

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

Under Schedule 1 of the Resource Management Act 1991

In the matter of the Proposed Waimakariri District Plan

Between **Various**

Submitters

And **Waimakariri District Council**

Respondent

**Council reply on Urban Form and Development - planner Mark Buckley on
behalf of Waimakariri District Council**

Date: 16 June 2023

INTRODUCTION:

1 My full name is Mark Thomas Buckley. I am employed as a Principal Policy Planner for Waimakariri District Council.

2 I have read the evidence and tabled statements provided by submitters relevant to the Section 42A Report – Urban Form and Development.

3 I have prepared this Council reply on behalf of the Waimakariri District Council (**Council**) in respect of matters raised through Hearing Stream 1.

4 Specifically, this statement of evidence relates to the matters in the Section 42A Report – Urban Form and Development.

5 I am authorised to provide this evidence on behalf of the District Council.

QUALIFICATIONS, EXPERIENCE AND CODE OF CONDUCT

6 Appendix C of my section 42A report sets out my qualifications and experience.

7 I confirm that I am continuing to abide by the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023.

SCOPE OF REPLY

8 This reply follows Hearing Stream 1 held on 15 May 2023. Minute 2 of the Hearing Procedures allows for s42A report authors to submit a written reply within 20 working days of the adjournment of the hearing.

9 The main topics addressed in this reply include:

- Answers to questions posed by the Panel, where my opinion has changed as a result of matters raised in Hearing Stream 1;
- Matters remaining in contention; and

- Changes to recommendations in s42A report.

10 Appendix 1 has a list of materials provided by submitters including expert evidence, legal submissions, submitter statements etc. This information is all available on the

11 Appendix 2 has recommended amendments to PDP provisions, with updated recommendations differentiated from those made in Appendix A of the s42A report.

12 Appendix 3 has an updated table of recommended responses to submissions and further submissions, with updated recommendations differentiated from those made in Appendix B of the s42A report.

Answers to questions posed by the Panel

13 A preliminary set of responses was provided to questions from the Panel at its hearing on Monday 15 May 2023. Where additional questions arose during the hearing, are included in Minute 4 and/or additional verbal responses were provided, these have been noted in the relevant section(s) set out below.

14 I note that for the purpose of completing this right of reply I have not had the benefit of reviewing evidence provided in respect of the remaining chapters of the Plan. Where I rely on provisions within other chapters that have not yet been subject to hearings, I have identified preliminary recommendations in discussion with the relevant s42A authors.

15 Where not listed, I have considered the version of the provisions as notified. I consider that it will be important to ensure that the totality of evidence provided on provisions within the Strategic Directions chapter is considered.

UFD-O1 and UFD-O2

- 16 In paragraph 14 of minute 4 Commissioners have asked for comment in respect of the use of the terms “at least” and “at all times” as referenced in UFD-01 and UFD-02.
- 17 The terms “*at least*” and “*at all times*” are used in the NPSUD in relation to the provision of sufficient development capacity to meet expected demand for housing and business land (Policy 2).
- 18 The District Council has been part of numerous development capacity assessments (Greater Christchurch Urban Development Strategy 2007, Land Use Recovery Plan 2013, Our Space 2018, Housing and Business Development Capacity Assessment 2018, Business Development Capacity Assessment 2018, Greater Christchurch Housing Development Capacity Assessment 2021) as well as undertaking its own assessment of housing and business development capacity. Through this process Council ensures that “at least” and “at all times” sufficient development capacity is provided.
- 19 I am aware that the Greater Christchurch Partnership is preparing to notify the Greater Christchurch Spatial Plan (GCSP) for consultation on 19 June 2023. As part of the background information relating to the GCSP the partnership has updated housing and business capacity assessments for the Greater Christchurch area. These assessments also consider growth within the wider district.
- 20 I consider that these housing and business capacity assessments provide an important context for the Commissioners to be aware of and therefore have ‘tabled’ the latest assessment in Appendix 3
- 21 While future development areas have been identified in the PDP, they are still required to undergo an environmental assessment as to whether they are suitable for development. These parcels of land are part of the long-term development capacity.

22 Given the ongoing processes that Council follows to ensure that it complies with the requirements of NPSUD Policy 2, the addition of the wordings “at least” and “at all times” do not provide any additional clarity or context UFD-P1 and UFD-P2. My recommendations within the Section 42A report on this matter remain unchanged.

UFD Policies as a whole

23 In paragraphs 15 – 17 in minute 4 the hearings panel request comment on the general intent of the UFD policies including Map A, the applicability of Chapter 6 of the CRPS to areas within and outside Greater Christchurch and further responses in relation to the submission of Kainga Ora.

