Rangiora legally described as Lot 3 DP 341829 and part of the West Rangiora Development Area is proposed to be zoned Rural Lifestyle Zone in the proposed Plan. Amendments are sought separately to the provisions of the West Rangiora Development Area. As an alternative, it is sought that this land be rezoned to Medium Density Residential Zone. Rezoning supports the need for significant additional housing capacity including in West Rangiora which has been identified as an appropriate location for urban growth and there are no impediments to the development of this land including any infrastructure capacity reasons.	Land located 237 Johns Road, Rangiora legally described as Lot 3 DP 341829 be rezoned from Rural Lifestyle Zone in the proposed Plan to Medium Density Residential Zone.		Reject	Site has been recommended to be rezoned. This recommendation is subject to a Right of Reply on V1 and IHP questions on application of Clearwater test.	No
FS 19	RJ Paterson Family Trust			Support		Reject		
V1 76.4	M and J Schluter	General	In the Outline Development Plan for West Rangiora in DEV-WR-APP1, the majority of the land located at 237 Johns Road, Rangiora legally described as Lot 3 DP 341829 is identified as "General Residential Density", with only a small area to the north identified as "Medium Residential Density". Seek that the Outline Development Plan be amended to identify that Medium Residential Density will be enabled on all residential areas of the Outline Development Plan.	Amend the Outline Development Plan for West Rangiora in DEV-WR-APP1 to enable Medium Residential Density on all residential areas of the Outline Development Plan.		Reject	Site has been recommended to be rezoned. This recommendation is subject to a Right of Reply on V1 and IHP questions on application of Clearwater test.	No
FS 19	RJ Paterson Family Trust			Support		Reject		
V1 79.12	Bellgrove Rangiora Ltd	DEV-NER-R2	The text for a discretionary and non-complying activity under this rule incorrectly refers to the General Residential Zone and needs to be reworded to reflect the Medium Density Residential Zone.	For discretionary and non-complying activities, delete all references to General Residential Zone and replace with Medium Density Residential Zone.		Accept	Similar recommendations were made in the PDP s42A report, and I consider this is a matter of fixing and updating plan drafting.	No
V1 79.13	Bellgrove Rangiora Ltd	DEV-SER-P2	The amendment is consistent with the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 and will enable following certification the Bellgrove South land to assume Medium Density Residential Zone.	Retain as notified.		Reject	Site has been recommended to be rezoned. This recommendation is subject to a Right of Reply on V1 and IHP questions on application of Clearwater test.	No
V1 79.15	Bellgrove Rangiora Ltd	DEV-SER-R21	The text for a discretionary and non-complying activity under this rule incorrectly refers to the General Residential Zone and needs to be reworded to reflect the Medium Density Residential Zone.	For discretionary and non-complying activities, delete all references to General Residential Zone and replace with Medium Density Residential Zone.		Accept	Similar recommendations were made in the PDP s42A report, and I consider this is a matter of fixing and updating plan drafting.	No

V1 79.16	Bellgrove Rangiora Ltd	General	The South-East Rangiora Development Area Chapter needs to be updated to reflect the Outline Development Plan area will assume Medium Density Residential Zone following certification.	Amend Appendix DEV-SER-APP1 to reflect: (1) Land within the South-East Rangiora Outline Development Plan will assume Medium Density Residential Zone (refer Attachment 6)(see full submission) following certification; (2) Remove the wording for the South-East Rangiora Outline Development Plan (Land Use Plan) which contains reference to the General Residential Zone and remove reference to this zone from the Land Use Outline Development Plan; (3) Remove reference to a 200m2 minimum lot size for the Medium Density Residential Zone given this contradicts proposed Subdivision Standard S-1; and (4) Amend the Overall Development Plan, Land Use Plan, Movement Network Plan, Open Space and Stormwater Reserve Plan and Water and Wastewater Network Plan as per Attachment 6 (see full submission).		Reject	Site has been recommended to be rezoned. This recommendation is subject to a Right of Reply on V1 and IHP questions on application of the Clearwater test.	No
V1 80.36	Kainga Ora - Homes and Communities	Zone	Have no minimum lot size/ area for the MRZ. Minimums (in the rules) should only apply where a subdivision application is accompanied by evidence or an application that demonstrates compliance with MDRS. Instead 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. The minimum lot size for the natural hazard qualifying matter is supported if the relevant maps are outside of the District Plan as noted above. Oppose the minimum lot sizes proposed for the airport noise contour and national grid transmission line qualifying matters. Retain subdivision as a controlled activity.	Amend the rule/table to delete any reference to the qualifying matter for airport noise and national grid transmission lines and the 200m2 minimum lot size associated with these. Add a minimum shape factor of 8m x 15m for vacant lot subdivisions in the MRZ.			Submission point will be addressed in the Right of Reply report.	
V1 80.56	Kainga Ora - Homes and Communities	RES-MD15	Oppose the airport noise qualifying matter in its entirety including associated matters of discretion.	Delete RES-MD15 in its entirety.			Submission point will be addressed in the Right of Reply report.	
V1 81.16	Christchurch International Airport Ltd	RES-MD15	Support Matter of Discretion RES-MD15 for the Residential Zones.	Retain Matter of Discretion RES-MD15 for the Residential Zones.		Accept in part	Submission point will be addressed in the Right of Reply report.	
FS 23	Kainga Ora			Oppose				

