

Section 32 Report
**Whaitua motuhake/
Special Purpose Pines Beach
and Kairaki Regeneration**

prepared for the

**Proposed
Waimakariri District Plan**

18 September 2021



WAIMAKARIRI
DISTRICT COUNCIL

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1. EXECUTIVE SUMMARY

Parts of 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 depending on location, including recreation and ecological linkages, private lease, part of Tuhaitara Coastal Park, 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 the Tuhaitara Trust and remaining private residents within the zone.

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

- The objectives and policies are 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; and
- Coastal hazards on Trust land are managed through requiring buildings to be relocatable and built to specified floor levels (the natural hazards provisions apply to remaining private residences).

Overall, it is considered that the preferred provisions are the most appropriate given that the benefits outweigh the costs in terms of efficiency and effectiveness. The risks of acting are also clearly identifiable and limited in their extent.

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 they are notified. 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

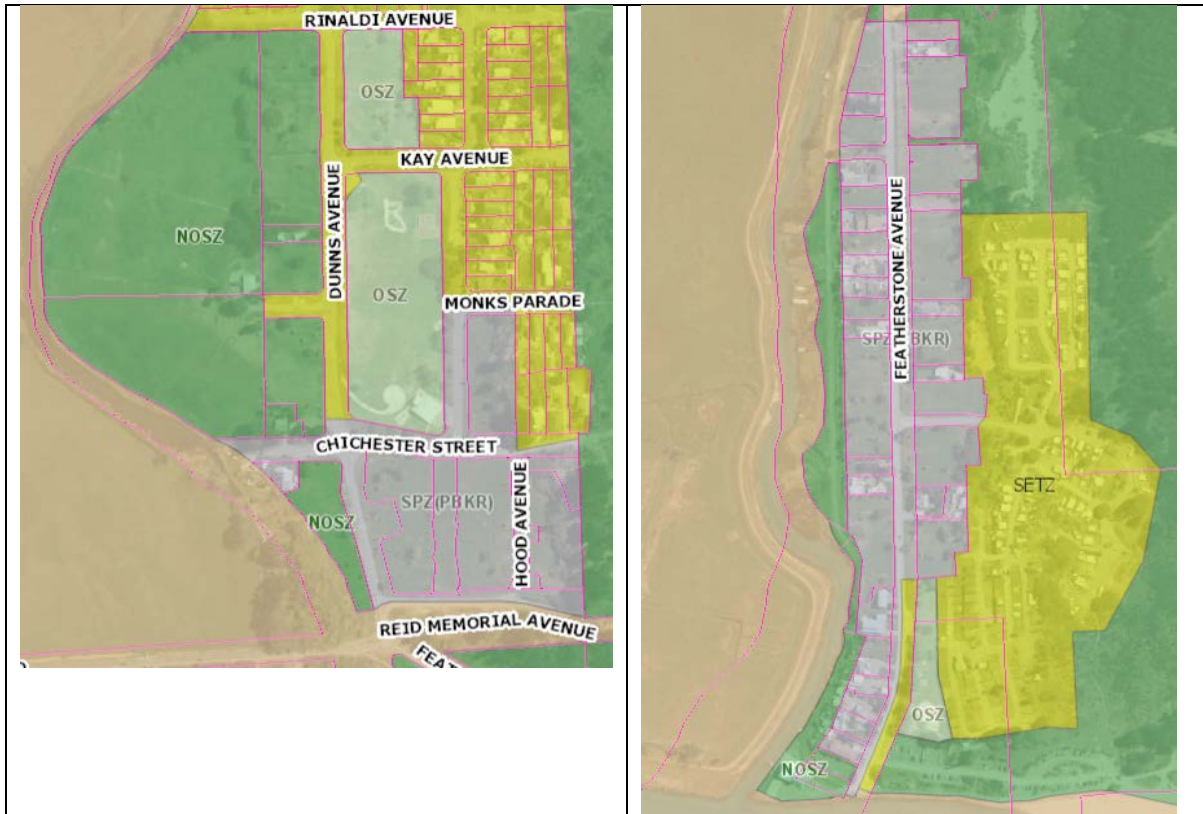
In the Proposed District Plan, the Special Purpose Pines Beach and Kairaki Regeneration Chapter is part of **Part 3 – Special Purpose Zones**.

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) in The Pines Beach and Kairaki - see Figure 1 below which shows the proposed extent of the zone.

