

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

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHAKE
KI 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 / Wāwāhia whenua

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

PLANNING

27 MARCH 2024

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1. EXECUTIVE SUMMARY

- 1.1 My name is Clare Elizabeth Dale, and I am a Senior Planner at Novo Group Limited. I have been engaged by Kāinga Ora - Homes and Communities (“**Kāinga Ora**”) to provide evidence in support of its primary submission (submitter #325) and further submissions (further submitter #88) on both the Waimakariri District Council’s (“**WDC**”) Proposed District Plan (“**the PDP**”) and Variation 1 (“**V1**”) to the Proposed District Plan (submitter #80). I was not the author of the primary submission on the PDP.
- 1.2 Kāinga Ora made submissions in relation to the Subdivision Chapter of the PDP which are attached in **Appendix 1**. In the Section 42A Report, the reporting officers Ms McClung and Mr Buckley have recommended accepting some but not all the changes requested to the PDP subdivision chapter by Kāinga Ora. This statement of evidence focuses on the submission points that remain in contention.
- 1.3 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**”). The V1 changes in relation to the Medium Density Residential Zone (“**MRZ**”) subdivision provisions address a number of Kāinga Ora submission points on the PDP. Separating the PDP and V1 subdivision provisions into two hearing streams means that some points may need revisiting in Hearing Stream 7. Accordingly, this statement of evidence does not address the Kāinga Ora submission points on V1 which will be addressed in Stream 7.
- 1.4 In summary the key points of my evidence are as follows:
- a) The Kāinga Ora submission seeks changes to the subdivision chapter to ensure that the subdivision provisions support the provision of affordable housing and residential development. In particular, Kāinga Ora seeks to ensure that the subdivision provisions in the PDP do not place unnecessary additional constraints on the development enabled by the residential zones,

and only constrain site sizes or dimensions for vacant lot subdivision.

- b) Kāinga Ora seeks changes to the PDP to ensure that any references in the subdivision provisions to character and amenity values are clearly framed in the context of the 'environment anticipated in the zone' or 'planned urban form' and are not a requirement for maintaining the status quo or existing character and amenity.
- c) The Kāinga Ora submission sought a package of amendments to add references to vacant lot subdivision, and to enable subdivision in accordance with an approved land use consent, around existing dwellings, and around dwellings that are compliant with the permitted district wide and zone rules, without further consideration of site size / dimensions (density) at subdivision stage. This would have the effect of constraining site sizes or dimensions for vacant lot subdivision *only* in this Chapter.
- d) Some comments around consistency with evidence already presented on district wide provisions in hearing streams 1, 3, 5 and 10A.
- e) I concur with the view of Kāinga Ora that the subdivision chapter of the PDP as notified does not adequately provide for residential development and housing choice, and does not adequately support the level of residential development that could otherwise be enabled by the zones of the Plan. In my opinion, the amendments requested in the submissions made by Kāinga Ora will ensure that the PDP more appropriately provides for residential development capacity, housing choice, and affordability, and achieves consistency with the strategic direction and urban growth objectives of the PDP.

1.5 I consider that amendments to the PDP provisions are needed to appropriately address the above points. I have recommended some

further changes to the wording of the Section 42A Report's drafting of the Subdivision provisions; a marked up set of provisions showing the further amendments that I recommend is attached as **Appendix 2**.

2. INTRODUCTION

2.1 My full name is Clare Elizabeth Dale. I am a senior planner practising with Novo Group Limited in Christchurch. I have the background and experience in my previous statements of evidence dated 1 May 2023 and 10 July 2023. In preparing this evidence I have read the Section 32 and Section 42A reports together with the associated appendices prepared by Council staff.

Code of Conduct

2.2 Although this is a Council hearing, I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence.

2.3 Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

Scope of Evidence

2.4 This evidence is presented on behalf of Kāinga Ora and addresses its submission points on the Subdivision Chapter within the Waimakariri PDP, as they relate to the recommendations of the WDC in its S42A reports on Subdivision Urban and Subdivision Rural both dated 13 March 2024. In preparing my evidence, I have reviewed:

- a) The Housing Supply Act.
- b) The National Policy Statement on Urban Development ("**NPS-UD**").
- c) The National Policy Statement on Electricity Transmission ("**NP-SET**").
- d) The Canterbury Regional Policy Statement ("**CPRS**").

- e) The PDP.
- f) WDC's Section 32 Subdivision report.
- g) WDC's Section 42A Proposed District Plan Overview report.
- h) WDC's Section 42A Reports Subdivision Urban (Ms Rachel McClung) and Subdivision Rural (Mr Mark Buckley).

2.5 WDC notified V1 to the PDP to meet its obligations under the Housing Supply Act in August 2022. Kāinga Ora made a submission on V1 which included a number of points in relation to subdivision and qualifying matters. WDC has stated that its Subdivision S42A Reports on the PDP do not address submissions on V1 but instead defer recommendations relating to MRZ provisions to Stream 7, and on several occasions references the S42A reports for Stream 7 which are not yet available. Accordingly, this statement of evidence will focus on the PDP and introduce some of the Kāinga Ora submission points on V1 as it is difficult to separate the two processes.

