

# Section 32 Report

## Wāwāhia whenua/ Subdivision

prepared for the

# Proposed Waimakariri District Plan

18 September 2021



**WAIMAKARIRI**  
DISTRICT COUNCIL

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# 1. EXECUTIVE SUMMARY

Subdivision enables development and provides land for residential and commercial activities, and enabling the community to provide for its social, cultural and economic wellbeing. It is, however, important that subdivision occurs within an environmentally sustainable framework, so that land is used in a way, and at a rate, that enables future generations to provide for their wellbeing.

In developing the Wāwāhia whenua/Subdivision Chapter, the following key resource management issues have been identified:

- 1. Growth and development can create adverse effects on existing communities and fail to protect natural and physical resources that contribute to the environmental qualities of the District*
- 2. Subdivision needs to be provided for in a manner that facilitates development in order to provide for projected short, medium and long term residential and business growth*
- 3. Development needs to be provided for in locations that enable people to provide for their economic, social and cultural wellbeing, as well as their health and safety*
- 4. Recognise that poor planning decisions can impact on efficient use and development of transport and other regionally significant infrastructure*
- 5. Good design of subdivision is important to maintain and enhance amenity values, while poor design can decrease the quality of the environment*
- 6. Rural land fragmentation, if not constrained can lead to adverse effects on rural character, availability of land for rural production in the future, inefficient forms of development, and can affect the finite qualities of the District's high quality soils*

The Council undertook a review of the efficiency and effectiveness of the district plan provisions, and identified recommendations for subdivision. The key recommendations include:

- A need to review minimum standards for subdivision in rural areas, including investigation into thresholds for amenity in the rural zones.
- In relation to Residential areas, the review recommended reviewing the residential zones to ensure subdivision and development provides for a range of housing choices for the community at all life stages
- A review of the Rural Residential Development Plan, and consideration of the purpose and character of the Operative Residential 4A and 4B zones.

The Operative District Plan provides for a range of subdivision activities largely as a controlled activity, but enables more intense subdivision throughout the rural zones down to 4ha. As new growth areas were added to the plan through private plan changes, a large number of site specific provisions were added to the plan making it complex to navigate.

The Proposed Wāwāhia whenua/Subdivision Chapter simplifies the provisions, carries over the technical requirements for subdivision, and strengthens provisions that manage the scale, design and intensity of development, in order to provide greater opportunities for urban intensification, and clearer guidance on outcomes for greenfield development.

Site specific provisions have mostly been removed, and where these still apply or are required, specific provision is made for them in the Development Area overlays. Subdivision is generally a controlled activity, but where there are more complicated resource issues, such as potential impact on RMA matters of national importance, a more stringent activity status applies.

It is anticipated that the proposed chapter will provide clear directions for people seeking to subdivide, In addition, the management of effects on the environment will be clearly aligned with activity status and outcomes for the resources affected.

## 2. OVERVIEW AND PURPOSE

### 2.1 Purpose of Section 32 RMA

The overarching purpose of Section 32 of the Resource Management Act 1991 (RMA) is to ensure that plans are developed using sound evidence and rigorous policy analysis, leading to more robust and enduring provisions.

Section 32 reports are intended to clearly and transparently communicate the reasoning behind plan provisions to the public. The report should provide a record of the evaluation process, including the consultation, technical work, methods, assumptions and risks that informed that process. A robust report can prove highly useful to decision makers, particularly where it clearly communicates the analysis undertaken to identify the most appropriate way to achieve the purpose of the RMA.

The District Council is required to undertake an evaluation of any proposed District Plan provisions before notifying those provisions. The Section 32 evaluation report provides the reasoning and rationale for the proposed provisions and should be read in conjunction with those provisions.

### 2.2 Topic Description

The Wāwāhia whenua/Subdivision Chapter provides a framework to enable the subdivision of land within identified zones. This is a function for territorial authorities under s 31(2) RMA. The process for subdivision is set out in Part 10 of the RMA from s 218 to 246. By definition, a subdivision is a resource consent, as set out in s 87 RMA, with the full meaning of subdivision set out in s 217 RMA.

Subdivisions commonly include:

- Subdivision of land into allotments (for which there can be a range of purposes, including roading and other utilities)
- Amalgamation of titles<sup>1</sup>
- Boundary adjustments between titles

The key subdivision activities that take place in the district are set out below:

- Greenfield subdivision – this includes expansion of residential and commercial zones, including rural residential development
- Infill and brownfield subdivision – this includes development of existing urban areas, where existing sites are intensified and more efficiently utilised to provide for additional sites
- Rural subdivision – this takes place in rural areas, and generally involves the split of existing farming units into smaller land parcels, enabling a range of opportunities from rural lifestyle properties to smaller farming units

A district plan can contain rules for different classes of activities from controlled, restricted discretionary, discretionary, non-complying to prohibited, and the rules can also manage whether an

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<sup>1</sup> The term 'title' refers to a 'record of title', previously referred to as computer registers or certificates of title, and prove the ownership of land and any registered rights or restrictions pertinent to that title. They can be both land, and space.

application is non-notified, notifiable, or able to be limited notified. All of these rules can apply to the subdivision of land.

The Chapter also sets out provisions that enable the creation of esplanade reserves or strips. This is an activity that is provided for in s 229 to s 237H RMA.

There have been changes at both a national and regional level, in terms of higher order documents that are relevant to the Chapter, since the current District Plan became operative in 2005. These include a new Canterbury Regional Policy Statement 2013 (CRPS), and a National Policy Statement on Urban Development (NPS-UD).

Since 2005, there have been a number of new Outline Development Plans included in the Operative District Plan, along with a large number of standards and rules particular to the ODPs. As such, with each plan change, the Operative District Plan has become very complex in the way it has developed. As part of the review, the biggest shift has been to simplify the content of the Subdivision Chapter to remove the site or area specific planning rules. Those that remain required, are included in the Development Areas Chapter. This ensures that there is a concise and clear set of standards to be reviewed, without needing to review irrelevant provisions relating to specific areas elsewhere in the District.

The following table sets out the key approaches to the zones, which include a range of zones introduced by the National Planning Standards, and includes a summary of how these are proposed to change.

**Table 1 – Summary of key subdivision provisions by zone**

| Zone                       | Minimum Lot Size   | Activity status where lot size not met | Description and key changes   |
|----------------------------|--|--|---|
| <b>Residential Zones</b>   |  |  |   |
| Large Lot Residential Zone | 2500m <sup>2</sup> with an average of 5000m <sup>2</sup><br><br>Controlled | Non-complying                          | <p>The LLRZ provides for the lowest density of residential living within the PDP. This accommodates Rural Residential development (as described in the Canterbury Regional Policy Statement). The LLRZ replace the residential 4A and 4B zones in the Operative Plan.</p> <p>The minimum site size of 2,500m<sup>2</sup> with an average of 5000m<sup>2</sup> is a continuation of the site size for the Residential 4A zone in the Operative Plan. This is a reduction in the site size of the former Residential 4B zone which will provide some additional capacity for some existing sites to be intensified in a manner consistent with a rural residential living environment.</p> <p>A non-complying activity status retains the ability for resource consent applications to be lodged for smaller sites and considered</p> |

|                                 |                                 |  |  |
|---------------------------------|---------------------------------|--|--|
|                                 |                                 |  | <p>on a case-by-case basis. However, it provides clear direction that subdivision below these standards is not an outcome that is anticipated in the zone. Subdivision less than an average of 5000m<sup>2</sup> in the zone will not give effect to the Canterbury Regional Policy Statement.</p>   |
| General Residential Zone        | 500m <sup>2</sup><br>Controlled | Non-complying  | <p>The PDP provides for a larger site size that preserves the suburban character of the residential areas of the district, covering the outer parts of Rangiora, Silverstream, Woodend/Pegasus, and Oxford, consistent with the objectives and policy set out in GRZ-O1 and GRZ-P1.</p> <p>The 500m<sup>2</sup> minimum site size is a reduction from the existing 600m<sup>2</sup> site size for the Residential 2 zone in the Operative Plan.</p> <p>The PDP does provide for subdivision around approved development; that is where development has already otherwise established as a multi-unit residential development and either complies with the density requirements or has otherwise received a resource consent for infringement of site density GRZ-BFS1.</p> <p>The smaller site size provides some additional development potential in the GRZ, which will assist with providing additional capacity for intensification within existing urban areas.</p> <p>A non-complying status still continues to enable consideration of applications for a reduction of site size on a case-by-case basis, but provides a degree of certainty as to the intended character outcome for the zone.</p> |
| Medium-density Residential Zone | 200m <sup>2</sup><br>Controlled | Non-complying<br>Or<br>Controlled where a development has been comprehensively designed to | <p>The PDP provides for higher densities to be achieved in areas that are located with better access to parks, main centres, and local commercial centres, as set out in MRZ-O1 and MRZ-P1.</p> <p>The 200m<sup>2</sup> minimum site size (except for consented multi-unit development) for the MRZ represents a shift from provisions in the Operative Plan for Residential 1 Zone</p>  |

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|                 |                                 | <p>achieve a restricted discretionary consent for a site density infringement under MRZ-BFS1.</p> | <p>and Comprehensive Residential Development, which provides for a minimum site size of 300m<sup>2</sup>.</p> <p>The PDP does provide for subdivision around approved development; that is where development has already otherwise established as a multi-unit residential development and either complies with the density requirements or has otherwise received a resource consent for site density. For the MRZ zone, a reduction in the site density can be achieved as a restricted discretionary activity, which is precluded from being publicly or limited notified. This means that in the MRZ, a comprehensive development can be designed and consented as a restricted discretionary activity, then subdivided as a controlled activity, even though it may be more intensely developed at a density that is higher than 1 dwelling per 200m<sup>2</sup>. This will likely lead to more comprehensive development typologies such as zero-lotted development, multi-level unit-titling, and other development forms.</p> <p>Where vacant lots are to be subdivided, the minimum site remains at 200m<sup>2</sup> and any reduction in site size would require a consent for a non-complying activity.</p> <p>The smaller site size provides some additional development potential in the MRZ, in particular in relation to Rangiora where the operative Residential 1 zone has been significantly extended to incorporate the new MRZ. This will assist with providing additional capacity for intensification within existing urban areas.</p> |
| Settlement Zone | 600m <sup>2</sup><br>Controlled | Non-complying   | <p>The PDP provides for a larger site size that seeks to preserve and retain the existing settlement character of the Settlement Zone in areas which include Ashley, Sefton, Cust, Waikuku Beach, Kairaki/Pines Beach and Woodend Beach, as set out on SETZ-O1 and SETZ-P1.</p> <p>The 600m<sup>2</sup> minimum site size is a continuation of the 600m<sup>2</sup> site size for the</p>  |



|                      |                    |               |  |
|----------------------|--------------------|---------------|--|
|                      |                    |               | <p>Residential 3 zone in the Operative Plan, which covers the same areas.</p> <p>In the SETZ, there is no provision for multi-unit development, and there is a limitation of one residential unit per site under SETZ-BFS1. This will assist with retaining the character of the settlements and also sites where there is a mixture of larger lots.</p> <p>A non-complying status will enable consideration of applications for a reduction of site size on a case-by-case basis, but provides a degree of certainty as to the intended character outcome for the zone.</p>   |
| <b>Rural Zones</b>   |                    |               |  |
| Rural Lifestyle Zone | 4ha<br>Controlled  | Non-complying | <p>The RLZ provides a site size with a minimum of 4ha. This is a continuation of the site size in the Rural Zone in the Operative Plan, which covered a larger area.</p> <p>A site size of 4ha is the minimum site size that the Canterbury Regional Policy Statement describes as being rural within the area defined as Greater Christchurch. As such 4ha is the minimum site size in this area that will give effect to the Canterbury Regional Policy Statement.</p> <p>The 4ha site size will maintain the existing character of the zone and achieve the character and amenity values that are identified as being important within the zone.</p> <p>A non-complying status will enable consideration of applications for a reduction of site size on a case-by-case basis, but provides a high degree of certainty as to the intended character outcome for the zone.</p> |
| General Rural Zone   | 20ha<br>Controlled | Non-complying | <p>The GRZ provides a site size with a minimum of 20ha. This represents a shift from the provisions in the Operative Plan for the Rural Zone which provides a minimum site size of 4ha.</p> <p>The site size of 20 ha seeks to achieve two key matters. The first is to reduce the</p>   |

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|---------------------------------------|-------|---------------|---|
|                                       |       |               | <p>potential for rural productive land to be further fragmented to a point where the options for that land to be utilised for a range of productive activities are further limited. The second is to maintain the open rural character and amenity values described as important within the zone. While there are existing smaller sites within the zone the establishment of new sites at a density of 20ha will maintain the character of the zone.</p> <p>A non-complying status will enable consideration of applications for a reduction of site size on a case-by-case basis, but provides a high degree of certainty as to the intended character outcome for the zone.</p>  |
| <b>Commercial and Mixed Use Zones</b> |       |               |   |
| Town Centre Zone                      | N.A.  | N.A.          | The Operative Plan contains no minimums for these zones. Maintaining this approach provides the greatest flexibility for the market to respond and also enables intensification.  |
| Local Centre Zone                     | N.A.  | N.A.          |   |
| Neighbourhood Centre Zone             | N.A.  | N.A.          |   |
| Large Format Retail Zone              | 700m2 | Non-complying | <p>This is a new zone for the District. Many of these activities have established in the B2 zone which has an Operative Plan site size minimum of 700m2. This zone provides for LFR activities which are greater than 450m2. The minimum site size needs to be in excess of the 450m2 LFR tenancy minimum to ensure sites smaller than this are not available for separate retail lease and sufficient space is included for such things as loading, access, built form requirements; and landscaping. Carrying over the Operative Plan's minimum site size requirement is a pragmatic approach.</p> <p>A non-complying status still continues to enable consideration of applications for a reduction of site size on a case-by-case basis, but provides a degree of certainty as to the intended outcomes for the zone.</p> |
| Mixed-use Zone                        | 200m2 | Non-complying | This is a new zone for the District. This zone needs to provide for a range of activities, similar to centres, but a minimum site size is required to avoid small tenancies competing with town centres and because there are no restrictions on ground floor   |

|                         |  |               |   |
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|                         |  |               | <p>residential tenancies. The minimum is consistent with the minimum site size for medium density residential which is likely to establish on the site.</p> <p>A non-complying status still continues to enable consideration of applications for a reduction of site size on a case-by-case basis, but provides a degree of certainty as to the intended outcomes for the zone.</p>  |
| <b>Industrial Zones</b> |  |               |   |
| Light Industrial Zone   | 500m2  | Discretionary | <p>The Operative Plan contains a minimum site size of 700m2 for B2 zones. A 500m2 minimum site size is proposed for these zones to provide greater flexibility for industrial activities to establish and provide some intensification opportunities.</p> <p>Having no minimums was considered, however small sites can support a smaller range of activities and are therefore less resilient to market changes. The need for larger sites is a key reason why many activities establish in the industrial zones as opposed to town centres. In addition, having no minimums would create a risk that activities will evolve over time (with or without resource consent) to be more retail and office focussed as these activities typically can utilise smaller sites. There is already pressure now within the B2 Industrial Zone for retail and office activities to establish. When these activities establish, there is less industrial land available for industrial activities and opportunities for reverse sensitivity increases.</p> <p>A discretionary status is proposed for non-compliance recognising the variability in industrial activities, but still providing a degree of certainty as to the intended outcomes for the zone.</p> |
| General Industrial Zone | 500m2  | Discretionary |   |
| Heavy Industrial Zone   | 700m2 where connected to reticulated network | Discretionary | <p>The Operative Plan contains a minimum site size of 700m2 for B2 zones. Given the nature of activities existing and anticipated in these zones it is proposed to retain the Operative Plan requirement for urban sites</p>  |

|  |   |               |   |
|--|---|---------------|---|
|  | 20,000m <sup>2</sup><br>where not<br>connected to<br>a reticulated<br>network |               | <p>connected to Council reticulated services. This will help avoid more intensive effects occurring at boundaries with other zones.</p> <p>For sites that are in rural areas with no reticulation, a minimum site size of 2ha is proposed given the nature of existing and anticipated activities and in order to provide opportunities for onsite servicing.</p> <p>A discretionary status is proposed for non-compliance recognising the variability in heavy industrial activities and servicing requirements.</p> |
| <b>Open Space Zones</b>                      |   |               |   |
| All Open Space and Recreation Zones          | 0m <sup>2</sup><br><br>Discretionary  | n/a           | For all Open Space and Recreation zones, subdivision is generally not contemplated. This is because in situations of more development (Open Space Zone and Sport and Active Recreation Zone), or in the case of land that is the most sensitive in terms of natural environment (Natural Open Space), open space and recreation land is 'protected' from disposal through subdivision as it is a finite resource and once lost to other development or use is unlikely to be recovered.                               |
| <b>Special Purpose Zones</b>                 |   |               |   |
| Special Purpose Hospital Zone                | 500m <sup>2</sup><br><br>Controlled   | Non-complying | <p>The HOSZ provides for a minimum site size that is the same as the GRZ. This provides for alternative urban use should the hospital no longer be required.</p> <p>A non-complying status will enable consideration of applications for a reduction of site size on a case-by-case basis, but provides a high degree of certainty as to the intended outcome for the zone in order to protect surrounding neighbourhood amenity.</p>   |
| Special purpose (Museum and Conference) Zone | 700m <sup>2</sup>   | Discretionary | The Operative Plan contains a minimum site size of 700m <sup>2</sup> for this site specific zone. The site is yet to be developed and the landowner has requested the provisions be carried forward. The environment has not changed markedly since the zone provisions were prepared so there are no compelling reasons to amend the minimum site size.  |

