

**Before the Hearings Panel
At Waimakariri District Council**

Under Schedule 1 of the Resource Management Act 1991

In the matter of the Proposed Waimakariri District Plan

Between **Various**

Submitters

And **Waimakariri District Council**

Respondent

**Council reply on Special Purpose Zone Pines Beach and Kairaki Regeneration –
Bryony Steven on behalf of Waimakariri District Council**

Date: 8 March 2024

INTRODUCTION:

- 1 My full name is Bryony Annette Steven. I am employed as a Policy Planner for Waimakariri District Council. I am the Reporting Officer for Whitua Motuhake - Special Purpose Zone Pines Beach and Kairaki Regeneration chapter and I prepared the s42A Report.
- 2 I have read the evidence and tabled statements provided by submitters relevant to the Section 42A Report Special Purpose Zone Pines Beach and Kairaki Regeneration.
- 3 I have prepared this Council reply on behalf of the Waimakariri District Council (**Council**) in respect of matters raised through Hearing Stream 10 on the Special Purpose Zone Pines Beach and Kairaki Regeneration chapter.
- 4 I am authorised to provide this evidence on behalf of the District Council.

QUALIFICATIONS, EXPERIENCE AND CODE OF CONDUCT

- 5 Appendix C of my section 42A report sets out my qualifications and experience.
- 6 I confirm that I am continuing to abide by the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023.

SCOPE OF REPLY

- 7 This reply follows Hearing Stream 10 held on 19 February 2024. Minute 20 of the Hearing Procedures allowed for s42A report authors to submit a written reply by 4pm 8 March 2024.
- 8 The main topics addressed in this reply include:
 - Answers to questions posed by the Panel;
 - Matters raised in submitter evidence; and
 - Changes to recommendations in s42A report.

- 9 **Appendix 1** has a list of materials provided by submitters including expert evidence, legal submissions, submitter statements etc. This information is all available on the Council website.
- 10 **Appendix 2** has recommended amendments to PDP provisions, with updated recommendations differentiated from those made in Appendix A of the s42A report.
- 11 **Appendix 3** has an updated table of recommended responses to submissions and further submissions, with updated recommendations differentiated from those made in Appendix B of the s42A report.

Answers to questions posed by the Panel (including additional questions raised during the hearing)

- 12 ***Please provide an updated assessment and recommendation in respect to 2 and 3 Chichester Street.***
- 13 In my preliminary response to the Panel questions, I set out in bullet points the zoning and mapping issue involving 2 and 3 Chichester Street, The Pines Beach. For clarity I restate the zoning issue with these two properties, the amendment that was sought through the Waimakariri District Council submission, and my recommendations in respect of that submission.

How the alternative zone works for the properties in Appendix 1

- 13.1 Appendix 1 in the PDP identifies all the remaining residential properties within the former redzone areas (now regeneration areas) of the District. Rather than spot zoning these properties, the properties are zoned one of SPZ(PBKR), SPZ(KR), Mixed Use, or an Open Space and Recreation Zone, and alternatively zoned as either Settlement Zone or General Residential Zone.
- 13.2 In each corresponding zone chapter, a rule links the Appendix 1 properties to the relevant provisions in the property's alternative zone, for example NOSZ-R1 below:

NOSZ-R1 Any activity on a site listed in Appendix APP1

That is permitted under the General Residential Zone in GRZ-R1 to GRZ-R6 and GRZ-R10.

Activity status: PER

Where:

1. the activity complies with all applicable activity standards and built form standards in the General Residential Zone; and
2. the activity complies with any relevant District wide provisions.

13.3 This approach ensures a rule pathway is achieved to enable residential activities to occur on the remaining privately owned residential properties.

Proposed Plan Appendix 1 – zone and alternative zone

13.4 In the PDP as notified, the two properties are zoned Natural Open Space Zone and alternatively zoned Settlement Zone. All other Open Space Zoned properties in Appendix 1 are alternatively zoned General Residential Zone, and NOSZ-R1 completes the rule framework for residential activities. In relation to these two properties, the rule pathway is not achieved as NOSZ-R1 only links to the General Residential Zone and not the Settlement Zone.

Amendment sought by Waimakariri District Council

13.5 The Council submission sought the alternative zone be amended from Settlement Zone to General Residential Zone.

Recommendation in s42A report

13.6 In the report, I agreed with the Council and recommended that the alternative zone be amended from Settlement Zone to General Residential Zone. This amendment ensures that the rule pathway for residential activities is achieved.

What is the issue?

13.7 It is my understanding that these properties should actually be alternatively zoned Settlement Zone as was notified in the Proposed Plan. This alternative zoning aligns with the

alternative zoning of neighbouring SPZ(PBKR) properties and the remainder of The Pines Beach and Kairaki that is outside of the regeneration area. **Figure 1** shows the neighbouring SPZ(PBKR) and Settlement Zone at The Pines Beach.

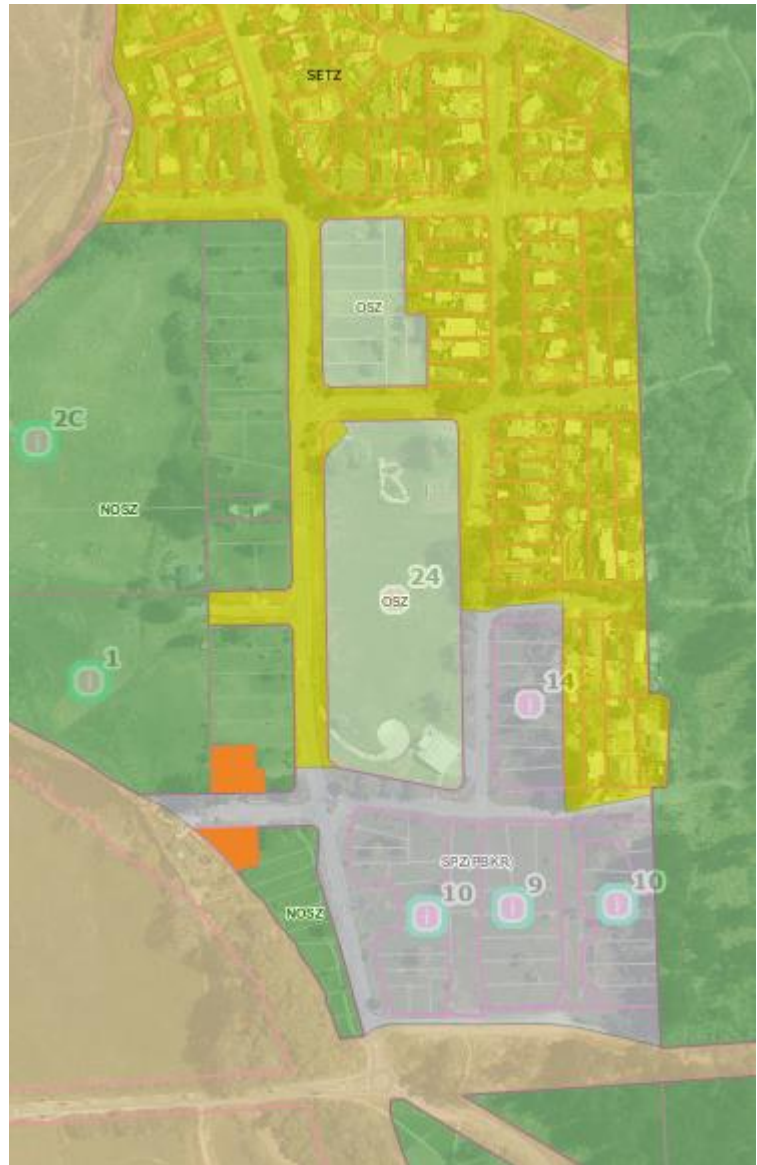


Figure 1: 2 and 3 Chichester Street, The Pines Beach highlighted in orange.

- 13.8 This means that the Council submission to amend the alternative zoning from Settlement Zone to General Residential Zone is the incorrect alternative zoning for these properties. Instead, the alternative zoning should remain as Settlement Zone, and to ensure the rule pathway is achieved,

NOSZ-R1 should be amended to include the relevant Settlement Zone provisions.

- 13.9 However, whilst I consider that Settlement Zone is the correct alternative zoning, I consider that amending the alternative zone to General Residential Zone is the only solution to achieving the rule pathway that is available through the scope of the submission.

Scope of the submission

- 13.10 The submission by the Council requested the following relief:

“Amend planning map and APP1 for Nos 2 and 3 Chichester Street to be the same.

APP1 – change Alternative zone for Numbers 2 and 3 Chichester Street from Settlement Zone to General Residential Zone.”