The Pines Beach and Kairaki area covered by this zone are currently zoned Residential 3 (small settlements). This zone does not adequately provide for the land uses identified in the WRRZRP, and an alternative zone is therefore required. A special purpose zone is proposed under the National Planning Standards because of the unique qualities of the area, due to the mix of existing and identified activities and the WRRZRP provisions and the technical constraints that apply. The purpose of the chapter is to appropriately manage buildings and activities in the new zone.

Figure 1 –The proposed extent of The Pines Beach and Kairaki Regeneration SPZ PBKR (coloured grey)



2.2.1 Relationship of the Special Purpose Pines Beach and Kairaki Regeneration Chapter to other parts of the District Plan

The structure of district plans mandated by the National Planning Standards is based around each topic or zone being in its own stand-alone chapter with its own provisions. Like other zone chapters, the Special Purpose Pines Beach and Kairaki Regeneration Chapter relies on district-wide provisions. It has also been developed with reference to the Natural Open Space Zone which is immediately east of the zone. The chapter also refers to the Settlement Zone for provisions applying to remaining residents. Although near the coast, the zone is not located within the Coastal Environment Overlay. Other relevant chapters include:

- (a) Settlement;
- (b) Natural Open Space;
- (c) Natural Hazards;
- (d) Earthworks; and
- (e) Energy and infrastructure.

2.3 Significance of this Topic

Being specific to a small part of the District, the topic is not considered significant in this context. However, given the significant change that has occurred in the area since 2010/11, uncertainty over future activities on Trust land and the presence of a number of remaining private residences, the topic is considered significant to the local community.

2.4 Current Objectives, Policies and Methods

The Operative Plan's zoning of the area is Residential 3. 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);
- 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).

The explanation to Policy 17.1.1.2 states:

"The Residential 3 Zone reflects the view of the community that the beach settlements and small rural towns are different in character from the four main towns in the District. These differences largely stem either from their origins as holiday settlements, their small size, and low density of building. Servicing constraints such as at Allin Drive/Queens Avenue, Waikuku Beach which limit subdivision potential have the effect of maintaining the particular character of some settlements and towns."

Table 17.1 sets out the zone characteristics for the Residential 3 Zone which includes: living as the predominant activity; detached dwellings with a range of styles and ages and sizes; a rural outlook and setting; limited footpaths, curb and channelling and low traffic volumes.

2.4.2 Methods

The majority of the Residential 3 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 for the small settlements in the district.

Note: for more information on the Operative Plan Residential 3 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 One below.

Table One – List of relevant background assessments and reports

Title	Author
District Plan Effectiveness Review	Waimakariri District Council 2016
Description of Report	
<p>An assessment of District Plan effectiveness was undertaken as an early step to identify issues and gaps for the District Plan Review. The review included an assessment of resource consent applications and conditions for a variety of topics, other methods used to manage activities outside the District Plan and a range of internal and external policy and legislative influences.</p> <p>An analysis of the review findings in relation to residential zones provisions can be found in the Residential Chapter s32.</p>	
Title	Author
What's the Plan?	Waimakariri District Council, July 2019
Description of Report	
<p>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 summarised in section 2.6.</p>	
Title	Author
Waimakariri District Residential Red Zone Technical Advisory Panel Preliminary Assessment of Land Use Capability	CERA, Te Runanga O Ngai Tahu (TRONT), Environment Canterbury, Waimakariri District Council, 2015
Description of Report	
<p>This report set out the natural hazards affecting the residential red zone and the land use activities that could be viable in these locations.</p>	
Title	Author
Canvas: your thinking for the red zones	CERA, December 2014
Description of Report	
<p>A summary of findings from the public engagement on the future use of the red zones in the Waimakariri District.</p>	
Title	Author
Preliminary draft Waimakariri Residential Red Zone Recovery Plan: Summary of Public Comments	WDC, March 2016
Description of Report	
<p>A summary of findings from the public engagement on the future use of the red zones in the Waimakariri District.</p>	
Title	Author
Supplementary Planning Assessment Memo on the Preliminary Draft Waimakariri Residential Red Zone Recovery Plan	WDC, April 2016
Description of Report	
<p>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:</p> <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.</i>	
Title	Author
Phase 2: Coastal Inundation Modelling, Development of an adaptation pathway methodology	<i>Jacobs, March 2021</i>
Description of Report	
This report identifies a methodology for defining an adaptation pathway for Kairaki and The Pines Beach based on an adaptation threshold of overtopping of the existing stopbank by a 5% AEP storm tide and models various event scenarios, including residual flood risk.	

2.6 Consultation Undertaken

Consultation has been undertaken as part of this District Plan Review process with key agencies, the remaining landowners in the zone and the Te Kohaka o Tuhaitara Trust (TKOTT).