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|   |  |               | A discretionary status is proposed for non-compliance recognising the variability in activities that can occur in the zone, while still providing a degree of certainty as to the intended outcomes for the zone.  |
| Special Purpose Zone (Kāinga Nohoanga):   |  |               | <p>Section 11(2) of the Resource Management Act provides that the general restrictions on subdivision does not apply in respect of Maori land within the meaning of Te Ture Whenua Maori Act 1993 unless that Act otherwise provides.</p> <p>In addition, as subdivision of Maori land is not anticipated and even if it were to occur, the subdivision would need to accommodate the land uses established or to be established. As there are no land use standards requiring for example a specific density of housing, there is no corresponding subdivision standard.</p> <p>For other land, the land use standards of the Rural Lifestyle, Settlement and Large Lot Residential apply. Accordingly, the relevant subdivision standards and activity status for non-compliance also apply.</p> |
| 1. Māori land including within the Tuahiwi Precinct and the Large Lot Residential Precinct; | 0m <sup>2</sup>  | NA            |  |
| 2. Other land outside the Tuahiwi Precinct and the Large Lot Residential Precinct;          | 4ha  | Discretionary |  |
| 3. Other land within the Tuahiwi Precinct;  | 600m <sup>2</sup>  | Discretionary |  |
| 4. Other land within the Large Lot Residential Precinct.                                    | 2,500m <sup>2</sup> with an average of 5,000m <sup>2</sup> | Discretionary |  |
| Special Purpose Zone (Kāinga Nohoanga) - Māori Land (Specific Areas)                        | 0m <sup>2</sup>  | NA            |  |

In addition to the provisions relating to subdivision, the objectives and policies also set out a framework for the development requirements related to new ODP areas. These higher level provisions are required to give effect to the Canterbury Regional Policy Statement.

A non-regulatory guide to subdivision design and development is also proposed to sit alongside the provisions and assist with subdivision design. It is not currently proposed to form part of the PDP.

## 2.3 Significance of this Topic

The Wāwāhia whenua/Subdivision Chapter is significant because it both enables and influences the form of development. It enables people to provide for their social, cultural and economic wellbeing through both provision of land for housing, but also for commercial and industrial opportunities, as well as open space recreation areas, public access and potential for preservation of important ecological areas.

Subdivision influences built form character in both urban and rural areas, by enabling development potential on new titles. The Wāwāhia whenua/Subdivision Chapter does this by for minimum site sizes, and required yield, to provide for a compact urban form, in the case of urban areas, and dispersed form, in relation to rural areas. It is a key chapter in terms of implementing the higher order documents including the regional policy statement, and the National Policy Statement on Urban Development.

The Chapter also provides direction for greenfield development through a set of requirements and policies that relate to outline development plans. These outline development plans provide a framework for the development of new land for both business and housing, ensuring that new development occurs in a planned and co-ordinated manner.

## 2.4 Current Objectives, Policies and Methods

The Operative District Plan sets out a range of resource management issues, objectives and policies, in the first section of the plan, with the second section having a range of topic specific chapters, which includes the rules for subdivision. This has resulted in a number of objectives and associated policies related to subdivision spread throughout the objectives and policies section of the plan.

The key chapters of the Operative District Plan related to the proposed Wāwāhia whenua/Subdivision Chapter are Chapter 18 – Constraints on Subdivision and development, Chapter 32 - Subdivision, and Chapter 33 - Esplanades: Locations and Circumstances.

There is no separate section on development areas (which in the case of Waimakariri District, includes a number of ODPs) as required by the National Planning Standards, and as such, there are a significant number of site and area specific provisions located in the subdivision rules and standards in Chapter 32 of the Operative District Plan. This makes for a very complex set of provisions to review for any person undertaking a subdivision, and includes 93 different rules and 14 exemptions to the rules. This has partly been a product of a range of plan changes that have implemented site specific provisions that might have otherwise been addressed as part of subdivision consents, or by specific rules under the zone chapters. Many of the provisions are now redundant, as the subdivision activity has been undertaken.

Notwithstanding the large number of provisions within the Chapter, the overall structure is generally sound, although there is no subdivision activity table (which can assist with easily determining the status and type of subdivision activity that is being applied for). Chapter 32 provides that subdivision is generally a controlled activity unless listed as a more restrictive class of activity. Reference is made to other chapters in the plan where subdivision is also addressed, for example, it references separate subdivision provisions in other chapters related to Outstanding Landscapes, Indigenous Vegetation, Natural Hazards and Heritage. These are, in effect, a subdivision rule, and the status is included within the other chapters.

The standards under 32.1.1 then set out the standards and terms for subdivision, with Table 32.1 set out the minimum allotment areas and minimum dimensions for allotments. All controlled activities need to comply with the standards and terms in 32.1.1. The plan then lists restricted discretionary activities under 32.2, and tailors a list of assessment matters at a very fine level of detail in relation to the standard that is not met. This again leads to a significant amount of site specific detail in the Chapter. Discretionary activities are set out at 32.3, non-complying activities at 32.4, and prohibited activities at 32.5.

The appendices that are attached to Chapter 32 planting and roading layouts for Pegasus Township, and key principles for development of the Residential 4A zone at Bradleys Road, Ohoka.

Chapter 33 of the ODP provides the framework for esplanades reserves and strips. The taking of esplanades is function of subdivision. The Chapter sets out the taking of an esplanade reserve or strip as a separate activity when a subdivision takes place (rather than being bundled with the subdivision itself) and makes it a controlled activity under Rule 33.1. Where the requirements for an esplanade reserve or strip are not met, the activity is specified as a restricted discretionary activity under Rule 33.2. Importantly, the plan identifies a number of important waterbodies, which includes streams, rivers and the coastal marine area, where the taking of an esplanade reserve is required, regardless of the size of the subsequent allotments. This is allowed by the Act if there is a specific rule, otherwise the Act generally sets a default limit of 4ha before an esplanade reserve or strip is taken.

Overall, the provisions are considered to be overly complex, with many issues addressed by specific provisions that could have been dealt with at subdivision stage.

## 2.5 Information and Analysis

**Table 2 – List of relevant background assessments and reports**

| Title  | Author   |
|--|--|
| Waimakariri District Development Strategy  | <i>Waimakariri District Council, July 2018</i> |
| Description of Reports   |  |
| The Strategy sets out broad directions for growth and development, acting as a platform to inform decision-making for RMA documents within the context of a long-term view. The document forms part of the ongoing process to ensure that growth management, within the Waimakariri and Greater Christchurch context, including through joint work with our key Greater Christchurch Strategic Partners, is current and forward looking. It anticipates additional greenfield growth in the District in the main towns of Rangiora, Oxford, Kaiapoi and woodend/Pegasus. The Strategy seeks to retain the special characteristics of the small settlements by providing for development that is largely consistent with historic growth rates. |  |
| Title  | Author   |

|   |   |
|---|---|
| District Plan Effectiveness Review  | <i>Waimakariri District Council, July and August 2016</i> |
| <b>Description of Reports</b>   |   |
| <p>An assessment of District Plan effectiveness was undertaken as an early step to identify issues and gaps for the District Plan Review. The review included an assessment of resource consent applications and conditions for a variety of topics, other methods used to manage activities outside the District Plan and a range of internal and external policy and legislative influences.</p> <p>The review identified opportunities to better manage rural subdivision, and also sought a review of the range of housing needs in residential areas, as well as opportunities to review the rural residential provisions in the ODP.</p>                                    |   |
| <b>Title</b>  | <b>Author</b>   |
| Residential character and intensification guidance for Waimakariri District Council   | <i>Edward Jolly, Jasmax Limited, August 2018</i>          |
| <b>Description of Reports</b>   |   |
| <p>This report provides a review of urban design and residential character for the Waimakariri District residential zones. The study found that there were no particular areas of discernible special character that required protecting. It found that there were a number of provisions in the ODP that are considered good practice from an urban design perspective, however that there was scope for greater consistency across all zones.</p> <p>A key finding of the report was that intensification in the district should occur within an 800m walkable area from the key commercial centres at Kaiapoi and Rangiora, subject to no other constraints being present.</p> |   |
| <b>Title</b>  | <b>Author</b>   |
| Our Space 2018-2048 Greater Christchurch Settlement Pattern Update <i>Whakahāngai O Te Hōrapa Nohoanga</i>  | <i>Greater Christchurch Partnership, 2019</i>             |
| <b>Description of Reports</b>   |   |
| <p>OurSpace 2018-2048 builds on the Greater Christchurch Urban Development Strategy 2007. It is the future development strategy for Greater Christchurch which is a document required by the National Policy Statement – Urban Development Capacity 2016, and it outlines land use and development proposals to ensure there is sufficient development capacity for housing and business growth.</p>  |   |
| <b>Title</b>  | <b>Author</b>   |
| Greater Christchurch Urban Development Strategy 2007  | <i>Greater Christchurch Partnership, 2007</i>             |
| <b>Description of Reports</b>   |   |
| <p>The Greater Christchurch Urban Development Strategy (UDS) is a collaborative document prepared by the Greater Christchurch Partnership (local authorities of Greater Christchurch) and sets out a vision and strategy for how Christchurch should grow and change, out to 2041. The strategy reinforces resource management issues, including the nature and location of future housing, development of activity centres, providing areas for new employment and recognising the impact of land use change on transportation networks.</p>   |   |
| <b>Title</b>  | <b>Author</b>   |
| Housing and Business Development Capacity Assessment March 2018   | <i>Greater Christchurch Partnership, March 2018</i>       |
| <b>Description of Reports</b>   |   |



|  |  |
|--|--|
| <p>This report was prepared by the Greater Christchurch Partnership to support the development of Our Space 2018-2048. The capacity assessment provides information about current housing and business trends to inform future planning responses across Greater Christchurch. The overall conclusion is that there is enough zoned land in the short and possibly medium term to meet projected demand, but there may be emerging shortages in Waimakariri and Selwyn Districts.</p>  |  |
| <b>Title</b>   | <b>Author</b>  |
| Waimakariri District Residential Feasibility 2018  | <i>Prepared by Market Economics, 2018</i>  |
| <b>Description of Reports</b>  |  |
| <p>A report that provides research on the financial feasibility of residential land and building developments in the Waimakariri District. The study includes application of Market Economics' land development model and build development models. The results show that most of the residential development capacity in the district's zoned greenfield priority areas are likely to become feasible in the coming 30 years. The report noted that supply side and demand constraints are likely to be important factors that influence whether feasible development is in fact developed. It notes that further monitoring and district plan reviews will enable additional land to be zoned and enable the opportunity to consider sufficiency.</p>  |  |
| <b>Title</b>   | <b>Author</b>  |
| Waimakariri Rural Residential Development Strategy   | <i>Waimakariri District Council, June 2019</i>   |
| <b>Description of Reports</b>  |  |
| <p>This Strategy provides the framework for the future provision of land zoned for rural residential purposes in the Waimakariri District. It identifies growth locations for rural residential development across the whole Waimakariri District to meet a projected demand of approximately 385 rural residential households over the next 10 years. The strategy provides a review and update of the Council's current Rural Residential Development Plan adopted in 2010; however the original plan only focused on rural residential development in the eastern part of the District, which accords with the Greater Christchurch Urban Development Strategy (UDS) area. Directions identified in the Strategy also have a key role in informing the review of the Waimakariri District Plan.</p>                               |  |
| <b>Title</b>   | <b>Author</b>  |
| Housing Demand and Need in Waimakariri District  | <i>Ian Mitchell and Chris Glaudel, Livingstone and Associates Limited/Community Housing Solutions Limited, February 2020</i> |
| <b>Description of Reports</b>  |  |
| <p>The report outlines current and future housing demand for Waimakariri District in terms of demand by range of demographic characteristics including tenure, age, and household composition. The report makes recommendations to encourage and potentially incentivise universal design in newly built homes, create additional opportunities for older homeowners to downsize within their neighbourhoods, maintain section sizes of undeveloped land adjacent to town centres to facilitate development, ensure retirement villages are connected, promote minor residential units, consider enabling partitioning of homes, organise a property developers forum, consider development contribution fee reductions for social and affordable rental housing and continue with infrastructure development to support growth.</p> |  |
| <b>Title</b>   | <b>Author</b>  |
| Waimakariri District – Rural Character Assessment  | <i>Boffa Miskell June 2018</i><br><br><i>(Update) Review of Potential Zone Boundaries based on character February 2020</i>   |
| <b>Description of Reports</b>  |  |

This report identifies 12 rural character areas within the Rural Zone and describe the landform, land cover and land use elements, and the key characteristics that typify each character area. The report also determines areas that are capable of rural residential development or more intensive subdivision.