- 13.11 The Council submission does not seek consequential relief or any other relief that may be necessary to achieve the relief sought in the submission. As a consequence, I consider there is no scope provided through the submission to amend NOSZ-R1 as described previously.

What are the amendments I consider necessary to resolve the issue?

- 13.12 I consider that to accurately resolve the issue presented by the alternative zoning of the property, the following is necessary:

- The alternative zoning should remain Settlement Zone; and
- NOSZ-R1 should be amended to also refer to the relevant provisions in the Settlement Zone.

Current recommendation

13.13 As a consequence of the lack of scope, I continue to recommend that the Council submission [367.23] be accepted, and the alternative zone for the two properties be amended to General Residential Zone. This will ensure that the alternative zone links to NOSZ-R1 ensuring that the rule pathway for residential activities is achieved.

14 ***What is the RMA purpose to distinguishing between visitors and clients?***

15 I have been unable to determine the meaning of these terms in an RMA context, nor have I been able to identify the lineage of these terms either within the Operative District Plan or to the District Plans of neighbouring territorial authorities; Christchurch City or Selwyn District.

16 The use of these terms has been used across hours of operation (as well as additional terms where appropriate to the activity) in the Proposed Plan, and the recommended amendments in the s42A report are consistent with this approach. I have discussed what I consider to be the difference between these two terms in the preliminary response to the Panel questions¹, and I concluded that these terms are encompassing of different types of users in relation to the applicable activity.

17 In summary, I am of the view that these terms have been utilised to ensure different types of users are caught by the proposed hours of operation, and there is no RMA purpose to the use of these terms. I consider that for efficiency and consistency across the Plan, these terms should be retained as recommended to be amended in rules 6, 7 and 9 as set out in Appendix 2 of this report.

18 ***In respect to SPZ(PBKR)-O2, should there be more specificity of the purpose of this objective, to link it more clearly to the associated policy***

¹ https://www.waimakariri.govt.nz/__data/assets/pdf_file/0020/159311/STREAM-10-SPZPBKR-PINES-BEACH-AND-KAIRAKI-REGENERATION-COUNCIL-PRELIMINARY-RESPONSE-TO-WRITTEN-QUESTIONS.pdf

and rule, and ensure that there are no unintended consequences of how it works alongside the Natural Hazard provisions?

- 19 During the hearing, Commissioner Sweetman raised an issue around the lack of specificity in SPZ(PBKR)-O2 as a natural hazard objective that is applicable only to the SPZ(PBKR) chapter and not generally across the Plan like the provisions in the Natural Hazard chapter.
- 20 In my preliminary response to the Panel questions, I explained how the objective is specific to the chapter and does not apply to any other chapter in the Proposed Plan. However, as Commissioner Sweetman has raised, besides from being located within the SPZ(PBKR) chapter, there is nothing to indicate that the objective is specific to the chapter and does not apply as a plan wide objective.
- 21 I consider that the objective would benefit from greater specificity as this would support the efficient and effective interpretation and implementation of the Plan.
- 22 This issue relates to the submission by Environment Canterbury (ECan) [316.183] which sought the objective be amended to use terminology that is more consistent with the Canterbury Regional Policy Statement (CRPS) that relates to the hierarchy of avoidance and mitigation. I consider that this submission provides scope to amend the objective for greater consistency with the CRPS, but I do not consider that it provides scope for an amendment for greater specificity.
- 23 Therefore, whilst I consider the objective would benefit from an amendment to specify the purpose of the objective, I do not consider the ECan submission provides the necessary scope for such an amendment. However, should the Panel find scope, I consider the amendment as set out below would be appropriate to address the issue raised by the Panel:

SPZ(PBKR)-O2 Natural hazard resilience

“Within the SPZ(PBKR) zone ~~new~~ buildings and activities are natural hazard resilient.”

24 ***Please respond to the submitter’s request of wanting a limit on density.***

25 The Land Subcommittee-Pines and Kairaki Beaches Association’s original submission raised concerns around the potential for numerous caravans to be parked on leased sites, and the resulting amenity effects. At the hearing, Mr Stephenson on behalf of the Association, responded to the recommendations in the s42A report by instead seeking a restriction on the number of residential units per site, in line with the Settlement Zone provisions.

26 I continue to agree with the recommendations made in the s42A report as to the reasoning why a restriction on the number of caravans per site would not be necessary and I reiterate this reasoning as it relates to a restriction on the number of residential units.

27 Additionally, the residential chapters in the Proposed Plan all have a built form standard relating to site density as the construction of a building for residential purposes is a permitted activity provided the activity complies with all the built form standards as applicable.

28 In the SPZ(PBKR) chapter, residential activity is a restricted discretionary activity on sites not listed in Appendix 1. As a result, a built form standard for site density of residential units is not required.

29 Rule 18 ‘residential activity’ links to SPZ(PBKR)-MD8 which includes clause 3 *“the extent to which the residential activity and visitor accommodation activity results in adverse amenity effects on adjoining residential properties.”* I consider this provides the ability to consider residential density.

30 I have considered amending SPZ(PBKR)-MD8 for greater specificity, however, such an amendment has the potential to limit consideration of adverse amenity effects down to residential density rather than consideration of adverse effects more broadly.

- 31 Additionally, there is no support through the chapter policies to control site density, unlike in the residential chapters in the Proposed Plan. Instead, the chapter's policies manage natural hazard resilience through relocatable buildings, consistent with the Waimakariri Residential Red Zone Recovery Plan. I therefore do not consider that there is policy support to limit site density. I also note that TKOTT have the ability to limit density through the Deed of lease.
- 32 I therefore do not recommend any amendments to the SPZ(PBKR) chapter to specify residential density as sought by the Association.

Response to issues raised by the Panel during the hearing.

Status of the Waimakariri Residential Red Zone Recovery Plan

- 33 In the hearing, Commissioner Rae questioned Ms Milosavljevic as to the status of the Waimakariri Residential Red Zone Recovery Plan now that the legislation it was developed under has been repealed. Minute 20 restated this question, and Ms Milosavljevic has responded in the SPZ(KR) Right of Reply report. As this question is also applicable to the SPZ(PBKR) chapter, I concur with the response of Ms Milosavljevic, and support her recommended amendment to the SPZ(PBKR) chapter as shown in **Appendix 2**.

34 ***Clarification of primacy assessment***

- 35 Further to my response to the Panel question asked on paragraph 65 of the s42A report, I confirm my view that whilst I consider that a Strategic Direction for regeneration would be appropriate under a full primacy approach, I do not consider it is necessary in respect to the SPZ(PBKR) chapter as I consider the potential for adverse effects on the zone is minimal for the reasons set out in my preliminary response to the Panel questions².

² https://www.waimakariri.govt.nz/__data/assets/pdf_file/0020/159311/STREAM-10-SPZPBKR-PINES-BEACH-AND-KAIRAKI-REGENERATION-COUNCIL-PRELIMINARY-RESPONSE-TO-WRITTEN-QUESTIONS.pdf

Response to matters raised in submitter evidence

36 Mr Stephenson, on behalf of the Pines and Kairaki Beaches Association, spoke to the Association's evidence at the hearing. Mr Stephenson elaborated on the issues raised in the Association's original submission [186] on the Proposed Plan and expressed agreement with some of the recommendations and comments in the s42A report and continued to seek relief to address some of the Association's remaining concerns.

37 Five main points of concern were raised, and I provide a brief summary of the issues that remain in contention and my response to the issues below:

38 *Issue 1: maintenance of long grass and the risk of fire hazard.*

38.1 Mr Stephenson discussed that the Association continues to have concerns around the fire risk posed by unmaintained grass on leased sites. He requested that the Property Maintenance Bylaw be amended at the time of its next review, to include reference to the leased sites at Kairaki.

38.2 As the bylaw is outside of the scope of the District Plan review, this matter cannot be addressed here. However, the Association can lodge a submission on the draft bylaw when it is up for review. I understand that this is currently scheduled to occur in 2025.

39 *Issue 2: Non-residential activities and parking*

39.1 Mr Stephenson raised concerns around parking, especially along Featherston Avenue. He identified the encumbrance on the leased titles and the vehicle crossing bylaw as mechanisms to manage this issue and as such does not seek any further relief to address this concern.

