

**BEFORE INDEPENDENT HEARING COMMISSIONERS  
AT RANGIORA / WAIMAKARIRI**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHAKE  
RANGIORA / WAIMAKARIRI**

**IN THE MATTER** of the Resource Management Act 1991  
**AND**  
**IN THE MATTER** of the hearing of submissions and further  
submissions on the **Proposed Waimakariri  
District Plan**

**HEARING TOPIC:** **Stream 8 Subdivision**

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**SUMMARY STATEMENT OF CLARE DALE  
ON BEHALF OF KĀINGA ORA – HOMES AND COMMUNITIES**

**PLANNING**

**15 APRIL 2024**

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## 1. SUMMARY STATEMENT

1.1 My name is Clare Elizabeth Dale, and I am a Senior Planner at Novo Group Limited. I have provided written evidence for this hearing. In preparing this summary statement I have read the Panel's questions for the S42A reporting officers and make some comments on these below where relevant to my evidence.

1.2 With me today is Josh Neville, Development Planning Team Leader for the South Island. Noting that there is no corporate evidence for this stream Mr Neville is here to answer any questions that the panel may have in regard to Kāinga Ora position or experience with subdivision.

1.3 Further, noting that Kāinga Ora have not lodged legal submissions for this stream and Mr Cameron is not present today. If there are any panel questions that it would be helpful for the legal team to answer we are happy to arrange this in writing/ via memo.

### **Relationship to Stream 7**

1.4 As covered in my evidence, because Hearing Stream 8 does not cover the Kāinga Ora submissions on V1 subdivision provisions which give effect to The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 ("**the Housing Supply Act**") and that Stream 7 is yet to be heard it has been difficult to consider the Residential and Subdivision provisions as a package. I have discussed this with Ms McClung and I agree with her that as there is a strong relationship between the two and separating the PDP and V1 subdivision provisions into 2 hearing streams ahead of the residential chapter means some points may need revisiting either in or after Hearing Stream 7 concludes.

### **SUB-P1 Design and Amenity**

1.5 In relation to subclause (3) I understand from a conversation with Ms McClung that she now agrees that the word 'avoid' can be replaced with 'manage' in relation to the effects of subdivision on the National Grid as this is more consistent with NPSET and the RPS. The Panel had a question in relation to Ms McClung's paragraph 132 and whether there was merit in including the words "*has the potential to*"..... *restrict the operation etc..* (as sought by Concept Services) to reflect that the subdivision itself may not have actual effects in the National Grid, rather that it is the sensitive activities built on the sites created that have the potential to have effects.

1.6 On further reflection, I agree with Concept Services submission point that there is merit including such wording. I consider that SUB P1(3) could be re-worded as follows:

*Manage subdivision that has the potential to restrict or compromise the operation, maintenance, upgrading and development of the National Grid;*

- 1.7 In relation to subclause (5) of SUB-P1 I do not consider that the words ‘character and amenity values’ need to be deleted from the policy, however I do consider that clause 5 would benefit from the addition of the word ‘anticipated’ as a preface as subdivision generally does result in a significant change to existing character and amenity of residential environments. The policy should specifically acknowledge that amenity values in residential zones will change rather than be ‘maintained’ over time as this is consistent with the NPS-UD. I also note this provision is not proposed to be amended by V1, so applies to the subdivision of units established in the RMDZ via the Medium Density Residential Standards (MDRS) where a significant change in character is anticipated by the higher order document.

#### **SUB-P3 Sustainable Design**

- 1.8 The panel has asked a question in relation to paragraph 168 of Ms McClung’s evidence on SUB-P3(3) which I had earlier provided evidence on agreeing with Ms McClung’s conclusions on the insertion of ‘where appropriate’ ahead of several subclauses on water management in subdivisions. However, having considered the panels question, I have now reached a different conclusion and consider that there is a clear link to the matters of discretion requiring the management (treatment or attenuation) of stormwater prior to discharge at a both a subdivision and individual site by site level, and that this should be promoted. The words ‘where appropriate’ should only be associated with those aspirational site by site tools such as collection of rainwater for non-potable use on individual residential sites.