The February 2020 update related to specific consideration from a character perspective as to the location of any zone boundary between any proposed Rural Zones having a different density of subdivision and development of residential activity.

| <b>Title</b>   | <b>Author</b>                       |
|--|-------------------------------------|
| Waimakariri District Plan Review – Rural and Rural Residential Location and Density – Interim Draft Report | <i>Boffa Miskell, 19 April 2018</i> |

**Description of Reports**

This report relates the rural character findings to inform rural and rural residential zoning provisions for the District Plan Review. The report covers background research, and the requirements of statutory documents that are relevant including the Canterbury Regional Policy Statement.

| <b>Title</b>  | <b>Author</b>   |
|---|---|
| Waimakariri District Plan Review: Rural Production Advice – Rural Land Zoning | <i>Jamie Gordon, Macfarlane Rural Business, November 2018</i> |

**Description of Reports**

This report reviews the impact from change in zoning of rural land, particularly minimum lot size impacts on primary production. The report presents an informed view on the effect land parcel size has on productivity and profitability, but does not to recommend precise land use and or zoning options.

| <b>Title</b>  | <b>Author</b>   |
|---|---|
| Analysis of Drivers and Barriers to Land Use Change | <i>AgFirst for Ministry of Primary Industries August 2017</i> |

**Description of Reports**

This report discusses the drivers and barriers to land use change including potential drivers and barriers. It identifies and examines a range of influences including biophysical resources, economic, technological, societal and personal factors.

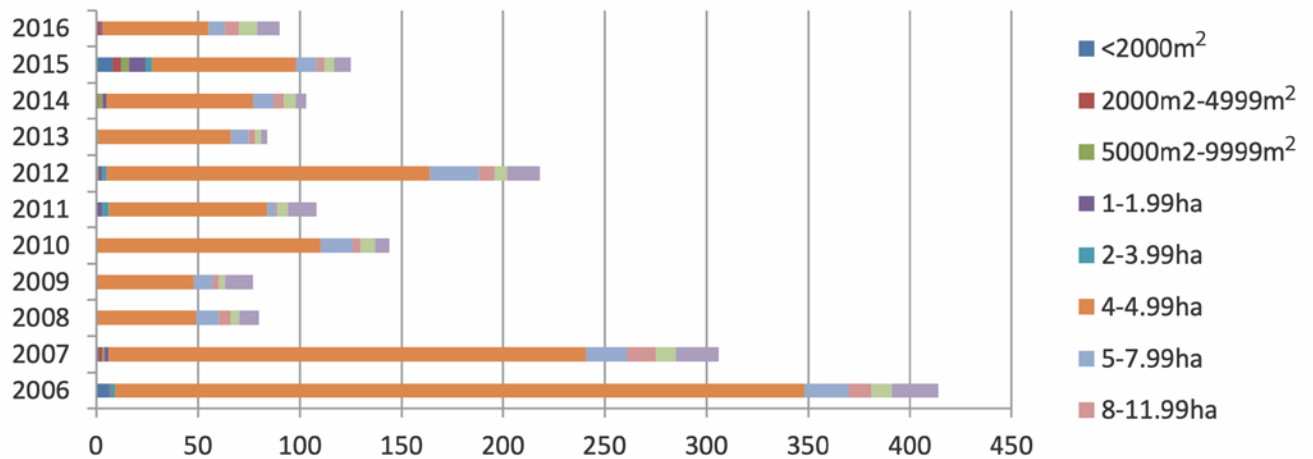
| <b>Title</b>  | <b>Author</b>            |
|---|--------------------------|
| Rural Subdivision and Lifestyle Property Analysis: Waimakariri District | <i>QV, December 2018</i> |

**Description of Reports**

A supply and demand analysis for small rural holdings and rural residential properties in Waimakariri District, and analysis of the implications for potential allotment size changes. Areas considered were the area in Greater Christchurch, North Eastern Waimakariri and the rest of the District.

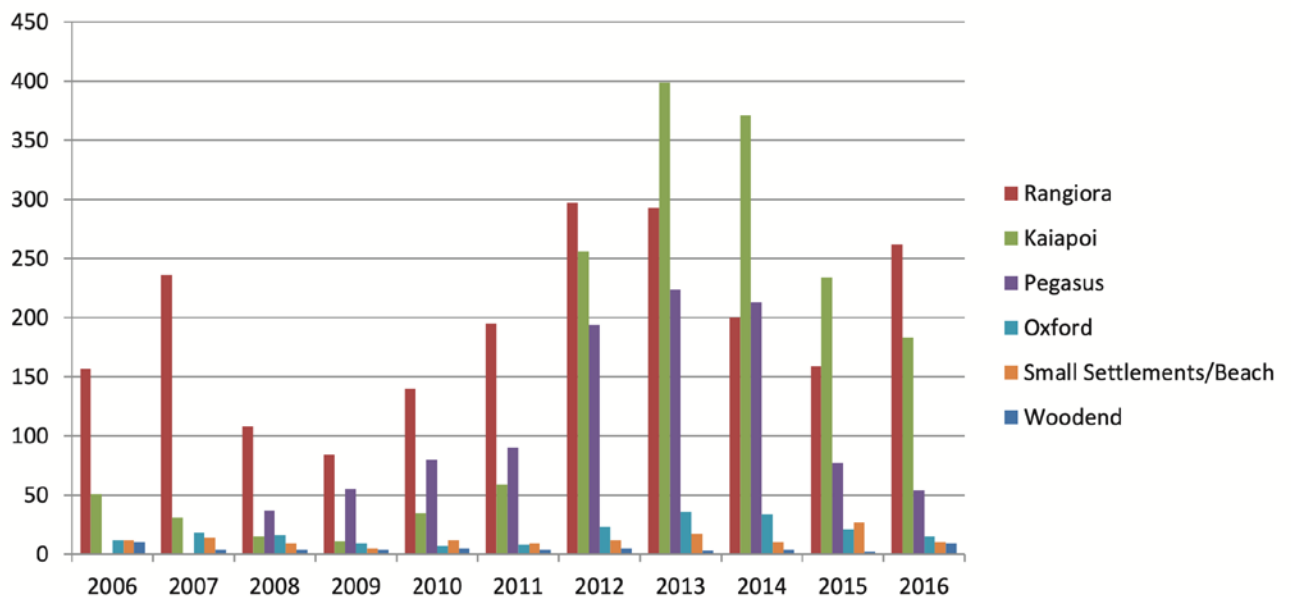
The District Plan Effectiveness Review provides the key insight into subdivision activity in the District since it the District Plan became operative in 2005. In particular, the reports showed the significant number of small lots created in the rural zones.

### Total lots created in Rural Zone during 2006 - 2016 in terms of size



Growth generally has been high in the district; the number of building consent issued post-Earthquake have risen considerably, as demand for stable land and new greenfield land has risen. The following graph shows a steady increase in development, with much of it focussed on the key activity centres of Rangiora and Kaiapoi.

### Building Consents issued by area during 2006-2016



In addition to the above reports and advice, Council technical staff have provided informal feedback throughout development of the Chapter. The chapter also relies on analysis and reports attached to the Residential, Industrial, Commercial, Transport and Hazards Chapters.

## 2.6 Consultation Undertaken

Extensive consultation has been undertaken as part of this District Plan Review process with key stakeholders and the local community. Feedback from consultation relevant to the Wāwāhia whenua/Subdivision Chapter is summarised below.

## Summary of feedback:

- (a) Te Runanga o Ngai Tahu provided feedback through Mahaanui Kurataiao Limited on the plan provisions. No specific feedback was received in relation to the subdivision provisions.
- (b) What's the Plan? - a publication seeking input into the plan review process, was released in April 2019 and submissions and feedback received.
- (c) Housing New Zealand (now Kāinga Ora), as well as developers for Silverstream, and Davis Ogilvie (a surveying and engineering firm), were approached for comment on density matters and the operative provisions of the Subdivision Chapter and ODPs.
- (d) A range of developers were approached to test some of the demand assumptions and inform the approach for a responsive planning framework in relation to the National Policy Statement on Urban Development 2020 (NPS-UD).

'What's the Plan' elicited responses to the topics consulted on, from a total of 95 respondents. The ability to comment on the topics and consultation questions was provided both on line and by mail. The key topics of interest included Rural Density, Housing Lot size, Subdivision and Development and Transport and Natural Environment. A series of questions were asked in the consultation material to provide a framework for feedback.

The key responses for subdivision as part of the 'What's the Plan' consultation process are set out below:

- Respondents were open to the idea of smaller lot sizes, but on the basis of being able to have larger residential lots. The preference was for smaller lots to be concentrated not dispersed through subdivisions. Perceived advantages include more efficient use of land, while others were concerned in relation to loss of the natural environment and green space. Diversity of lot sizes was supported by a number of submitters. Direction is given as to where higher density development should be achieved.
- A number of respondents supported the use of development bonuses to protect and enhance SNAs or ecological corridors. Some sought that there be no change to the minimum lots sizes in rural areas. Provisions are included to incorporate subdivision for protection of SNAs.
- Support was given to wider roads to support parking and different transport modes including cycling. Pegasus Township was given as an example of roads that are too narrow. Consideration is given to accessibility throughout the Wāwāhia whenua/Subdivision Chapter.
- Respondents generally supported protection of rural production values and the maintenance of rural character. One respondent considered that 2 hectare and 4 hectare blocks could enhance the rural zone. A number of respondents favoured increasing the minimum lot sizes to 20ha. The thresholds for rural subdivision have been changed in response by developing a Rural Lifestyle Zone for the lower plains and a General Rural Zone for the upper plains, foothills and high country.
- A number of respondents were concerned with reverse sensitivity effects in relation to rural activities. Reverse sensitivity matters are addressed in both the subdivision and rural chapters.

Following release of the NPS-UD, a number of developers were contacted to see whether they would be happy to discuss how Waimakariri District Council might be ensuring that the district plan provisions are providing for an urban form commensurate with the level of accessibility of planned active or public transport and relative demand for housing and business use.

The key theme arising from that consultation was the desire for flexibility, so that developers are able to meet the market and change density as required in accordance with demand. This has reinforced the approach to increase the density potential in the residential zones, and provide for flexibility for sites in the business zones.

The responses received have been taken into account in the preparation of the Wāwāhia whenua/Subdivision Chapter.

## 2.7 Iwi Authority Advice

Clause 3(1)(d) of Schedule 1 of the RMA sets out the requirements for local authorities to consult with iwi authorities during the preparation of a proposed plan. Clause 4A requires the District Council to provide a copy of a draft proposed plan to iwi authorities and have particular regard to any advice received.

There has been no specific feedback on the subdivision provisions.

## 2.8 Reference to Other Relevant Evaluations

This Section 32 topic report should be read in conjunction with the following key evaluations:

- (a) Rautaki ahunga/Strategic Directions Chapter – sets the strategic direction for the district plan including the plan for urban development.
- (b) Ranga waka/Transport Chapter – provides design provisions for development including roading and access.
- (c) Whenua paitini/Contaminated Land Chapter – provides a high level approach for management of contaminated land and a framework for the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
- (d) Matepā māhorahora/Natural Hazards Chapter – sets out the requirements for development in areas at risk of natural hazards.
- (e) Taonga o onamata/Historic Heritage Chapter – provides a framework for the management of historic heritage.
- (f) Ngā whenua tapu o ngā iwi/Sites and Areas of Significance to Māori Chapter – identifies those areas of importance to Ngāi Tūhuriri.
- (g) Pūnaha hauropi me te rerenga rauropi taketake/Ecosystems and Indigenous Biodiversity Chapter – provides the framework for the management of significant natural areas as well as maintenance of indigenous biological diversity.
- (h) Āhuetanga o te whenua/Natural Features and Landscapes Chapter – provides a framework for the management of outstanding natural landscapes and features and amenity landscapes.
- (i) Tomonga mārea/Public Access Chapter – sets out the high level framework for public access to waterbodies and the coast.
- (j) Te taiao o te tahutai moana/Coastal Environment Chapter – provides direction to implement the New Zealand Coastal Policy Statement 2010.
- (k) Whaitua taiwhenua/Rural Zones Chapter – sets out the activities and built form controls throughout the General Rural and Rural Lifestyle zones.
- (l) Whaitua nohonoho/Residential Zones Chapter – sets out the activities and built form controls throughout the residential zones including the Medium Density Residential Zone, the General Residential Zone, the Large Lot Residential Zone and the Settlement Zone.

- (m) *Whaitua arumoni/Commercial and Mixed Use Zones Chapter* – sets out the activities and built form controls in the Neighbourhood Centre Zone, Local Centre Zone, Large Format Zone, Mixed Use Zone, and Town Centre Zone.
- (n) *Whaitua ahumahi/Industrial Zones Chapter* – sets out the activities and built form controls for the Light Industrial Zone, the General Industrial Zone and the Heavy Industrial Zone.
- (o) *Whaitua tākaro/Open Space and Recreation Zones Chapter* – sets out the activities and built form controls for the Natural Open Space Zone, the Open Space Zone and the Sport and Active Recreation Zone.
- (p) *Whaitua motuhake/Special Purpose Zones Chapter* – sets out the activities and built form controls for the Hospital Zone, Museum and Conference Centre Zone, Kāinga Nohoanga Zone, Pines Beach and Kairaki Regeneration Zone and the Pegasus Golf Resort.
- (q) *Wāhanga waihanga/Development Areas Chapter* – provides direction for the development of new greenfield urban development, including provision for certification of development areas to fast-track development.

In particular, these chapters set out the character outcomes to be achieved through the setting of particular site sizes around the district.

### 3. STATUTORY AND POLICY CONTEXT

#### 3.1 Resource Management Act 1991

Section 5 of the RMA sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources. In achieving this purpose, authorities need to recognise and provide for matters of national importance identified in Section 6, have particular regard to other matters listed in Section 7, and take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) under Section 8.

The proposed provisions allow people and communities to provide for their social, economic, and cultural well-being by enabling a range of subdivision activities throughout the District. Effects on natural and physical resources and the life-supporting capacity of air, water, soil and ecosystems from subdivision would be able to be avoided, mitigated or remedied through the proposed rules, resource consent assessment, provisions in other District Plan relevant chapters together with methods outside the District Plan.

##### 3.1.1 Section 6

Section 6 sets out the matters of national importance. When making decisions under the Act, or preparing plans, in relation to the use development and protection of natural and physical resources, every person must recognise and provide for the matters of national importance set out in section 6(a) to 6(h). Some of those matters specify the protection of specific resources, such as significant indigenous vegetation and significant habits of indigenous fauna (section 6(a)) and protected customary rights (section 6(g)), while other specify the need to protect areas from inappropriate *subdivision*, use and development, which means that these activities are anticipated, but that determination needs made as to whether the activity is appropriate or not (sections 6(a), (b), (f)). Specific provision is made for the maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers (section 6(d)), which is a topic for both the *Wāwāhia whenua/Subdivision Chapter* and the *Tomonga mārea/Public Access Chapter*. Provision needs to be made for the relationship of Māori and their culture and traditions with their ancestral land, water, sites *wāhi tapu* and other *taonga* (section 6(e)), and for the management of significant risks from natural hazards.

All of these matters are relevant to the use and development of land through subdivision. However, the specific policy approaches for most of the topics are directed by the objectives and policies of other chapters, which directly address the natural resource. Specific to this Chapter is the maintenance of public access, as this has a direct relationship to the taking or setting aside of esplanade reserves or strips as part of subdivision. For this reason, it is particularly relevant to take this into account.

In relation to subdivision affecting those other important resources, there is specific provision for higher restrictions on subdivision where those resources are potentially impacted by subdivision and subsequent land use.

### 3.1.2 Section 7

When decision-making and plan making in relation to use, development and protection of natural and physical resources, particular regard is to be had to a range of other matters (section 7(a)-(j)).

These include the kaitiakitanga and the ethic of stewardship (section 7(a) and (b)). These are broadly similar concepts, although kaitiakitanga also relates to exercise of guardianship by Māori in accordance with tikanga Māori, and includes the ethic of stewardship (section 2 definition of kaitiakitanga). This is relevant to the Wāwāhia whenua/Subdivision Chapter, in that some activities can affect culturally important resources. This is given regard through the specific consultation on the provisions with the iwi authority as part of plan development, and also the ability to limited notify affected parties (unless this is precluded by a specific rule with the exclusion of affected customary rights groups or affected customary marine title groups).

