

Section 32 Report
**Whaitua motuhake/
Special Purpose Kaiapoi
Regeneration**

prepared for the

**Proposed
Waimakariri District Plan**

18 September 2021



WAIMAKARIRI
DISTRICT COUNCIL

TABLE OF CONTENTS

1. EXECUTIVE SUMMARY	4
2. OVERVIEW AND PURPOSE	5
2.1 Purpose of Section 32 RMA	5
2.2 Topic Description	5
2.3 Significance of this Topic	7
2.4 Current Objectives, Policies and Methods	7
2.4.1 Objectives and Policies	7
2.4.2 Methods	8
2.5 Information and Analysis	8
2.6 Consultation Undertaken	9
2.6.1 General Public Feedback	9
2.6.2 Activity Proponents	10
2.6.3 Te Ngāi Tūāhuriri Rūnanga	10
2.7 Iwi Authority Advice	10
2.8 Reference to Other Relevant Evaluations	10
3. STATUTORY AND POLICY CONTEXT	10
3.1 Resource Management Act 1991	10
3.1.1 Section 6	10
3.1.2 Section 7	11
3.1.3 Section 8	11
3.2 National Instruments	11
3.2.1 National Planning Standards	11
3.2.2 National Policy Statement on Urban Development	12
3.3 Regional policy statement and plans	12
3.3.1 Canterbury Regional Policy Statement ('CRPS')	12
3.4 Iwi Management Plan	13
3.5 Any relevant management plans and strategies	13
3.5.1 The Waimakariri Residential Red Zone Recovery Plan ('WRRZRP')	13
3.5.2 District Development Strategy 2048	15
3.6 Any other relevant legislation or regulations	15
3.7 Any plans of adjacent or other territorial authorities	15
4. KEY RESOURCE MANAGEMENT ISSUES	16

4.1.1	Issue 1	16
4.1.2	Issue 2	17
4.1.3	Issue 3	17
5.	OVERVIEW OF PROPOSED OBJECTIVES, POLICIES AND METHODS	17
5.1	Strategic Direction	17
5.2	Zone / District-wide Subject	18
5.3	Proposed Objectives and Policies	18
5.4	Proposed Methods	18
6.	SCALE AND SIGNIFICANCE EVALUATION	18
6.1	Evaluation of Scale and Significance	20
6.2	Summary – Evaluation of Scale and Significance	21
7.	EVALUATION OF PROPOSED OBJECTIVES	22
7.1	Evaluation of Proposed Objectives	22
7.2	Summary - Evaluation of Proposed Objectives	24
8.	EVALUATION OF PROPOSED POLICIES AND METHODS	24
8.1	Evaluation of Proposed Policies and Methods	25
8.2	Summary - Evaluation of Proposed Policies and Methods	27
9.	SUMMARY	27
	Appendices	28
	Appendix 1 – Proposed Objectives, Policies and Methods	28

1. EXECUTIVE SUMMARY

Parts of Kaiapoi, Kairaki and The Pines Beach were badly affected by the Canterbury Earthquakes of 2010/2011. The Waimakariri Residential Red Zone Recovery Plan (WRRZRP) was developed in 2016 to identify long term uses for these 'Regeneration Areas' areas. The WRRZRP identifies suitable activities for Kaiapoi depending on location, including recreation and ecological linkages, rural and residential for the remaining private residences. The District Plan must not be inconsistent with the WRRZRP.

The proposed provisions were informed by the technical evidence underpinning the WRRZRP and comments received from potential users of the area.

The evaluation demonstrates that this proposal is the most appropriate option as:

- The provisions are informed by current technical natural hazards and market evidence;
- The objectives and policies provide for the existing remaining private residential activity and other anticipated activities, consistent with the WRRZRP;
- Permitted activity rules provide for anticipated activities to establish and include thresholds for some activities such as buildings where there is potential for adverse effects to occur.

Overall, it is considered that the set of preferred provisions is the most appropriate given that the benefits outweigh the costs in terms of efficiency and effectiveness.

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.

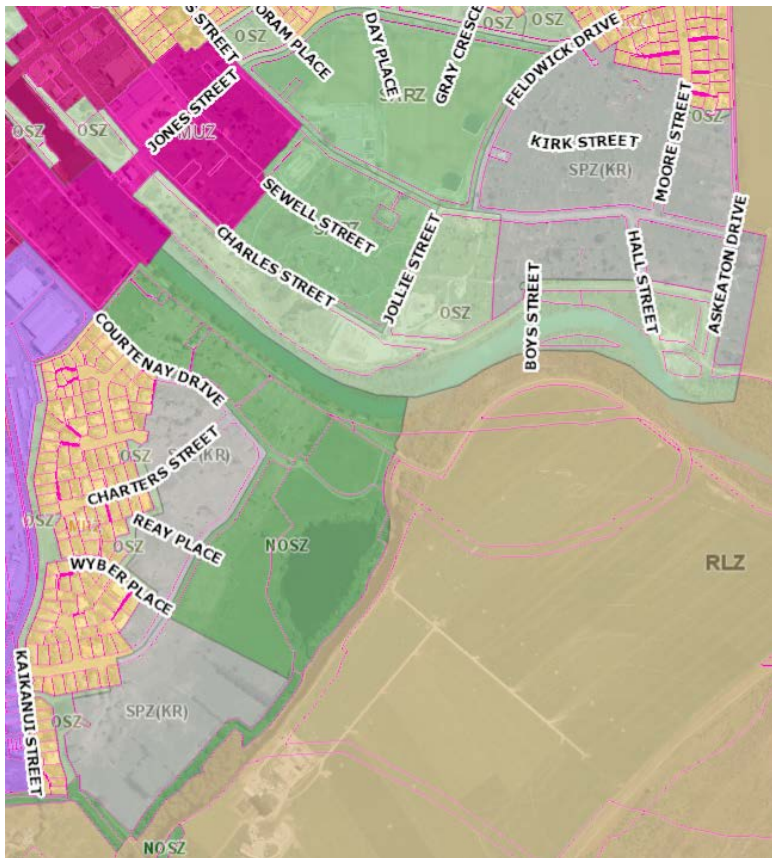
2.2 Topic Description

In the Proposed District Plan, the Special Purpose Kaiapoi Regeneration Chapter is part of **Part 3 – Special Purpose Zones**.