2.6 My evidence will address the following matters raised in submissions on the PDP provisions:

- (a) Amendments to SUB-P1 to ensure:
 - (i) the effects of subdivision on the National Grid be 'managed' rather than 'avoided'; and
 - (ii) any assessment required of character and amenity values for subdivision in the residential zones is against the anticipated outcomes for the zone or planned urban form and not against the status quo.
- (b) Amendments to SUB-P2 and SUB-P5 to cover:
 - (i) the site size, dimensions and density outcomes required for vacant lot subdivision versus subdivision around existing, consented or permitted buildings;
 - (ii) the integration of the Kāinga Ora proposed new policy on 'Subdivision in Accordance with an Approved Land Use or Building Consent' with SUB-P2 and P5; and

- (iii) changes to ensure that the re-drafted policy is appropriate to the MRZ.
- (c) Amendments to SUB - R2 and SUB – S1 to ensure that:
 - (i) where land use consent has been approved for residential use/activity or building consent approved for a permitted residential development in a residential zone no further consideration of density, site size or dimensions is required at subdivision stage; and
 - (ii) that in the residential zones, minimum site size and dimension requirements only apply to vacant site/lot subdivision.
- (d) Comments on SUB-R4 as they relate to the wider Kāinga Ora submissions on the Natural Hazards Chapter and Mapping of these hazards in the PDP.

2.7 In preparing this evidence, I have also relied on the general background section of the Kāinga Ora submission (where relevant).

2.8 I note that the relevant statutory documents have been identified and outlined within the Section 42A report of Ms McClung and Mr Buckley and the overarching Part 1 matters officers report by Mr Wilson. I agree with the identification of those matters.

3. KĀINGA ORA SUBMISSIONS AND FURTHER SUBMISSIONS

3.1 The Kāinga Ora submission points allocated to the Stream 8 hearings in relation to Subdivision are attached in **Appendix 1**. The Kāinga Ora submission seeks that the PDP enables a range of housing typologies to be delivered in appropriate locations, and to contribute to the provision of quality, affordable housing choices that meet the diverse needs of the community.

3.2 The Kāinga Ora submission seeks changes to the subdivision chapter specifically, to ensure that the subdivision provisions support the provision of affordable housing choices and residential development. In

particular, Kāinga Ora seeks to ensure that the subdivision provisions of the PDP do not place unnecessary additional constraints on the development enabled by the residential zones (in particular the MRZ), and only constrain site sizes for vacant site subdivision.

3.3 Kāinga Ora are of the view that subdivision provisions, such as those that specify site size and dimensions, should not be the determining factor of the development outcomes for the zone. The form and density of the future built form of a given area should instead be determined through the built envelope requirements of the underlying residential zone. In the view of Kāinga Ora, the role of the subdivision provisions should be to support the level of development enabled by the zones, to manage factors that cannot be controlled through land use provisions, and to ensure that vacant sites created through subdivision are fit for residential development.

3.4 I also note that Kāinga Ora has a specific interest in ensuring consistency across the country in terms of provisions applying to the National Grid. Setbacks from the National Grid will also be raised again in Stream 7 Residential and V1 where it is proposed as a Qualifying Matter. Consistent with earlier evidence, the submissions oppose mapping of overlays or protection corridors and rules for major electricity distribution lines not associated with the National Grid in the subdivision chapter as NPSET does not apply and/or give the same legal effect to major electricity distribution lines.

4. RESPONSE TO SECTION 42A REPORT

4.1 The evidence below is structured around the key themes identified above referencing the relevant Section 42A Report paragraphs.

4.2 There are many recommendations in the Section 42A Reports that are consistent with my opinion and conclusions. Therefore, my evidence is largely focused on those matters where I disagree with the recommendations of the Section 42A authors.

Points of Agreement

4.3 I address below, briefly, points where I agree with the Section 42A Report recommendations where I consider it may be helpful to the Panel and where that agreement is not otherwise covered in relation to a provision below:

- (a) I agree with Ms McClung's assessment of SUB-01 at paragraphs 77 – 79 and SUB-P8 at paragraph 225 of the S42A Report, where she references Mr Sheerin's assessment in Hearing Stream 10A and rejects CIAL's request to add a new clause to these objectives on reverse sensitivity effects on infrastructure, on that basis that this is adequately covered elsewhere in the subdivision chapter and wider PDP.
- (b) In relation to SUB-P3(3) Sustainable Design, Ms McClung has accepted that the words 'where appropriate' be added as a qualifier to promoting water conservation, on-site collection of rainwater, water sensitive design and attenuation and treatment of stormwater prior to discharge. She notes that there are no rules in the Chapter that implement policy SUB-P3(3) and that other documents such as the WDC engineering codes of practice cover these matters, some of which are not mandatory, for example, collection of rainwater for non-potable use. I agree with Ms McClung and draw similarities to the evidence I gave in relation to EI-P4 Environmentally sustainable outcomes. While I agree it is good to encourage or promote these outcomes, I consider that it is not appropriate to ensure or require those outcomes through an RMA process, as, in some cases, they relate to non-statutory and voluntary measures, and begin to overlap with matters considered as part of the building consent process.
- (c) For the reasons outlined in my Stream 5 evidence and in my input into the joint witness statement dated 30 November 2023, I agree with Mr Buckley that MainPower's request for a new rule controlling subdivision within 24m of a major electricity distribution line should be rejected (albeit for different reasons).

(d) I agree with Mr Buckley's assessment of SUB-R6 at paragraphs 219 – 221 of the Subdivision (Rural) Report and that this rule should be retained as notified.

SUB-P1 Design and Amenity

4.4 The Kāinga Ora submission sought several amendments to Policy 1 including to clauses 2, 3, 4 and 5.

4.5 In relation to clause 2 that covers the mitigation of reverse sensitivity effects, I concur with Ms McClung's paragraphs 125 and 127. I agree that the change to clause 2 is not appropriate as this limits the methods to minimise the impacts of incompatible activities to the use of setbacks only, where there are other valid methods such as acoustic fencing and insulation standards.

4.6 Clause 3 relates to the effects of subdivision on the operation, maintenance, upgrading and development of the National Grid. The Kāinga Ora submission seeks to change the word 'avoid' at the beginning of this clause to the word 'manage' as follows.