2.6.1 Landowner consultation

Consultation letters were sent directly to all remaining private residential landowners in November 2019 that identified the current zoning the Pines Beach and Kairaki Residential Red Zone, the Council's intention to change the zoning to a Special Purpose Zone, and that for all remaining private residential properties, it was intended that this zone will cross reference to the main provisions (activities and built form standards) in the "Settlement Zone" – which is the Zone that is intended to apply to the non-Red Zone areas of The Pines Beach and other Waimakariri District settlements currently zoned Residential 3.

Staff received a small number of phone calls with questions regarding how the proposed changes will affect private land, Trust land and flooding issues.

Consultation letters were also sent directly to all remaining private residential landowners in November 2020 inviting them to a presentation / drop in session held on 2 December 2020 at The Pines Beach Hall to discuss possible District Plan provisions for their properties. Key issues raised at the presentation / drop-in were:

- what could be done on neighbouring TKOTT land, and in particular the ability to install multiple caravans and other temporary structures for short term living accommodation;
- the ability for remaining residents to comment on proposed developments on TKOTT land;
- general natural hazard provisions and how sea level rise and other flooding was being responded to;
- the definition of relocatable buildings;

- site boundary and survey issues; and
- drainage problems.

Draft provisions were subsequently provided to all remaining private residential landowners on 15th December 2020. A small number of comments were received in January 2021. The substantive comments requested the provisions:

- Enable more permanent residential activity on Trust land (as opposed to temporary relocatable residential activity); and
- Utilise a relocatable building trigger mechanism based on stopbank overtopping events.

The draft provisions have resolved the matters raised in the comments with the exception of enabling more permanent residential activity on Trust land, as the WRRZRP does not envisage this activity in this location.

2.6.2 Te Kohaka o Tuhaitara Trust (TKOTT) Consultation

Meetings were held with TKOTT to discuss the proposed approach to the zone, review the draft provisions and consider further changes made. Feedback from TKOTT indicated general support for the intention and rules but considered that the likely required minimum finished floor levels (for natural hazards purposes) were onerous (and expensive) for relocatable buildings given that sea level rise was determined on a 100 year projection and sea water inundation and other flooding was based on a 200 year AEP, yet the buildings may only be on site for 10 to 20 years. TKOTT were also opposed to the 12 month restriction on the maximum duration of residential tenure in Kairaki as this:

- would not support the Trust's capacity to support the Park development and Coastal protection works;
- would not encourage people to invest in appropriate eco-sustainable non-permanent building development;
- will likely result in temporary options like containers and caravans being proposed; and
- may create competition with the Kairaki Beach Motor Camp.

In response:

- The time limit on residential activity was removed and replaced with a restricted discretionary consent requirement utilising a sea level rise trigger mechanism rather than a time limit;
- The consent pathway would allow relocatable natural hazard sensitive buildings to meet an alternative minimum finished floor level threshold based on shorter term flooding likelihood.

2.6.3 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.

2.6.4 Te Ngāi Tūāhuriri Rūnanga

No preliminary comments were received from Te Ngāi Tūāhuriri Rūnanga on the proposed provisions which are specific to a very 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 Pines Beach and Kairaki Regeneration Zone cross references to the Settlement Zone);
- (c) Natural Hazards – which contains provisions for managing natural hazards within all zones;
- (d) Infrastructure and Energy – which contains provisions for managing infrastructure within all zones;
- (e) Earthworks – which includes provisions which manage earthworks in all zones;
- (f) Subdivision s32 – 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. While the natural hazards chapter provisions apply to the Special Purpose Zone, the zone also includes requirements for relocatable buildings (and relies on a specific definition of these) in response to natural hazards issues.

Including specific activity provisions for relocatable buildings is applied in this zone due to the special natural hazards and recovery plan context that applies. Specifically, the WRRZRP specifies that relocatable structures are appropriate for the red zone area but not permanent buildings (see later in this s32 for more detail).

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 limited notify affected parties (unless this is precluded by a specific rule with the exclusion of affected customary rights groups or affected customary marine title groups).

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

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

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. Recognising the potential flood risk for the area buildings on TKOTT land are required to be relocatable.

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 area provides a ‘line of sight’ between these and the WRRZRP developed under the Canterbury Earthquake Recovery Act which the District Plan must not be inconsistent with (until July 2021, after which time it is a matter to be considered). It also enables the applicable provisions to be bespoke, recognising that special circumstances apply to the area, including 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 NPS zone that can apply to the area. A residential zoning over the whole area does not achieve the WRRZRP outcomes for the TKOTT land, while a natural open space or similar zone over the whole area does not provide for the remaining private residential landowners, nor the flexibility required for the TKOTT land.