Section 7(b) and (bb) provide for the efficient use and development of natural and physical resources and the efficiency of the end use of energy, and section 7(g) provides for regard to be had to the finite characteristics of natural and physical resources.

These matters are relevant to the setting of urban form in terms of site size, and also location, as well as the location of rural and rural residential development. More intensive development is focussed in areas that are walkable to main shopping areas and have access to main transport routes in urban settings.

This enables a more efficient use of transport energy, as well as enabling more efficient use of land through higher densities of development. Subdivision development in rural areas is focussed on existing and planned rural residential developments identified through the Rural Residential Development Strategy, and maintaining larger lot sizes in areas identified for productive use. This recognises the irreversible nature of subdivision, and the impact it can have on finite resources such as soils, biodiversity, and highly valued landscapes.

Section 7(c) and section 7(f) require regard to be had to the maintenance and enhancement of amenity values, and the maintenance and enhancement of the quality of the environment. These sections guide policies on good urban design outcomes that are sought as part of subdivision.

Section 7(d) and 7(h) address particular biophysical matters to which regard is to be had, which includes the intrinsic nature of ecosystems, and the habitat of trout and salmon. These topic matters are impacted indirectly by subdivision, and are largely addressed outside the Chapter.

Finally, regard also needs to be had to the effects of climate change and the benefits to be derived from the use and development of renewable energy. Again, these matters can affect urban form and subdivision. Climate change will have an effect on the capability to service development for stormwater, with forecast increases and change to stormwater events, as well as rising sea-level. In

terms of benefits from renewable energy, this matter can be addressed through street layout and solar orientation of residential housing, so that solar access is enabled. This provides for both passive heating as well as the ability to have access to sunlight for the purpose of renewable solar generation and solar heating.

### 3.1.3 Section 8

In the development of the Chapter, it is required to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). It is noted that the principles of the treaty are different to the treaty text itself. The principles include the duty of the Crown and Māori to act reasonably and in good faith and the duty of the Crown to actively protect Māori interests and make informed decisions (which in most cases requires consultation). While local government is bound in the same manner as the Crown, the principles are applied in the same way by Waimakariri District Council, and recognition is given in the RMA statute to consult with iwi authorities on plans, as well as take into account relevant planning documents recognised by iwi authorities.

As part of that process the section 32 evaluation sets out the consultation and advice we have received on the Chapter, and how the proposal has responded to that advice (section 32(4A)).

### 3.1.4 Section 106

Relevant to subdivision, Section 106 of the RMA also states that the consent authority may refuse subdivision consent, or grant a subdivision consent, subject to conditions, if it considers that:

- The land in respect of which a consent is sought, or any structure on the land, is likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source, or
- Any subsequent use that is likely to be made of the land is likely to accelerate, worsen, or result in material damage to the land, other land, or structure by erosion, falling debris subsidence, slippage, or inundation from any source.

These Section 106 RMA matters are addressed in the Natural Hazards Section s32 report.

## 3.2 National Instruments

The following national instruments are relevant to this Chapter.

### 3.2.1 National Planning Standards

Under RMA s75 (3) a District Plan must give effect to a National Planning Standard. The first set of National Planning Standards were introduced in November 2019 with the purpose of improving the consistency of council plans and policy statements.

The National Planning Standards provide the format, layout and key definitions for the plan, including a requirement for a separate Subdivision Chapter.

The National Planning Standards set out the following mandatory directions for the Wāwāhia whenua/Subdivision Chapter:

*Subdivision provisions must be located in one or more chapters under the Subdivision heading. These provisions may include:*

1. *any technical subdivision requirements from Part 10 of the RMA*



2. *material incorporated by reference, such as Codes of Practice, under Part 3 of Schedule 1 of the RMA.*
25. *The chapters under the Subdivision heading must include cross-references to any relevant provisions under the Energy, infrastructure and transport heading.*
26. *All chapters must be included alphabetically.*

The Wāwāhia whenua/Subdivision Chapter under the National Planning Standards requires its own chapter in the PDP, including objectives, policies and rules. This differs from the ODP which separates provisions for subdivision into Chapter 18 “Constraints for Subdivision and Development” consisting of objectives and policies, and provision of rules in Chapter 32 “Subdivision”.

The National Planning Standards also set out a range of definitions that are relevant across the District Plan including the Wāwāhia whenua/Subdivision Chapter. Given the technical nature of the Wāwāhia whenua/Subdivision Chapter, there has not been a significant influence on the Chapter, other than to bring all of the subdivision provisions under a single chapter.

### 3.2.2 National Policy Statements

The following national policy statements are relevant to this topic / chapter:

#### 3.2.2.1 New Zealand Coastal Policy Statement (NZCPS 2010)

Specific provisions apply to the use, development and subdivision of land in the Coastal Environment. This is particularly important as nationwide there has been continuing pressure for coastal subdivision and use which has resulted in vegetation clearance, loss of intertidal areas, poor water quality and sedimentation.<sup>2</sup>

**Objective 2** of the NZCPS seeks to protect natural character and landscape features and values through identification of areas in the coastal environment where various forms of subdivision would be inappropriate.

**Objective 6** seeks to enable communities to provide for their wellbeing and health and safety including through subdivision, recognising, among other things, that the development is not precluded where it is appropriate and within appropriate limits.

These objectives are implemented through **Policy 7**, relating to strategic planning, including those areas where particular types and forms of subdivision are inappropriate, and that protection is provided from inappropriate use and development.

**Policies 11, 13, 15, 17 and 19** further describe bottom lines to be met in terms of when subdivision is to be avoided, in particularly the scale of effects, in relation to indigenous biological diversity, natural character, natural features and natural landscapes, historic heritage, and public access.

**Policy 22** requires that subdivision does not result in a significant increase in sedimentation in the coastal marine area or other coastal water. Finally, specific provision is made to avoiding risk of harm arising from coastal hazards through subdivision, as well as avoiding redevelopment that would increase the risk of adverse effects from coastal hazards (**Policy 25**).

Given the specific topic nature of the NZCPS, the policies related to particular resources are directly relevant to subdivision, however their policy directions are included in the topic chapters for that resource, or otherwise in the Te taiao o te takutai moana/Coastal Environment Chapter.

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<sup>2</sup> NZCPS 2010 Pre-amble

### 3.2.2.2 National Policy Statement for Urban Development 2020 (NPS-UD)

The NPS-UD is the second NPS on urban development, replacing the 2016 National Policy Statement on Urban Development Capacity (NPS-UDC).

The NPS-UD provides direction to decision-makers on planning for well-functioning urban environments, enabling them to grow and change in response to the changing needs of the community, and to provide enough room for populations to live and work through intensification of existing areas and releasing greenfield development land. The intent is to ensure that housing and business land supply meets demand for urban areas. The NPS has different provisions that apply to all local authorities, medium growth urban areas and high growth urban areas. Greater Christchurch, of which much of Waimakariri is a part, is identified as a high growth urban area, and as such, all of the provisions of the NPS apply to the District.

While subdivision itself is not addressed in the NPS-UD, it is a tool that enables intensification and development of greenfield areas. The NPS, and need to provide for capacity within existing urban areas, is one of the factors that drives determination of site sizes within the District. There is a relationship between capacity within the existing urban area, and the need to provide for more greenfield expansion. Similarly, how development is provided for in greenfield areas is driven by the ability to develop at certain site sizes.

There are eight objectives to the NPS-UD. They seek that:

- New Zealand has well-functioning urban environments that enable people to provide for their wellbeing
- Planning decisions improve affordability by supporting competitive markets
- Plans enable more people to live centrally, in areas serviced by public transport, and in areas where there is high demand for housing or business land
- Urban environments change in response to needs
- Urban environments take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi)
- Local authority decisions are integrated with infrastructure planning and funding, are strategic, and are responsive
- Local authorities have robust and frequently updated information about the urban environments to inform planning decisions
- Urban environments support reductions in greenhouse gas emissions and are resilient to current and future effects of climate change.

**Policies 1-10** set out the requirements of the NPS-UD, seeking well-functioning urban environments that cater for growth. Specifically, they provide for targeted multi-level development and intensification in key locations in urban areas, recognising that changes as a result of intensification may result in significant change. The policies provide that decision-makers are responsive to plan changes that would add significant capacity and contribute to well-functioning urban environments, even if unanticipated by RMA planning documents or include out-of-sequence planned land release. The policies also require removal of car-parking requirements for tier 1, 2, and 3 growth councils.

The NPS then sets out a number of directions for Councils to undertake as part of implementing the NPS-UD, including providing development capacity, monitoring requirements for evidence-based decision-making, development of a Future Development Strategy, housing and business development capacity assessments, intensification within districts, amendment of development outcomes for the zones and removal of carparking provisions.

The Greater Christchurch Partnership has developed a Future Development Strategy, prepared under the NPS-UDC but still relevant under the NPS-UD, in order to achieve the objectives of the NPS; OurSpace 2018-2048 Greater Christchurch Settlement Pattern Update *Whakahāngai O Te Hōrapa Nohoanga*. Further detail is provided on this later in this evaluation.

Rural residential development (i.e. the Large Lot Residential Zone) is urban for the purpose of the NPS-UD and the definition of urban environment under the NPS-UD, and has used rural residential development as part of its capacity calculations for growth.

### **3.2.2.3 National Policy Statement for Electricity Transmission 2008 (NPSET)**

The NPSET sets out the objective and policies for managing the electricity transmission network under the RMA. This includes provisions both to manage how that infrastructure is developed (**Policies 1-9**), and also managing the adverse effects of third parties on the transmission network.

**Policies 10 and 11** require that decision makers manage activities to avoid reverse sensitivity effects on the electricity transmission network, and also the identification of appropriate buffer corridors within which it can be expected that sensitive activities<sup>3</sup> will generally not be provided for in plans and/or given resource consent.

These are implemented through the Wāwāhia whenua/Subdivision Chapter, in the form of provisions which change the status of activities where subdivision takes place within a national grid corridor to restricted discretionary where an identified building platform is outside of the corridor, or non-complying where there is no identified building platform, or the building platform is identified within the national grid corridor.

### **3.2.2.4 National Policy Statement for Freshwater Management 2020 (NPSFM)**

The objective of the NPSFM is to ensure that natural and physical resources are managed in a way that prioritises the health and wellbeing of waterbodies and freshwater ecosystems, then the health needs of people, followed by the ability for people and communities to provide for their social, cultural and economic wellbeing.

The policies seek to enable mana whenua involvement in freshwater management, and that it is managed in accordance with Te Mana o te Wai (Policies 1 and 2). Freshwater is to be managed on a catchment wide basis and the effects of land use considered, including managing in accordance with the National Objectives framework to improve degraded waterbodies, maintain the health and wellbeing of all other waterbodies and protect certain values (**Policies 3, 5, 6, 7, 8, 9, 10, 12, 13, and 14**). The policies require management of freshwater in response to climate change (Policy 4), and allocated and used efficiently, while phasing out over allocation (**Policy 11**). Finally, communities are enabled to provide for their social, cultural and economic wellbeing in a way that is consistent with the NPSFM (**Policy 15**).

A number of methods relate to the inclusion of provisions in plans, and in particular, as part of **Implementation at 3.5:**

*4) Every territorial authority must include objectives, policies, and methods in its district plan to promote positive effects, and avoid, remedy, or mitigate adverse effects (including cumulative effects), of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments.*

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<sup>3</sup> Defined in the NPS as including schools, residential buildings and hospitals

In terms of territorial authority functions, while the key aspects in relation to water quality are implemented through the Āhuatanga o te awa/Natural Character and Energy, Infrastructure and Transport chapters, the NPS is still relevant to the Wāwāhia whenua/Subdivision Chapter. In particular, the chapter sets out certain requirements and standards in relation to sustainable design and stormwater management (Policies SUB-P3 and SUB-P10), as well as provision for esplanade reserves and strips.

### 3.2.3 National Environmental Standards

The following national policy statements are relevant to this Chapter:

#### 3.2.3.1 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES Contaminated Land)

The NES Contaminated Land sets out a series of mandatory rule requirements for activities on land that is contaminated. The purpose of the standards is to ensure that land that has had a HAIL activity<sup>4</sup> on it is properly assessed and treated where contaminants in the soil pose a risk to human health. Clause 5 of the NES notes that subdividing land is one such activity.

The standards sit alone at a national level, and have not been included in the Chapter. This enables the standards to change consistently at a national level, and not require a plan change to update any changed provisions. The objectives and policies as they relate to contaminated land are located in the Whenua paitini/Contaminated Land Chapter.

## 3.3 Regional policy statement and plans

### 3.3.1 Canterbury Regional Policy Statement

Of particular relevance to the Wāwāhia whenua/Subdivision Chapter is the application of **Chapter 6 – Recovery and Rebuilding of Greater Christchurch**, which forms part of the Canterbury Regional Policy Statement 2013 (CRPS). This Chapter sets out the high level considerations to be given to general subdivision and development activities in the Greater Christchurch Area, defined on Map A of the CRPS.

**Chapter 5 – Land Use and Infrastructure** is also relevant, as it contains provisions that apply outside of the Greater Christchurch Area, as well as within the Greater Christchurch Area. These two chapters of the CRPS provide a framework for growth management decisions which impact on subdivision activity, both in rural and urban settings.

The remaining topic and resource based chapters, such as those containing policy directions for historic heritage and landscape for example, are addressed through the remaining topic based chapters in the District Plan. The methods under the policies require District Plan provisions to give effect to the policies, with some mandatory requirements for rules, while others are optional.

All of the objectives of Chapter 6 are relevant to the Wāwāhia whenua/Subdivision Chapter. They provide recovery of Greater Christchurch, targets for feasible development capacity for housing, targets for intensification, sustainable development, integration of land use and infrastructure, support for key activity and other centres, and desired outcomes for business land development.

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<sup>4</sup> an activity that is on the current edition of the *Hazardous Activities and Industries List* (MfE, Wellington)

**Policy 6.3.1** requires that effect be given to the urban form identified in Map A, including enabling intensification in appropriate locations, ensuring new urban activities only occur within existing urban areas or identified greenfield priority areas, and avoidance of development that adversely affect the function and viability of the central city and key activity centres.

Rural residential development contributes to capacity for growth assessments under the NPS-UD, and NPS-UDC, rural residential development fits within the definition of urban environment under the NPS-UD. This conflicts with the CRPS, which excludes rural residential activity from the definition of urban activities, however as the NPS-UD is a higher order document, the directions of the NPS-UD will prevail over the CRPS where there is conflicting direction.

**Policy 6.3.2** provides for best practice urban design considerations as part of business, residential and open space development. It includes requirements for developing a sense of place, integration of infrastructure, connectivity within a development and with surrounding areas, Crime Prevention Through Environmental Design (CPTED), choice and diversity for housing types and density, environmentally sustainable design and supporting of creativity and innovation. The methods provide that councils should provide urban design guidelines to assist with implementation of the good urban design practice.

The CRPS provides in **Policy 6.3.3** that development in greenfield areas and rural residential development is to occur in accordance with an outline development plan, and the policy sets out the requirements for ODPs and the associated rules, including how density will be achieved.

Transport effectiveness is addressed by **Policy 6.3.4**, and seeks to ensure that network efficiency decisions are incorporated into land use planning, so that development maintains and supports the movement of people and goods around Greater Christchurch.