- 39.2 However, he identified that the Association seeks rules 6, 7, and 19³ be amended to delete the reference to Kairaki from each rule to align with the encumbrance.
- 39.3 Mr Stephenson identified the encumbrance over the leased sites and raised concerns that the Proposed Plan was inconsistent with the encumbrance. For clarity, I proved a summary of the role of the encumbrance in relationship to the Proposed Plan below.
- 39.3.1 The Waimakariri Residential Red Zone Recovery Plan 2016 (Recovery Plan) identified that the relevant land was to be divested to Te Kōhaka o Tūhaitara Trust (TKOTT) and managed as part of the Tūhaitara Coastal Park Reserve Management Plan⁴. The Recovery Plan prohibited permanent structures and the use of land for industrial and commercial activities (unless associated with the activities in the adjacent Coastal Park land uses). The Recovery Plan directed the Trust to develop a concept plan and amend the Reserve Management Plan to include this area and implement the land uses.
- 39.3.2 The encumbrance is consistent with the Recovery Plan as it identifies that the land is only to be used in accordance with the land uses identified in the Recovery Plan.
- 39.3.3 The recently updated Reserve Management Plan identifies the lease land at Kairaki and specifies

³ I have contacted Mr Stephenson to confirm if the submission intended to identify rule 19 as this rule does not mention Kairaki. Mr Stephenson has confirmed that the Association did intend to identify this rule.

⁴

https://www.tuhaitarapark.org.nz/_files/ugd/8c8002_40b79cb6ede14821949d00fbec7b070b.pdf

that applications to lease such sites would be considered having regard to the Concept Plan and the Recovery Plan land uses. It also specifies that conditions of the lease would be set out within the Kairaki Beach 'Deed of lease'.

- 39.3.4 The chapter permits commercial services within the zone through rule 7 with a maximum GFA of 250m² in both the Pines Beach and Kairaki. Retail activity under rule 6 would also reasonably be considered a commercial activity. These provisions do not specify that commercial activities are only enabled where they are associated with activities in the adjacent Coastal Park.
- 39.3.5 I do not consider this to be an inconsistency as the relevant documents have different functions relating to the Recovery Plan.
- 39.3.6 TKOTT as landlord has responsibility to approve applications for lease in accordance with the encumbrance (and therefore the Recovery Plan and the Reserve Management Plan). Similarly, activities for lease applications approved by TKOTT also need to be consistent with the District Plan and gain resource consent where necessary.
- 39.3.7 Whilst I do not consider the Proposed Plan is inconsistent with the encumbrance, I agree with Commissioner Cubitt who suggested an advice note could assist plan interpretation and implementation. Whilst the submission by the Association does not specifically seek an advice note, I consider the generality of the submission and the relief sought provides sufficient scope to

consider amending the chapter with an advice note.

39.3.8 I recommend the insertion of the following advice note in the SPZ(PBKR) chapter:

“SPZ-PBKR)-AN1 Activities and structures may also be subject to controls outside of the District Plan. Reference should be made to the Tūhaitara Coastal Park Reserve Management Plan 2022 and the Te Kōhaka o Tūhaitara Trust Deed of Lease.”

39.3.9 To conclude, I do not consider that rules 6, 7, and 19 need to be amended to delete ‘Kairaki’ as I consider the relationship between the District Plan and TKOTT’s role as landlord resolves any potential issues. I recommend an advice note is added to the chapter to connect the role of the Proposed Plan to TKOTT’s role as landlord of the lease properties.

40 *Issue 3: limit on the number of residential units.*

40.1 This is addressed in response to the Panel question at paragraph 24.

41 *Issue 4: landscaping requirements and shading on neighbouring properties.*

41.1 Mr Stephenson reiterated the Association’s concern regarding the potential for shading from trees to lead to disputes between neighbours.

41.2 I restate my view as expressed in the s42A report as to the necessity for some form of landscape remediation from non-residential activities and I do not consider that deleting the height requirement for a tree at the time of planting will resolve the Association’s concerns.

41.3 Built form standards for internal boundary landscaping is common to numerous zones within the Proposed Plan, and as far as I have been able to determine, all similar built form standards have the same standards for height and spacing of trees within the landscaping strip.

41.4 I do not consider there is sufficient evidence to justify a zone specific approach for internal boundary landscaping and I recommend that SPZ(PBKR)-BFS5 is retained as notified as this retains consistency and efficiency across the Plan.

42 *Issue 5: natural hazards and consistency with similar areas*

42.1 The Association generally supports the approach to natural hazards, however they identify a discrepancy with the encumbrance and seek that the provisions are compared with other similar risk areas such as the other beach communities or parts of low lying Kaiapoi.

42.2 The Association seeks new relief that was not sought in their original submission and therefore I do not consider there is scope for the relief sought.

42.3 For clarity, the specific approach to natural hazards within the Zone was developed out of the direction set in the Recovery Plan to address the specific circumstances of the zone. At the time the chapter was drafted, the Proposed Plan could not be inconsistent with the Recovery Plan⁵. This direction was specific to the area, and I do not consider that provisions relevant to other low lying areas in the District need amending for consistency with the SPZ(PBKR) zone as there are other mechanisms utilised within the Proposed Plan to manage natural hazard risk.

⁵ I note that this direction expired shortly before the notification of the Proposed Plan and the Recovery Plan is now a matter to have regard to under s74(2)(b)(i) of the RMA.

Date: 08/03/2024

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Appendix 1 – List of materials provided by submitters

- Canterbury Regional Council – Waimakariri District Plan Review – Letter to be tabled at Hearing 10: Whaitua Motuhake- Special Purpose Zones.
- Statement of Evidence of Tim Stephenson on behalf of the Land Subcommittee The Pines and Kairaki Beaches Association.

Appendix 2 – Recommended amendments to PDP provisions

In order to distinguish between the recommendations made in the s42A report and the recommendations that arise from this report:

- s42A recommendations are shown in red text (with underline and ~~strike out~~ as appropriate); and
- Recommendations from this report in response to evidence are shown in blue text (with underline and ~~strike-out~~ as appropriate).

SPZ(PBKR) - Special Purpose Zone - Pines Beach and Kairaki Regeneration

Introduction

The purpose of the Special Purpose Zone (Pines Beach and Kairaki Regeneration) is to provide for activities within parts of Kairaki and The Pines Beach that were badly affected by the Canterbury Earthquakes of 2010/2011. Some areas remain susceptible to liquefaction in future earthquake events and are susceptible to sea water inundation as a result of climate change.

The WRRZRP was developed in 2016 to identify long term uses for these regeneration areas. The WRRZRP identifies suitable activities depending on location, including recreation and ecological linkages, private lease, part of Tuhaitara Coastal Park, and residential activity for the remaining private residences. The majority of Tuhaitara Coastal Park, outside of land that is the subject of this chapter, is zoned Natural Open Space. The District Plan ~~must not be inconsistent with~~ shall have regard to⁶ the WRRZRP.

This chapter sets out the provisions for:

- those parts of the regeneration areas identified in the WRRZRP as part of the Tuhaitara Coastal Park, but outside the Natural Open Space Zone;
- the remaining residential activities within these areas (identified in Appendix APP1 - Regeneration Area Remaining Private Residences and Alternate Zone). For these sites, the chapter also refers to the rules and built form standards of the Settlement Zone.

The remaining parts of The Pines Beach and Kairaki regeneration areas of the WRRZRP are subject to the provisions of the Open Space and Recreation Zones.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

As well as the provisions in this chapter, district wide chapter provisions will also apply where relevant.

Objectives	
SPZ(PBKR)-O1	Specific activities and use New activities are complementary to and support the ongoing use, and management of the Tuhaitara Coastal Park and adjoining Natural Open Space Zone, and manage amenity values at the boundary with remaining private residences.

⁶ Recommended amendment under clause 16(2) of schedule 1 of the RMA.

SPZ(PBKR)-O2	Natural hazard resilience New buildings and activities are natural hazard resilient.
SPZ(PBKR)-O3	Residential activities Pre-earthquake residential activities on privately-owned sites are able to continue.
Policies	
SPZ(PBKR)-P1	Remaining properties in private ownership On remaining sites in private ownership identified in Appendix APP1, enable residential activity to continue and ensure adverse effects on these sites are generally consistent with those anticipated in the Alternative Zone specified in Appendix APP1.
SPZ(PBKR)-P2	Activities on sites not identified in Appendix APP1 On sites not identified in Appendix APP1: <ol style="list-style-type: none"> 1. enable recreation activities, conservation activities, education activities, cultural activities and public amenities; 2. provide for small scale retail, including food and beverage, activities that support recreation, education and conservation activities; 3. provide for ancillary offices associated with permitted activities; 4. provide for non-permanent residential activity and visitor accommodation where these support recreation, education and conservation activities in the Tuhaitara Coastal Park.
SPZ(PBKR)-P3	Building design On sites other than those identified in Appendix APP1, provide for buildings where they: <ol style="list-style-type: none"> 1. complement the surrounding natural environment and achieve a high level of onsite amenity, through⁷ for example, the use of natural materials, low scale design, and locally-sourced indigenous ecological enhancement planting; 2. integrate with and achieve a high quality, visually attractive development when viewed from the adjoining Natural Open Space Zone; 3. are designed to deter crime and encourage a sense of safety, reflecting the principles of CPTED; and 4. incorporate onsite treatment of stormwater and/or integrate with wider stormwater management systems where practicable.