3. *Manage ~~avoids~~ subdivision that restricts or compromises the operation, maintenance, upgrading and development of the National Grid;*

4.7 As noted in my evidence for Stream 5, Kāinga Ora supports plan provisions that are consistent with NPSET in relation to the National Grid, but not in relation to 'major electricity distribution lines'. Kāinga Ora seek provisions which manage sensitive activities, but not in an overly restrictive way (i.e. imposing no more restriction on the use and development of urban land than is absolutely necessary to manage potential risks or adverse effects). I note that the location of the National Grid in the Waimakariri District is at the outer northwest urban edge of Rangiora and that approximately 52 existing residentially zoned sites are within the National Grid Subdivision Corridor (noting that Kāinga Ora is more interested in residential / urban areas where there is development potential, rather than rural land where setbacks are inherently greater). The corridor will also affect a small area of proposed large lot residential zone under the PDP, so overall this is not significant

in a spatial context as it would be if the National Grid did traverse through the MRZ.

4.8 In the section 42A Report, Ms McClung accepts the relief sought in part at Paragraph 132 and otherwise agrees with Transpower's submission. Ms McClung considers that the amendment requested by Kāinga Ora does not give effect to the strong direction in the NPSET or Policy 16.3.4 (particularly clause 2) of the CRPS. I do not agree with Ms McClung's conclusion. Having considered the specific wording of NPSET in relation the effects of other activities on the network, I support the relief sought by Kāinga Ora for the reasons below.

4.9 The Objective of NPSET is as follows (my emphasis underlined):

"To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:

- *managing the adverse environmental effects of the network; and*
- *managing the adverse effects of other activities on the network*".

4.10 The objective clearly uses the term 'managing' in relation to the effects of activities on the network and does not jump straight to the more strongly worded 'avoid' terminology. The two relevant NPSET policies (policies 10 and 11) sit under the heading in Section 8 titled "*Managing the adverse effects of third parties on the transmission network*". Of particular relevance, Policy 10 states (my emphasis underlined):

"In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised".

4.11 Again, the word 'manage' is used in this policy, but in conjunction with the word avoid. I consider that this wording could also be used in SUB-

P1 (3) to address the Kāinga Ora concerns, as this allows for effects to be remedied or mitigated so that restrictions on operation, maintenance, upgrading and development of the infrastructure can be avoided.

4.12 I acknowledge that CPRS Policy 16.3.4 does clearly use the word avoid, however there is again a qualifier that “*which would otherwise limit*” which requires evaluation / evidence of a restriction on the operation and an opportunity for mitigation.

4.13 Ms McClung’s evidence also does not cover the wording of SD-O3 and EI-P6 and consider the consistency (or lack thereof) with these provisions of the PDP.

4.14 SD-O3 Energy and Infrastructure clearly in clause (2)(ii) uses the word managing as follows:

2. including strategic infrastructure, critical infrastructure and regionally significant infrastructure:

a. is able to operate efficiently and effectively; and

b. is enabled, while:

(i) managing adverse effects on the surrounding environment, having regard to the social, cultural and economic benefit, functional need and operational need of the infrastructure; and

(ii) managing the adverse effects of other activities on infrastructure, including managing reverse sensitivity;

4.15 As does EI-P6 Effects of other activities and development on energy and infrastructure:

“Manage adverse effects of other activities and development on energy and infrastructure, including by the following:.....”

4.16 The word manage would also appear to be consistent the rule framework that stems from this policy. Subdivision within the National Grid Subdivision Corridor is a restricted discretionary activity, with the effects being managed via setbacks. Consistent with my evidence on Stream 1 on UDF-P10 and Stream 5 UDF-P6, I consider that the effects of other activities on regionally significant infrastructure including the National Grid, require ‘management’ to ensure incompatible activities do not constrain/limit infrastructure. Amended wording for clause 2 is contained in **Appendix 2**.

- 4.17 Kāinga Ora sought to amend Clause 5 of SUB-P1 which relates to supporting the 'character, amenity values, form and function' for the relevant zone. Kāinga Ora sought deletion of the words 'character' and 'amenity values', along with clarification that assessment should be required against the anticipated outcomes or built form for the zone rather than the status quo. Ms McClung has rejected this relief noting that it would be inconsistent with Sections 7 (c) and (f) of the RMA as well as other objectives and policies across the PDP (some of which are yet to be heard), where character and amenity are commonly used terms.
- 4.18 I agree with Ms McClung in part and do not consider that the words 'character and amenity values' need to be removed entirely, however I do consider that clause 5 would benefit from the addition of the word 'anticipated' as subdivision generally does result in a significant change to existing character and amenity. The policy should specifically acknowledge that amenity values will change rather than be 'maintained' over time.
- 4.19 In relation to 'amenity values', my evidence on the Urban Form and Development objectives and policies and the Commercial and Mixed-Use zones referred to "planned urban built form" or "anticipated / planned urban environment". The NPS-UD focuses on the identification and promotion of the future character/amenity of urban environments, rather than protection and preservation of existing amenity (Objectives 1 and 4). I note Policy 6 of the NPS-UD acknowledges that the planned urban built form under the NPS-UD may result in significant changes and that intensification in accordance with the NPS-UD will result in a reduction in existing amenity values for some. For these reasons, the policy package does not need to maintain the status quo in terms of the character and amenity of urban environments. It is possible that the policy should separately address the rural zones.
- 4.20 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. In my view, this issue needs to be addressed in Stream 8.

4.21 Amended wording for clause 5 is provided in **Appendix 2**.

Residential Site Density Controls (Site Sizes, Minimum Dimensions and Building Squares)

4.22 The next two sections of this evidence relate to the policy and rule provisions applying to residential density controls (e.g. site sizes, minimum dimensions and building squares) and how these should apply to various residential development scenarios (vacant lot/site vs. approved or permitted development). I have found this a slightly difficult exercise as it is somewhat premature to consider density and site sizes in the Subdivision Chapter without the benefit of the S42A Reports / recommendations for the Residential Zones and V1 / MDRS.