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

3.2.2 New Zealand Coastal Policy Statement (NZCPS)

The NZCPS is a national policy statement under the RMA. The purpose of the NZCPS is to state policies in order to achieve the purpose of the Act in relation to the coastal environment of New Zealand. The District Council is required to give effect to the NZCPS through the District Plan.

While the area is close to the coast and affected by flooding which is influenced by coastal processes, the area is not identified as being within the coastal environment and therefore the NZCPS does not apply.

3.2.3 National Policy Statement for Urban Development

The National Policy Statement for Urban Development (NPS-UD) is the second NPS on urban development, replacing the 2016 National Policy Statement on Urban Development Capacity (NPS-UDC). The 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.¹

The intent is to ensure that housing and business land supply meets demand for urban areas. The NPS has different provisions that apply to all local authorities, medium growth urban areas and high growth urban areas. Greater Christchurch, of which much of Waimakariri is a part, is identified as a high growth urban area, and as such, all of the provisions of the NPS apply to the district.

While the area is identified as urban, its special circumstances (presence of a Recovery Plan and 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

Chapter 6 – Recovery and Rebuilding of Greater Christchurch is relevant to these zone provisions. It 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.

¹ NPS-UDC 2016 Pre-amble

While recovery focussed, the CRPS provides more of a framework for recovery decisions rather 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 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, 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

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. In terms of the preparation of the proposed District Plan, the WRRZRP is another matter to be considered.

The land uses identified in the WRRZRP for The Pines Beach and Kairaki in this Recovery Plan were based on available information about relevant factors and considerations, including: geotechnical constraints; natural hazards; market demand; Council resourcing (e.g. for Council facilities); and

demographic changes. The land uses for The Pines Beach and Kairaki area included recreation and ecological linkages, Coastal Park, private leases, and rural activities. A requirement for relocatable buildings was introduced. The WRRZRP recognised remaining private residences and did not identify any suitable land uses for these sites.

3.5.2 District Development Strategy 2048

Regard is to be had to the Waimakariri 2048 - District Development Strategy 2018). The Waimakariri District Development strategy (DDS) represents a non-RMA area planning and consultation outcome with the community. The plan represents the community's long-standing and clearly expressed preference for these settlements, and has been given weight in the plan drafting phase.

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 the settlements of The Pines Beach and Kairaki, the DDS specifies that these settlements are to be managed so as to generally retain their character, by avoiding significant urban growth via expansion and intensification in these areas.

The proposed provisions only apply to the red-zoned parts of these settlements and, consistent with the DDS, do not provide for significant urban growth and intensification.

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.

There are no other directly relevant regulations or legislation.

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 provisions that apply 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, 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 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 as this is not

needed and the intended uses have not yet been determined (the TKOTT will go through a separate and subsequent process amending the applicable reserve management plan to confirm their intended activities).

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

- Guidance on intended 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;
- Careful management of new residential activities;
- Requirements for ecological planting;
- Specific provisions for managing natural hazard risk; and
- Non complying status for industrial activities.

A key difference is that the OARC provisions make new buildings restricted discretionary activities (5.4.6.2 RD3), whereas the proposed provisions provide for these as permitted subject to standards including being relocatable and complying with gross floor area maximums. The difference in approaches is justified given the different contexts and level of information available on natural hazard risk.

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:

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

4.1.1 Issue 1

Issue Statement	Providing flexibility for activities whilst still providing certainty of amenity and character
Description/discussion	
<p>A key issue the provisions need to resolve is getting the balance right between providing certainty of land use activities and anticipated outcomes and providing flexibility for a range of activities to occur. 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. In addition, the TKOTT are yet to identify the intended uses for the land they own which will be determined through a separate and subsequent process amending the applicable reserve management plan.</p> <p>While flexibility is helpful, at the same time it is not appropriate to apply an ‘any development is good development’ approach given the potential impacts on the amenity values and character of</p>	

the remaining privately owned residences and adjacent natural open space of the Tuhaitara Coastal Park which is located within the Coastal Environment. 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 or larger scale structures can be assessed through a consent pathway.