Future Development Strategy vs Map A

24 A Future Development Strategy (FDS) and Waimakariri District Development Strategy (WDDS) are two processes whereby the District Council can undertake an assessment to determine whether additional development capacity is required within the district. The reference to Future Development Strategy is in section 3.12 of the NPSUD requiring tier 1 and 2 local authorities to prepare an FDS.

25 Ms Mitten states¹ that district plans should include the objectives, policies and rules that give effect to Policy 6.3.1 of the RPS that specifically mentions Map A and that the RPS requires that “*development outside of the areas identified in Map A is to be avoided unless expressly allowed in the CRPS*”. The PDP includes those objectives and policies that enable development of the FUDA areas. As discussed below, no assessment of the land suitability of the development areas in Map A has been undertaken.

¹ Para 100

- 26 Ms Mitten suggests² that the reference to a Future Development Strategy (FDS) rather than Map A would result in development that would be inconsistent with the RPS. Section 3.12(5) of the NPSUD states that *“An FDS may be prepared and published as a stand-alone document, or be treated as part of any other document (such as a spatial plan)”* This clearly identifies that the FDS is not part of a RPS and that it sits outside of that document. Section 3.12(1) also states *“Every tier 1 and tier 2 local authority must prepare, and make publicly available an FDS for the tier 1 or 2 urban environment”* this being done *“every 6 years”* and *“in time to inform the next long term plan for each relevant local authority”* .
- 27 In considering this issue I agree with Ms Mitten’s assessment of the relevant statutory framework³; and with respect to section 75(3) that the district plan must give effect to Map A setting the urban development pattern within the Greater Christchurch area. I also agree with Ms Mitten that the Future Development Areas identified through *Our Space* are located within the existing projected infrastructure boundary of Map A⁴; although I note this boundary is not explicitly used as the boundary for enablement of growth, which occurs through identification of these areas as ‘Greenfield Priority Areas’ as identified by Ms Mitten⁵.
- 28 The development boundaries in Map A have essentially remained unchanged since the LURP, and in part I agree with Ms Mitten that this is due to the identification in the 2021 HCA that with the inclusion of the FDAs areas identified through *Our Space* (and Change 1 RPS) that there is sufficient development capacity⁶. However, I consider that the criteria used to identify the potential development areas within Map A did not

² Para 101 and 102

³ Revised statement of Evidence Jo Mitten paragraphs 28 -30

⁴ Paragraph 61

⁵ Paragraph 104

⁶ Paragraph 63

include a detailed analysis of site-specific constraints that may constrain development within these areas and consequently may alter the ability of the identified FDA areas to provide the development capacity required. *Our Space* (2018-2048) states⁷:

*Further more detailed assessment of these future growth areas will be required, and undertaken as part of district plan reviews, and can address any new requirements relating to managing risks of natural hazards and mitigating impacts on versatile soils.*⁸

29 *Our Space* 2018-2048 clear identifies the need for further assessment of those growth areas within Map A. There is a potential that where the growth areas are not suitable, that Council would not be able to meet the requirements of the housing development capacity requirements of the NPSUD.

30 Having regard to the above point, the degree to which an FDS (which could include the Waimakariri District Development Strategy, *Our Space* or the Future Greater Christchurch Spatial Plan as meeting the Proposed Plan definition) or Map A is best referenced in the UFD chapter is in my view best informed by the evaluative exercise of the suitability of rezoning outcomes in the FDA areas and how this ultimately relates to the degree to which Map A (or an FDS) provides for the required development capacity required by the NPS-UD⁹.

31 As a result, I consider that it would be appropriate for this question to be answered following rezoning of the FUDA areas. If this assessment required areas to be included for development outside Map A, I agree

⁷ Section 5.7 page37 last paragraph of “aligning with the strategic growth directions from the UDS

⁸ Underlining is my emphasis

⁹ Noting that this consideration would also need to consider the feasibility of intensification outcomes to provide this capacity created by the RMA Housing and Other Matters Amendment Act 2021.

with Ms Mitten¹⁰ that an evaluation of the degree to which the outcomes identified in Policy 6.3.11 of the CRPS would also be required. In support of this conclusion, I note that in Ms Mittens¹¹ evidence she highlights the Greater Christchurch Spatial Plan that is currently in preparation is “expected to fulfil the FDS requirements under the NPS-UD”. As the spatial plan has not yet been adopted but may be within the decision-making timeframe of the proposed plan, I consider that it would be appropriate to reconsider this issue after having heard the rezoning request evidence and to confirm the status of the Greater Christchurch Spatial Plan at that time (and to confirm the degree to which that plan does fulfil the FDS requirements). Although the Greater Christchurch Spatial Plan will not address those parts of the district that are outside the GCP area.