The 2010-2011 Canterbury earthquakes caused unprecedented and widespread damage to greater Christchurch. In Kaiapoi, The Pines Beach and Kairaki, about 100 hectares – over a fifth of the total residential area – were classified as ‘residential red zone’. This was part of the Crown’s emergency social policy response to the earthquakes and the urgent need to assist people in the worst affected areas. This had a profound impact on the communities, businesses, infrastructure and environment of Kaiapoi, The Pines Beach and Kairaki.

This chapter covers part of the ‘red zone area’ (now regeneration areas) near Kaiapoi - see Figure 1 below which shows the proposed extent of the zone. The area is zoned Residential 1 and 2 in the Operative District Plan. This zone does not adequately provide for the land uses identified in the WRRZRP, and as such an alternative zone is required. Because of the unique features of the area (due to the mix of existing and identified activities, the WRRZRP provisions and the technical constraints applying), a special purpose zone is proposed as provided for under the National Planning Standards. The purpose of the zone chapter is to manage buildings and activities in the new zone.

Figure 1 – Proposed extent of the Kaiapoi Regeneration zone (the SPZ KR zone is coloured grey)



2.2.1 Relationship of the Special Purpose Kaiapoi Regeneration Zone Chapter to other parts of the District Plan

The structure of district plans mandated by the National Planning Standards is based on each topic or zone being in its own stand-alone chapter with its own provisions. Like other zone chapters, the Special Purpose Kaiapoi Regeneration chapter relies on district-wide provisions. It has also been developed with reference to the adjacent Active Sport and Recreation, Open Space and Natural Open Space zones. The chapter also refers to the General Residential Zone for provisions applying to the remaining currently occupied residential property. Relevant chapters include:

- (a) General Residential – as this chapter is cross-referenced in the proposed chapter;
- (b) Sport and Active Recreation, Open Space, Rural and Natural Open Space – as these provisions apply in the adjacent zones;
- (c) Natural Hazards – as the site is subject to significant natural hazards constraints; and
- (d) Earthworks – as significant earthworks might be required to mitigate or avoid natural hazards (e.g. flooding and land deformation).

2.3 Significance of this Topic

The topic is specific to a small part of the District (almost 100 hectares) where significant change has occurred since 2010/11. Uncertainty over future activities in regeneration areas, including the presence of a remaining private residence means that the management of activities in the area is significant to the local community.

2.4 Current Objectives, Policies and Methods

The Operative Plan's zoning of the area is Residential 1 and 2. Objectives, policies and methods are summarised below.

2.4.1 Objectives and Policies

The objectives and policies are set out in Chapter 17. The most relevant seek the following:

- Residential Zones that provide for residents' health, safety and wellbeing and that provide a range of living environments with distinctive characteristics (Objective 17.1.1); and
- Recognising and providing for differences between Residential Zones reflecting the community's expectations that a range of living environments will be maintained and enhanced (Policy 17.1.1.2) and maintaining and enhancing the characteristics of the residential zones (Policy 17.1.1.1).

The explanation to Policy 17.1.1.2 states:

"The Residential 1 Zone is the highest density living environment in the District. The zone surrounds the town centres of Rangiora and Kaiapoi. Residential 1 Zone provides an opportunity for higher density living within walking distance of town centre facilities and reinforces the dominant community focal point role of these towns. The zone is sensitive to adverse effects that may spill over from the adjacent Business 1 Zone.

The Residential 2 Zone occupies most of the living environment in the District's towns. It is characterised by the single storey detached dwelling, surrounded by lawns and gardens. The streets are open and spacious and generally carry only local traffic. The Residential 2 Zone is sensitive to adverse effects that may spill over from adjacent zones, especially the Business and Rural Zones."

Table 17.1 sets out the characteristics for the Residential 1 and 2 Zones which include:

Residential 1

- living as the predominant activity; facilities include schools, limited commercial activities, reserves, churches, and service related businesses; highest density of dwellings for the District's Residential Zones; flats and townhouse developments are more common than Residential 2; minimum lot size 300 square metres, and maximum site coverage 50%.

Residential 2

- living as the predominant activity; prominently detached dwellings; facilities include schools, local shops, churches, places of assembly, reserves; lot sizes minimum 600 square metres and maximum site coverage 35%; lower density of dwellings than for Residential 1.

2.4.2 Methods

The majority of the Residential 1 and 2 Zone rules are contained within Chapter 31. The rules cover the following:

- Buildings and structures;
- Signs;
- Glare;
- Noise;
- Hazardous substances; and
- Retail activities and traffic matters.

Relevant provisions are also contained in other chapters such as Utilities and Traffic Management (Chapter 20), Natural Hazards (Chapter 27) and Subdivision (Chapter 32).

The provisions manage activities, building bulk and location, subdivision and topic specific matters.

Note: for more information on the Operative Plan Residential 1 and 2 Zone provisions please refer to the Residential Chapter s32.

2.5 Information and Analysis

A number of background reports have been undertaken on the topic as set out in Table 1 below.