⁷ Minor error recommended to be amended through the Hearing Panel's recommendations.

SPZ(PBKR)-P4	Natural hazard resilience of buildings New natural hazard sensitive buildings and building extensions shall be: <ol style="list-style-type: none"> 1. in accordance with the requirements of the Natural Hazards Chapter; and 2. relocatable, when habitable and located on sites other than those identified in Appendix APP1, in order to avoid longer term natural hazards associated with sea level rise and land deformation in future earthquakes.
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Activity Rules

SPZ(PBKR)-R1 Construction or alteration of or addition to any building or structure	
Activity status: PER Where: <ol style="list-style-type: none"> 1. the activity complies with all built form standards (as applicable). 	Activity status when compliance not achieved: as set out in the applicable built form standards
SPZ(PBKR)-R2 Any activity on a site listed in Appendix APP1	
<i>That is permitted under the Settlement Zone in SETZ-R2 to SETZ-R10, SETZ-R14 and SETZ-R15.</i>	
Activity status: PER Where: <ol style="list-style-type: none"> 1. the activity shall meet the applicable activity specific standards of the Settlement Zone; and 2. the activity shall meet the applicable built form and district wide standards applying to the Settlement Zone. 	Activity status when compliance not achieved: as set out in the applicable rules of the Settlement Zone Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. As set out in the applicable matters of discretion of the Settlement Zone.
SPZ(PBKR)-R3 Conservation activities	

Activity status: PER	Activity status when compliance not achieved: N/A
SPZ(PBKR)-R4 Customary practices	
Activity status: PER	Activity status when compliance not achieved: N/A
SPZ(PBKR)-R5 Community garden	
Activity status: PER	Activity status when compliance not achieved: N/A
SPZ(PBKR)-R6 Retail activity on sites not listed in Appendix APP1	
Activity status: PER Where: <ol style="list-style-type: none"> the maximum cumulative GFA of all retail activity in the zone shall be 250m² in The Pines Beach, and 250m² in Kairaki-, <u>and</u> <u>the hours of operation that the retail activity is open to visitors, clients and deliveries shall be limited to 7:00am – 7:00pm Monday to Sunday.</u>⁸ 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-PBKR-MD1 - Development design and scale
SPZ(PBKR)-R7 Commercial services on sites not listed in Appendix APP1	
Activity status: PER Where: <ol style="list-style-type: none"> the maximum cumulative GFA of all commercial services in the zone shall be 250m² in The Pines Beach, and 250m² in Kairaki-, <u>and</u> 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-PBKR-MD1 - Development design and scale

⁸ Land Subcommittee – Pines and Kairaki Beaches Association (PKBA) [186.35].

<p>2. <u>the hours of operation that the commercial service is open to visitors, clients and deliveries shall be limited to 7:00am – 7:00pm Monday to Sunday.</u>⁹</p>	
<p>SPZ(PBKR)-R8 Community facility on sites not listed in Appendix APP1</p>	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the maximum cumulative GFA of all community facility buildings in the zone shall be 250m² in The Pines Beach, and 250m² in Kairaki. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-PBKR-MD1 - Development design and scale</p>
<p>SPZ(PBKR)-R9 Entertainment activity on sites not listed in Appendix APP1</p>	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the maximum cumulative GFA of all entertainment activity buildings in the zone shall be 250m² in The Pines Beach, and 250m² in Kairaki, <u>and</u> 2. <u>the hours of operation that the entertainment activity is open to visitors, clients and deliveries shall be limited to 7:00am – 9:00pm Monday to Sunday.</u>¹⁰ 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-PBKR-MD1 - Development design and scale</p>
<p>SPZ(PBKR)-R10 Ancillary offices to an education activity or conservation activities on sites not listed in Appendix APP1</p>	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the office activity shall occupy a maximum GFA of 250m². 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-PBKR-MD1 - Development design and scale</p>
<p>SPZ(PBKR)-R11 Cultural facility on sites not listed in Appendix APP1</p>	

⁹ PKBA [186.36]

¹⁰ PKBA [186.38]

Activity status: PER Where: <ol style="list-style-type: none"> the maximum cumulative GFA of all cultural facility buildings in the zone shall be 250m² in The Pines Beach, and 250m² in Kairaki. 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-PBKR-MD1 - Development design and scale
SPZ(PBKR)-R12 Educational facility on sites not listed in Appendix APP1	
Activity status: PER Where: <ol style="list-style-type: none"> the maximum cumulative GFA of all buildings associated with the activity in the zone shall be 250m²; or limited to an educational facility that: <ol style="list-style-type: none"> is ancillary to conservation activities; or increases awareness of the natural environment, conservation issues, historic heritage, or Ngāi Tahu culture. 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-PBKR-MD1 - Development design and scale
SPZ(PBKR)-R13 Public amenities on sites not listed in Appendix APP1	
Activity status: PER Where: <ol style="list-style-type: none"> the maximum cumulative GFA of all buildings associated with the activity in the zone shall be 250m². 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-PBKR-MD1 - Development design and scale
SPZ(PBKR)-R14 Park management activities and/or park management facilities	
Activity status: PER Where: <ol style="list-style-type: none"> the maximum cumulative GFA of all buildings associated with the activity in the zone shall be 250m² in The Pines Beach, and 250m² in Kairaki. 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-PBKR-MD1 - Development design and scale
SPZ(PBKR)-R15 Car parking	

Activity status: PER Where: 1. any parking lot contains fewer than 10 parking spaces.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-PBKR-MD1 - Development design and scale Notification An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.
SPZ(PBKR)-R16 Recreation activities	
Activity status: PER Where: 1. the activity is not a motorised recreation activity.	Activity status when compliance not achieved: NC
SPZ(PBKR)-R17 Natural hazard sensitive activities on sites not listed in Appendix APP1	
Activity status: RDIS Where: 1. the building is designed as a relocatable building; and 2. a covenant is registered on the property's certificate of title confirming the relocatable building is not intended to be located on site permanently. Matters of discretion are restricted to: SPZ-PBKR-MD1 - Development design and scale SPZ-PBKR-MD9 - Natural hazards	Activity status when compliance not achieved: NC
Advisory Note <ul style="list-style-type: none"> Modelled sea level rise will be actively monitored by the District Council and the information will be made available to property owners who have a limited duration resource consent condition applying. 	
SPZ(PBKR)-R18 Residential activity on sites not listed in Appendix APP1	
Activity status: RDIS Matters of discretion are restricted to: SPZ-PBKR-MD8 - Visitor and residential accommodation	Activity status when compliance not achieved: N/A

SPZ(PBKR)-R19 Visitor accommodation	
Activity status: RDIS Matters of discretion are restricted to: SPZ-PBKR-MD8 - Visitor and residential accommodation	Activity status when compliance not achieved: N/A
SPZ(PBKR)-R20 Any other activity not provided for in this zone as a permitted, controlled, restricted discretionary, discretionary, non-complying, or prohibited activity, except where expressly specified by a district wide provision.	
Activity status: DIS	Activity status when compliance not achieved: N/A
SPZ(PBKR)-R21 Industrial activity	
Activity status: NC	Activity status when compliance not achieved: N/A

Advice Notes

<u>SPZ(PBKR)-AN1</u>	Activities and structures may also be subject to controls outside of the District Plan. Reference should be made to the Tūhaitara Coastal Park Reserve Management Plan 2022 and the Te Kōhaka o Tūhaitara Trust Deed of Lease.¹¹
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Built Form Standards, excluding sites identified in Appendix APP1

SPZ(PBKR)-BFS1 Building size	
1. The maximum GFA of any building shall be 100m ² .	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-PBKR-MD1 - Development design and scale

¹¹ PKBA [186.10 and 186.31-186.45].