**Policy 6.3.5** seeks to provide for the integration of land use and infrastructure, both in terms of supply of infrastructure for development, and also managing the effects of activities (such as subdivision) on infrastructure. In particular, provision is made to protect the functioning of Christchurch International Airport through recognition of the 50dBA Ldn airport noise contour. There is a mandatory requirement to include rules for reverse sensitivity effects on strategic infrastructure, which is defined in the CRPS.<sup>5</sup>

**Policies 6.3.6 and 6.3.7** provide for development of business land and residential land, and include directions for the consideration of location and impacts of both business and residential development,

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<sup>5</sup> means those necessary facilities, services and installations which are of greater than local importance, and can include infrastructure that is nationally significant. The following are examples of strategic infrastructure:

- Strategic transport networks
- Christchurch International Airport
- Rangiora Airfield
- Port of Lyttelton
- Bulk fuel supply infrastructure including terminals, wharf lines and pipelines
- Defence facilities including Burnham Military Camp and West Melton Military Training Area
- Strategic telecommunications facilities
- The electricity transmission network
- Other strategic network utilities

and in the case of residential land, residential yield and location for intensification. Rules must provide for comprehensive development across multiple or amalgamated sites, as well as identification of areas that are suitable for intensification.

Specific provision is made for the development of rural residential land in Policy 6.3.9, which covers the Large Lot Residential Zone in the proposed plan. It provides that rural residential development is located in accordance with a rural residential development strategy developed under the Local Government Act 2002.

All rural residential subdivision and development is to be located so that it has access to a publicly owned system, along with stormwater treatment and disposal. Legal and physical access is to be provided to a sealed road, and the parameters are provided as to the location and design of development. Rural residential development is required to be prepared with an outline development plan, and rural residential development shall not be regarded as a transition to full urban development.

Māori reserves are provided for in accordance with **policy 6.3.10**. This policy sets out a number of matters to take into account when providing for development on Māori reserves, which is relevant to the Wāwāhia whenua/Subdivision Chapter. They provide for consideration of natural hazards, rural amenity and outlook, compact urban form, a range of housing options, lot sizes and densities, and any relevant outline development plan.

Specific reference is made in the methods for MR873 at Tuahiwi to provide for development opportunities through an outline development plan, and inclusion of objectives, policies and rules to control the scale and size of Tuahiwi and review the provisions twice yearly to determine whether growth is appropriate or whether to facilitate further growth and development.

The final policy in Chapter 6 provides for monitoring and review of the provisions of the chapter.

### **3.3.2 Canterbury Regional Plans**

The proposed Chapter must not be inconsistent with the provisions of a regional plan, and regard had to any proposed plan. The relevant plans to this Chapter include:

- Canterbury Land and Water Regional Plan (LWRP)
- Canterbury Regional Coastal Environment Plan 2006

While there is also a Regional Air Plan for Canterbury, it is not relevant to the development of the Wāwāhia whenua/Subdivision Chapter.

The LWRP contains objectives, policies and rules that manage land and water around the region and biodiversity within the beds of lakes, rivers and wetlands. In particular, it manages activities that relate to water quality and quantity in terms of takes and discharges. The PDP must not be inconsistent with the LWRP.

Some aspects of subdivision and land development will be regulated under the LWRP, including network stormwater discharges, and onsite disposal of wastewater. No provisions in the PDP conflict with those provided for in the LWRP, and it is noted that some of the requirements to prove access to water or ability to dispose of wastewater on site are complementary to those provisions in the LWRP, providing for integrated management of three waters (potable water, stormwater and wastewater) associated with land development and subdivision.

### 3.4 Iwi Management Plan

The following Iwi Management Plan is relevant to this matter:

- Mahaanui Iwi Management Plan 2013

The Mahaanui Iwi Management Plan provides statements of Ngāi Tahu objectives, issues and policies for natural resource and environmental management in the takiwa that express kaitiakitanga and protect taonga.

Section 5.3 Wai Māori recognises the significant cultural resource that is water. Achieving the outcomes sought by the IMP can be assisted through the provision of appropriate wastewater and stormwater management systems at the time of subdivision, together with the provision of esplanade reserves and strips, which improve access to mahinga kai resources.

Section 5.4 Papatūānuku addresses issues of significance in the takiwa relating to land. Issue P3 Urban and Township Planning seeks Ngāi Tahu participation in urban and township planning development. Policies responding to this issue focus on the involvement of Te Ngāi Tūāhuriri Rūnanga in the development and implementation of broader development plans and strategies. Issue P4 Subdivision and Development acknowledges that development can have significant effects on tāngata whenua values but can also present opportunities to enhance those values. Policies encourage engagement with Papatipu Rūnanga by local authorities and developers and refer to subdivision and development guidelines which state (in part) that new developments should incorporate design to reduce the development footprint on existing infrastructure and the environment.

Section 5.5 Tane Mahuta addresses issues of significance relating to indigenous biodiversity and mahinga kai. Again, the technical provisions relating to subdivision will respond to the matters raised in other chapters in this respect.

### 3.4 Any relevant management plans and strategies

#### 3.4.1 Waimakariri 2048 District Development Strategy

This strategy, prepared under the Local Government Act 2002, provides an overview of how the Waimakariri District will develop out to 2048. It sets out the broad directions for growth and development, acting as a platform to inform decision making with a long term view. It is part of the implementation of the joint work with the Greater Christchurch Partnership and anticipates a need for additional feasible greenfield residential land in the main towns of Rangiora, Kaiapoi, Woodend/Pegasus and Oxford. It notes that for industrial land, further monitoring and review of vacant land is required. The strategy outlines broad directions for growth for the main towns, with further analysis required to determine exact growth areas.

The Strategy seeks to retain the special character of the small settlements in the District, in a manner that is largely consistent with historic growth rates. For rural residential development, the Strategy proposes an approach on creating new rural residential areas, with a secondary focus on enabling large lot intensification within existing rural residential areas where there is sufficient community support and servicing available. Consideration will be given to new opportunities to protect and enhance SNAs and the coastal environment. The Strategy notes that the Council will continue to explore options for stormwater management and green design and technology in subdivision design, as well as infrastructure provision in smaller settlements and in Māori Reserve 873.

### **3.4.2 Waimakariri's Rural Residential Development Strategy**

The Rural Residential Development Strategy, prepared under the Local Government Act 2002, implements the CRPS, provides for the provision of land zoned for rural residential purposes in the Waimakariri District.

The Strategy describes rural residential development as subdivision and use of land that caters for those wishing to live in a rural or semi-rural setting, enabling a range of living choices for Waimakariri District. Under the CRPS, development of rural residential land can only take place where it is consistent with the relevant rural residential strategy. The Strategy identifies each of the rural residential enclaves and indicates strengths, constraints and opportunities for expansion.

### **3.4.3 OurSpace 2018-2048 Greater Christchurch Settlement Pattern Update Whakahāngai O Te Hōrapa Nohoanga**

OurSpace 2018-2048 builds on the Greater Christchurch Urban Development Strategy 2007. It is the future development strategy for Greater Christchurch which is a document required by the National Policy Statement – Urban Development Capacity 2016, prepared in accordance with the Local Government Act 2002, and outlines land use and development proposals to ensure there is sufficient development capacity for housing and business growth. It identifies areas for greenfield development, as well as opportunities for intensification, for the Greater Christchurch Partnership.

### **3.6 Any other relevant legislation or regulations**

New Zealand Standards, in particular NZS4404:2010 may be referred to within the District Plan for design guidance. These provide criteria for design and construction of land development and subdivision infrastructure. The standard also encourages sustainable development such as low impact design (LID) solutions to stormwater management.

### **3.7 Any plans of adjacent or other territorial authorities**

The District Council is required to have regard to the extent to which the District Plan needs to be consistent with the plans and proposed plans of adjacent territorial authorities under Section 74(2)(c) of the RMA.

The plans of other districts within Greater Christchurch area, being Christchurch City and Selwyn Districts are relevant. Hurunui District also borders Waimakariri District to the north.

Both Hurunui and Christchurch City have recently completed district plan reviews, and those plans are now operative. Selwyn District is currently going through its district plan review at the same time as Waimakariri, and has recently notified its Proposed District Plan which has been developed under the National Planning Standards, and addresses issues that are also relevant to Waimakariri District.

The Christchurch District Plan was subject to a significant amount of scrutiny by an Independent Hearing Panel appointed by the government, including a retired High Court judge and current Environment Court judge. The Christchurch Plan was not prepared under the National Planning Standard. Christchurch City is also part of the same Urban Development Area under the NPS UDC, the provisions have been thoroughly reviewed to assist with developing the revised approach for the Waimakariri District Plan.



## 4. KEY RESOURCE MANAGEMENT ISSUES

The resource management issues set out in this section have been identified and expanded on, and include the following:

- 1. Growth and development can create adverse effects on existing communities and fail to protect natural and physical resources that contribute to the environmental qualities of the District*
- 2. Subdivision needs to be provided for in a manner that facilitates development in order to provide for projected short, medium and long term residential and business growth*
- 3. Development needs to be provided for in locations that enable people to provide for their economic, social and cultural wellbeing, as well as their health and safety*
- 4. Recognise that poor planning decisions can impact on efficient use and development of transport and other regionally significant infrastructure*
- 5. Good design of subdivision is important to maintain and enhance amenity values, while poor design can decrease the quality of the environment*
- 6. Rural land fragmentation, if not constrained can lead to adverse effects on rural character, availability of land for rural production in the future, inefficient forms of development, and can affect the finite qualities of the District's high quality soils*

These issues have been developed from the issue identified in the Operative Plan as well as the higher-order planning documents, in particular the Canterbury Regional Policy Statement. Those resource management issues that exist for development at the Greater Christchurch level are relevant to development and subdivision in Waimakariri District.

## 5. OVERVIEW OF PROPOSED OBJECTIVES, POLICIES AND METHODS

### 5.1 Strategic Direction

The chapter implements the directions in the Rautaki ahunga/Strategic Direction Chapter:

- SD-O1 – directions for the natural environment
- SD-O2 – recognition of the need for consolidated and integrated urban development
- SD-O3 – improved connectivity across the district, development of infrastructure and its operative is able to be undertaken efficiently and effectively, and integration and sequencing of land use and infrastructure development takes place
- SD-O4 – direction for rural areas to ensure they are available for productive rural activities
- SD-O5 – recognise the role for Te Ngāi Tūāhiriri in the management of natural and physical resources
- SD-O6 – Avoiding subdivision, use and development where the risk from natural hazards is unacceptable, and otherwise mitigating natural hazard risk.

The Āhuatanga auaha ā tāone/Urban Form and Development Chapter also sets out a number of objectives and policies which are relevant to the Wāwāhia whenua/Subdivision Chapter:

- UFD-O1 – sets out targets for development capacity for residential activities in the district
- UFD-O2 – seeks sufficient feasible development capacity for commercial and industrial activities
- UFD-P1 – provides for residential density
- UFD-P2 – intensification of new Residential Development Areas
- UFD-P3 – identification and extension of Large Lot Residential Zone areas
- UFD-P4 – identification of Town Centre Zones
- UFD-P5 – identification/location and extension of Industrial Zones
- UFD-P6 - mechanism to release Residential and Commercial Development Areas ahead of rezoning
- UFD-P7 - mechanism to provide additional Commercial and Mixed Use Zones throughout the District
- UFD-P8 – mechanism to provide additional Industrial Zones throughout the District
- UFD-P9 – purpose and character of Special Purpose Zone (Kāinga Nohoanga)
- UFD-P10 – management of reverse sensitivity effects

The policies and methods have been developed in a manner to implement these directions that are set out in the Rautaki ahunga/Strategic Directions Chapter.

## 5.2 District-wide Subject

The proposed Chapter is a district-wide subject.

Subdivision provides the opportunity for development to take place at a variety of scales and plays an important role in the location and density of development, and effects on character and sustainability of both rural and urban areas. It reflects and implements urban growth, form and structure policies, and enables activities to be carried out as anticipated by the zone. Subdivision effects are often irreversible, and therefore require careful planning.

The subdivision process also regulates the provision of services for development, including open space and recreation, infrastructure, and community facilities. The adverse effects of activities are generally controlled by the relevant District-wide or zone-specific District Plan provisions. However, some effects of activities that may be undertaken on sites are better managed at the time of subdivision, such as earthworks, roading or provision and layout of open space and recreation areas.

Cost-effective and sustainable servicing by infrastructure is an important consideration for greenfield development. However, infrastructure installation, maintenance, upgrading, and access for these purposes, can also be an issue for subdivision of already developed land.

Subdivision provides an opportunity to consider a variety of other issues regarding the suitability of subdivided land for anticipated land uses, such as natural hazards, protection and enhancement of riparian margins, rural character, reverse sensitivity, urban design, and the recognition and protection of Mana Whenua cultural values.

## 5.3 Proposed Objectives and Policies

Three objectives are provided for in the Wāwāhia whenua/Subdivision Chapter.

### 5.3.1 SUB-O1 – Subdivision design

This objective seeks that subdivision takes place in a manner that provides for existing and anticipated land uses that maintain character, consolidates urban development, and maintains rural character unless required for urban expansion. This objective seeks that subdivision ensures communities are resilient, and that the values or significant natural and physical resources are protected or enhanced.

This is implemented through **Policies SUB-P1, SUB-P2, SUB-P3, SUB-P4, SUB-P5, SUB-P6 and SUB-P7** as well as policies **NH-P2-P6 and NH-P8** in the Matepā māhorahora/Natural Hazards Chapter and other chapters that address significant natural and physical resources.

These policies provide for design and amenity, the consideration of lot layout, size and dimension, identity through response to existing features and context and ensuring that the ability for people to provide for sustainable design is incorporated into subdivision and land development.

As part of design, subdivision and development is to achieve integration and connectivity with lot patterns and multi-modal transport connections, and provides for management of edge effects around settlements, incorporation of good urban design for urban development, and demonstrated application of Crime Prevention through Environmental Design (CPTED) principles. Required levels of density are set out, both in terms of maximum density through provision of minimum lots sizes, but also through minimum density for future urban development areas and greenfield priority areas.

Subdivision design also needs to address open space and recreation, and access to and the protection of waterbodies and their margins. Finally, any subdivision or land development needs to be in accordance with the fixed and flexible elements of any relevant outline development plan.

### **5.3.2 SUB-O2 Infrastructure and transport**

This provides that subdivision design and layout promotes efficient and sustainable provision, use and maintenance of all types of infrastructure and legible, well connected comprehensive movement networks for all transport modes.

This is implemented by **Policies SUB-P6 and SUB-P8**, as well as policies in the Transport, and Energy and Infrastructure Chapters: **Policies T-P1, T-P2, T-P7-P9, T-P14-P16, and EI-P1-P6**. These policies seek a range of different outcomes in relation to infrastructure, which includes road and transport infrastructure, as well as stormwater and wastewater infrastructure. The policies seek to ensure there is adequate provision, design, resilience and sustainability of infrastructure, including requirements for connection to reticulated systems where available. Consideration is given to the adverse effects of activities on infrastructure, and provision for appropriate roading, transport and access as part of subdivision design.

### **5.3.3 SUB-O3 Vesting of esplanade reserves or strips adjacent to waterways and the coast**

This objective seeks opportunities for the protection of conservation values, public access to or along rivers and lakes or the coast, and enabling public access where it is compatible with conservation values.

This is implemented by **SUB-P9** and provides for the protection and enhancement of waterbodies where subdivision and land development take place, as well as provisions for appropriate public access and protection or restoration of mahinga kai areas. SUB-P10 provides for the particular location where taking of reserves is desirable and the how net site area is to be calculated.