Table 1 – List of relevant background assessments and reports

Title	Author
District Plan Effectiveness Review	<i>Waimakariri District Council 2016</i>
Description of Report	
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.	
An analysis of the review findings in relation to residential zones provisions is contained in the Residential Chapter s32.	
Title	Author
What's the Plan?	<i>Waimakariri District Council, July 2019</i>
Description of Report	
The "What's the Plan?" consultation was undertaken to help shape the content of the Proposed District Plan. The community were asked six questions with respect to residential development. Feedback received is assessed in the Residential Chapter s32.	
Title	Author
Waimakariri District Residential Red Zone Technical Advisory Panel Preliminary Assessment of Land Use Capability	<i>CERA, TRONT, Environment Canterbury, Waimakariri District Council, 2015</i>
Description of Report	
This report sets out the natural hazards affecting the residential red zone and the land use activities that could be viable in these locations.	
Title	Author

Canvas: Your thinking for the red zones	<i>CERA, December 2014</i>
Description of Report	
A summary of findings from the public engagement on the future use of the red zones in the Waimakariri District.	
Title	Author
Preliminary draft Waimakariri Residential Red Zone Recovery Plan: Summary of Public Comments	<i>WDC, March 2016</i>
Description of Report	
A summary of findings from the public engagement on the future use of the red zones in the Waimakariri District.	
Title	Author
Valuation Consultancy Report	Colliers International, December 2015
Description of Report	
This report explores the market viability of residential development being re-established within the red zone.	
Title	Author
Supplementary Planning Assessment Memo on the Preliminary Draft Waimakariri Residential Red Zone Recovery Plan	<i>WDC, April 2016</i>
Description of Report	
This memo analyses how the Preliminary Draft Waimakariri Recovery Plan (including the officer's recommendations) aligns with the relevant sections of the following planning documents:	
<ol style="list-style-type: none"> 1. Canterbury Regional Policy Statement 2013 2. New Zealand Coastal Policy Statement 2010 3. Mahaanui Iwi Management Plan 2013 4. Waimakariri District Plan 5. Waimakariri District Long Term Plan 2015-2025 6. Kaiapoi Town Centre Plan 2011 7. The Waimakariri District Walking and Cycling Strategy and Implementation Plan 2011 8. Sport and Recreation Reserves Management Plan (2015) 9. Waimakariri District Visitors Strategy (2010-2015) 10. Waimakariri District Council Community Development Strategy 2015-2025 11. Waimakariri Local Economic Development Strategy (2012) 12. Land Use Recovery Plan - Te Mahere Whakahaumanu Taone 	
Title	Author
Various natural hazards supporting reports	<i>Various</i>
Description of Report	
Various natural hazards technical reports that inform the natural hazards chapter.	
<i>Note: refer to the Natural Hazards s32 Report.</i>	

2.6 Consultation Undertaken

2.6.1 General Public Feedback

The “*What’s the Plan?*” consultation was released for public comment for four weeks from Monday 8 April to Monday 6 May 2019. No questions were asked in relation to the regeneration areas which we well canvassed during the development of the WRRZRP.

2.6.2 Activity Proponents

The Council has had discussions with a potential user who wishes to create an aqua sports facility in the northern part of the zone. These discussions have focussed on the likely nature of the activity and its physical extent. This information has informed the development of the zone provisions.

2.6.3 Te Ngāi Tūāhuriri Rūnanga

No preliminary comments were received from Te Ngāi Tūāhuriri Rūnanga on the proposed provisions which are specific to a small localised area and set of issues.

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. This section summarises the consultation feedback/advice received from the iwi authority relevant to the zone and the District Council's consideration of, and response to (as required by Section 32(4A)(b) of the RMA), that feedback/advice.

No formal comments were received on this topic.

2.8 Reference to Other Relevant Evaluations

This Section 32 report should be read in conjunction with other Section 32 reports prepared for the Proposed District Plan, including:

- (a) Strategic Directions – which sets out the strategic direction for the Proposed District Plan, including the plan for the protection of important areas;
- (b) Residential – which contains provisions for managing activities in residential zones (the Special Purpose Kaiapoi Regeneration Zone cross references to the General Residential Zone);
- (c) Natural Hazards – which contains provisions for managing natural hazards within all zones;
- (d) Earthworks – which includes provisions which manage earthworks in all zones; and
- (e) Subdivision – which includes provisions for subdivision in all zones.

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.

3.1.1 Section 6

The matters of national importance are set out in s6. Development in the zone can affect these matters, however all of these topics are addressed primarily in other chapters. The matter of most

direct relevance is s6(h) - *the management of significant risks from natural hazards*, as the area was badly affected in the 2010/11 Canterbury earthquake sequence and remains subject to flooding and land deformation.

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 relevant to the zone, to the extent that some activities can affect culturally important resources. This is provided for through the specific consultation on the provisions with the iwi authority as part of plan development, and also the ability to use limited notification to affected parties (unless this is precluded by a specific rule relating to the exclusion of affected customary rights groups or affected customary marine title groups).

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 provisions seeking good urban design outcomes that are sought as part of the zone.

Finally, regard also needs to be had to the effects of climate change. Climate change will affect the frequency and severity of storms and associated flooding, as well as the capability to service development for stormwater. Natural hazards applicable to the zone are addressed in the Natural Hazards Chapter.

3.1.3 Section 8

Section 8 requires that the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) be taken into account when undertaking functions and powers under the Act. As part of the consultation process, local iwi were invited to provide feedback on the draft provisions as set out earlier in this report, however no comments were received on this chapter. It is noted that the Tuahuriri Runanga and Ngai Tahu were involved with the development of the WRRZRP.

3.2 National Instruments

The national instruments set out below are relevant to this chapter.

3.2.1 National Planning Standards

The first set of National Planning Standards came into effect in May 2019 and minor amendments were incorporated in November 2019. The purpose of the National Planning Standards is to improve consistency in plan and policy statement structure, format and content.

Under the Standards Chapter 8 states:

“An additional special purpose zone must only be created when the proposed land use activities or anticipated outcomes of the additional zone meet all of the following criteria:

- a. are significant to the district, region or country*
- b. are impractical to be managed through another zone*
- c. are impractical to be managed through a combination of spatial layers.”*

The regeneration areas are significant to the District as they occupy approximately 100 hectares in area and have a unique history and context as they were badly affected then 'red-zoned' as a result of the 2010/ 2011 Canterbury earthquakes.