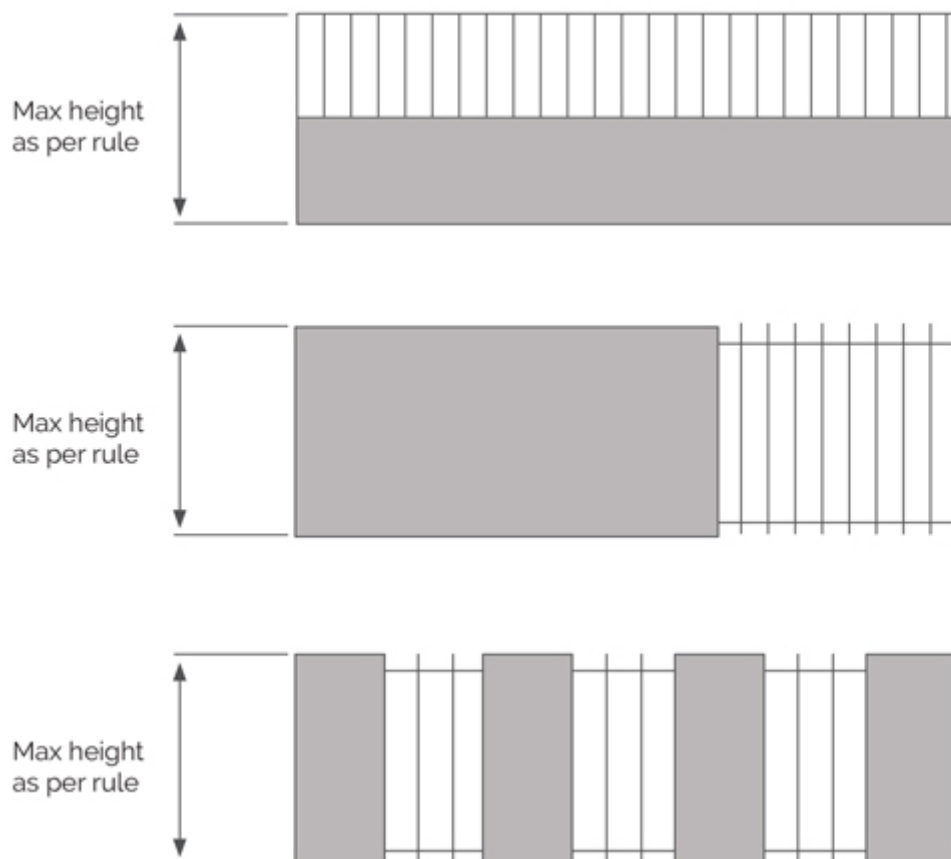
SPZ(PBKR)-BFS2 Height	
1. The maximum height of any building shall be 5m.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-PBKR-MD2 - Height and height in relation to boundary
Calculation method for SPZ(PBKR)-BFS2 <ul style="list-style-type: none"> • The height limit shall be determined as if the ground level was the minimum floor level required for a 0.5% annual exceedance probability flood level event; and • Height shall also be calculated as per the definition of height calculations. 	
SPZ(PBKR)-BFS3 Height in relation to boundary	
1. Where an internal boundary adjoins Residential Zones, Open Space and Recreation Zones, or a site listed in Appendix APP1, the height in relation to boundary for the adjoining zone shall apply, and where specified structures shall not project beyond a building envelope defined by recession planes measured 2.5m from ground level above any site boundary in accordance with the diagrams in Appendix APP3, except for the following: <ol style="list-style-type: none"> flagpoles; lightning rods, chimneys, ventilation shafts, solar heating devices, roof water tanks, lift and stair shafts; decorative features such as steeples, towers and finials; for buildings on adjoining sites which share a common wall, the height in relation to boundary requirement shall not apply along that part of the internal boundary covered by such a wall; and 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-PBKR-MD2 - Height and height in relation to boundary Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.

<p>e. where the land immediately beyond the site boundary forms part of any rail corridor, drainage reserve, or accessway (whether serving the site or not), the boundary of the rail corridor, drainage reserve, or accessway furthest from the site boundary may be deemed to be the site boundary for the purpose of defining the origin of the recession plane, provided this deemed site boundary is no further than 6m from the site boundary;</p> <p>2. Provided that none of the structures listed in (1) (c) to (e) above has a horizontal dimension of over 2m along the line formed where the structure meets the recession plane as measured parallel to the relevant boundary.</p>	
SPZ(PBKR)-BFS4 Internal boundary setback	
<p>1. The minimum building, caravan or motor home setback from internal boundaries:</p> <p>a. that adjoins Residential Zones, Rural Zones, or Open Space and Recreation Zones shall be 5m; and</p> <p>b. that are shared with a site listed in Appendix APP1 shall be 2m.</p>	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: SPZ-PBKR-MD3 - Internal boundary setbacks</p> <p>Notification</p> <p>An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
SPZ(PBKR)-BFS5 Internal boundary landscaping for non-residential activity	

<ol style="list-style-type: none"> 1. A landscape strip that is a minimum of 2m wide shall be provided along the full length of all internal boundaries that adjoins Residential Zones or Open Space and Recreation Zones or a site listed in Appendix APP1; and 2. Any landscape strip required in (1) shall include a minimum of one tree for every 10m of shared boundary or part thereof, spaced at a maximum distance of 5m with the trees to be a minimum of 1.5m in height at time of planting. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-PBKR-MD4 - Internal boundary landscaping Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
SPZ(PBKR)-BFS6 Road boundary setback	
<ol style="list-style-type: none"> 1. All buildings shall be set back a minimum of 2m from a road boundary. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-PBKR-MD5 - Road boundary setbacks Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
SPZ(PBKR)-BFS7 Outdoor storage areas	
<ol style="list-style-type: none"> 1. Any outdoor storage or parking areas associated with non-residential activities shall be screened by 1.8m high solid fencing or landscaping at least 1.5m high at time of planting from any adjoining site in Residential Zones, Rural Zones, or Open Space and Recreation Zones, a site listed in Appendix APP1 or the road boundary. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-PBKR-MD6 - Outdoor storage Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
SPZ(PBKR)-BFS8 Ecological enhancement planting	

<p>1. Ecological enhancement planting shall be provided as follows:</p> <p>a. a minimum of 10% of the net site area shall be planted and maintained with at least 75% being indigenous vegetation that is sourced from within the ecological district, comprising a combination of trees, shrubs and ground cover species. Planting may include some ancillary lawn or other amenity features not exceeding 10% of the planted area, set aside as landscaped or open space areas.</p>	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: SPZ-PBKR-MD7 - Ecological enhancement planting</p> <p>Notification</p> <p>An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>
<p>Advisory Note</p> <ul style="list-style-type: none"> • This rule does not apply to activities not involving buildings, or to public amenities. 	
<p>SPZ(PBKR)-BFS9 Building coverage</p>	
<p>1. The maximum building coverage shall be 35% of the net site area.</p>	<p>Activity status when compliance not achieved: DIS</p>
<p>SPZ(PBKR)-BFS10 Fencing</p>	
<p>1. All fencing between a road and the façade of a residential activity or visitor accommodation, or within 2m of a boundary with a public reserve, walkway or cycleway shall be:</p> <p>a. shall be a maximum of 1.2m in height provided that any fence greater than 0.9m in height shall be at least 45% visually permeable as shown in Figure SPZ(PBKR)-1.</p>	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: SPZ-PBKR-MD1 - Development design and scale</p> <p>Notification</p> <p>An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>

Figure SPZ(PBKR)-1: Examples of Visually Permeable Fencing



SPZ(PBKR)-BFS11 Waste management requirements for all commercial activities

1. A waste management area for the storage of rubbish and recycling of 5m² with a minimum dimension of 1.5m shall be provided. Waste management areas shall be located behind buildings when viewed from any road or public open space or screened in accordance with the screening requirements for outdoor storage areas contained in SPZ(PBKR)-BFS7.

Activity status when compliance not achieved: RDIS

Matters of discretion are limited to:
SPZ-PBKR-MD6 - Outdoor storage
Notification

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

Matters of Discretion

<p>SPZ- PBKR- MD1</p>	<p>Development design and scale</p> <ol style="list-style-type: none"> 1. The extent to which the design, scale, density, and longevity of the development results in adverse visual and amenity effects on adjoining residential sites or any open space and recreation zones. 2. The extent to which the development contributes positively to the adjacent street and public open spaces being safe and attractive, including the degree to which fencing enables interaction between the habitable building and public space. 3. The extent and design of landscaping and open spaces within the development. 4. The incorporation of CPTED principles to achieve a safe, secure environment, including the extent to which the development: <ol style="list-style-type: none"> a. provides for views over, and passive surveillance of, adjacent public and publicly accessible spaces; b. makes pedestrian entrances and routes readily recognisable; and c. provides for good visibility with clear sightlines. 5. The extent to which the activity does not adversely affect the function or capacity of the nearby Kaiapoi Town Centre to provide for primarily commercial and community activities. 6. The extent to which the activity generates traffic and other effects <u>(including the hours of operation¹²)</u> that impact on the day to day operation and amenity of the local community.
<p>SPZ- PBKR- MD2</p>	<p>Height and height in relation to boundary</p> <ol style="list-style-type: none"> 1. The effect of any reduced sunlight admission on properties in adjoining residential and open space and recreation zones, taking account of the extent of overshadowing, the intended use of spaces, and for residential properties, the position of outdoor living spaces or main living areas in buildings. 2. The effect on privacy of residents and other users in the adjoining zones or on sites listed in Appendix APP1. 3. The scale of building and its effects on the character of any adjoining residential or open space and recreation zones. 4. The effects of any landscaping and trees proposed within the site, or on the boundary of the site in mitigating adverse visual effects. 5. The effect on outlook from adjoining site. 6. The extent to which the recession plane or height breach and associated effects reflect the functional requirements of the activity and the extent to which there are alternative practical options for meeting the functional requirement in a compliant manner.