4.1.2 Issue 2

Issue Statement	Appropriate management of natural hazard risk
<p>Description/discussion</p> <p>Technical evidence indicates that the land in the zone is severely impacted by natural hazard risk. Despite this, many activities are entirely appropriate in the zone. In response to natural hazards risk the WRRZRP requires new natural hazard sensitive buildings to be relocatable. While buildings are required to be relocatable, there remains considerable residual risk (depending on building finished floor levels and event magnitude) should storm events occur while the relocatable building is in use. Careful consideration is required to provide for activities and structures that are hazard tolerant but manage others through a consent pathway.</p> <p>In recognition of the WRRZRP direction and the CRPS approach for development within existing urban areas, (see the Natural Hazards s32), and existing use rights, a disparate approach can be adopted which requires natural hazard sensitive buildings to be relocatable on TKOTT land, but the normal application of the district wide natural hazards provisions in the proposed chapter will apply to the adjacent remaining privately owned residences.</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 are 23 privately owned residential sites remaining in the red-zone. There are a number of options for managing these sites including spot zoning, scheduling and the proposed hybrid approach of listing the sites and cross referencing to another zone's provisions.</p> <p>Given the physical arrangement of private/Trust land in Kairaki, and the absence of scheduling in the planning standards, the proposed approach 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-O1 – Natural environment, which seeks the preservation of the natural character of the coastal environment (which is adjacent to the zone) and that people have access to a network of natural areas (the Tuhaitara Coastal Park is adjacent to the zone).
- SD-O2 – Urban development, which seeks a consolidated and quality urban environment that supports a centres hierarchy.
- SD-O6 Natural hazards and resilience environment, which seeks the avoidance of unacceptable risk and management of other risk.

The chapter gives effect to these strategic directions.

5.2 Zone / District-wide Subject

The Proposed Specific Purpose Pines Beach and Kairaki Regeneration Zone 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:

- that new activities are complementary to and support the ongoing use, and management of the Tuhaitara Coastal Park, adjoining Natural Open Space Zone and remaining private residential activity;
- new buildings and the community are natural hazard resilient; and
- pre-earthquake residential activities on privately-owned sites are able to continue.

These objectives are supported by four policies that:

- provide for residential activities on existing privately owned sites and adverse effects on those properties that are consistent with those anticipated in the cross-referenced zone;
- provide for a range of specified activities on other sites;
- manage building design to ensure they are complimentary to the surrounding natural environment and achieve a high level of onsite amenity and high quality, visually attractive development when viewed from the adjoining Natural Open Space Zone; and
- manage new buildings in accordance with the natural hazards chapter or are relocatable if located on TKOTT land.

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. All the permitted activities within the Proposed Chapter are subject to activity standards. The rules in the proposed chapter generally seek to enable continued residential activity on remaining privately owned sites and manage activities on TKOTT land to ensure natural hazards are adequately responded to, and quality outcomes, especially at the interface with the adjacent natural open space-zoned Tuhaitara Coastal Park are achieved.

The Chapter relies on existing activity definitions utilised in other chapters but includes the following zone-specific definition of relocatable building:

“means a building that is intended for relocation, either in part or whole, to another site and demonstrates compliance with the following:

1. *the building shall be generally of timber or metal framing and exclude any structures that have cast in situ concrete walls, concrete block walls, brick and stone walls (including brick veneer), unless such structures are certified by a qualified structural engineer to be of a specific design which would enable at least the greater part of the building to be relocated if required’;*
2. *the building can be removed from the site in less than seven days;*
3. *the building is fully self-contained or able to disconnect from Council reticulated services in less than two days; and*
4. *a statement of professional opinion is provided which confirms that the proposed building is relocatable and is suitable to be established on the site. This shall be provided by a suitably qualified and experienced Structural Engineer, Architect, Architectural Designer or similar.”*

6. SCALE AND SIGNIFICANCE EVALUATION

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

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

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

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

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

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

- (a) Are of regional or district wide significance;
- (b) Involve a matter of national importance in terms of Section 6 of the RMA;
- (c) Involve another matter under Section 7 of the RMA;
- (d) Raise any principles of the Treaty of Waitangi (Te Tiriti o Waitangi) under Section 8 of the RMA;
- (e) Address an existing or new resource management issue;
- (f) Adversely affect 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)) and is adjacent to a natural open space zone in the Coastal Environment (s6(a)).			
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, however it is anticipated that the TKOTT area will be utilised by the wider community.			
Scale of effects on those with specific interests, e.g., Mana Whenua, industry groups		✓	
The zone is located within an area of cultural significance and adjacent to the Coastal Environment, however the zone is a relatively small area and 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 specific direction for the area. However, the approach to relocatable buildings is novel as are the projected effects of sea level rise.			
Likelihood of increased costs or restrictions on individuals, communities or businesses		✓	
The land owned by the TKOTT will be re-zoned from Residential 3 to the proposed special purpose zone. The principal changes are the enablement of conservation and recreation activities and restrictions on residential activity and			

permanent natural hazard sensitive buildings. Buildings which are not relocatable will require resource consent, as will residential activities in The Pines Beach. This will add additional cost to the TKOTT should they need consent. In addition, the Natural Hazards Chapter will apply to the area.