- 32 If Map A does ultimately provide the NPS-UD housing development capacity, then Council could give effect to it through the Greater Christchurch Spatial Plan, should it be reviewed every six years. If it is found that FUDA areas have development constraints that mean that they are not suitable, then Map A will not give effect to NPSUD.

Differentiation between Greater Christchurch area within policies

- 33 While it is perceived that the PDP does differentiate between the GCP area and that part of the district outside of the area, most of the future development occurs within the GCP area. The UFD policies have been written to cater for future development within Map A¹² Policy UFD-P2(1), Policy UFD-P2(2) is intended to enable development both inside the GCP area where there is a shortfall in housing development capacity and outside of those areas should it be required as explained previously.

¹⁰ Paragraph 126

¹¹ Paragraph 55

¹² Paragraph 109 Statement of evidence of Ms Mitten

- 34 Policy UFD-P3 provides for large lot residential development for areas both inside and outside of the GCP area in accordance with the RRDS. The two areas inside the GCP area (MacDonalds Lane and Swannanoa) comply with RPS Policies 5.3.1 and 6.3.9¹³. Those large lot residential properties outside of the GCP area only Policy 5.3.1 applies¹⁴. Those provisions listed in UFD-P3(2) apply to areas inside and outside the GCP area, which are based on both set of RPS policies¹⁵.
- 35 The proposed amendment to Policy UFD-P1 from the Section 42A report in changing “urban environment” to “Urban Centres” meets the intent of enabling urban intensification in those areas that meet the definition of urban environment within the RMA Amendment Act (2022). Those communities outside of the main urban centres do not have the servicing or development capacity to intensify in line with the MDRS provisions.
- 36 Policy UFD-P2 has two parts, part 1 identifies new residential development areas that form part of Map A and was identified as FUDAs. The second part provides for residential development outside of the FUDA areas identified in Map A.

Kainga Ora submission [325.10]

- 37 Kainga Ora submission [325.10] requested a number of changes to UFD-P2. The first change is the replacement of “attached to” with “integrate with” in UFD-P2(2) is considered appropriate. The existing wording in SD-O2 uses “integrated”¹⁶, while UFD-P2 and UFD-P3 use “attached to”, in line with the wording from the RPS (Policy 5.3.1). To ensure consistency across the PDP, I recommend that “attached to” with “integrate with” in UFD-P2(2)(a) and UFD-P3(2)(a).

¹³ Both areas are identified in the RRDS

¹⁴ Paragraph 68 Statement of evidence Ms Mitten

¹⁵ Paragraph 112 Statement of evidence Ms Mitten

¹⁶ Policy 6.3.3 RPS

- 38 The replacement of “*between*” with “*to*” does not materially change the meaning of the policy and makes the policy easier to understand. I therefore consider that this change, from part of the submission [325.10] should be accepted.
- 39 The addition of “*and medium*” to UFD-P2(2)(d) as requested in submission point [325.10], medium density development is only undertaken in areas of key activity centres (or commercial centres and mixed-use activity as per subsequent proposed amendment). Apart of qualifying matters the RM Amendment Act (2022) requires that MDRS provisions apply across the whole of the urban environment. The proposed amendment would imply that it is being concentrated in “*activity nodes*” rather than applying across the whole urban area. This part of the submission [325.10] is not accepted for the reason given above.
- 40 The addition of “*commercial centres and mixed use*” in UFD-P2(2)(d) sought by submission [325.10] changes the term “*key activity centres*” which is defined in the RPS. The definition in the RPS identifies a number of towns (Rangiora, Kaiapoi and Woodend/Pegasus) which are the focal points for employment, community activities and the transport network and are suitable for more intensive mixed-use development. Oxford was included in the PDP definition as it contains a town centre.
- 41 Key activity centres include commercial centres and mixed use within the RPS definition as well as a number of other constituents (employment, community activities and transport networks). The proposed amendment would limit the application of key activity centres, create an inconsistency with the Commercial and Mixed-use zones and Residential zones, and be inconsistent with the RPS. This part of the submission [325.10] is not accepted for the reason given above.
- 42 The final proposed changes to UFD-P2(2)(e) in submission [325.10] regarding the replacement of “*maintaining appropriate levels of*” with “*managing*” and “*that will change and develop overtime in response to*”

providing increased and varied housing densities and types” is intended to better reflect the wording in Policy 6 of the NPSUD. The wording of the policy refers to planned urban built form that “*may involve significant changes to an area*”, and in (b)(i) “*may detract from amenity values...*” The wording in the policy does not state that amenity values have to change, but rather they may change associated with planned urban built form.