¹² Consequential amendment from PBKR submission points [186.35, 186.36 and 186.38]

SPZ- PBKR- MD3	<p>Internal boundary setbacks</p> <ol style="list-style-type: none"> 1. The scale and height of buildings, caravans or motor homes located within the reduced setback and their impact on the visual outlook of residents and users on adjoining Residential Zones or Open Space and Recreation Zones. 2. The extent to which buildings in the setback enable better use of the site and improve the level of amenity along more sensitive boundaries elsewhere on the site. 3. The proposed use of the setback, the visual and other effects of this use and the extent to which a reduced setback and the use of that setback achieves a better amenity outcome for residential neighbours.
SPZ- PBKR- MD4	<p>Internal boundary landscaping</p> <ol style="list-style-type: none"> 1. The extent of visual effects of outdoor storage and car parking areas, or buildings (taking account of their scale and appearance), as a result of reduced landscaping. 2. The extent to which any reduction in landscaping or screening within the setback adequately mitigates the visual dominance of buildings. 3. The extent to which the site is visible from adjoining sites in Residential Zones or Open Space and Recreation Zones and the likely consequences of any reduction in landscaping or screening on the amenity and privacy of those sites.
SPZ- PBKR- MD5	<p>Road boundary setbacks</p> <ol style="list-style-type: none"> 1. The effect of a building's reduced setback on amenity and visual streetscape values, especially where the frontage is to an arterial road or collector road. 2. Whether the reduced setback of the building is opposite Residential Zones, Rural Zones, or Open Space and Recreation Zones and the effects of a reduced setback on the amenity and outlook of those zones. 3. The extent to which the building presents a visually attractive frontage to the street through the inclusion of glazing, ancillary offices, and retail showrooms in the front façade. 4. The extent to which the visual effects of a reduced setback are mitigated through site frontage landscaping and the character of existing building setbacks in the wider streetscape.
SPZ- PBKR- MD6	<p>Outdoor storage</p> <ol style="list-style-type: none"> 1. The extent of visual effects on the adjoining site. 2. The extent to which site constraints and/or the functional requirements of the activity necessitate the location of storage within the setback. 3. The extent of the amenity effects on pedestrians or residential activities generated by the type and volume of materials to be stored. 4. The extent to which any proposed landscaping or screening mitigates amenity effects of the outdoor storage.

<p>SPZ- PBKR- MD7</p>	<p>Ecological enhancement planting</p> <ol style="list-style-type: none"> 1. The extent to which the proposed ecological enhancement planting: <ol style="list-style-type: none"> a. achieves a high level of onsite amenity while minimising the visual effects of activities and buildings on the surroundings; b. supports the growth of other vegetation and the restoration of habitat for indigenous species; c. is protected through the provision of space, or other methods, including plant protection barriers; and d. recognises and provides for Ngāi Tahu/mana whenua values through the inclusion of indigenous species that support the establishment of ecological corridors, mahinga kai and general ecological restoration. 2. The extent to which the non-compliance is mitigated through the design, scale and type of landscaping proposed, including the species used. 3. The appropriateness and design of landscaping having regard to the potential adverse effects on safety for pedestrians and vehicles.
<p>SPZ- PBKR- MD8</p>	<p>Visitor and residential accommodation</p> <ol style="list-style-type: none"> 1. The extent to which the residential activity or visitor accommodation supports recreation, education and conservation activities in the Tuhaitara Coastal Park. 2. The extent to which the residential activity and visitor accommodation activity compliments and supports the amenity and enjoyment of the adjoining Natural Open Space Zone. 3. The extent to which the residential activity and visitor accommodation activity results in adverse amenity effects on adjoining residential properties.
<p>SPZ- PBKR- MD9</p>	<p>Natural hazards</p> <ol style="list-style-type: none"> 1. The period of time the proposed building is proposed to remain on site and the risk of flooding from localised rainfall events, an Ashley River/Rakahuri breakout event and sea water inundation over that period, with reference to as built stop-bank heights and modelled storm surge, taking into account central government direction or guidance in relation to projected sea level rise. 2. The extent to which the building is readily relocatable. 3. The extent to which the proposal avoids, remedies or mitigates the identified natural hazards risks, and includes the following: <ol style="list-style-type: none"> a. the use of ‘trigger’ decision-points that take into account actual sea level rise and how such triggers will provide advance warning of the need to relocate the building; and b. proposals to manage residual risk. 4. The extent to which the proposal relies on Council infrastructure and the risks to that infrastructure from natural

	<p>hazards, including taking into account maintenance and repair costs that might fall on the wider community.</p> <p>5. The extent of positive effects resulting from the proposal on the local community and the Tuhaitara Coastal Park.</p>
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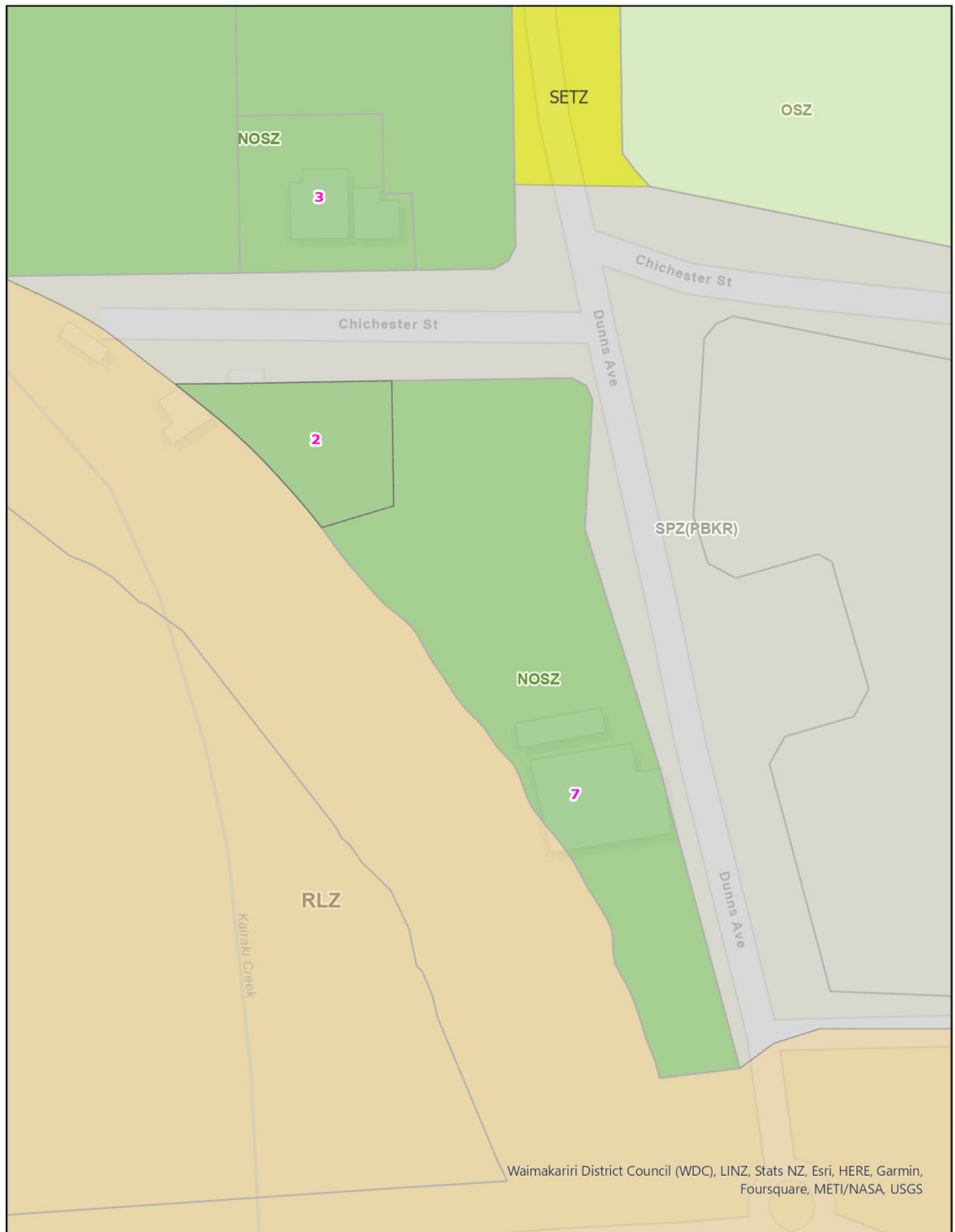
APP1 - Regeneration Area Remaining Private Residences and Alternate Zone