As the Settlement Zone applies to residential activities on remaining private residential sites (via cross-referencing), refer to the Residential s32 for the Settlement Zone for information on additional costs or restrictions.

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 3 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 open space zones have not been assessed.

Existing Objective/s (status quo)	Appropriateness to achieve the purpose of the Resource Management Act 1991
<p>Objective 17.1.1</p> <p>Residential Zones that provide for residents' health, safety and wellbeing and that provide a range of living environments with distinctive characteristics.</p> <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>Relevance:</p> <p>The objective is relevant to the remaining private residential landowners, but not relevant to TKOTT land given the direction contained in the WRRZRP for activities on that land.</p> <hr/> <p>Reasonableness:</p> <p>The objective is reasonable for remaining private residential land and seeks an outcome that is consistent with the purpose of the Act. However, the Objective does not help achieve TKOTT and wider community's* recreation, education and conservation aspirations for the TKOTT land.</p>

Existing Objective/s (status quo)	Appropriateness to achieve the purpose of the Resource Management Act 1991
	<p><i>*As expressed by the community during consultation on the WRRZRP.</i></p> <p>Achievability:</p> <p>This objective is achievable as it utilises other planning rules to manage activities and buildings in identified areas, noting that this objective is not consistent with the WRRZRP for TKOTT land which the Council has to have regard to.</p>

Proposed Objective/s	Appropriateness to achieve the purpose of the RMA
<p>SPZ(PBKR) – O1 – Specific activities and use New activities are complementary to and support the ongoing use, and management of the Tuhaitara Coastal Park, adjoining Natural Open Space Zone and remaining private residential activity.</p>	<p>Relevance:</p> <p>Adverse effects undermining the amenity values, character and commercial distribution are RMA issues to respond to. The objective assist the Council to meet its functions under the RMA.</p> <p>Reasonableness:</p> <p>The objective is considered to be reasonable. Managing the adverse effects of activities on the identified areas 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(PBKR) – O2 – Natural Hazard Resilience New buildings and the community are natural hazard resilient.</p>	<p>Relevance:</p> <p>The management of natural hazards is a matter of national importance in s6 RMA. 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. Managing natural hazard risk was supported by the community during consultation on the DPR (see the Natural Hazards s32), the DDS and the WRRZRP.</p> <p>Due to its location, the area is particularly susceptible to flooding and land deformation. As a result the WRRZP included specific direction for natural hazards on TKOTT</p>

Proposed Objective/s	Appropriateness to achieve the purpose of the RMA
	<p>land, which took into account costs associated with development.</p> <hr/> <p>Achievability:</p> <p>The objective is achievable as it utilises planning rules to manage activities and buildings in identified areas. However the approach to relocatable buildings is novel in the District.</p>

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.

The evaluation being undertaken is of the proposed approach and the status quo, resulting in a preferred option being put forward.