V1 81.11	Christchurch International Airport Ltd	MRZ-P1	Support policy but a minor amendment is required to emphasise the importance of protecting infrastructure from adverse reverse sensitivity effects caused by incompatible land use.	Amend MRZ-P1: "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, <u>except in circumstances where a qualifying matter is relevant.</u> "			Submission point will be addressed in the Right of Reply report.	
FS 23	Kainga Ora			Oppose				
Submission points omitted from Appendix B								
V1 79.11	Bellgrove Rangiora Ltd	NER-General		Amend DEV-NER-R1: "... a. The provisions of the General Residential Zone will apply to any part of the Development Area where the District Council's Chief Executive Officer or their delegate (following the receipt of an application) certifies that the criteria in DEV-NER-S1 are met ... " Rezone the Belgrove homestead area as General Residential aligned with the area shown as Lot 1400, and Lots 21 and 22 (refer Attachment 3)(see full submission) of the Stage 1 Consent.	Section 5.1.1	Reject	Submission point was addressed in the body of the report, however, is missed from Appendix B of the Variation 1 Housing Intensification (Stream 7B). See section 5.1.1	No
V1 26.1	Doncaster Development Ltd	Planning maps – SD-O2		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. 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.	6.2	Accept in part	Submission point was addressed in the body of the report, however, is missed from Appendix B of the Variation 1 Housing Intensification (Stream 7B). See section 6.2.	
V1 40.2	Ben Dormer	SD-O3		Amend SD-O3: "Urban development and infrastructure that:..." 4. provides a range of housing opportunities, focusing new residential activity within existing	6.4	Reject	Submission point was addressed in the body of the report, however, is missed from Appendix B of the Variation 1 Housing Intensification (Stream 7B). See section 6.4.	No

				towns, and identified development areas in Rangiora and Kaiapoi, in order to as a minimum achieve the housing bottom lines in UFD-O1.”				
V1 59.2	Eliot Sinclair & Partners Limited	SWR-general	Supports the inclusion of the South West Rangiora site being re-zoned as Medium Density Residential Zone to implement the Medium Density Residential Standards. Specifically, supports the change from ‘South West Rangiora Development Area’ to Medium Density Residential Zone (MRZ).	Not specified	5.1	Accept	Submission point was addressed in the body of the report, however, is missed from Appendix B of the Variation 1 Housing Intensification (Stream 7B). See section 5.1.	
V1 59.5	Eliot Sinclair & Partners Limited	SWR-General	Support the inclusion of South West Rangiora and the Outline Development Plan as an Area Specific Matter in Part 3 as an Existing Development Area.	Not specified	5.1	Accept	Submission point was addressed in the body of the report, however, is missed from Appendix B of the Variation 1 Housing Intensification (Stream 7B). See section 5.1.	