Using a special purpose zone for the Kaiapoi Regeneration Area provides a line of sight between these areas and the WRRZRP developed under the Canterbury Earthquake Recovery Act. The District Plan must not be inconsistent with the WRRZRP until 30th June 2021 (after this date it becomes a matter to be considered). This approach also enables the applicable provisions to recognise the special circumstances applying to the area. This includes the need to provide flexibility for future developments in an area where character and amenity is expected to evolve over time, and that there are remaining private residential landowners who need to be provided for.

There is no one single existing National Planning Standard zone that can apply to the area. A residential zoning over the whole area does not achieve the WRRZRP outcomes, while a natural open space or rural zone over the whole area does not provide for the remaining private residential landowner, nor the flexibility required in the longer term to support the regeneration of Kaiapoi.

A combination of spatial layers overlying the area could be utilised, or split or spot zonings. However, overall it is considered this approach is impractical and that using a separate special purpose zone is a simpler, clearer and more practical approach. The proposed chapter is considered to be consistent with the National Planning Standards' directions.

3.2.2 National Policy Statement on Urban Development

The National Policy Statement on Urban Development (NPS-UD) came into effect in August 2020. 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-UD 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-UD apply to the District.

While the area is identified as urban, its special circumstances (the WRRZRP and presence of natural hazards constraints) mean it is not practicable to achieve the NPS-UD objectives in this zone.

3.3 Regional policy statement and plans

3.3.1 Canterbury Regional Policy Statement ('CRPS')

Chapter 6 – Recovery and Rebuilding of Greater Christchurch is relevant to this chapter. 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.

While recovery-focused, the Chapter provides more of a framework for recovery decisions than specific recovery direction for the zone. For example, it maps areas for urban development, provides targets for intensification, requires integration of land use and infrastructure, supports key activity and other centres, and includes desired outcomes for business land development. As identified

earlier, the special circumstances that apply to land in the zone and the corresponding provisions of the WRRZRP mean that the urban development anticipated in Chapter 6 is not applicable to the zone.

Given the natural hazards constraints applying to the site, Chapter 11 – Natural Hazards of the CRPS is also relevant. Chapter 11 specifies natural hazards outcomes and management for flooding (from both rainfall and storm surges), land deformation, general risk management, the role of natural features, hazard mitigation works and climate change (see the s32 for natural hazards for additional information).

The remaining topic and resource-based chapters of the CRPS, such as those containing policy directions for indigenous biodiversity and landscape, are addressed through the remaining topic based chapters in the District Plan.

3.4 Iwi Management Plan

Under section 74(2A) the District Council must, when preparing or changing a district plan, take into account any relevant planning document recognised by an iwi authority and lodged within the territorial authority, to the extent that its content has a bearing on the resource management issues of the district. The Mahaanui Iwi Management Plan 2013 (IMP) is the mana whenua planning document that applies to the Waimakariri District (amongst other jurisdictional authorities).

The IMP principally covers the sustainable management of natural resources and cultural matters. There are no directly relevant provisions that relate to regeneration areas or the management of natural hazards in this specific zone.

3.5 Any relevant management plans and strategies

The management plans and strategies prepared under other legislation below are relevant to this matter.

3.5.1 The Waimakariri Residential Red Zone Recovery Plan ('WRRZRP')

The 2010-2011 Canterbury earthquakes caused unprecedented and widespread damage to greater Christchurch. In Kaiapoi, The Pines Beach and Kairaki, about 100 hectares – over a fifth of the total residential area – were classified as 'residential red zone'. This was part of the Crown's emergency social policy response to the earthquakes and the urgent need to assist people in the worst affected areas. This had a profound impact on the communities, businesses, infrastructure and environment of Kaiapoi, The Pines Beach and Kairaki.

The Council was directed by the Minister supporting Greater Christchurch Regeneration (the Minister) to prepare a Draft Recovery Plan to identify the long-term uses for the five residential red zone areas in the district (referred to as 'regeneration areas' in this Recovery Plan). The Council presented the Minister with the Draft Recovery Plan on 1 August 2016. The Minister notified the Draft Recovery Plan for written comments and prepared a final recovery plan in December 2016.

Rural uses were identified as appropriate for the Special Purpose Kaiapoi Regeneration area based on the significant natural hazards affecting the area, the anticipated land remediation costs and the market viability for buildings at the time the plan was prepared. The Plan anticipated that intensive farming (such as poultry farming) would be restricted.

The WRRZRP also stated that:

Proposed Waimakariri District Plan Section 32 (Special Purpose Kaiapoi Regeneration) Trim:
[210401054653](#)

“It is recognised that alternative land uses could be undertaken in this area in the long term subject to technological advances and / or market demand changes making any alternative land use a feasible option. Any future change in the land use would need to be progressed under the Resource Management Act 1991.”

3.5.1.1 Long term

In terms of what is ‘long term’, the Council’s Preliminary Draft Waimakariri Residential Red Zone Recovery Plan identified the period 2028 and beyond as ‘long term’ (see section 5.2 Overall Implementation Tables, page 62 of the Preliminary Draft).

A district plan provides for at least a ten year period from the point it is made operative. The Waimakariri District Plan is anticipated to be operative in part or in full from 2023. A ten year life span means that the reviewed District Plan needs to include provisions for the period through to 2033 at least. As such, it is considered that the reviewed district plan needs to expressly contemplate and provide for alternative land uses as identified in the WRRZRP, i.e. in addition to rural activities.

3.5.1.2 Alternative long term activities

The WRRZRP does not specify what alternative land uses are anticipated, only that they are anticipated when they are feasible (due to changes in technology and demand). It is considered that, in addition to the environmental context, the earthquake regeneration context and specified Council’s Vision and Goals for the Regeneration Areas provide guidance. These are set out below.

The Council’s Vision

“Creatively and cost-effectively returning regeneration areas to active use, towards ensuring that Kaiapoi, Kairaki, The Pines Beach and the wider district are economically and socially vibrant, resilient, rewarding and exciting places for residents and visitors, while celebrating the significant cultural values of iwi and the wider community.”