#### **Residential Site Density Controls (SUB-P2 and P5, SUB-R2 and SUB-S1)**

- 1.9 In relation to residential site density controls (allotment layout, size, dimension or building squares) Kāinga Ora have three key points that they seek are reflected in the subdivision objective, policy and rule package in relation to residential development:
- a) The role of the subdivision provisions should be to support the level of development/ density and built form enabled by the residential zone and to manage factors that cannot be controlled through land use provisions.
  - b) For vacant lot/ site subdivision in the GRZ and MRZ minimum areas and/or dimensions/building squares should be specified to ensure that vacant sites are fit for purpose.
  - c) Residential subdivision in accordance with an approved land use consent, around existing dwellings, and around dwellings that are compliant with the permitted district

wide and residential zone rules (built form standards) should require no further consideration of density, allotment layout, lot size or dimensions at subdivision stage.

- 1.10 I agree with these three points. In my opinion, SUB-P2 should enable subdivision patterns and development that are consistent with the built form, character and amenity anticipated in the relevant Residential Zone. Subdivision provisions should not seek to influence or constrain development outcomes that are already provided for and determined through the built envelope requirements of a Residential Zone or approved via land use consent. I do not agree with Mr Buckleys paragraph 183 where he considers that SUB-P5 provides flexibility for a variety of site sizes when it clearly contains a direction that sites should be no smaller than provided for in the residential zone. This is not appropriate if the development already has a land use consent that considered the size of the site appropriate and also would not provide for multi-unit complexes in the GRZ.
- 1.11 Further, I consider it is appropriate for these provisions to be amended to cover vacant site subdivision. The ability to manage the site size for any vacant sites created which would increase density of the resultant urban form is clearly retained and is important to ensure that sites are fit for purpose and capable of containing a permitted residential unit. I therefore support the intent of the request by Kāinga Ora to amend these policies to cover vacant lot subdivision.
- 1.12 For the reasons provided in relation to SUB-P2 above, I also consider SUB-R2 requires amendment to provide an exemption from SUB-S1 for subdivision in accordance with an approved land use consent or permitted residential use approved via a building consent for all residential development not just multi-units.

### **GRZ and MRZ**

- 1.13 In the PDP, the GRZ covers most of the district's residential environments, with the MRZ covering smaller areas surrounding the town centres in Rangiora and Kaiapoi or the local centre at Pegasus. This changes significantly under V1, where all residential land in Rangiora, Kaiapoi, Woodend, Pegasus and Ravenswood becomes MRZ and only the township of Oxford remains GRZ. If MDRS/ Variation 1 is made optional by the Government in the coming months and the WDC withdraws or re-notifies a modified V1, then I consider that further evaluation of site density standards in the Subdivision Chapter of the PDP for the GRZ and MRZ will be required.
- 1.14 If the GRZ continues to only apply to Oxford as per V1, then Kāinga Ora have no further interest in pursuing a minimum site size of 300m<sup>2</sup> in the PDP (as opposed to the 500m<sup>2</sup>) in this location as it is outside of the urban environment and outside of the area to which MRDS applies. However, if V1 is withdrawn and large areas of Rangiora, Kaiapoi, Woodend, Pegasus and Ravenswood return to a GRZ, then a minimum site size of 300m<sup>2</sup>

and dimension of 10m x 15m (or similar /alternative relief) would continue to be sought by Kāinga Ora.

### **Hazards**

- 1.15 In relation to the subdivision of land where flood hazards are present, I support the intent of SUB-R4 to assess / address such hazards as part of subdivision consent. The Kāinga Ora submission point on this rule relates to its wider submissions on the Natural Hazards Chapter and mapping of these hazards outside of the PDP in non-statutory maps. In this instance I reference the panel back to my Hearing Stream 3 evidence.

**Clare Dale**

**15 April 2024**