4.23 In my opinion, the Subdivision Chapter should implement the outcomes described for the zones in the Residential Chapter. The S42A reports do not make any recommendations on the MRZ subdivision provisions as these have been superseded by V1. However, I note that the S42A Reports for Stream 7 are referenced by Ms McClung to support the reasons for her recommendations, but are not yet available to submitters. For this reason, Kāinga Ora may need to return to these provisions in Stream 7 to ensure consistency across the chapters.

4.24 In relation to residential site density controls (allotment layout, size, dimension or building square) Kāinga Ora have three key points that they seek to ensure are reflected in the subdivision objective, policy and rule package in relation to residential development:

- a) Subdivision provisions such as those that specify minimum site size/dimensions should not be the determining factor for development outcomes in residential zones. Instead, the form and density of the future built environment of a given area should be determined through the built envelope requirements of the underlying residential zone. Kāinga Ora considers that the role of the subdivision provisions should be to support the level of development 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) In order to address the concern in (a) above, subdivision in accordance with an approved land use consent, around existing dwellings, and around dwellings that are compliant with the permitted district wide and zone rules (built form standards) should not require any further consideration of density, allotment layout, lot size or dimensions at the subdivision stage.

SUB- P2 Allotment layout, size and dimension and SUB-P5 Density in Residential Zones

4.25 The Kāinga Ora submission points include amendments to SUB-P2 and SUB-5 and the insertion of a new policy to give effect to the above points. This relief has been rejected by Ms McClung in relation to SUB-SUB-P2 and P5 (paragraphs 152 -153 and 180 -184 Subdivision Urban) and Mr Buckley in relation to the new policy (paragraph 138 Subdivision Rural). Having reviewed these three policies and in light of the S42A Report recommendations, I consider that they cover similar issues and that they can be simplified and combined into one new policy (redrafted SUB-P2). My proposed new wording for SUB-P2 is included in **Appendix 2**. The clauses relating to Rural, Commercial and Industrial zones are not altered by my recommendation.

4.26 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.

4.27 The requested amendments are essential to enable subdivision around existing dwellings that are lawfully established through land use consents. In this case, the future built urban form is determined through the built envelope requirements and has been deemed appropriate by the land use consent process or, (if a permitted activity), if approved via

building consent. In my view, there is no need to constrain subdivision, including subdivision with reduced site sizes, where the density and form of development has already been determined and deemed appropriate through the land use consent process. This would result in double dipping, or repetition of earlier assessments, which is not efficient or effective. I consider that the policy should clearly provide for subdivision where a land use consent for a residential activity has been approved or a building consent issued for a permitted development, without the need to comply with site sizes specified in SUB-S1.

4.28 In my view, it is appropriate for this policy 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.

4.29 Finally, I note that Ms McClung's consideration of SUB-P1 is that it is consistent with MRZ-R18 'Multi-Unit Residential Development' as SUB-S1 requires no minimum site size where a multi-unit residential development has been approved. I note that the Kāinga Ora submission point is wider than MRZ and multi-unit developments only, and that MRZ-R18 is proposed by Mr Wilson to be deleted in paragraph 93 of his evidence for Stream 10A V1 Airport Noise Matters (via reference to the S42A Report on Variation 1 that has not yet been released).

SUB- R2 Subdivision

4.30 The Kāinga Ora submission point on this rule sought to amend its title to 'Vacant Site Subdivision' for all zones (not just the MRZ, which the S42A Report responds to) to make a clear distinction between the standards that apply to the creation of vacant sites/lots as against subdivision around existing or 'approved' residential developments, which I have consider should have no minimum site size for the reasons set out above. The submission also sought a new rule for "Subdivision in the Residential Zones in Accordance with an Approved Land Use

Consent or Building Consent”. Rather than creating a new rule I consider both of these requests can be dealt with in SUB-R2.

- 4.31 At paragraph 297 – 299, Ms McClung considers that the relief sought by Kāinga Ora is already largely provided for in SUB-R2 and SUB-S1. However, her explanation only covers the MRZ and Multi Unit Residential Development (a term proposed to be deleted in V1) and does not address single units in the MRZ or the GRZ at all.
- 4.32 There are no provisions that exempt residential units which already have a land use consent for residential activity / use from needing to comply with the minimum site sizes and dimensions in SUB-S1 for the GRZ and any residential development in the MRZ that does not meet the definition of Multi Unit Residential Development (i.e. if a single unit was proposed). For the reasons provided in relation to SUB-P2 above, I consider SUB-R2 requires amendment (proposed wording in **Appendix 2**) 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-unit residential development (if retained).
- 4.33 This amended set of provisions more appropriately provides for a broader range of subdivision scenarios - including subdivision with reduced site sizes around future residential units that may be created through compliance with permitted rules or pursuant to land use consent, and limits density requirements to the creation of vacant sites which would alter the existing urban form. I therefore support and recommend the adoption of the Kāinga Ora requested amendments to SUB-R2.

SUB – S1 Allotment size and dimension and Table SUB-1

- 4.34 The Kāinga Ora submission on the PDP proposed having minimum area (300m²) and minimum dimension (10m x 15m) rules for vacant site/lot subdivision in the GRZ and a minimum area rule (200m²) for vacant lot subdivision in the MRZ, with no dimension requirement. As per above, the PDP submission sought that no minimum sizes or

dimensions apply where residential activity is approved via land use consent or building consent as permitted activity.