The Council’s Goals

1. *“Returning the regeneration areas to active use in a timely, efficient and economic manner, reflecting the needs and aspirations of the Waimakariri Community.*
2. *Significantly enabling Kaiapoi’s journey towards becoming a prosperous and innovative centre to live, work and play in.*
3. *Providing a safe, inspiring and attractive environment for residents and visitors, of all ages and abilities, with public access to opportunities for active sport and recreation, cultural, social and economic activities.*
4. *Ensuring land use proposals are resilient and built for the future, drawing on relevant, sound assessment of and prudent response to the risks proposed by natural hazards.*
5. *Enabling opportunities to restore the natural environment to support biodiversity as well as economic prosperity.*

6. *Recognising and enhancing Ngai Tuahuriri and Ngai Tahu values, aspirations and the important cultural history of the area.”*

3.5.2 District Development Strategy 2048

Regard is to be had to the Waimakariri 2048 - District Development Strategy (2018) (DDS) which represents a non-RMA area planning and consultation outcome with the community.

The DDS identifies the challenges to the District in terms of accommodating substantial growth over the next 30 years, including the need for 15,000 new houses. Regarding Kaiapoi, the DDS confirms Kaiapoi as the District's second largest town and identifies intensification and additional greenfield development opportunities for growth. It also identifies the importance of the Kaiapoi Town Centre and the need to carefully manage activities in the proposed mixed-use business regeneration areas to avoid undermining the town centre.

3.6 Any other relevant legislation or regulations

The Canterbury Earthquake Recovery Act 2011 (now repealed) and the Greater Christchurch Regeneration Act 2016 are indirectly relevant as they are the statutes under which the WRRZRP was developed and gazetted and provide its authority as a matter the chapter must not be inconsistent with until 30th June 2021.

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.

Given the zone is a special purpose zone with bespoke provisions applying to a unique area, the value of comparisons with adjacent territorial authority plans is limited. The closest comparable provisions are those applying to the Otakaro Avon River Corridor (OARC) in the Christchurch District Plan (which superseded the Specific Purpose (Flat Land Recovery) Zone provisions) as these provisions similarly apply to a red-zoned area that has significant natural hazards constraints. However direct comparisons are still of only limited value as the OARC provisions are similarly bespoke.

For completeness, the OARC District Plan provisions were included in the OARC Regeneration Plan August 2019 and directly inserted into the Christchurch District Plan. They seek to enable the Regeneration Plan's vision and objectives for the area.

The provisions cover district wide topics including transport, natural hazards, subdivision, earthworks, and, like the Proposed District Plan, utilise a bespoke specific purpose zone that includes activity and built form standards.

Because of the project scale (including geographic area, costs, opportunities, complexity, level of public interest) and ownership (the Council), the OARC specific purpose zone provisions are detailed, including character outcomes and intended activities for identified locations within the corridor (Policy 13.14.2.1.1). This level of detail has not been replicated in the proposed provisions for the Special Purpose Zone (Kaiapoi Regeneration) as this is not needed and the intended uses for the whole area have not yet been determined.

While at different levels of detail, both sets of provisions include:

Proposed Waimakariri District Plan Section 32 (Special Purpose Kaiapoi Regeneration) Trim:
[210401054653](#)

- Guidance on anticipated activities, including enabling community, recreation and conservation activities;
- Requirements for good building design;
- Cross referencing to alternative applicable provisions for remaining privately owned sites;
- Restrictions on retail activities to avoid undermining nearby commercial centres;
- Requirements for ecological planting; and
- Non complying status for industrial activities.

4. KEY RESOURCE MANAGEMENT ISSUES

The resource management issues set out in this section have been identified using sources of information including (but not limited to) the following:

- Primary and secondary research;*
- Monitoring and review of the current district plan;*
- Issues identified in other documents and plans, including those described above;*
- Matters raised in various forums by statutory partners and key stakeholder(s)/advisory groups; and*
- Input from experts involved in landscape assessment.*

4.1.1 Issue 1

Issue Statement	Land constraints
<p>Description/discussion</p> <p>Technical evidence concludes that the land in the zone is severely impacted by natural hazard risk. The principal natural hazards affecting the area are land deformation (lateral spread and liquefaction) and flooding.</p> <p>Land deformation risk can be directly remedied through geotechnical intervention and/or mitigated through building typologies. However, geotechnical intervention can be prohibitively expensive for low density standard builds, while more financially acceptable building typologies (e.g. higher density) may reduce flexibility or cause unacceptable amenity impacts. Flood risk can be avoided or mitigated through:</p> <ul style="list-style-type: none"> • raising the land, • managing displaced floodwaters, • building design (for example floating or relocatable structures), or • undertaking activities that are not sensitive to flooding, such as outdoor recreation. <p>The technical work that informed the WRRZRP determined that putting back residential activity at a similar density to that which existed pre earthquakes was not financially viable due to the natural hazard mitigation required. It was noted however that land remediation techniques would evolve, as would other development costs and financial returns.</p> <p>Overall, careful consideration is required to enable activities and structures that are hazard tolerant, but manage non-hazard tolerant activities through a consent pathway.</p>	

4.1.2 Issue 2

Issue Statement	Providing flexibility for activities whilst still providing certainty of amenity and character
<p>Description/discussion</p> <p>The balance between providing certainty of land use activities and anticipated outcomes and providing flexibility for a range of activities to occur is a key issue. Being severely constrained by natural hazards risk, more intensive and expensive activities are generally harder to establish, and an onerous regulatory framework would make this difficult task harder still.</p> <p>While flexibility is helpful, at the same time it is not appropriate to apply a ‘any development is good development’ approach given the potential impacts on:</p> <ul style="list-style-type: none"> • amenity values; • the remaining privately owned residence; • the adjacent zones (Sport and Active Recreation Zone and Natural Open Space Zone); and • the nearby Kaiapoi Town Centre. <p>Development needs to be carefully managed on the basis of activity and scale to enable benign small scale activities as permitted, but ensure other activities and larger scale built structures can be assessed through a consent pathway.</p>	