Legal Description	Street Address	New Zone	Alternate Zone
LOT 2 DP 82245	14 A Bowler Street, KAIAPOI	Natural Open Space Zone	General Residential Zone
LOT 3 DP 46410	65 A Cass Street, KAIAPOI	Sport and Active Recreation Zone	General Residential Zone
LOT 123 DP 7292	2 Chichester Street, THE PINES BEACH	Natural Open Space Zone	Settlement Zone General Residential Zone ¹³
LOT 2 DP 317695	3 Chichester Street, THE PINES BEACH	Natural Open Space Zone	Settlement Zone General Residential Zone
LOT 2 DP 9128	4 Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone
LOT 3 DP 52854	5 Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone
LOT 2 DP 52645	11 Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone
LOT 7 DP 7293	15 Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone
LOT 1 DP 54440	19 Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone
LOT 2 DP 54440	21 Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone

¹³ Waimakariri District Council [367.23]

LOT 10 DP 9128	22 Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone
LOT 11 DP 7293	25 Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone
LOT 3 DP 52851	34 Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone
LOT 17 DP 7293	39 Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone
LOT 18 DP 7293	41 Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone
LOT 19 DP 9128	42 Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone
LOT 5 DP 306793	51 Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone
LOT 1 DP 52856	53 Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone
LOT 2 DP 52856	55 Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone
LOT 6 DP 52855	56 Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone
LOT 3 DP 52856	57 Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone
LOT 7 DP 52855	58 Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone
LOT 25 DP 7293	59 Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone
FLAT 2 DP 52689 ON	61 Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone

Lot 26 DP 7293			
FLAT 1 DP 52689 ON Lot 26 DP 7293	61 A Featherstone Avenue, KAIRAKI	Special Purpose (Pines Beach and Kairaki Regeneration) Zone	Settlement Zone
LOT 38 DP 29042	10 Kirk Place, KAIAPOI	Special Purpose Zone (Kaiapoi Regeneration)	General Residential Zone
LOT 120 DP 30505	45 Feldwick Drive, KAIAPOI	Open Space Zone	General Residential Zone
LOT 218 DP 33737	32 Gray Crescent, KAIAPOI	Open Space Zone	General Residential Zone
LOT 3 DP 24841	14 Jones Street, KAIAPOI	Mixed Use Zone	General Residential Zone
LOT 40 DP 72744	21 Courtenay Drive, KAIAPOI	Natural Open Space Zone	General Residential Zone



Proposed Zone Change

Date: 14/11/2023

23-063

Scale:
Original Size: A4



DISCLAIMER

DISCLAIMER
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Appendix 3 – Recommended responses to submissions and further submissions

In order to distinguish between the recommended responses in the s42A report and the recommended responses that arise from this report:

- Recommendations from this report in response to evidence are shown in blue text (with [underline](#) and ~~strike-out~~ as appropriate).

Table B 1: Recommended responses to submissions and further submissions

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer’s Recommendation	Officers’ Reasons/Comments	Recommended Amendments to Proposed Plan?
General							
147.23	Kaiapoi-Tuahiwi Community Board	General	Seek that the Pines and Kairaki Beaches communities be treated fairly in any transition from the coastline with sea level rise.	3.3	Accept	I agree with the submitter. See body of the report for the assessment of this submission point.	No
186.8	Land Subcommittee - Pines and Kairaki Beaches Association	General	Include a rule in Special Purpose Zone - Pines Beach and Kairaki Regeneration Chapter that grass to be kept to a max of 150 mm. An annual property inspection is considered.	3.3	Reject	See body of the report for the assessment of this submission point.	No
SPZ(PBKR)-O2 Natural hazard resilience							
316.183	Canterbury Regional Council	SPZ(PBKR)-O2	Consider whether to use terminology that is more consistent with the Canterbury Regional Policy Statement.	3.4.1	Accept in part	See body of the report for the assessment of this submission point.	No
FS37	Richard and Geoff Spark		Reject the submission		Reject in part		
FS41	David Cowley		Reject the submission		Reject in part		
FS80	Christchurch International Airport Ltd		Allow the submission		Accept in part		
SPZ(PBKR)-P2 Activities on sites not identified in Appendix APP1							