Medium Density Residential Zone

- 4.35 In the MRZ, the PDP text has now been superseded by V1 which proposes no minimum site size or dimension requirements for this zone (where a qualifying matter does not apply). The Kāinga Ora submission on V1 sought a shape factor or 'building square' in the MRZ of 8m x 15m for vacant lot subdivision.
- 4.36 Ms McClung's S42A Report does not make a recommendation on PDP SUB-S1 in relation to the MRZ as she notes that this has been superseded by V1 which contains no minimum site size or dimension requirements (paragraph 329) and will be considered in the Stream 7 S42A Report of Mr Wilson. However, I note that the PDP S42A text (Appendix A to Ms McClung's S42A Report) still includes the PDP text retaining a 200m² site size for vacant lot subdivision in the MRZ with no minimum shape factor and that this has not replaced this with V1 amendments.

General Residential Zone

- 4.37 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 the application of MDRS to the Waimakariri district is made optional by the Government in the coming months and the WDC withdraws those parts of V1 that rely on MDRS, then I consider that further consideration of site density standards in the Subdivision Chapter of the PDP for the GRZ and MRZ will be required. I also note that site size will be considered in Hearing Stream 7 in relation to GRZ-BFS1 Site Density and that the Subdivision rules should reflect these.
- 4.38 If the GRZ only applies to Oxford as per V1, then Kāinga Ora have no further interest in pursuing a minimum site size of 300m² in the PDP (as

opposed to the 500m²) in this location as it is outside of the urban environment and outside of the area to which MRDS applies. However, if those parts of V1 requiring implementation of the MDRS are withdrawn, and large areas of Rangiora, Kaiapoi, Woodend, Pegasus and Ravenswood return to a GRZ, then Kāinga Ora continues to seek a minimum site size of 300m² and dimension of 10m x 15m (or similar /alternative relief).

- 4.39 In the S42A Report, Ms McClung rejects the Kāinga Ora request for a 300m² min site size and a shape factor of 8m x 15m at paragraph 327 where she references Mr McLennan's Residential S42A Report which is not available yet. Once I have seen Mr McLennan's and Mr Wilson's reports for the Residential Chapter and V1, further evidence on SUB-S1 for the GRZ may be provided.

SUB – R4 Subdivision within Flood Hazard Areas

- 4.40 In relation to the subdivision of land where flood hazards are present, I firstly note that Kāinga Ora 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 in the PDP. That being the:

“Removal of the mapped Natural Hazard Overlays from within the PDP – Urban Flood Assessment Overlay and Non-Urban Flood Assessment Overlay, and the mapped fixed floor level overlays; these should instead be included as a non-statutory map layers in the Waimakariri District Natural Hazards Interactive Viewer that sits outside the PDP.”

- 4.41 Based on the evidence of Mr Willis in Hearing Stream 3, Ms McClung has rejected the requested amendments to align the wording of SUB - R4 with having hazards mapped in the Waimakariri District Natural Hazards Interactive Viewer rather than in the PDP planning maps. For the reasons outlined in my earlier Stream 3 evidence, I support the Kāinga Ora approach to hazard mapping and consider that subsequent amendments to SUB – R4 are required to refer to the Urban Flood

Assessment Area and Non-Urban Flood Assessment Area. Amended wording is provided in **Appendix 2**.

5. SUMMARY OF PROPOSED WORDING CHANGES SOUGHT

5.1 The proposed additional changes sought by Kāinga Ora are included in **Appendix 2** of my evidence. I can confirm that the version of relief in my evidence represents the full “updated” set of relief requested by Kāinga Ora in relation to these hearing topics. Other than the specific additional changes sought by Kāinga Ora and set out in this evidence and **Appendix 2**, I support the wording as recommended by the reporting officer in the Section 42A Report.

6. CONCLUSION

6.1 Overall, I generally support the Section 42A Report revisions to the Subdivision Chapter. I am of the opinion that the amendments sought by Kāinga Ora (as discussed in this evidence) are appropriate and will assist in providing residential intensification, housing choice and affordable homes. The amended provisions would also improve the certainty and usability of the Subdivision Chapter of the PDP (and V1) and enable consistent implementation by both plan users and the Council.

6.2 I consider that the amended provisions outlined within my evidence, will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents.



Clare Dale
27 March 2024

Appendix 1: Kāinga Ora Submission Points for Stream 8 Hearing

Proposed District Plan Submissions: Subdivision

Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.
Part 2: District Wide Matters			
Part 2: District Wide Matters – Subdivision Wāwāhia whenua			
Part 2: District Wide Matters - Subdivision: Introduction			
<i>Introduction</i>	Support	Kāinga Ora supports the introduction as proposed.	<i>Retain as notified.</i>
Part 2: District Wide Matters - Subdivision: Objectives			
<i>Sub-01</i>	Support	Kāinga Ora supports this objective as proposed.	<i>Retain as notified.</i>
<i>Sub-02</i>	Support	Kāinga Ora supports this objective as proposed.	<i>Retain as notified.</i>
<i>Sub-03</i>	Support	Kāinga Ora supports this objective as proposed.	<i>Retain as notified.</i>
Part 2: District Wide Matters - Subdivision: Policies			

<p>Sub-P1</p>	<p>Support in part</p>	<p>Kāinga Ora supports this policy with amendments.</p>	<p>Amend, as follows:</p> <p>Design and amenity Enable subdivision that:</p> <ol style="list-style-type: none"> 1. within Residential Zones, incorporates best practice urban design, access to open space, and CPTED principles; 2. minimises reverse sensitivity effects on infrastructure including through the use of setbacks; 3. <u>manage avoids</u> subdivision that restricts <u>or compromises</u> the operation, maintenance, upgrading and development of the National Grid; 4. <u>where appropriate</u>, recognises and provides for the expression of cultural values of mana whenua and their connections in subdivision design; and 5. supports the character, amenity values, anticipated form and function for the relevant zone.
<p>Section/Sub-section/Provision</p>	<p>Support/Support in Part/Oppose</p>	<p>Reason(s) for submission</p>	<p>Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.</p>