Table B3: Response to further submissions missed from the Overarching Matters and Part 1 s42A report (Stream 1)

Sub. Ref.	Submitter Name	Provision	Submission Point Summary	Decision requested	Section of this Report where Addressed	Officer's Recommendation	Officer's Reasons/Comments	Recommended Amendments to Proposed Plan?
419.1	Department of Conservation	General		Ensure hyperlinks are correct, including that the hyperlink to 'site' and 'sites' hyperlinks to the correct definition.	Sections 5.4.9-10	N/A	To be considered by subsequent chapter authors in their drafting recommendations.	N/A
FS 78	FS Forest and Bird	-	-	Support	-	N/A	-	-
419.2	Department of Conservation	General		Retain definitions as notified, except where amendments are sought by the submitter.	Sections 5.4.5-6	Accept in part	No changes are recommended based on the content of this submission point	No
FS 78	FS Forest and Bird	-	-	Support	-	Accept	-	-

Table B4: Response to further submissions missed from the Coastal Environment and Natural Character of Freshwater Bodies s42A reports (Stream 4)

Sub. Ref.	Submitter Name	Provision	Decision requested	Section of this Report where Addressed	Officer's Recommendation	Officer's Reasons/Comments	Recommended Amendments to Proposed Plan?
419.115	Department of Conservation	CE-O1	Amend CE-O1: "The natural character attributes of the coastal environment of the District are preserved, maintained, and enhanced restored and rehabilitated."	Section 5.1	Accept in part	As discussed in section 5.1	Yes

FS 78	FS Forest and Bird	-	Support	-	Accept	-	-
419.2	Department of Conservation	General	Generally supports definitions, except where amendments are sought by the submitter. Retain definitions as notified, except where amendments are sought by the submitter.		Accept		Yes
FS 78	FS Forest and Bird		Support	-	Accept	-	-
419.109	Department of Conservation	NATC-P6	NATC-P6 is inconsistent with the National Policy Statement for Freshwater Management 2020 (NPSFM 2020) section 3.24 Rivers 'the loss of river extent and values is avoided', and section 2.2 Wetlands, 'the loss of extent of natural inland wetlands is avoided'. The Canterbury Land and Water Regional Plan section 2A.3 and 2A.4 uses the same wording as the NPSFM 2020. Amend NATC-R6: "New and existing structures within and over freshwater bodies <u>The loss of the extent of natural inland wetlands an the loss of river extent and values is avoided, when providing for new structures, and upgrades to existing structures, on the surface of freshwater where:</u> 1. public access to, and along, the freshwater body is maintained ..."	Section 6.6	Accept	As discussed in section 6.6	No
FS 78	FS Forest and Bird	-	Support	-	Accept	-	-
FS 83	Federated Farmers		Oppose		Reject		
FS 92	Transpower New Zealand Limited		Oppose		Reject		

Table B5: Response to further submissions missed from the Earthworks s42A report (Stream 5)

Sub. Ref.	Submitter Name	Provision	Decision requested	Section of this Report where Addressed	Officer's Recommendation	Officer's Reasons/Comments	Recommended Amendments to Proposed Plan?
419.23	Department of Conservation	Definition of rehabilitation	Support inclusion of definition of 'rehabilitation' however rehabilitation does not only refer to earthworks activities, and is mentioned in the definition and rules relating to quarrying and gravel extraction. Amend definition of 'rehabilitation': "means restoring land that has been damaged by earthworks activity, gravel extraction, quarrying, to as near to pre-disturbance conditions as possible"	Section 4.3	Accept in part	As outlined in Section 4.3	Yes
FS 77	Department of Conservation		Support		Accept		
FS 78	FS Forest and Bird	-	Support	-	Accept		
419.116	Department of Conservation	General	EW-O1 should follow the effects management hierarchy rather than go straight to 'minimise adverse effects'. Amend EW-O1: "Earthworks are undertaken in a way that minimises, avoids, remedies or mitigates adverse effects on amenity values, cultural values, property, infrastructure and the health and safety of people and the environment."	Section 5.1	Reject	As outlined in Section 5.1	No