## 5.4 Proposed Methods

The Rules are set out with an activity table that identifies different types of subdivision activities that occur. Unlike the Operative District Plan, esplanade reserves and strips are not considered an activity themselves, but as a consequential requirement for all subdivision. The activity table provides that basic subdivision that meets all of the standards, and is not otherwise provided for with a different activity status, is a controlled activity. As other resources are impacted, such as subdivision within a national grid corridor, the class of activity becomes stricter, and additional matters of discretion are included (or alternatively, the activity becomes discretionary or non-complying).

All area-specific provisions have been removed, and are located within the Wāhanga waihanga/Development Area Chapter, where they are still relevant and required, along with the relevant outline development plan.

**Table 1** is then included, which sets out the minimum site size for subdivision, as well as shape requirements. Any subdivision is then required to comply with the standards from **SUB-S1 to SUB-S18**.

The assessment matters for subdivision (both controlled and restricted discretionary matters), are then set out under **SUB-MCD 1-13**.

## 6. SCALE AND SIGNIFICANCE EVALUATION

Section 32 (1)(c) of the RMA requires that a Section 32 report contain a level of detail that corresponds with the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposed objectives, policies and methods.

The level of detail undertaken for the subsequent evaluation of the proposed objectives, policies and methods has been determined by this scale and significance assessment.

In particular, Section 32 (1)(c) of the RMA requires that:

- (a) Any new proposals need to be examined for their appropriateness in achieving the purpose of the RMA;
- (b) The benefits and costs, and risks of new policies and methods on the community, the economy and the environment need to be clearly identified and assessed; and
- (c) All advice received from iwi authorities, and the response to the advice, needs to be summarised.

Further, the analysis has to be documented to assist stakeholders and decision-makers understand the rationale for the proposed objectives, policies and methods under consideration.

In making this assessment regard has been had to a range of scale and significance factors, including whether the provisions:

- (a) Are of regional or district wide significance;
- (b) Involve a matter of national importance in terms of Section 6 of the RMA;
- (c) Involve another matter under Section 7 of the RMA;
- (d) Raise any principles of the Treaty of Waitangi (Te Tiriti o Waitangi) under Section 8 of the RMA;
- (e) Address an existing or new resource management issue;

- (f) Adversely affect people's health and safety;
- (g) Adversely affect those with particular interests including Maori;
- (h) Adversely affect a large number of people;
- (i) Result in a significant change to the character and amenity of local communities;
- (j) Result in a significance change to development opportunities or land use options;
- (k) Limit options for future generations to remedy effects;
- (l) Whether the effects have been considered implicitly or explicitly by higher order documents;  
and
- (m) Include regulations or other interventions that will impose significant costs on individuals or communities.

**Policies and methods have been evaluated as a package, as together they address a particular issue and seek to meet a specific objective.**

### 6.1 Evaluation of Scale and Significance

|  | Low | Medium | High |
|--|-----|--------|------|
| <b>Degree of change from the Operative Plan</b>  | ✓   |        |      |
| The provisions do not differ vastly from the provisions in the Operative District Plan, given that they are, to some extent, a technical set of standards for the subdivision of a site. However it is noted that many of the site specific provisions that in the past have been included in the plan have been removed. In addition, slightly more direction is provided as to how greenfield land is to develop.  |     |        |      |
| <b>Effects on matters of national importance</b>   |     | ✓      |      |
| The Chapter impacts on a number of matters of national importance, set out in s 6 of the RMA. In particular, there are a number of provisions in s 6 which seek to avoid inappropriate subdivision, as a means of protecting certain natural and physical resources. Given that subdivision is one of the key methods to enable built development, the provisions will have a moderate impact on the matters of national importance.   |     |        |      |
| <b>Scale of effects geographically (local, district wide, regional, national)</b>  |     | ✓      |      |
| The scale of effects associated with activities under this Chapter are considered moderate, given that Waimakariri forms part of Christchurch, which is a tier 1 urban environment under the NPS UD, and the second largest city in New Zealand. However, it is not considered that there is anything exceptional associated the district in terms of its natural and physical resources which would be considered important so as to be widely recognisable at a national level. It is considered therefore that the scale of effects (including potential effects) would be medium.                            |     |        |      |
| <b>Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)</b>  |     |        | ✓    |
| The provisions impact on all landowners in the district, and provide the opportunity for development potential, growth and economic development. As such, the significance of the Chapter in terms of effects on people is considered to be high.  |     |        |      |
| <b>Scale of effects on those with specific interests, e.g., Mana Whenua, industry groups</b>   |     | ✓      | ✓    |
| Subdivision can have potential and cumulative impacts on resources of significance to mana whenua, and also provide opportunities for development of ancestral land, as well as impacting on the ability of mana whenua to return to ancestral land. Other interest groups also have an interest in the development framework, given that the environment of the Waimakariri District includes the coast, outstanding landscapes, and incentives to protect significant indigenous biodiversity. As such, the scale of effects on mana whenua and specific interest groups is considered to be moderate to high. |     |        |      |

|   |  |   |   |
|---|--|---|---|
| Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice? Is it consistent, inconsistent or contrary to those?  |  |   | ✓ |
| The Wāwāhia whenua/Subdivision Chapter is one of the key chapters that enables the implementation Chapter 6 of the CRPS, and the NPS-UD, through subdivision as a technique, and provision for outline development plans for greenfield subdivision. To this extent, the Chapter is important in terms of policy risk, and the potential to either implement or give effect to the higher order documents. As such, the significant in this respect is considered to be high. |  |   |   |
| Likelihood of increased costs or restrictions on individuals, communities or businesses   |  | ✓ |   |
| The provisions as drafted will result in a changes to the ability to subdivide in rural zones, which will impact on subdivision potential. Generally, however, the provisions represent a shift to enabling more development in urban areas, while protecting rural areas for rural production activities. The scale and significance of the Chapter is considered to be medium in relation to costs and restrictions.  |  |   |   |

Subdivision as a significant for economic growth, as well as risk of ad hoc or uncontrolled subdivision and its potential impact on the resources of the District.

Overall, it is considered that the scale and significance of the proposal is **medium-high**. The level of detail in this report corresponds with the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposed provisions.

## 7. EVALUATION OF PROPOSED OBJECTIVES

Section 32(1)(a) of the RMA requires the District Council to evaluate the extent to which the objectives are the most appropriate way to achieve the purpose of the RMA. The level of detail undertaken for the evaluation of the proposed objectives has been determined by the preceding scale and significance assessment. Below is a summary of the proposed objectives that have been identified as the most appropriate to address the resource management issue(s) and achieve the purpose of the RMA, against those objectives in the Operative District Plan.

### 7.1 Evaluation of Proposed Objectives

The structure of the Operative District Plan provides for a range of objectives and policies across the plan sections that address subdivision. The structure of the Operative District Plan is such that it does not directly correlate with the same sections in the rules sub-chapters. This has resulted in a dispersal of subdivision related provisions across multiple sections.

The proposed plan re-arranges the objective and policies so they relate to particular topics, in accordance with the directions set out in the National Planning Standards. As such, many of the topics addressing subdivision in different parts of the Operative District Plan are proposed to be brought together under the Wāwāhia whenua/Subdivision Chapter. However the values affected by subdivision will still be addressed in those other chapters (for example, the policy approach for effects of subdivision on outstanding natural features and landscape will be addressed in the Āhuetanga o te whenua/Natural Features and Landscapes Chapter).

| Existing Objective/s     | Appropriateness to achieve the purpose of the RMA |
|--------------------------|---|
| Chapter 14 – Rural Zones |   |

| Existing Objective/s   | Appropriateness to achieve the purpose of the RMA  |
|--|--|
| <p><b>Objective 14.1.1</b><br/>Maintain and enhance both rural production and the rural character of the Rural Zones, which is characterised by:</p> <ul style="list-style-type: none"> <li>a) the dominant effect of paddocks, trees, natural features, and agricultural, pastoral or horticultural activities;</li> <li>b) separation between dwellinghouses to maintain privacy and a sense of openness;</li> <li>c) a dwellinghouse clustered with ancillary buildings and structures on the same site;</li> <li>d) farm buildings and structures close to lot boundaries including roads;</li> <li>e) generally quiet – but with some significant intermittent and/or seasonal noise from farming activities;</li> <li>f) clean air – but with some significant short term and/or seasonal smells associated with farming activities; and</li> <li>g) limited signage in the Rural Zone.</li> </ul> | <p><b>Relevance:</b><br/>While this objective recognises the some of the characteristics of the rural zones, it doesn't necessarily identify the contribution of subdivision to that character. It does not fully recognise the potential effects of subdivision on that character, which forms a part of the environment.</p> <p>As such, could be improved so that it better recognises adverse effects of subdivision, and the impact it has on natural character. In its current form, it is not the most appropriate for achieving the purpose of the Act, which seeks to avoid, remedy or mitigate adverse effects on the environment.</p> <p><b>Reasonableness:</b><br/>The objective is useful, clearly stated and provides some guidance to decision makers, but doesn't provide a clear outcome for the rural zones in terms of the contribution of site size to amenity. To this extent, the outcomes are potentially uncertain.</p> <p><b>Achievability:</b><br/>The objective is achievable with the resources available to Council and landowners.</p> |
| <p><b>Objective 14.3.1</b><br/>Limit the increase in the number of people in the Rural Zones who may suffer noise nuisance from over flying aircraft using Christchurch International Airport.</p>   | <p><b>Relevance:</b><br/>This objective implicitly recognises the impact that subdivision can have on Christchurch International Airport. The reverse sensitivity matters addressed by this topic are addressed in the Pūngao me te hanganga hāpori/Energy and Infrastructure and Te orooro/Noise Chapters, including limiting reverse sensitivity effects on regionally significant infrastructure.</p> <p><b>Reasonableness:</b><br/>The objective is reasonable but does place a limitation on the ability to develop land under the Airport Noise Contour.</p> <p><b>Achievability:</b><br/>The objective is achievable with the resources available to Council.</p>   |
| <p><b>Objective 14.5.1</b><br/>To facilitate the rebuild and recovery of Greater Christchurch by directing future developments to existing urban areas, priority areas, identified rural residential development areas and MR873 for urban and rural residential activities and development.</p>   | <p><b>Relevance:</b><br/>This objective provides clear direction as to where development should take place in the Waimakariri District. However, earthquake rebuild and recovery is now largely complete for the district. An objective of this type is more relevant to the Rautaki ahunga/Strategic Directions Chapter, than the Wāwāhia whenua/Subdivision Chapter.</p> <p><b>Reasonableness:</b><br/>The objective is reasonable and encourages development in identified locations, providing certainty for investment.</p>   |

| Existing Objective/s  | Appropriateness to achieve the purpose of the RMA  |
|---|--|
|   | <p><b>Achievability:</b><br/>The objective is achievable with the resources available to Council.</p>  |
| <b>Chapter 15 – Urban Environment</b>   |  |
| <p><b>Objective 15.1.1</b><br/>Quality urban environments which maintain and enhance the form and function, the rural setting, character and amenity values of urban areas.</p>                 | <p><b>Relevance:</b><br/>This objective provides for the protection of the character and amenity of urban areas, but does not reference the need for consolidation. To this extent, while it enables the maintenance and enhancement of urban environments, but could be improved to provide better outcomes around the efficient use of finite land resources through consolidation.</p> <p><b>Reasonableness:</b><br/>The objective is reasonable but could be clearer about the desired form and function of urban areas.</p> <p><b>Achievability:</b><br/>The objective is achievable, and measurable from a subjective point of view.</p> |
| <p><b>Objective 15.1.3 Transport networks</b><br/>Transport networks that are safe, sustainable, efficient and facilitate connected communities and a choice of travel modes.</p>               | <p><b>Relevance:</b><br/>The outcomes of this objective provide for the efficient end use of energy (by way of efficient transport networks) and health and safety for people and the community. This objective is largely replicated in the proposed Chapter, but specific to subdivision.</p> <p><b>Reasonableness:</b><br/>The objective recognises the need to provide for the health and wellbeing of people and communities, and is a reasonable response to transport networks.</p> <p><b>Achievability:</b><br/>The objective is achievable and measurable.</p>  |
| <p><b>Objective 15.1.4 Efficient Land Use Comprehensive Residential Development</b><br/>Efficient use of urban areas incorporating urban design best practice.</p>                              | <p><b>Relevance:</b><br/>While the outcome sought by this objective is appropriate, it only relates to comprehensive residential development, and as such limits the application of urban design best practice to other activities such as subdivision.</p> <p><b>Reasonableness:</b><br/>The objective is reasonable, but limited in its application, placing an unfair burden solely on developers of CRD development, whereas it should apply to all multi-unit development.</p> <p><b>Achievability:</b><br/>The objective is achievable, and measurable from a subjective point of view.</p>  |
| <b>Chapter 17 – Residential Zones</b>   |  |
| <p><b>Objective 17.1.1</b><br/>Residential Zones that provide for residents’ health, safety and wellbeing and that provide a range of living environments with distinctive characteristics.</p> | <p><b>Relevance:</b><br/>This outcome is provided for in the Waitua nohonoho/Residential Chapter, and as with the objective for rural areas, does not identify the contribution of subdivision to the character or quality of the environment. To this extent, it could be improved to better achieve the purpose</p>  |



| Existing Objective/s  | Appropriateness to achieve the purpose of the RMA   |
|---|---|
|   | <p data-bbox="788 230 1465 331">of the RMA by specifically recognising the contribution of subdivision to residential character.</p> <p data-bbox="788 338 1465 439"><b>Reasonableness:</b><br/>The objective is reasonable and seeks a range of living environments for the districts residents.</p> <p data-bbox="788 445 1465 546"><b>Achievability:</b><br/>The objective is achievable, however it may be difficult to quantify the extent to which the objective is met.</p>  |
| <p data-bbox="118 546 778 613"><b>Objective 17.1.3 Efficiency and sustainability – Comprehensive Residential Development</b></p> <p data-bbox="118 613 778 714">Efficient and sustainable use of residential land and utility services that achieves long term energy efficiency.</p>   | <p data-bbox="788 546 1465 748"><b>Relevance:</b><br/>This objective is limited only to Comprehensive Residential Development (CRD).<sup>6</sup> The outcome sought is consistent with enabling people to provide for their social and economic wellbeing, however it needs to be extended to cover all development not just that associated with CRD.</p> <p data-bbox="788 754 1465 922"><b>Reasonableness:</b><br/>The objective is reasonable, but limited in its application, placing an unfair burden solely on developers of CRD development, whereas it should apply to all multi-unit development.</p> <p data-bbox="788 929 1465 1028"><b>Achievability:</b><br/>The objective is achievable, however it may be difficult to quantify the extent to which the objective is met.</p>   |
| <b>Chapter 18 – Constraints on Subdivision and Development</b>  |   |
| <p data-bbox="118 1064 778 1164"><b>Objective 18.1.1</b><br/>Sustainable management of natural and physical resources that recognises and provides for:</p> <ul style="list-style-type: none"> <li data-bbox="177 1211 778 1272">a) changes in the environment of an area as a result of land use development and subdivision;</li> <li data-bbox="177 1317 778 1417">b) changes in the resource management expectations the community holds for the area; and</li> <li data-bbox="177 1451 778 1512">c) the actual and potential effects of subdivision, use and development.</li> </ul> | <p data-bbox="788 1064 1465 1440"><b>Relevance:</b><br/>This outcome recognises that change can occur, but does not identify how that change is to be measured. As such, the outcomes sought for the various zones is undetermined, which may make it difficult for people and community to provide for their wellbeing, and to appropriately avoid, remedy or mitigate the adverse effects of activities on the environment. To this extent, the existing objective is not the most appropriate for achieving the purpose of the Act.</p> <p data-bbox="788 1447 1465 1648"><b>Reasonableness:</b><br/>Because the outcomes sought by the objective are uncertain, it could place an unfair burden on developers and decision makers to determine whether or not a particular proposal meets the objective. For this reason, it is not considered a reasonable objective.</p> <p data-bbox="788 1655 1465 1787"><b>Achievability:</b><br/>The objective is not achievable because the outcome is uncertain and not measurable.</p> |