4.1.3 Issue 3

Issue Statement	Appropriately providing for remaining private residential landowners
<p>Description/discussion</p> <p>As a result of decisions by affected landowners to not accept the Government’s buy-out offer there is one privately owned residential site remaining in the red-zone. There are a number of options for managing this site including spot zoning, scheduling and the proposed hybrid approach of listing the site and cross referencing to another zone’s provisions.</p> <p>Given the absence of scheduling in the planning standards the proposed approach of cross referencing is preferred as it manages all land within the area under the same framework.</p>	

5. OVERVIEW OF PROPOSED OBJECTIVES, POLICIES AND METHODS

5.1 Strategic Direction

The most relevant Strategic Directions are:

- SD-O6 Natural hazards and resilient environment, which seeks the avoidance of unacceptable natural hazard risk and management of other natural hazard risk.

This chapter relies on the Natural Hazards Chapter to give effect to these strategic directions.

5.2 Zone / District-wide Subject

The Proposed Specific Purpose Zone Kaiapoi Regeneration Chapter is part of *Part 3 – Area Specific Matters – Special Purpose Zones*.

5.3 Proposed Objectives and Policies

The proposed objectives and policies are set out in **Appendix 1** of this report. The two objectives seek:

- the enablement of a range of activities which support the regeneration of the area and the role, function and continued viability of the Kaiapoi Town Centre; and
- pre-earthquake residential activity on a privately-owned site are able to continue.

These objectives are supported by four policies that:

- provide for regeneration;
- provide for a range of primary and secondary / ancillary activities;
- manage new built development to achieve specified outcomes; and
- provide for residential activity on the existing privately owned site and adverse effects on that property that are consistent with those anticipated in the cross-referenced zone.

5.4 Proposed Methods

The proposed methods are set out in **Appendix 1** of this report.

In summary, a range of permitted, restricted discretionary and non-complying activities are provided for in the proposed provisions. Many of the permitted activities within the proposed chapter are subject to activity standards. The rules in the proposed chapter generally seek to enable a wide range of recreation, conservation, commercial, community and destination activities, with activity scale managed to avoid adverse amenity and commercial distribution impacts.

The chapter relies on existing activity definitions utilised in other chapters.

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, 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 those with particular interests including Maori;
- (g) Adversely affect people's health and safety;
- (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
Degree of change from the Operative Plan			✓
The proposed zone is an entirely new zone responding to the WRRZRP. However it still relies on the application of district-wide rules.			
Effects on matters of national importance	✓		
The provisions apply to an area which is significantly affected by natural hazards (s6(h)), however the other matters are not overly relevant to the zone.			
Scale of effects geographically (local, district wide, regional, national)	✓		
The zone covers a relatively small area of the District.			
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)	✓		
The zone contains only a few landowners. Geographically, the main neighbouring sites are Council owned.			
Scale of effects on those with specific interests, e.g., Mana Whenua, industry groups	✓		
Being close to the Kaiapoi River the zone is located within an area of cultural significance, however the zone is a relatively small area and is an area that was previously developed for residential activities.			
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 provisions are guided by the WRRZRP which includes direction for the area - however, the anticipated land uses in the WRRZRP are ambiguous as it identifies rural activities as suitable but also refers to alternative activities being acceptable in the longer term. The WRRZRP ceases to have legal effect after 30 th June 2021.			
Likelihood of increased costs or restrictions on individuals, communities or businesses	✓		
The Operative plan zoning (residential) provides for a variety of activities, as do the proposed provisions. The restrictions have changed but are not any more restrictive or costly.			
As the General Residential Zone applies to residential activities on the remaining private residential sites (via cross-referencing), refer to the Residential s32 for the General Residential Zone for information on additional costs or restrictions for this site.			

6.2 Summary – Evaluation of Scale and Significance

Overall the evaluation of the scale and significance of the changes from the Proposed District Plan compared to the Operative District Plan is considered **low to medium**. Given this, the level of detail in this report corresponds with the scale and significance of the environmental, economic and cultural effects 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 plan.

7.1 Evaluation of Proposed Objectives

While not specifically required under s32 of the RMA, it is appropriate to also consider alternative objectives to those currently included in the Proposed Plan, so as to ensure that the proposed objective(s) are the most appropriate to achieve the purpose of the RMA.

For the purposes of this evaluation the following criteria form the basis for assessing the appropriateness of the proposed objectives:

1. Relevance i.e. Is the objective related to addressing resource management issues and will it achieve one or more aspects of the purpose and principles of the RMA?
2. Reasonableness: What is the extent of the regulatory impact imposed on individuals, businesses or the wider community? Is it consistent with identified tangata whenua and community outcomes? Will the objective guide decision-making? Does it meet sound principles for writing objectives?
3. Achievability i.e. Can the objective be achieved with tools and resources available, or likely to be available, to the local authority.

For the purpose of this evaluation, the Council has considered the following potential objectives:

1. The status quo (Residential 1 & 2 Zone); and
2. The proposed objectives.

Given the conclusions reached on the alternative approaches to zoning in section 3.2.1, alternative objectives that are more aligned with other zones have not been assessed.