FS 78	FS Forest and Bird	-	Support	-	Reject	-	-
419.117	Department of Conservation	General	Support EW-P1.Retain EW-P1 as notified.	Section 6.1	Accept	As outlined in Section 6.1	No
FS 78	FS Forest and Bird	-	Support	-	Accept		
419.118	Department of Conservation	General	Support EW-P3.Retain EW-P3 as notified.	Section 6.2	Accept	As outlined in Section 6.2	No
FS 78	FS Forest and Bird	-	Support	-	Accept	-	-
419.119	Department of Conservation	General	Support EW-P3.Retain EW-P3 as notified.	Section 6.3	Accept	As outlined in Section 6.3	No
FS 78	FS Forest and Bird	-	Support	-	Accept	-	-
419.124	Department of Conservation	General	Support Table EW-1.Retain Table EW-1 as notified.	Section 8.1	Accept	As outlined in Section 8.1	No
FS 78	FS Forest and Bird	-	Support	-	Accept	-	-
316.153	Canterbury Regional Council	EW-Rules -General	<p>Community scale natural hazard mitigation works may require resource consent under other chapters. Provide for earthworks associated with Community scale natural hazard mitigation works as a permitted activity in the Earthworks Chapter.</p> <p>The earthworks required for community scale natural hazards mitigation works should be provided through the natural hazards chapter. The limits provided in EW-S1 to EW-S7 are so restrictive this rule does not enable community scale natural hazards mitigation works (for instance a limit of 10m3 in Waimakariri ONF or requiring setbacks to waterways when by their nature, these assets are near waterways.</p>	Section 7.1	Accept	As outlined in Section 7.1 The recommendations of Mr Willis in his Right of Reply on natural hazards address this matter by largely adopting the ECan relief. There is a remaining integration matter to be resolved between Mr Willis and Mr Wilson in relation to the earthworks catch-all rule.	Yes
419.8	Department of Conservation	Definition of coastal hazard mitigation	<p>Amend the definition of 'coastal hazard mitigation works':</p> <p>"Any means work and or structure designed to prevent or mitigate coastal hazards, such as coastal erosion and seawater inundation. It includes <u>soft engineering natural hazard mitigation beach re-nourishment, dune replacement, and sand fences, seawalls, groynes, gabions and revetments and hard engineering natural hazard mitigation.</u>"</p>	4.3	Accept	Submission point was addressed in the body of the report, however, is missed from Appendix B of the Earthworks s42A report. See section 4.3 of that report.	

Table B6: Response to further submissions missed from PDP Residential Rezoning s42A report (Stream 12E)

Sub. Ref.	Submitter Name	Provision	Decision requested	Section of this Report where Addressed	Officer's Recommendation	Officer's Reasons/Comments	Recommended Amendments to Proposed Plan?
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250.7	Survus Consultants Limited	General	Seek Kaiapoi Development Area to be rezoned for urban development in order to achieve sustainable growth and development of the District, meet the requirements of the National Policy Statement on Urban Development 2020, and achieve the purpose of the Resource Management Act 1991. Rezone Kaiapoi Development Area for urban development (General Residential Zone, or other appropriate zoning).	Section 13.3	Accept		
FS 63	Momentum Land Ltd		Support		Accept		
FS 80	Christchurch International Airport Ltd		Oppose		Reject		

Table B7: PDP Residential Rezoning s42A report (Stream 12E(A))

Sub. Ref.	Submitter Name	Provision	Decision requested	Section of this Report where Addressed	Officer's Recommendation	Officer's Reasons/Comments	Recommended Amendments to Proposed Plan?
239.1	Williams Waimak Ltd	General	Oppose in part the Proposed District Plan, in particular, the site at Lot 1 DP 345997 and Lot 3 DP 40787 being zoned General Residential Zone (GRZ). The surrounding environment comprises business/industrial land to the north and east, with low residential and medium density developments along all other immediate boundaries. The submitter purchased the site in 2019, with the intention of developing for residential purposes. Amend the proposed zoning of Kaiapoi from GRZ to Medium Density Residential Zone (MRZ) so that it is generally consistent with the surrounding proposed MRZ environment. This would be a more cohesive and efficient use for this largely vacant land rather than retrospectively intensifying, currently the establishment of medium density housing would be a noncomplying activity, this would be consistent with the National Policy Statement on Urban Development (2020), and would help alleviate the housing crisis. Amend the zoning of Kaiapoi from General Residential Zone (GRZ) to Medium Density Residential Zone (MRZ). Refer to Figure 4 in submission for proposed zoning map.	Section 13.1 Para 40 of this memo	Reject-Accept	See paragraph 40 of this memo for the assessment of this submission.	

Table B8: Response to submission point deferred to Development Areas s42A report (Stream 10A)

Sub. Ref.	Submitter Name	Provision	Decision requested	Section of this Report where Addressed	Officer's Recommendation	Officer's Reasons/Comments	Recommended Amendments to Proposed Plan?
277.14	Ministry of Education	UFD-P6	Review the objectives, policies, rules and standards framework in each new development area to ensure they are clear in their intent, particularly as it relates to the certification process and how this is undertaken.		N/A	Submission point was deferred from the Urban Form and Development S42A report to the Development Areas s42A report, however, it was not addressed in that report. To be addressed in rezoning Right of Reply in relation to overall capacity.	N/A