<p>Sub-P2</p>	<p>Support in part</p>	<p>Kāinga Ora generally supports this policy as proposed. Amendment sought to align with rule framework in residential chapters and seeks the reference of densities deleted.</p>	<p>Amend, as follows:</p> <p>Ensure that allotment layout, size and dimensions:</p> <ol style="list-style-type: none"> 1. in Residential Zones: <ol style="list-style-type: none"> a. enables a variety of allotment sizes to cater for different housing types and densities to meet housing needs; b. supports the achievement of high quality urban design principles for multi-unit residential development; 2. in Rural Zones.....
<p>(New Policy)</p>	<p>Support</p>	<p>Kāinga Ora seeks the introduction of a new policy to enable subdivision in accordance with an approved land use resource consent or building consent, especially for residential development that have undergone and been approved via a consenting process.</p>	<p>Insert new policy as follows:</p> <p><u>Subdivision in the Residential Zones in Accordance with an Approved Land Use Consent or Building Consent</u></p> <p><u>Provide for subdivision around existing or approved residential development where it enables creation of sites for uses that are in accordance with an approved land use resource consent or building consent.</u></p>
<p>Sub-P3</p>	<p>Support in part</p>	<p>Kāinga Ora generally supports this policy as proposed. Amendment sought to better reflect that it might not always be possible to ‘ensure’ sustainable design outcomes and matters listed under Sub-P3(3)a.-d. could be promoted and undertaken where appropriate, generally not in all cases.</p>	<p>Amend, as follows:</p> <p>Sustainable design</p> <p>Ensure that sSubdivision design <u>that seeks to:</u></p> <ol style="list-style-type: none"> 1. maximises solar gain, including through: 3. <u>Where appropriate</u>, promotes:

Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.
<i>Sub-P4</i>	Support	Kāinga Ora supports this policy as proposed.	<i>Retain as notified.</i>
<i>Sub-P5</i>	Oppose	Kāinga Ora seeks the deletion of this policy. The proposed policy should be reviewed against other policies listed in this chapter. The outcome of the review should either see the removal of the policy or other policies in this chapter amended to account for the outcome sought by this policy. Remove reference to density.	<i>Delete Sub-P5 Policy.</i>
<i>Sub-P6 to Sub P-10</i>	Support	Kāinga Ora supports these policies as proposed.	<i>Retain as notified.</i>
Part 2: General District-wide Matters: Subdivision – Rules			
<i>Sub-R1</i>	Support	Kāinga Ora support this rule as proposed.	<i>Retain as notified.</i>

<p><i>Sub-R2</i></p>	<p>Support in part.</p>	<p>Kāinga Ora generally support the rule as proposed. Amendment is sought to introduce the word ‘Vacant’ to describe the standard. This is to clarify the relationship between the creation of vacant sites through subdivision, and the establishment of reduced site sizes that are deemed acceptable through an approved land use consent for residential development.</p> <p>Consequential and further amendments are sought for consistency to the amendments</p>	<p>Amend, as follows:</p> <p><u>Vacant Site</u> Subdivision</p>
<p>Section/Sub-section/Provision</p>	<p>Support/Support in Part/Oppose</p>	<p>Reason(s) for submission</p>	<p>Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.</p>
		<p>sought to the Residential zone framework in the PDP.</p> <p>Kāinga Ora seeks this change in-conjunction with the relief sought to introduce a new subdivision activity to provide for ‘subdivision in accordance with an approved land use consent’.</p>	
<p><i>Sub-R3</i> <i>Sub-R5</i> <i>Sub-R6</i> <i>Sub-R7</i></p>	<p>Support</p>	<p>Kāinga Ora supports the rules as proposed.</p>	<p><i>Retain as notified.</i></p>

Sub-R4	Oppose	Kāinga Ora opposes the inclusion of the urban flood assessment overlay and non-urban flood assessment overlay as part of the PDP. Kāinga Ora seeks amendments to the changes sought in the Natural Hazards chapter and any reference to such overlays throughout the PDP. Amendments are required in the Subdivision Chapter.	<p><i>Amend to align with the relief sought from Kāinga Ora to the Natural Hazards chapter, as outlined above.</i></p> <p><i>Consequential amendments may be required to the rules and standards to specifically outline the hazard areas and types that the rules and standards apply.</i></p>
New Rule	Support	Kāinga Ora seeks the introduction of new rules with matters of control and notification provision to enable subdivision in accordance with an approved land use resource consent or building consent, especially for residential	<p>Insert new rule as follows:</p> <p><u>Subdivision in the Residential Zones in Accordance with an Approved Land Use Consent or Building Consent</u></p>
Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	<p>Relief sought / decision requested</p> <p>Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.</p>

		<p>development that have undergone or been approved via a consenting process.</p>	<p><u>Activity status: CON</u></p> <p><u>Where:</u> <u>1. Any subdivision relating to an approved land use consent or building consent must comply with that resource consent or building consent.</u></p> <p><u>Matters of control/discretion are restricted to:</u> <u>SUB-MCD6</u></p> <p><u>Notification:</u> <u>An application for a controlled activity under this rule is precluded from being publicly or limited notified.</u></p>
<p>Part 2: General District-wide Matters: Subdivision – Standards</p>			
<p><i>Sub-S1</i></p>	<p>Support in part</p>	<p>Kāinga Ora generally supports this standard as proposed.</p> <p>Amendment sought to Table SUB-S1 to align with rule framework for subdivision of sites with more than one unit where a resource consent has been obtained.</p> <p>Kāinga Ora supports having no minimum allotment area, internal square or frontage requirement in the Town Centre, Neighbourhood Centre, Local Centre and Mixed-Use Zones.</p>	<p><u>Amend</u>, as follows:</p> <p>Table SUB-1: Minimum allotment sizes and dimensions</p> <p>The following shall apply:</p> <ul style="list-style-type: none"> • For unit title or cross-lease allotments, the allotment area shall be calculated per allotment over the area of the parent site. • Minimum areas and dimensions of allotments in Table SUB-1 for Commercial and Mixed Use Zones, Industrial Zones and Residential Zones shall be the net site area. • Allotments for unstaffed infrastructure, excluding for any balance area, are exempt from the minimum site sizes in Table SUB-1.

Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.
			<ul style="list-style-type: none"> <u>The standards in Table Sub-1 do not apply to residential development where land use consent has been approved for more than one residential unit on a site.</u> <p><i>(For changes to the Table SUB-1, refer below)</i></p>
Zone Residential Zones General Residential Zone Medium density residential zone ...	Minimum allotment area ... 300m ² 500m² 200m ² <u>(vacant lot only)</u> No minimum for multi-unit residential development where the design statement and land use consent have been submitted and approved	Internal square 15m x 15m <u>10m x 15m</u> n/a	Frontage (excluding rearlots) 15m <u>10m</u> n/a

Sub-S1	Support in part	Kāinga Ora generally supports this standard as proposed. Amendment sought to the activity status when compliance not achieved in the Medium Density Residential Zone.	<p>Amend, as follows:</p> <p><i>Activity status when compliance not achieved:</i></p> <ol style="list-style-type: none"> <u>1.</u> <i>In the Medium Density Residential Zone: RDIS</i> <u>2.</u> Any <i>Industrial Zone and Special Purpose Zone (Kaiapoi Regeneration): DIS</i>
			<ol style="list-style-type: none"> <u>3.</u> <i>In any other zone: NC</i> <p><i>Matters of control/discretion are restricted to:</i></p> <p><u>SUB-MCD1 - Allotment area and dimensions</u> <u>SUB-MCD2 - Subdivision design</u> <u>SUB-MCD3 - Property access</u> <u>SUB-MCD4 - Esplanade provision</u> <u>SUB-MCD6 - Infrastructure</u> <u>SUB-MCD7 - Mana whenua</u> <u>SUB-MCD8 - Archaeological sites</u> <u>SUB-MCD10 - Reverse sensitivity</u> <u>SUB-MCD13 - Historic heritage, culture and notable trees</u></p> <p><u>Notification</u> <i>An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</i></p>
Sub-S12	Support	Kāinga Ora support this standard as proposed.	Retain as notified.

<i>Sub-S14</i>	Support	Kāinga Ora support this standard as proposed.	<i>Retain as notified.</i>
Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.
Part 2: General District-wide Matters: Subdivision – Matters of Control and Discretion			
<i>Sub-MCD1</i> <i>Sub-MCD2</i> <i>Sub-MCD3</i> <i>Sub-MCD4</i> <i>Sub-MCD5</i> <i>Sub-MCD6</i> <i>Sub-MCD7</i> <i>Sub-MCD8</i>	Support	Kāinga Ora support these matters of control and discretion as proposed.	<i>Retain as notified.</i>
<i>Sub-MCD9</i>	Oppose	Kāinga Ora opposes this matter of control and discretion as proposed, in conjunction with the relief sought to the noise chapter.	<i>Delete the matter of control and discretion.</i>

Sub-MCD10	Support in part	Kāinga Ora support this matter of control and discretion with amendments. This matter of control and discretion applies only in the rural environment.	<p>Amend, as follows:</p> <p><i>Reverse sensitivity <u>effects in the rural environment</u></i></p> <p><i>1. Any need to provide a separation distance for any residential unit or minor residential unit from existing activities, and any need to ensure that subsequent owners are aware of potential reverse sensitivity issues from locating near lawfully established rural activities, including but not limited to intensive farming.</i></p>
Sub-MCD11	Support in part	Kāinga Ora support this matter of control and discretion with amendments. This matter of control and discretion should only give effect to the provisions set out in the NPSET and not beyond that.	<p>Amend, as follows:</p> <p><i>Effects on or from the National Grid</i></p> <p><i>1. The extent to which the subdivision allows</i></p>
Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	<p>Relief sought / decision requested</p> <p>Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.</p>

			<p>for earthworks, buildings and structures to comply with the safe distance requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</p> <ol style="list-style-type: none"> 2. The provision for the ongoing efficient operation, maintenance, development and upgrade of the National Grid, including the ability for continued reasonable access to existing transmission lines for maintenance, inspections and upgrading. 3. The extent to which potential adverse effects (including visual and reverse sensitivity effects, <u>if any,</u>) are mitigated through the location of an identified building platform or platforms. 4. The extent to which the design and construction of the subdivision allows for activities to be set back from the National Grid, including the ability to ensure adverse effects on, and from, the National Grid and on public safety effects to be and property are appropriately avoided, remedied or mitigated, for example, through the location of roads and reserves under the transmission lines. 5. The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid. 6. The outcome of any consultation with Transpower New Zealand Limited. 7. The extent to which the subdivision plan clearly identifies the National Grid and identified building platform or platforms. 8. <u>The extent to which adverse effects from the National Grid on outstanding and significant natural landscapes,</u>
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Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.
			<p><u>outstanding natural features, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities is avoided.</u></p> <p>9. <u>The extent to which adverse effects from the National Grid on urban amenity and centres are minimised.</u></p> <p>10. <u>The extent to which reasonably possible, manage activities to avoid reserve sensitivity effects on the National Grid including the operation, maintenance, upgrading, and development of the National Grid is not compromised.</u></p>
Sub-MCD12	Support	Kāinga Ora support this matter of control and discretion as proposed.	Retain as notified.
Sub-MCD13	Support	Kāinga Ora support this matter of control and discretion as proposed.	Retain as notified.