<sup>6</sup>Comprehensive Residential Development was introduced as part of the Land Use Recovery Plan to provide for multi-unit development in specified areas within the Waimakariri residential zones. It includes a set of specific planning provisions.

| Existing Objective/s  | Appropriateness to achieve the purpose of the RMA   |
|---|---|
| <p><b>Objective 18.1.3</b><br/>Provide for limited further subdivision, development and use within the Mandeville settlement that achieves:</p> <ul style="list-style-type: none"> <li>a) a compact living environment within a rural setting;</li> <li>b) consolidation of the Mandeville settlement by providing for new subdivision and development within the Mandeville settlement boundary;</li> <li>c) provision and utilisation of reticulated infrastructure and services;</li> <li>d) the maintenance and enhancement of the characteristics of Residential 4A and 4B Zones;</li> <li>e) promotion of the use of alternative transport modes for transit within the Mandeville settlement; and</li> <li>f) the preservation of the distinct and distinguishable boundaries of the Mandeville settlement.</li> </ul> | <p><b>Relevance:</b><br/>This objective is specific to the situation at Mandeville. It provides for limited further subdivision at Mandeville, but does not describe what 'limited' means. Otherwise, the objective applies a series of clear outcomes to be achieved for the Mandeville settlement. These outcomes are not provided for other rural residential areas in the district, which results in a policy gap for these areas, which are not subject to such outcomes.</p> <p>Consolidating these concepts to apply to all development and subdivision provides a better approach and is equitable across the rural residential areas.</p> <p><b>Reasonableness:</b><br/>The objective is provides for a clear outcome for Mandeville, however the same direction is not provided for other rural residential areas in district. As such, it is not considered a reasonable objective.</p> <p><b>Achievability:</b><br/>The objective is measurable and achievable in the context of the Mandeville settlement.</p> |

| Proposed Objective/s  | Appropriateness to achieve the purpose of the RMA   |
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| <p><b>SUB-O1: Subdivision design</b></p> <p>Subdivision design achieves an integrated pattern of land use, development, and urban form, that:</p> <ol style="list-style-type: none"> <li>1. provides for anticipated land use and density that achieve the identified future character, form or function of zones;</li> <li>2. consolidates urban development and maintains rural character except where required for, and identified by, the District Council for urban development;</li> <li>3. supports protection of cultural and heritage values, conservation values; and</li> <li>4. supports community resilience to climate change and risk from natural hazards.</li> </ol> | <p><b>Relevance:</b><br/>This objective links to the identified character for each of the zones, recognising that subdivision has an influencing impact on the character of those areas.</p> <p>For reference, the character of the zones is set out in each of the residential and rural zones, and the function of different business zones is set out in the Waitua arumoni/Commercial and Mixed Use Zone and Waitua ahumahi/Industrial Zone Chapters.</p> <p>The objective seeks the consolidation of urban development, which is sought by the higher order planning documents including the Canterbury Regional Policy Statement. Rural character is sought to be maintained, except where it is required for urban use. This contributes to the sustainable management of the rural soil resource.</p> <p>Improved transport integration through better connectivity enables an efficient end use of energy, by reducing congestion and providing alternative modes of transport.</p> <p>Lastly, the finite characteristics of infrastructure are recognised, as well as provision for sustainable development. The outcomes sought the potential impact</p> |

| Proposed Objective/s  | Appropriateness to achieve the purpose of the RMA   |
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|   | <p data-bbox="794 237 1458 331">from natural hazards, provides for renewable energy generation through development according to solar access, and takes into account the effects of climate change.</p> <p data-bbox="794 521 1458 745"><b>Reasonableness:</b><br/>The objective provides for clear decision making in relation the outcomes sought to be achieved for the pattern of development and urban form. It is consistent with the outcomes sought in the higher order documents such as the CRPS and the DDS, and is a reasonable response to management of development.</p> <p data-bbox="794 801 1458 869"><b>Achievability:</b><br/>The objective is achievable and measurable.</p>  |
| <p data-bbox="129 904 555 936"><b>SUB-02: Infrastructure and transport</b></p> <p data-bbox="129 972 772 1066">Efficient and sustainable provision, use and maintenance of infrastructure; and a legible, well connected, transport system for all transport modes.</p>   | <p data-bbox="794 904 1458 1128"><b>Relevance:</b><br/>This objective enables people and communities to provide for their social and economic wellbeing, by improving the efficiency of the transport system. By ensuring that subdivision design incorporates a range of movement networks, the ability for walking and cycling is provided for, which contributes to public health.</p> <p data-bbox="794 1173 1458 1267">This objective is consistent with Objective T-O1 which seeks to provide for a safe, integrated and sustainable transport system.</p> <p data-bbox="794 1312 1458 1406">To a large extent, it replicates Objective 15.1.3 of the Operative District Plan, but combines other infrastructure into the objective.</p> <p data-bbox="794 1451 1458 1608"><b>Reasonableness:</b><br/>The objective promotes the efficient and effective provision of infrastructure including transport and road, and as such, is a reasonable response to development of infrastructure as part of land development and subdivision.</p> <p data-bbox="794 1619 1458 1713"><b>Achievability:</b><br/>The objective is achievable, and measurable from a subjective point of view.</p> |
| <p data-bbox="129 1785 679 1816"><b>SUB-03: Esplanade reserves and esplanade strips</b></p> <p data-bbox="129 1830 772 1924">Esplanade reserves and esplanade strips created through subdivision adjacent to the sea, lakes and rivers contribute to:</p> <ol data-bbox="177 1935 772 2029" style="list-style-type: none"> <li>1. the protection of conservation values;</li> <li>2. public access to or along rivers and lakes or the coast; or</li> </ol> | <p data-bbox="794 1785 1458 2009"><b>Relevance:</b><br/>This objective recognises the ability to protect the natural character of waterbodies and their margins, which is a matter of national importance, through the acquisition or taking of esplanade reserves. Another matter of national importance is the ability to maintain and enhance public access to and along the coastal marine area, lakes and rivers.</p>  |

| Proposed Objective/s  | Appropriateness to achieve the purpose of the RMA  |
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| <p>3. enable public recreational use where it is compatible with conservation values.</p> | <p>Section 6(h) provides that decisions makers also recognise and provide for the management of significant risks from natural hazards. All of these matters are important considerations for the taking of esplanade strips and reserves. Given this, the objective is considered to be appropriate for achieving the purpose of the Act.</p> |
|   | <p><b>Reasonableness:</b><br/>The objective recognises the ability to take and provide for esplanade reserves and strips as part of subdivision for identified purposes. The outcomes sought are clear and able to be interpreted by landowners and decisions makers and are considered to be reasonable.</p>                                  |
|   | <p><b>Achievability:</b><br/>The objective is achievable, and measurable. Council has the ability to require some esplanades but may require resources where subdivision takes place on sites greater than 4ha.</p>  |

## 7.2 Summary - Evaluation of Proposed Objectives

Overall, the proposed objectives provide a more targeted and concise collection of specific subdivision related objectives than the Operative District Plan. While the Operative District Plan does provide guidance as to outcomes, these are spread throughout the plan rather than concisely collected in one place.

The objectives clearly address key topics. There are also a range of objectives and policies that will remain important in the Rautaki ahunga/Strategic Directions Chapter, and influence where subdivision and development can take place. These provide an overarching high level direction for planned development in the Waimakariri District.

Given the iterative nature of s 32 RMA, consideration of further alternatives or changes to the objectives can be considered through the submission process.

For the reasons given above, it is considered that the proposed objective better achieve the purpose and principles of the RMA, as set out in section 5 to 8.

## 8. EVALUATION OF PROPOSED POLICIES AND METHODS

Section 32 (1)(b) of the RMA requires an evaluation of whether the proposed policies and methods are the most appropriate way to achieve the proposed objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the proposed policies and methods in achieving the objectives, and summarising the reasons for deciding on the proposed policies and methods.

**The level of detail undertaken for the evaluation of the proposed policies and methods has been determined by the preceding scale and significance assessment.**

The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the proposed policies and methods, including opportunities for economic growth and employment.

The assessment must, if practicable, quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

Policies and methods have been evaluated as a package, as together they address a particular issue and seek to meet a specific objective

### 8.1 Evaluation of Proposed Policies and Methods

| Policy and method options to achieve the District Plan objectives relating to SUB-01:Subdivision design  | Benefits<br>environmental, economic, social and cultural effects anticipated,  | Costs<br>environmental, economic, social and cultural effects anticipated,  | Efficiency and effectiveness   | Risk of acting / not acting<br>if there is uncertain or insufficient information about the subject matter of the provisions  |
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| <p>(a) Provide specifically for subdivision design through Policies SUB-P1-P7, and NH-P2-P6 and NH-P8. Implemented through Rules SUB-R1-R11, Table 1, and SUB-S1-S16, SUB-S18, and SUB-MCD1-MCD13.</p> | <p><b>Environmental:</b></p> <p>(a) The provisions ensure that subdivision is appropriate for the form and function of the respective zones and ensure that urban development occurs in urban zones and non-urban development in the non-urban zones.</p> <p>(b) The proposed provisions allow for a wider consideration and protection of natural features such as areas of vegetation, landscapes and sites of cultural value.</p> <p>(c) Opportunities exist for development rights where significant indigenous vegetation and habitats are protected.</p> <p>(d) A compact urban form supported by well-planned</p> | <p><b>Environmental:</b></p> <p>(a) Increase in greenfield urban areas will reduce the ability for rural production to take place, particularly if that take place on highly valued land.</p> <p>(b) Sites and areas impacted by high hazard areas will have their ability to be developed reduced.</p> <p>(c) While the overlays address the key natural features that need to be retained on a site, there would still be some loss of features where they are not located within these overlays.</p> | <p>(a) The proposed provisions are considered to be the most effective means to achieve the proposed objectives because:</p> <ul style="list-style-type: none"> <li>• they address the relevant effects associated with subdivision and ensure that Council is able to impose the required conditions of consent for controlled activities.</li> <li>• the proposed provisions ensure that the form and function of the zones are not compromised by future subdivision.</li> <li>• the proposed provisions apply to all the new zones and therefore ensures that no zones are stranded without subdivision provisions.</li> </ul> | <p>It is considered that there is certain and sufficient information on subdivision, and therefore no risk associated with acting or not acting in relation to the subdivision provisions.</p> |

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|  | <p>transport options will increase fuel efficiency, reducing carbon emissions and impact on climate change.</p>  |   | <p>(b) The proposed provisions give effect to higher order direction (NPS-UD and CRPS), which the proposed objective also responds to.</p>  |  |
|  | <p><b>Economic:</b></p> <p>(a) The proposed provisions allow for private properties to be subdivided and for applicants to realise the financial benefits from undertaking this process.</p> <p>(b) Subdivision of land allows Council to generate additional revenue in the form of rates and development contributions. This revenue can be used to pay for a range of services and infrastructure upgrades.</p> <p>(c) The subdivision of residential land increases the number of people that live within the Waimakariri District. This results in more people being available to support local businesses and increases the overall economic performance of the district.</p> <p>(d) Greater direction is provided for the development of outline development plans, providing certainty for developers as to the requirements for new greenfield development.</p> | <p><b>Economic:</b></p> <p>(a) There are costs associated with the resource consent process and the need to assess the application against the relevant matters of the District Plan.</p> <p>(b) For some properties, the ability to subdivide will be reduced when compared to the existing situation. This is particularly relevant when the proposed lot size does not align with the intended form and function of the zone.</p> <p>(c) There will still be a need for development contributions to pay for infrastructure upgrades, new infrastructure, and parks.</p> <p>(d) There will be increased costs to developments as a result of the need to incorporate mitigation measures into some development forms</p> | <p>(c) The proposed provisions are collated in a single chapter and give effect to the National Planning Standards.</p> <p>(d) The proposed provisions are considered to be the most efficient means to achieve the proposed objectives because:</p> <ul style="list-style-type: none"> <li>• The proposed provisions (in particular the policies) are more nuanced and ensure a more logical consent status elevation when standards are not met than the status quo.</li> <li>• While the proposed provisions will result in some additional economic costs, it is considered that the resulting benefits to future occupants of the district outweigh these costs.</li> <li>• The proposed provisions take a consistent approach across development in the district and therefore is a simple framework to apply.</li> </ul> |  |

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|  | <p>(e) Reduced number of subdivision standards to be assessed against and removal of unnecessary detail in the body of the plan.</p> <p>(f) There will be additional development capability in the General Residential Zone and Medium-density Residential zone compared to the Operative District Plan.</p>  | <p>(particularly in relation to natural hazards).</p>  | <ul style="list-style-type: none"> <li>The proposed provisions reduce the burden of evidence required to be provided by applicants at the time of subdivision, to determine whether they are a controlled activity, while still ensuring the outcomes of the respective zones are achieved.</li> </ul> <p>The proposed provisions align so that the outcomes sought within the objectives and policies are also reflected in the rule framework.</p> |  |
|  | <p><b>Social:</b></p> <p>(a) The proposed provisions ensure that the development that is undertaken in the district is appropriate for the form and function of the zone. This will assist with providing future employment opportunities through ensuring that industrial and commercial zoned land is not fragmented in a manner that prevents its efficient use in the future.</p> | <p><b>Social:</b></p> <p>(a) There are no identified social costs associated with this option.</p>     |  |  |
|  | <p><b>Cultural:</b></p> <p>(a) The provisions recognise the importance of sites and areas of cultural significance to Ngāi Tūāhuriri, which should enable greater opportunities to</p>  | <p><b>Cultural:</b></p> <p>(a) There are no identified cultural costs associated with this option.</p> |  |  |

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|  | provide for the relationship of mana whenua with their ancestral lands, wai, waahi tapu and taonga. |   |   |   |
| <b>Opportunities for economic growth and employment</b>  |   |   |   |   |
| Subdivision generally contributes a significant amount to the economy of the district, providing opportunities for both commercial and residential development to take place which in turn has a positive impact for employment for both business and in the construction industry. Providing certainty through the use of controlled activity status for general subdivision is likely to stimulate investment, while retaining a more stringent activity status for subdivision where resources or people might be impacted from development capability obtained through subdivision. Undertaking outline development planning will ensure that sufficient knowledge is obtained around the restrictions that might apply to new built development early in the process, increasing certainty around timing and delivery of development and increasing efficiency. |   |   |   |   |
| <b>Quantification</b>  |   |   |   |   |
| Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified. Given the assessment of the scale and significance of the proposed changes above it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes. Given that alternatives will be raised throughout the submission process, it may be appropriate to consider more detailed quantification of costs and benefits in response to submissions.   |   |   |   |   |
| The evaluation in this report identifies where there may be additional cost(s), however the exact quantification of the benefits and costs discussed was not considered necessary, beneficial or practicable.  |   |   |   |   |
| <b>Options less appropriate to achieve the objective</b>   |   |   |   |   |
| <b>Option B: Status Quo</b>  | <b>Benefits</b><br>environmental, economic, social and cultural effects anticipated,                | <b>Costs</b><br>environmental, economic, social and cultural effects anticipated,   | <b>Efficiency and Effectiveness</b>   | <b>Risk of acting / not acting</b><br>if there is uncertain or insufficient information about the subject matter of the provisions  |
| <b>Retain the existing provisions in the operative plan including larger urban allotments and 4ha rural subdivision</b>  | <b>Environmental:</b><br>(a) The environmental benefits are generally the same as Option A.         | <b>Environmental:</b><br>(b) Larger farming units in the upper plains and foothills could continue to be subdivided for 4ha lifestyle blocks, reducing the potential for standalone economic farming units and resulting in a need for commuting. This in turn places pressure on | The provisions are less efficient in terms of provision for infill residential development in urban areas.<br><br>In terms of useability, the plan is not efficiently set out and useable, and would benefit from improved clarity. | It is considered that there is certain and sufficient information on subdivision, and therefore no risk associated with acting or not acting in relation to the subdivision provisions. |