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
277.64	Ministry of Education Te Tāhuhu o Te Mātauranga	SPZ(PBKR)-P2	Retain SPZ(PBKR)-P2 as notified.	N/A	Accept	I agree with the submitter.	No
SPZ(PBKR)-P4 Natural hazard resilience of buildings							
316.184	Canterbury Regional Council	SPZ(PBKR)-P4	Retain SPZ(PBKR)-P4 as notified or retain the original intent.	N/A	Accept	I agree with the submitter.	No
FS37	Richard and Geoff Spark		Reject the submission		Reject		No
FS41	David Cowley		Reject the submission		Reject		No
FS80	Christchurch International Airport Ltd		Allow the submission		Accept		No
SPZ(PBKR)-R1 Construction or alteration of or addition to any building or structure							
186.10	Land Subcommittee - Pines and Kairaki Beaches Association	SPZ(PBKR)-R1	For all non-residential activities, including SPZ(PBKR)-R1, hours of operation are included similar to the Settlement Zone (SETZ), a parking plan is required, and the number of vehicle movements is limited similar to the SETZ.	3.5	Reject Accept in part	See body of the report for the assessment of this submission point. Additionally, I recommend an advice note is provided for clarity.	No Yes
SPZ(PBKR)-R2 Any activity on a site listed in Appendix APP1							
186.31	Land Subcommittee - Pines and Kairaki Beaches Association	SPZ(PBKR)-R2	For all non-residential activities, including SPZ(PBKR)-R2, hours of operation are included similar to the Settlement Zone (SETZ), a parking plan is required, and the number of vehicle movements is limited similar to the SETZ.	3.5	Reject Accept in part	See body of the report for the assessment of this submission point. Additionally, I recommend an advice note is provided for clarity.	No Yes
SPZ(PBKR)-R3 Conservation activities							
186.32	Land Subcommittee - Pines and Kairaki Beaches Association	SPZ(PBKR)-R3	For all non-residential activities, including SPZ(PBKR)-R3, hours of operation are included similar to the Settlement Zone (SETZ), a parking plan is required, and the number of vehicle movements is limited similar to the SETZ.	3.5	Reject Accept in part	See body of the report for the assessment of this submission point.	No Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
						Additionally, I recommend an advice note is provided for clarity.	
SPZ(PBKR)-R4 Customary practices							
186.33	Land Subcommittee - Pines and Kairaki Beaches Association	SPZ(PBKR)-R4	For all non-residential activities, including SPZ(PBKR)-R4, hours of operation are included similar to the Settlement Zone (SETZ), a parking plan is required, and the number of vehicle movements is limited similar to the SETZ.	3.5	Reject-Accept in part	See body of the report for the assessment of this submission point. Additionally, I recommend an advice note is provided for clarity.	No -Yes
SPZ(PBKR)-R5 Community garden							
186.34	Land Subcommittee - Pines and Kairaki Beaches Association	SPZ(PBKR)-R5	For all non-residential activities, including SPZ(PBKR)-R5, hours of operation are included similar to the Settlement Zone (SETZ), a parking plan is required, and the number of vehicle movements is limited similar to the SETZ.	3.5	Reject-Accept in part	See body of the report for the assessment of this submission point. Additionally, I recommend an advice note is provided for clarity.	No -Yes
SPZ(PBKR)-R6 Retail activity on sites not listed in Appendix APP1							
186.35	Land Subcommittee - Pines and Kairaki Beaches Association	SPZ(PBKR)-R6	For all non-residential activities, including SPZ(PBKR)-R6, hours of operation are included similar to the Settlement Zone (SETZ), a parking plan is required, and the number of vehicle movements is limited similar to the SETZ.	3.5	Reject-Accept in part	See body of the report for the assessment of this submission point. Additionally, I recommend an advice note is provided for clarity.	No -Yes
SPZ(PBKR)-R7 Commercial services on sites not listed in Appendix APP1							
186.36	Land Subcommittee - Pines and Kairaki Beaches Association	SPZ(PBKR)-R7	For all non-residential activities, including SPZ(PBKR)-R7, hours of operation are included similar to the Settlement Zone (SETZ), a parking plan is required, and the number of vehicle movements is limited similar to the SETZ.	3.5	Reject-Accept in part	See body of the report for the assessment of this submission point. Additionally, I recommend an advice note is provided for clarity.	No -Yes
SPZ(PBKR)-R8 Community facility on sites not listed in Appendix APP1							
186.37	Land Subcommittee - Pines and Kairaki Beaches Association	SPZ(PBKR)-R8	For all non-residential activities, including SPZ(PBKR)-R8, hours of operation are included similar to the Settlement Zone (SETZ), a	3.5	Reject-Accept in part	See body of the report for the assessment of this submission point.	No -Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			parking plan is required, and the number of vehicle movements is limited similar to the SETZ.			Additionally, I recommend an advice note is provided for clarity.	
SPZ(PBKR)-R9 Entertainment activity on sites not listed in Appendix APP1							
186.38	Land Subcommittee - Pines and Kairaki Beaches Association	SPZ(PBKR)-R9	For all non-residential activities, including SPZ(PBKR)-R9, hours of operation are included similar to the Settlement Zone (SETZ), a parking plan is required, and the number of vehicle movements is limited similar to the SETZ.	3.5	Reject-Accept in part	See body of the report for the assessment of this submission point. Additionally, I recommend an advice note is provided for clarity.	No-Yes
SPZ(PBKR)-R10 Ancillary offices to an education activity or conservation activities on sites not listed in Appendix APP1							
186.39	Land Subcommittee - Pines and Kairaki Beaches Association	SPZ(PBKR)-R10	For all non-residential activities, including SPZ(PBKR)-R10, hours of operation are included similar to the Settlement Zone (SETZ), a parking plan is required, and the number of vehicle movements is limited similar to the SETZ.	3.5	Reject-Accept in part	See body of the report for the assessment of this submission point. Additionally, I recommend an advice note is provided for clarity.	No-Yes
SPZ(PBKR)-R11 Cultural facility on sites not listed in Appendix APP1							
186.40	Land Subcommittee - Pines and Kairaki Beaches Association	SPZ(PBKR)-R11	For all non-residential activities, including SPZ(PBKR)-R11, hours of operation are included similar to the Settlement Zone (SETZ), a parking plan is required, and the number of vehicle movements is limited similar to the SETZ.	3.5	Reject-Accept in part	See body of the report for the assessment of this submission point. Additionally, I recommend an advice note is provided for clarity.	No-Yes
SPZ(PBKR)-R12 Educational facility on sites not listed in Appendix APP1							
186.41	Land Subcommittee - Pines and Kairaki Beaches Association	SPZ(PBKR)-R12	For all non-residential activities, including SPZ(PBKR)-R12, hours of operation are included similar to the Settlement Zone (SETZ), a parking plan is required, and the number of vehicle movements is limited similar to the SETZ.	3.5	Reject-Accept in part	See body of the report for the assessment of this submission point. Additionally, I recommend an advice note is provided for clarity.	No-Yes
SPZ(PBKR)-R13 Public amenities on sites not listed in Appendix APP1							
186.42	Land Subcommittee - Pines and Kairaki Beaches Association	SPZ(PBKR)-R13	For all non-residential activities, including SPZ(PBKR)-R13, hours of operation are included similar to the Settlement Zone (SETZ), a	3.5	Reject-Accept in part	See body of the report for the assessment of this submission point.	No-Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			parking plan is required, and the number of vehicle movements is limited similar to the SETZ.			Additionally, I recommend an advice note is provided for clarity.	
SPZ(PBKR)-R14 Park management activities and/or park management facilities							
186.43	Land Subcommittee - Pines and Kairaki Beaches Association	SPZ(PBKR)-R14	For all non-residential activities, including SPZ(PBKR)-R14, hours of operation are included similar to the Settlement Zone (SETZ), a parking plan is required, and the number of vehicle movements is limited similar to the SETZ.	3.5	Reject-Accept in part	See body of the report for the assessment of this submission point. Additionally, I recommend an advice note is provided for clarity.	No -Yes
SPZ(PBKR)-R15 Car parking							
186.44	Land Subcommittee - Pines and Kairaki Beaches Association	SPZ(PBKR)-R15	For all non-residential activities, including SPZ(PBKR)-R15, hours of operation are included similar to the Settlement Zone (SETZ), a parking plan is required, and the number of vehicle movements is limited similar to the SETZ.	3.5	Reject-Accept in part	See body of the report for the assessment of this submission point. Additionally, I recommend an advice note is provided for clarity.	No -Yes
SPZ(PBKR)-R16 Recreation activities							
186.45	Land Subcommittee - Pines and Kairaki Beaches Association	SPZ(PBKR)-R16	For all non-residential activities, including SPZ(PBKR)-R16, hours of operation are included similar to the Settlement Zone (SETZ), a parking plan is required, and the number of vehicle movements is limited similar to the SETZ.	3.5	Reject-Accept in part	See body of the report for the assessment of this submission point. Additionally, I recommend an advice note is provided for clarity.	No -Yes
SPZ(PBKR)-R17 Natural hazard sensitive activities on sites not listed in Appendix APP1							
186.11	Land Subcommittee - Pines and Kairaki Beaches Association	SPZ(PBKR)-R17	Retain SPZ(PBKR)-R17 as notified.	3.5.2	Accept	See body of the report for the assessment of this submission point.	No
SPZ(PBKR)-R18 Residential activity on sites not listed in Appendix APP1							
186.9	Land Subcommittee - Pines and Kairaki Beaches Association	SPZ(PBKR)-R18	A requirement for resource consent for all residential activities including caravans should be upheld, with a limit of one caravan or motorhome per site, and that any proposed caravan or motorhome provides for waste disposal.	3.5.3	Accept in part	See body of the report for the assessment of this submission point.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
SPZ(PBKR)-BFS5 Internal boundary landscaping for non-residential activity							
186.13	Land Subcommittee - Pines and Kairaki Beaches Association	SPZ(PBKR)-BFS5	Amend SPZ(PBKR)-BFS5 by deleting the requirement for trees to be a minimum height of 1.5m at the time of planting.	3.6	Reject	See body of the report for the assessment of this submission point.	No
SPZ-PBKR-MD9 Natural hazards							
186.12	Land Subcommittee - Pines and Kairaki Beaches Association	SPZ-PBKR-MD9	Retain SPZ(PBKR)-R17 as notified.	3.7	Accept	See body of the report for the assessment of this submission point.	No
316.185	Canterbury Regional Council	SPZ-PBKR-MD9	Ensure that there is scope to consider the natural hazard effects from present day flooding, including fresh water flooding.	3.7	Reject	See body of the report for the assessment of this submission point.	No
FS37	Richard and Geoff Spark		Reject the submission		Reject		No
FS41	David Cowley		Reject the submission		Reject		No
FS80	Christchurch International Airport Ltd		Allow the submission		Accept		No
Planning Maps							
367.23	Waimakariri District Council	Planning Maps	APP1 – change alternative zone for Numbers 2 and 3 Chichester Street from Settlement Zone to General Residential Zone Change planning map for No 2 Chichester Street from SPZ(PBKR) to NOSZ.	3.8	Accept	See body of the report for the assessment of this submission point.	Yes
General / Plan wide submissions							
284.1	Clampett Investments Limited	General	Amend all controlled and restricted discretionary activity rules:	3.9	Reject	See body of the report for the assessment of this submission point.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<u>"Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion."</u>				
326.1	Rolleston Industrial Developments Limited	General	Amend the Proposed District Plan to delete the use of absolutes such as 'avoid', 'maximise' and 'minimise'.	3.9	Reject	See body of the report for the assessment of this submission point.	No
FS78	Royal Forest and Bird protection Society of New Zealand Inc		Reject the submission		Accept		No
FS84	Ohoka Residents Association		Reject the submission		Accept		No
FS119	Andrea Marsden		Reject the submission		Accept		No
FS120	Christopher Marsden		Reject the submission		Accept		No
FS137	Ohoka Residents Association		Reject the submission		Accept		No
326.2	Rolleston Industrial Developments Limited	General	Amend so that all controlled and restricted discretionary activity rules include the following wording, or words to like effect: <u>"Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion."</u>	3.9	Reject	See body of the report for the assessment of this submission point.	No
FS78	Royal Forest and Bird protection Society of New Zealand Inc		Reject the submission		Accept		No
FS119	Andrea Marsden		Reject the submission		Accept		No
FS120	Christopher Marsden		Reject the submission		Accept		No
FS137	Ohoka Residents Association		Reject the submission		Accept		No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
326.3	Rolleston Industrial Developments Limited	General	Amend controlled and restricted discretionary activity rules to provide direction regarding non-notification.	3.9	Reject	See body of the report for the assessment of this submission point.	No
FS137	Ohoka Residents Association		Reject the submission		Accept		No
FS78	Royal Forest and Bird protection Society of New Zealand Inc		Reject the submission		Accept		No