Appendix 2: Kāinga Ora Stream 8 (Subdivision) Updated Relief Sought following S42A

In the tables below black text is as notified, “[blue mark up](#)” amendments from Section 42A Report, and “[red mark up](#)” Kāinga Ora evidence relief sought.

Subdivision – Relief Sought

Subdivision Objectives and Policies	
SUB – P1 Design Amenity and	<p>Enable subdivision that:</p> <ol style="list-style-type: none"> 1. within Residential Zones, incorporates best practice urban design, access to open space, and CPTED principles; 2. minimises reverse sensitivity effects on infrastructure including through the use of setbacks; 3. avoids subdivision that restricts is managed in a way to avoid restrictions on³ the operation, maintenance, upgrading and development of the National Grid; 4. recognises and provides for the expression of cultural values of mana whenua and their connections in subdivision design; and 5. supports the anticipated character, amenity values, form and function for the relevant zone.
SUB - P2 Allotment Layout, Size and Dimensions	<p>Ensure that subdivision creates allotments s that: layout, size and dimensions:</p> <ol style="list-style-type: none"> 1. in Residential Zones: <ol style="list-style-type: none"> a. enables a variety of allotment sizes to cater for different housing types and densities to meet housing needs; a. reflect the intended pattern of development and are consistent with the purpose and anticipated character and amenity values for the relevant residential zone; b. are of an area and dimension that is sufficient to accommodate a permitted residential activity where vacant lots are proposed. b. are of an area and dimension that is sufficient to accommodate a permitted residential activity where vacant lots are proposed. c. do not require a minimum area or dimension where subdividing around existing residential activities or residential activities approved in accordance with a land use consent or building consent. c. do not require a minimum area or dimension where subdividing around existing residential activities or residential activities approved in accordance with a land use consent or building consent. d. supports the achievement of high quality urban design principles and a well-functioning urban environment for multi-unit residential development; d. supports the achievement of high quality urban design principles and a well-functioning urban environment for multi-unit residential development; 2. in Rural Zones:

	<p>a. retains the ability for rural land to be used for primary production activities; and</p> <p>3. in Open Space and Recreation Zones: a. provides a variety of types and sizes of open space and recreation areas to meet current and future recreation needs.</p> <p>4. in Commercial and Industrial zones: a. provides for the design and operational requirements of activities that are anticipated within the relevant zones.</p>
<p>SUB ——— P5 Density ——— in Residential Zones</p>	<p>Provide for a variety of site sizes within Residential Zones, while achieving minimum residential site sizes that are no smaller than specified for the zone.</p>
<p>SUB-R2 Subdivision All Zones</p>	<p><u>A.</u> In all zones and vacant site subdivision in Residential Zones:</p> <p>Activity status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 1. <u>SUB-S1 to SUB-S18</u>  are met, except where: <ol style="list-style-type: none"> a. the <u>allotment</u> is for any unstaffed <u>infrastructure</u>, <u>accessway</u> or <u>road</u>; b. the <u>subdivision</u> is of a fee simple <u>allotment</u> from an approved cross lease <u>site</u>, where the exclusive use areas shown on the existing cross lease plan are not altered, and where only <u>SUB-S5</u> will apply; c. the <u>subdivision site</u> is a reserve created under the Reserves Act 1977, or any <u>esplanade reserve allotment</u>; or d. otherwise specified in this chapter. <p>Matters of control/discretion are restricted to:</p> <ul style="list-style-type: none"> • <u>SUB-MCD1</u> - <u>Allotment</u> area and dimensions • <u>SUB-MCD2</u> - <u>Subdivision</u> design • <u>SUB-MCD3</u> - Property access • <u>SUB-MCD4</u> - Esplanade provision • <u>SUB-MCD6</u> - <u>Infrastructure</u> • <u>SUB-MCD7</u> - <u>Mana whenua</u> • <u>SUB-MCD8</u> - <u>Archaeological sites</u> • <u>SUB-MCD10</u> - <u>Reverse sensitivity</u> • <u>SUB-MCD13</u> - <u>Historic heritage</u>, culture and <u>notable trees</u>

	<p>Notification An application for a controlled activity under this rule is precluded from being publicly or limited notified.</p> <p><u>B. Subdivision in the Residential Zones in Accordance with an Approved Land Use Consent or Building Consent</u></p> <p><u>Where:</u></p> <p><u>1. Any subdivision relating to an approved land use consent or building consent must comply with that resource consent or building consent and is exempt from compliance with SUB-S1.</u></p> <p><u>Matters of control are restricted to:</u></p> <ul style="list-style-type: none"> <u>SUB-MCD6 Infrastructure</u> <p><u>Notification:</u></p> <p><u>An application for a controlled activity under this rule is precluded from being publicly or limited notified.</u></p>
<p>SUB – R4 Subdivision within Flood Hazard Areas</p> <p>Urban Flood Assessment Overlay Area</p> <p>Non-Urban Flood Assessment Overlay Area</p> <p>Costal Flood Assessment Overlay</p>	<p>Activity status: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> a building platform is identified on the subdivision plan; and if located within the non-urban flood assessment overlay area, the building platform is not located within a high flood hazard area; and if located within the coastal flood assessment overlay, the building platform is not located within a high coastal flood hazard area; and SUB-S1 to SUB-S18 are met.  <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> Matters of control/discretion listed in SUB-R2 SUB-MCD5 - Natural Hazards