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

1. The proposed objectives; and
2. The status quo objectives (Residential 3 Zone).

Given the conclusions reached on the alternative approaches to zoning in section 3.2.1, alternative objectives that are more aligned with open space zones have 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 seek that: new activities are complimentary to and support the Tuhaitara Coastal Park and adjoining Natural Open Space Zone, and manage amenity values at the boundary with remaining private residences by managing activity type, scale and design; and the community is natural hazard resilient, including by requiring relocatable buildings. For remaining private residences the rules: cross reference to the Settlement Zone and enable non-motorised recreation and conservation activities. 	<p>Environmental:</p> <p>There are building-scale urban design triggers requiring urban design assessments. As such the effects of new buildings on the character and amenity values of the Tuhaitara Coastal Park can be managed.</p> <p>Expressly anticipates the recreation and park management activities anticipated in the TKOTT land which support good environmental outcomes in the neighbouring Tuhaitara Coastal Park.</p> <p>The provisions require natural hazard sensitive buildings on TKOTT land to be relocatable, thereby improving community resilience.</p> <p>Economic:</p> <p>The requirement for natural hazard sensitive buildings to be relocatable could lessen the landowner and community costs should flooding worsen as a result of sea level rise.</p>	<p>Environmental:</p> <p>None identified.</p> <p>Economic:</p> <p>There will likely be additional costs to construct relocatable buildings on TKOTT land.</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, including under s6(h) and s7(c); provides clarity and certainty over anticipated activities in this unique area; better aligns with the intended activities on the TKOTT land; Is not inconsistent with the WRRZRP; enables the Council to effectively administer its District Plan. 	<p>The proposed approach aligns with technical evidence and WRRZRP, and the Council has sufficient information to act on the proposed provisions.</p> <p>The risk of not acting may result in a less natural hazard resilient community.</p> <p>While it is not clear at this time what land uses the TKOTT is proposing, these will be further consulted on as part of the WRRZRP-required reserve management plan amendments, thereby improving certainty at that time.</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
<ul style="list-style-type: none"> For TKOTT land, the rules: enable non-motorised recreation and conservation activities; enable small scale retail, community, entertainment, park management and offices; require all hazard impacted buildings to be relocatable; and provide, via consent, for residential and visitor accommodation in Kairaki. 	<p>Social:</p> <p>The provisions are more closely aligned with the TKOTT’s aspirations for their land and therefore better support the Tuhaitara Coastal Park.</p> <p>Residential activity is provided for on remaining private residential sites.</p> <p>Cultural:</p> <p>The values of the Tuhaitara Coastal Park, and therefore the community’s appreciation of it, are better supported by the proposed design and activity provisions.</p>	<p>Social:</p> <p>The TKOTT land will not be as densely developed as the pre-earthquake pattern of development. Some in the community may wish to see the former community re-established.</p> <p>Cultural:</p> <p>None identified.</p>		
Opportunities for economic growth and employment				
<p>Opportunities for economic growth and employment exist for those activities operating on the TKOTT land. Retail, conservation, education and other activities that support the Tuhaitara Park are expressly provided for. Opportunities for economic growth and employment are limited on remaining private residences.</p>				
Options less appropriate to achieve the objective				
Option B: Status Quo	<p>Benefits environmental, economic, social and cultural effects anticipated,</p>	<p>Costs environmental, economic, social and cultural effects anticipated,</p>	<p>Efficiency and Effectiveness</p>	<p>Risk of acting / not acting if there is uncertain or insufficient information about the subject matter of the provisions</p>
	Environmental:	Environmental:		There is sufficient information on which to act.

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
<ul style="list-style-type: none"> Residential Zones provide for residents' health, safety and wellbeing and a range of living environments with distinctive characteristics. Policy and methods to achieve the objective relating to the mix of activities and built form character in the Residential 3 Zone. 	<p>Requires assessment of activities that may generate significant adverse effects and enables applications to be declined.</p> <p>However, the status quo does not expressly anticipate the recreation and park management activities anticipated in the TKOTT land which support environmental outcomes in the neighbouring Tuhaitara Coastal Park.</p> <p>Economic:</p> <p>Residential activity is enabled everywhere, including on remaining private residences.</p> <p>While not expressly providing for conservation and recreation activities, these are not restricted. As such, these activities which support and compliment the coastal park can establish.</p>	<p>There are no provisions requiring relocatable buildings on TKOTT land. This could result in adverse effects on the community should flooding worsen as a result of sea level rise.</p> <p>There are no building scale urban design triggers requiring urban design assessments. As such new buildings could adversely impact on the character and amenity values of the Tuhaitara Coastal Park.</p> <p>Economic:</p> <p>There are no additional restrictions on residential activity on TKOTT land. This could create an economic burden on the landowner or community if/when the area is subjected to flooding exacerbated by sea level rise.</p> <p>Retailing is restricted to 20% of the net floor area of the sum of all buildings on the site. Depending on building size, these could be more restrictive on TKOTT land than the proposed retail provisions.</p>	<p>The status quo option is not 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 under s6 and 7 only in part as natural hazards are not as fully managed and there may be adverse impacts on amenity values of the adjacent Tuhaitara Coastal Park; The provisions are not aligned with the TKOTT's aspirations for their land. 	

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
		The provisions are not aligned with the TKOTT's aspirations for their land which is to support the Tuhaitara Coastal Park. This could create economic costs.		
	<p>Social:</p> <p>The community can re-establish post-earthquake.</p>	<p>Social:</p> <p>There are no additional restrictions on residential activity or buildings on TKOTT land. This could create social costs on the community if / when the area is subjected to flooding exacerbated by sea level rise.</p> <p>The provisions are not aligned with the TKOTT's aspirations for their land which is to support the Tuhaitara Coastal Park.</p>		
	<p>Cultural:</p> <p>None identified.</p>	<p>Cultural:</p> <p>None identified.</p>		
Opportunities for economic growth and employment				

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>Opportunities for economic growth and employment are limited as the site is zoned for residential activities. The operative provisions provide limited opportunities for retail activities to establish.</p>				
<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 Tuhaitara Coastal Park. They are considered efficient and effective and have a limited risk from being acted on.