Existing Objective/s (status quo)	Appropriateness to achieve the purpose of the Resource Management Act 1991
Objective 17.1.1 Residential Zones that provide for residents' health, safety and wellbeing and which provide a range of living environments with distinctive characteristics.	Relevance: The objective is relevant to the remaining private residential landowners, but not relevant to other areas given the direction contained in the WRRZRP for activities on that land.
	Reasonableness:

Existing Objective/s (status quo)	Appropriateness to achieve the purpose of the Resource Management Act 1991
<p><i>Note: there are only three residential objectives in Chapter 17. Objective 17.1.2 (Integration- Comprehensive Residential Development) and Objective 17.1.3 (Efficiency and Sustainability – Comprehensive Residential Development) only apply to comprehensive residential developments which, by definition, do not apply to the Residential 3 zone which applies to the area in the Operative Plan.</i></p>	<p>The objective is reasonable for remaining private residential land and seeks an outcome that is consistent with the purpose of the Act.</p> <p>Achievability:</p> <p>Until June 2021 the Council cannot make a decision that is inconsistent with the WRRZRP and arguably a residential zoning is inconsistent with the WRRZRP. As such, the objective is not achievable.</p>

Proposed Objective/s	Appropriateness to achieve the purpose of the RMA
<p>SPZ(KR) - O1 – Regeneration</p> <p>A range of activities are enabled which support the regeneration of the area and the role, function and continued viability of the Kaiapoi Town Centre.</p>	<p>Relevance:</p> <p>Enabling activities that are appropriate for the environment and considering commercial distribution are matters that are relevant to sustainable resource management under the RMA.</p> <p>Reasonableness:</p> <p>The objective is considered to be reasonable. Supporting the regeneration of the area was generally supported through the WRRZRP consultation. The approach will not result in unjustifiably high costs on the community or landowners given the direction in the WRRZRP.</p> <p>Achievability:</p> <p>The objective is achievable as it utilises standard planning rules to manage activities and buildings in identified areas.</p>
<p>SPZ(KR) – O2 – Residential activities</p> <p>Pre-earthquake residential activities on privately-owned sites are able to continue.</p>	<p>Relevance:</p> <p>Given the significant uncertainty in future activities in the zone, it is necessary to recognise remaining pre-earthquake residential activities. The objective assists the Council to meet its functions under the RMA and the WRRZRP.</p> <p>Reasonableness:</p> <p>The objective is considered to be reasonable and provides for natural justice.</p> <p>Achievability:</p>

Proposed Objective/s	Appropriateness to achieve the purpose of the RMA
	The objective is achievable as it utilises standard planning rules to manage activities and buildings in identified areas.

7.2 Summary - Evaluation of Proposed Objectives

The proposed objectives are considered to be the most appropriate means of achieving the purpose of the Act. They directly address s6 and s7 matters as required under the RMA. They are not inconsistent with the WRRZRP.

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.

For the purpose of this evaluation, the Council has assessed only the proposed objectives. The status quo option was not assessed as it is considered to be unrealistic and not reasonably practical as it would not meet the WRRZRP. Given the conclusions reached on the alternative approaches to zoning in section 3.2.1, alternative objectives that are more aligned with other zones have also not been assessed.

8.1 Evaluation of Proposed Policies and Methods

Policy and method options	Benefits environmental, economic, social and cultural effects anticipated,	Costs environmental, economic, social and cultural effects anticipated,	Efficiency and Effectiveness	Risk of acting / not acting if there is uncertain or insufficient information about the subject matter of the provisions
<p>Option A: Proposed Approach</p> <ul style="list-style-type: none"> Objectives and policies provide for a range of activities that support regeneration of the area and the role and function of the Kaiapoi town centre. Development is well designed, including to manage natural hazard risk. For the remaining private residence, the rules cross reference to those for the General Residential Zone. 	<p>Environmental:</p> <p>There are building built form standards and urban design triggers requiring urban design assessments.</p> <p>There are also landscaping requirements. As such the impacts of new buildings on the character and amenity values of the area can be managed.</p> <p>Economic:</p> <p>The zone expressly seeks and provides for regeneration of the area and support for the Kaiapoi town centre, thereby enabling economic benefits.</p> <p>Social:</p> <p>The zone expressly seeks and provides for regeneration of the area and support for the Kaiapoi town centre, thereby delivering social benefits.</p>	<p>Environmental:</p> <p>The area was developed previously for urban activities with little or no significant natural environmental values identified.</p> <p>There could be adverse effects on amenity values occurring from future activities.</p> <p>Economic:</p> <p>None identified.</p> <p>Social:</p> <p>None identified.</p>	<p>The proposed option is considered to be the most efficient and effective as it:</p> <ul style="list-style-type: none"> enables the Council to fulfil its statutory obligations; provides guidance on anticipated activities in this unique area; Is not inconsistent with the WRRZRP; and enables the Council to effectively administer its District Plan. 	<p>There is uncertainty as to the likely future activities in the zone, however the proposed approach aligns with technical evidence and the WRRZRP.</p> <p>The risk of not acting may result in a loss of regeneration opportunities and a less natural hazard resilient community.</p> <p>Overall it is considered that that there is a low risk from the proposed approach.</p>

Policy and method options	Benefits environmental, economic, social and cultural effects anticipated,	Costs environmental, economic, social and cultural effects anticipated,	Efficiency and Effectiveness	Risk of acting / not acting if there is uncertain or insufficient information about the subject matter of the provisions
	Residential activity is provided for on the remaining private residential site. Amenity is managed for this site through specific activity and built form setbacks.			
	Cultural: None identified. However there are opportunities for activities to establish that support cultural well-being.	Cultural: None identified.		
Opportunities for economic growth and employment				
The proposed provisions provide opportunities for economic growth and employment within the zone.				
<p>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. 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.</p>				

8.2 Summary - Evaluation of Proposed Policies and Methods

The proposed policies and methods are more closely aligned with the WRRZRP, the post-earthquake context and better support the regeneration of Kaiapoi. They are considered efficient and effective and there is an acceptable risk of acting on them.

Overall, the proposed policies and methods are the most appropriate option to achieve the objectives as the benefits outweigh the costs.

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:

- The provisions are informed by technical natural hazards and market evidence;
- The objectives and policies provide for the existing remaining private residential activity and other anticipated activities, consistent with the WRRZRP; and
- Permitted activity rules provide for anticipated activities to establish and include thresholds for some activities such as buildings where there is potential for adverse effects to occur.

Overall, it is considered that the set of preferred provisions is the most appropriate given that the benefits outweigh the costs and in terms of efficiency and effectiveness.