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|  |  | <p>roading and fuel efficiency and increases the potential for increased carbon emissions</p> <p>(c) Larger lot sizes in urban areas results in a less efficient use of urban land. Low density development doesn't support the development of public transport and active transport options.</p> <p>(d) A lower supply of urban land for intensification increases the need for greenfield development, expanding urban areas on to productive farmland.</p> | <p>At present, the status quo provisions are not the most effective at implementing the provisions of the CRPS, as they do not adequately protect the productive rural resource.</p> |
|  | <p><b>Economic:</b></p> <p>(a) Increased greenfield expansion results in economic development of peri-urban land, releasing its value.</p> | <p><b>Economic:</b></p> <p>(a) A lower supply of urban land for intensification increases the need for greenfield development, expanding urban areas on to productive farmland. This reduces the opportunity for ongoing rural production</p>   |  |
|  | <p><b>Social:</b></p> <p>(a) The environmental benefits are generally the same as Option A.</p>  | <p><b>Social:</b></p> <p>(a) Retaining lower densities in urban areas reduces the chance of a greater range of housing typologies and sizes, which in turn reduces affordability and results in inefficient delivery of housing.</p>  |  |
|  | <p><b>Cultural:</b></p> <p>(a) The environmental benefits are generally the same as Option A.</p>  | <p><b>Cultural:</b></p> <p>(a) The existing framework does not provide the best</p>   |  |

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|  |  | opportunity for development of MR873 at Tuahiwi. This reduces the ability for Ngāi Tūāhuriri to provide for their relationship with their ancestral land. |  |  |
| <b>Opportunities for economic growth and employment</b>                          |  |   |  |  |
| The opportunities for economic growth and employment remain similar to Option A. |  |   |  |  |

| <b>Policy and method options to achieve the District Plan objectives relating to SUB-O2:Infrastructure and Transport</b>  | <b>Benefits</b><br>environmental, economic, social and cultural effects anticipated,  | <b>Costs</b><br>environmental, economic, social and cultural effects anticipated,                           | <b>Efficiency and Effectiveness</b>  | <b>Risk of acting / not acting</b><br>if there is uncertain or insufficient information about the subject matter of the provisions   |
|---|---|---|--|--|
| <p>(a) Provide direction on infrastructure and transport outcomes through Policies SUB-P6, SUB-P8, T-P1, T-P2, T-P7-P9, T-P14-P16, and EI-P1-P6</p> <p>(b) Implemented through rules SUB R1-R14, SUB-S4-S16, SUB-MCD1, SUB-MCD2, SUB-MCD3, SUB-MCD6, SUB-</p> | <p><b>Environmental:</b></p> <p>(a) The policies and standards require connections to reticulated systems where available, and upgrades to systems where required if they benefit the developer, otherwise appropriate cost sharing agreements. This will ensure that three waters systems and roading networks have sufficient capacity for development.</p> <p>(b) The plan promotes the use of low-impact design, which will have environmental benefits for waterways and</p> | <p><b>Environmental:</b></p> <p>(a) No environmental costs are identified in relation to this approach.</p> | <p>The proposed provisions are considered to be effective in achieving the proposed objectives because:</p> <ul style="list-style-type: none"> <li>• They give effect to higher order direction (Section 6, NZCPS and RPS) through a clear, transparent and consistent framework that is located within the District Plan.</li> <li>• While the proposed provisions will result in some additional economic costs, it is considered that the resulting benefits to future occupants of the district outweigh these costs.</li> </ul> | <p>It is considered that there is certain and sufficient information on subdivision, and therefore no risk associated with acting or not acting in relation to the subdivision provisions.</p> |

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| <p>MCD9, SUB-MCD10,<br/>SUB-MCD11.</p> | <p>groundwater recharge in relation to stormwater.</p>   |  | <ul style="list-style-type: none"> <li>• The proposed provisions take a consistent approach across subdivision in the zones and therefore is a simple framework to apply.</li> <li>• The proposed provisions reflect existing practice that is occurring within the district and the wider region (in relation to subdivision), and the proposed provisions provide greater clarity and certainty around this approach (which is accepted by the development community).</li> </ul> |  |
|  | <p><b>Economic:</b></p> <p>(a) Efficient and well designed infrastructure will reduce travel times in relation to transport, and better manage 3 waters.</p> <p>(b) Well-designed infrastructure at the consenting stage will ensure that retro-fitting of infrastructure at a later date is not required.</p> | <p><b>Economic:</b></p> <p>(a) There may be some increased costs for developers in terms of providing for water-sensitive and other best practice design, however this could result in a reduced cost in terms of long term capacity in stormwater networks.</p> <p>(b) Costs will arise for developers in the course of ensuring that roading infrastructure is adequate, however this is offset by a reduction in cost to ratepayers if they were to carry the cost.</p> |   |  |

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|   | <p><b>Social:</b></p> <p>(a) The policies make specific provision for CPTED principles to be incorporated into design, which provides a social benefit both in terms of crime but also enables a sense of belonging and social interaction.</p> <p>(b) Roading areas are well designed, legible and easy to navigate.</p> <p>(c) Well-designed infrastructure will increase community resilience to change, including climate change and proportional contributions to greenhouse gas emissions.</p> | <p><b>Social:</b></p> <p>(a) No social costs are identified in relation to this approach.</p>     |  |  |
|   | <p><b>Cultural:</b></p> <p>(a) The plan promotes the use of low-impact design, which will have cultural benefits for waterways and groundwater recharge in relation to stormwater, a matter which is important to Ngāi</p>   | <p><b>Cultural:</b></p> <p>(a) No cultural costs are identified in relation to this approach.</p> |  |  |
| <p><b>Opportunities for economic growth and employment</b></p>  |  |   |  |  |
| <p>Ensuring that infrastructure and transport outcomes can be achieved through land use development means that both municipal infrastructure and roading can be utilised efficiently. This increases the potential for economic growth in the district, and the ability to cater for that population growth and subsequent employment. Overall, the policies and methods that aim to provide for that growth, meaning there will be a net benefit to opportunities for growth and employment.</p> |  |   |  |  |
| <p><b>Quantification</b></p>  |  |   |  |  |

Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified. Given the assessment of the scale and significance of the proposed changes above it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes. Given that alternatives will be raised throughout the submission process, it may be appropriate to consider more detailed quantification of costs and benefits in response to submissions.

The evaluation in this report identifies where there may be additional cost(s), however the exact quantification of the benefits and costs discussed was not considered necessary, beneficial or practicable.

**Options less appropriate to achieve the objective**

| <b>Option B: Status Quo</b>   | <b>Benefits</b><br>environmental, economic, social and cultural effects anticipated,                           | <b>Costs</b><br>environmental, economic, social and cultural effects anticipated,   | <b>Efficiency and Effectiveness</b>  | <b>Risk of acting / not acting</b><br>if there is uncertain or insufficient information about the subject matter of the provisions  |
|---|--|---|--|---|
| <b>Retain existing provisions in district plan with less guidance on integrated management of infrastructure.</b> | <b>Environmental:</b><br>(a) No additional environmental benefits are identified in relation to this approach. | <b>Environmental:</b><br>(a) There is the potential for less effective delivery of infrastructure, if that infrastructure is not resilient to the impacts of climate change.<br>(b) There is an increased potential for infrastructure to not be able to deliver on the outcomes sought by the NPS-FWM. | The provisions are less efficient in terms of provision for transport infrastructure and design.<br><br>In terms of useability, the plan is not efficiently set out and useable, and would benefit from improved clarity.<br><br>At present, the status quo provisions are not the most effective at implementing the provisions of the CRPS, as they do not adequately protect regionally significant infrastructure. | It is considered that there is certain and sufficient information on subdivision, and therefore no risk associated with acting or not acting in relation to the subdivision provisions. |
|   | <b>Economic:</b><br>(a) No additional economic benefits are identified with this approach.                     | <b>Economic:</b><br>(a) Long term economic costs may arise where infrastructure needs to be adapted or expanded to change to be resilient, or cope with climate change or natural hazards, with this cost being picked up by local or central government.   |  |   |

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|  | <b>Social:</b><br>(a) No additional social benefits are identified with this approach.               | <b>Social:</b><br>(a) The status quo provides for less connectivity and recognition of the health benefits of multi-modal transport, which can result in health and wellbeing impacts. |  |  |
|  | <b>Cultural:</b><br>(a) No additional cultural benefits are identified in relation to this approach. | <b>Cultural:</b><br>(b) There is an increased risk of costs associated with cultural values, where impacts on natural resources such as freshwater arise.                              |  |  |
| <b>Opportunities for economic growth and employment</b>                          |  |  |  |  |
| The opportunities for economic growth and employment remain similar to Option A. |  |  |  |  |

| Policy and method options to achieve the District Plan objectives relating to SUB-03:<br>Vesting of reserves or strips adjacent to waterways and the coast | Benefits<br>environmental, economic, social and cultural effects anticipated,  | Costs<br>environmental, economic, social and cultural effects anticipated,                       | Efficiency and Effectiveness  | Risk of acting / not acting<br>if there is uncertain or insufficient information about the subject matter of the provisions  |
|--|--|--|---|--|
| (a) Provide direction for taking of esplanade strips and reserves  | <b>Environmental:</b><br>(a) One of the main functions of an Esplanade Reserve is to assist with maintaining the ecological values of the water body it is located alongside. As such, | <b>Environmental:</b><br>(a) No environmental costs are identified in relation to this approach. | The proposed provisions are considered to be effective in achieving the proposed objectives because: <ul style="list-style-type: none"> <li>• They give effect to higher order direction (Section 6, NZCPS and</li> </ul> | It is considered that there is certain and sufficient information on esplanade reserves, and therefore no risk associated with acting or not acting in relation to the subdivision provisions. |

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| <p>through SUB-P9 and SUB-P10</p> <p>(b) Implemented through rules SUB-S17, SUB-MCD4</p> | <p>there are significant ecological and natural character benefits from the provision of esplanade reserves and strips.</p> <p>(b) As an esplanade reserve is owned by the Council, there are ecological benefits derived from separating activities from water bodies. An example of this is where stock may be excluded from a stream and its riparian margins as a result of an esplanade reserve.</p> <p>(c) Taking of esplanade reserves places the margin of the waterbody in the ownership of the council, providing a greater opportunity for hazard management.</p> |   | <p>RPS) through a clear, transparent and consistent framework that is located within the District Plan.</p> <ul style="list-style-type: none"> <li>• While the proposed provisions will result in some additional economic costs, it is considered that the resulting benefits to future occupants of the district outweigh these costs.</li> <li>• The proposed provisions take a consistent approach across subdivision in the zones and therefore is a simple framework to apply.</li> <li>• The proposed provisions reflect existing practice that is occurring within the district and the wider region (in relation to subdivision), and the proposed provisions provide greater clarity and certainty around this approach (which is accepted by the development community).</li> </ul> |  |
|  | <p><b>Economic:</b></p> <p>(a) Access to waterways and the coast in the Waimakariri district have the potential to draw domestic tourism and recreation opportunities, which potentially increases spending from non-residents in the district.</p>  | <p><b>Economic:</b></p> <p>(a) The proposed provisions means that landowners adjacent to rivers or the coastal marine area have a lost opportunity cost as a result of adjoining land being taken as an esplanade reserve. The resulting reduction in property size means that there can be resulting economic costs (for</p> |  |  |

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|  |   | <p>example loss of grazing land on rural properties).</p> <p>(b) There is a direct cost to Council from the provision of esplanade reserves as the Council is responsible for the long term costs in developing public infrastructure for the reserve and in maintenance costs.</p> <p>(c) The proposed provisions are not expected to impact on employment opportunities or economic growth.</p> |  |  |
|  | <p><b>Social:</b></p> <p>(a) Communities experience less damage from natural hazards as buildings are setback further from the edges of water bodies or the coastline, thereby providing a greater buffer from flooding, coastal erosion and seawater inundation. This ensures significantly reduced economic impacts from when a natural hazard event occurs as the loss of productivity and employment opportunities are not as large or significant.</p> | <p><b>Social:</b></p> <p>(a) No social costs are identified with this option.</p>   |  |  |



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|  | <p>(b) The proposed provisions ensure the main social benefit associated with the proposed provisions is that they will allow improved access to rivers and the coastal marine area as land alongside these areas are progressively subdivided and developed. This allows for a number of social and recreation benefits to be experienced by the community over time.</p>                              |   |  |  |
|  | <p><b>Cultural:</b></p> <p>(a) The provisions recognise the importance of sites and areas of cultural significance to Ngāi Tūāhuriri, which should enable greater opportunities to provide for the relationship of mana whenua with their ancestral lands, wai, waahi tapu and taonga.</p> <p>(b) The proposed provisions will assist with the improvement of the mauri of the natural environment.</p> | <p><b>Cultural:</b></p> <p>(a) Access to and along waterways could result in possible damage to culturally sensitive areas if insufficient consultation is carried out.</p> |  |  |

**Opportunities for economic growth and employment**

No significant opportunities for economic growth or employment are identified with this approach.

**Quantification**

Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified. Given the assessment of the scale and significance of the proposed changes above it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes. Given that alternatives will be raised throughout the submission process, it may be appropriate to consider more detailed quantification of costs and benefits in response to submissions.

The evaluation in this report identifies where there may be additional cost(s), however the exact quantification of the benefits and costs discussed was not considered necessary, beneficial or practicable.

## 8.2 Summary - Evaluation of Proposed Policies and Methods

The proposed provisions have been assessed as the most appropriate to give effect to section 31(1)(aa), the NPS-UD, the CRPS, the Strategic Directions and the zone objectives as they:

- Provide for subdivision and manage anticipated adverse effects, including effects for future generations;
- Discourage inappropriate subdivision and use that comprises the intended future use; and
- Allow for Council to meet their higher order documentation obligations.

The alternative provisions would not achieve the same outcomes and would result in higher social, economic and environmental costs to the Waimakariri District.

## 9. SUMMARY

This evaluation has been undertaken in accordance with Section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as it:

- Best gives effect to higher order documents, including the national planning standards;
- Results in provisions that clearly provide for the subdivision process;
- Respond to the different character of zones and overlays, and other important values in the District such as cultural, heritage and values associated with the natural environment;
- Ensure adverse effects, including those on future generations are recognised and managed and
- Is the most effective and efficient way to achieve the proposed objectives, the purpose of the Act and the Proposed District Plan's strategic objectives.