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 current technical natural hazards evidence;
- The objectives and policies provide for the existing remaining private residential activities and anticipated activities on TKOTT land, consistent with the WRRZRP;
- Permitted activity rules provide for anticipated activities to establish and include thresholds for buildings where there is potential for adverse effects to occur within the zone and on the adjacent Tuhaitara Coastal Park.

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. The risks of acting are also clearly identifiable and limited in their extent.

Appendices

Appendix 1 – Proposed Objectives, Policies and Methods

Objectives
<p>SPZ(PBKR) - O1 Specific Activities and Use <i>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.</i></p> <p>SPZ(PBKR) – O2 Natural Hazard Resilience <i>New buildings and the community are natural hazard resilient.</i></p> <p>SPZ(PBKR) – O3 Residential activities <i>Pre-earthquake residential activities on privately-owned sites are able to continue.</i></p>
Policies
<p>SPZ(PBKR) – P1 Remaining properties in private ownership <i>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.</i></p> <p>SPZ(PBKR) – P2 Activities on sites not identified in APP1 <i>On sites not identified in Appendix APP1:</i></p> <ol style="list-style-type: none"><i>1. enable recreation activities, conservation activities, education activities, cultural activities and public amenities;</i><i>2. provide for small scale retail, including food and beverage, activities that support recreation, education and conservation activities;</i><i>3. provide for ancillary offices associated with permitted activities;</i><i>4. provide for non-permanent residential activity and visitor accommodation where these support recreation, education and conservation activities in the Tuhaitara Coastal Park.</i> <p>SPZ(PBKR) – P3 Building design <i>On sites other than those identified in {Link,19542,Appendix APP1}, provide for buildings where they:</i></p> <ol style="list-style-type: none"><i>1. complement the surrounding natural environment and achieve a high level of onsite amenity, though for example, the use of natural materials, low scale design, and locally-sourced indigenous ecological enhancement planting;</i><i>2. integrate with and achieve a high quality, visually attractive development when viewed from the adjoining Natural Open Space Zone;</i><i>3. are designed to deter crime and encourage a sense of safety, reflecting the principles of CPTED; and</i>

4. *incorporate onsite treatment of stormwater and/or integrate with wider stormwater management systems where practicable.*

SPZ(PBKR) – P4 Natural hazard resilience of buildings

New natural hazard sensitive buildings and building extensions shall be:

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 {Link,19542,Appendix APP1}, in order to avoid longer term natural hazards associated with sea level rise and land deformation in future earthquakes.*

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 the Settlement Zone under specified rules
Conservation activities
Community gardens
Retail, community, entertainment, cultural, education, park management, ancillary offices and commercial services outside of remaining private residential sites, subject to size limit standards

Restricted Discretionary Activities
Residential and visitor accommodation outside of remaining private residential sites
Natural hazard sensitive activities outside of remaining private residential sites
The majority of the activities that do not meet the permitted activity standards

Discretionary Activities
Any activity not listed

Non-complying activities
Any other residential activity not expressly covered the other rules.
Industrial activity
Specified activities that do not meet the permitted standards

Standards
Built form standards (RDIS where not met)
Ecological enhancement planting (RDIS where not met)
Maximum building coverage and paved impermeable surfaces (DIS where not met)
Fencing (RDIS where not met)

Matters of Discretion

SPZ(PBKR)-MD1 Development design and scale

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:*
 - a. *provides for views over, and passive surveillance of, adjacent public and publicly accessible open 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 that impact on the day to day operation and amenity of the local community.*

SPZ(PBKR) - MD2 Height and height in relation to boundary

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 {Link,19542,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.*

SPZ(PBKR) – MD 3 Internal boundary setbacks

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) – MD 4 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 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) – MD 5 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. *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) – MD 6 Outdoor storage

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.*

SPZ(PBKR) – MD 7 Ecological enhancement planting

1. *The extent to which the proposed ecological enhancement planting:*
 - 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/manua 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.*

SPZ(PBKR) – MD 8 Visitor and residential accommodation

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.*

SPZ(PBKR) – MD9 Natural hazards

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:*
 - 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 hazards, including taking into account maintenance and repair costs that might fall on the wider community.*
5. *The extent of positive effects resulting from the proposal on the local community and the Tuhaitara Coastal Park.*