Appendices

Appendix 1 – Proposed Objectives, Policies and Methods

Objectives
<p>SPZ(KR) - O1 Regeneration <i>A range of activities are enabled which support the regeneration of the area and the role, function and continued viability of the Kaiapoi Town Centre.</i></p> <p>SPZ(KR) – O2 Residential activities <i>Pre-earthquake residential activities on privately-owned sites are able to continue.</i></p>
Policies
<p>SPZ(KR) - P1 Supporting regeneration <i>Provide for the ongoing and adaptive regeneration of the area while avoiding undermining the role, function, economic viability and investment in the public amenities of the Kaiapoi Town Centre.</i></p> <p>SPZ(KR) – P2 Range of activities <i>Support opportunities for regeneration by enabling a wide range of activities, including:</i></p> <ol style="list-style-type: none">1. <i>the following primary activities:</i><ol style="list-style-type: none">a. <i>non-intensive agriculture;</i>b. <i>active sport and recreation;</i>c. <i>community gardens, community markets and community facilities;</i>d. <i>ecological restoration and enhancement;</i>e. <i>visitor attractions;</i>f. <i>education and conferences; and</i>2. <i>the following secondary and ancillary activities:</i><ol style="list-style-type: none">a. <i>visitor accommodation;</i>b. <i>temporary activities, events, buildings and structures;</i>c. <i>small scale retail facilities, including food and beverage;</i>d. <i>gymnasiums; and</i>e. <i>ancillary offices.</i> <p>SPZ(KR) – P3 Design <i>Provide for built development which:</i></p> <ol style="list-style-type: none">1. <i>achieves a visually attractive development when viewed from public spaces;</i>2. <i>incorporates ecological enhancement planting to provide a high level of onsite amenity and support an improved natural environment;</i>3. <i>incorporates onsite treatment of stormwater and/or integrates with wider stormwater management systems where practicable;</i>

4. includes design measures to mitigate adverse effects at the boundaries with adjacent residential zones and open space and recreation zones and remaining privately-owned residential activities; and
5. manages natural hazard risk.

SPZ(KR) – P4 Continuation of pre-earthquake residential activities

Enable residential activities on existing sites in private ownership and manage activities at the boundary to mitigate adverse effects on these sites.

Proposed Methods

All permitted activities in the chapter are subject to activity standards. Activity standards mostly relate to limiting the size of activities and buildings.

Permitted Activities
Activities on remaining private residences that are permitted in specified rules in the General Residential Zone
Agriculture
Recreation activities and facilities
Major sports facility
Conference facility
Conservation activities
Customary harvesting
Community market
Public amenities
Emergency service facilities
Education facility
Office, visitor accommodation, health care facility, cultural facility, childcare facility, community facility, retail, food and beverage, entertainment, car parking lots and buildings, industrial activity subject to standards such as size limits and hours of operation

Restricted Discretionary Activities
Retirement village
Care facility
Trade supplier
Yard-based activity
Buildings over 450m ² if within 50m of specified zones

Discretionary Activities
Motorised vehicle events and sports facility
Residential activity
Any activity not listed

Non-complying activities
Heavy Industrial activity

Standards
Built form standards (RDIS where not met)
Car parking setbacks (RDIS where not met)
Outdoor storage areas (RDIS where not met)
Minimum landscaping requirements (RDIS where not met)
Ecological enhancement planting (RDIS where not met)
Waste management requirements (RDIS where not met)
Maximum building coverage (DIS where not met)

Matters of Discretion
<p>SPZ(KR) - MD1 Development design and scale</p> <ol style="list-style-type: none"> 1. <i>The extent to which the design and scale of the development adversely affects any nearby natural and cultural environments, and any features or sites of significance to Ngāi Tūāhuriri.</i> 2. <i>The extent to which the design and scale of the development results in adverse visual and amenity value effects on adjoining residential sites or any Open Space and Recreation Zones.</i> 3. <i>The extent and design of landscaping and open spaces within the development.</i> 4. <i>The extent to which CPTED principles have been considered to achieve a safe, secure environment, including the extent to which the development:</i> <ol style="list-style-type: none"> a. <i>provides for views over, and passive surveillance of, adjacent public and publicly accessible open spaces;</i> b. <i>clearly demarcates boundaries of public and private space;</i> c. <i>makes pedestrian entrances and routes readily recognisable; and</i> d. <i>provides for good visibility with clear sightlines and effective lighting.</i> 5. <i>The extent to which the activity does not adversely affect the function, viability and public investment in the Kaiapoi Town Centre to provide for primarily commercial and community activities.</i> 6. <i>The extent to which the activity generates traffic and other effects that impact on the day to day operation and amenity of the local community.</i> <p>SPZ(KR) - MD2 Height and height in relation to boundary</p> <ol style="list-style-type: none"> 1. <i>The effect of any reduced sunlight admission on properties in adjoining Residential Zones and Natural Open Space Zone or sites listed in {Link,19542,Appendix APP1}, 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.</i> 2. <i>The scale of building and its effects on the character of any adjoining Residential Zones or Open Space and Recreation Zones, including outlook from adjoining properties in those zones.</i> 3. <i>The effects of any landscaping and trees proposed within the site, or on the boundary of the site in mitigating adverse visual effects.</i> 4. <i>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 needs in a compliant manner.</i>

SPZ(KR) – MD3 Internal boundary setbacks

1. *The scale and height of buildings within the reduced setback and their impact on the visual outlook of residents and users on the adjoining Residential Zones, Rural 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(KR) – MD4 Internal boundary landscaping

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 any 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(KR) – MD5 Road boundary setbacks

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. *The extent to which 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(KR) – MD6 Outdoor Storage

1. *The extent of visual effects on adjoining sites.*
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.*

SPZ(KR) – MD7 Ecological enhancement planting

1. *The extent to which the proposed ecological enhancement planting:*
 - a. *is likely to achieve 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/manā 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 design of the landscaping, having regard to the potential adverse effects on safety for pedestrians and vehicles.*