43 Policies within the RESZ- General Objectives and Policies for all Residential Zones provide the basis of the “*planned urban built form*” included in the amendment to SD-O2. The policies follow good urban design principles and ensure that good outcomes are achieved. There is no reasoning as to why natural character and amenity values associated with urban design are mutually exclusive “*maintaining appropriate levels of amenity values*”. The National Medium Density Design Guidelines (MfE, 2022) includes many components that can be considered as contributing towards the maintenance of existing amenity values.

44 The consideration of amenity values occurs through most district wide chapters and zones of the PDP. Provisions across the plan enable consideration of the effects on amenity values, their recognition, protection, maintained, enhancement, reduction and the managing the effect on. The proposed amendments imply an expected loss of amenity values over time which is inconsistent with the approach across the rest of the PDP. This part of the submission [325.10] is not accepted for the reason given above.

45 With respect to Kainga Ora’s submission [325.10] to UFD—P2 the following changes are accepted:

In relation to the identification/location of residential development areas:

1. residential development in the new Residential Development Areas at Kaiapoi, Northeast Rangiora, South East Rangiora

and West Rangiora is located to implement the urban form identified in the Future Development Strategy;

2. for new Residential Development Areas, other than those identified by (1) above, avoid residential development unless located so that they:
 - a. occur in a form that concentrates, or are integrated with [325.10] ~~attached to~~, an existing urban environment and promotes a coordinated pattern of development;
 - b. occur in a manner that makes use of existing and planned transport and three waters infrastructure, or where such infrastructure is not available, upgrades, funds and builds infrastructure as required;
 - c. have good accessibility for all people between to housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport;
 - d. concentrate higher density residential housing in locations focusing on activity nodes such as key activity centres, schools, public transport routes and open space;
 - e. take into account the need to provide for intensification of residential development while maintaining appropriate levels of amenity values on surrounding sites and streetscapes;
 - f. are informed through the development of an ODP;
 - g. supports reductions in greenhouse gas emissions; and
 - h. are resilient to natural hazards and the likely current and future effects of climate change as identified in SD-O6.

UFD-P1

In paragraph 18 of Minute 4 the Commissioners are seeking a response to the evidence of Ms Kealey in respect of the “urban environment” definition.

46 The submission by Mr Carr [158.5] on the definition for “urban environment” associated with Urban Development Policy UFD-P1(1) relates to the inclusion of Large Lot Residential Zone Overlays as part of the residential areas listed in the definition. The intent of the list of residential areas within the definition was to identify those areas where the urban flood assessment overlay applies.

47 The Natural Hazards s32 (section 5, page 27) states:

“For ease of application and to better align with the NPS-UD, the Waimakariri District Plan urban environment includes all the zones located within existing towns and large lot residential zones. All of MR 873 is also included as being within the urban environment as this inclusion better provides for the activities provided for under Kemps Deed. These areas are distinguished on the planning map via an Urban Flood Assessment Overlay and a Non-Urban Flood Assessment Overlay.”

48 Discussions with the Natural Hazards S32 and S42A report author stated that the list of residential areas within the urban environment definition enables Council to “help with the application of the natural hazards provisions which have different rules depending on whether a site is urban or rural. During the development of the natural hazard provisions, it was unclear if the planning map overlays would identify this distinction and also noted that the CRPS natural hazards chapter applies a slightly different lens to the urban / non-urban test, so a definition was also provided”

49 While I consider it is unhelpful that the definition includes a list of residential areas, it does not directly specify that the urban environment

definition only includes those areas listed. The urban environment definition is taken from the NPSUD, which does not state that it is only urban areas, but that it can include “*any area of land*”.

50 It is noted that neither New Plymouth, Porirua City or Selwyn District Councils define urban environment, but use it in the context of their existing urban areas.

51 If the panel considers that there is scope within submissions to review all of the urban environment definition, I recommend that the definition for Urban Environment be deleted as it does not add to the understanding of the PDP and has created confusion in its interpretation by submitters.

52 And that a new definition that identifies those urban areas covered by the urban flood assessment overlay. The definition is as follows:

Urban Flood Assessment

For Waimakariri District, the urban flood assessment comprises the towns of Rangiora, Kaiapoi, Woodend (including Ravenswood), Pegasus, Oxford, Waikuku, Waikuku Beach, The Pines Beach, Kairaki, Woodend Beach, the small towns of Ashley, Sefton, Cust, Ohoka, Mandeville, and all Large Lot Residential Zone areas and Special Purpose Zone (Kāinga Nohoanga).

Kainga Ora Submissions

Kainga Ora submission [325.9]

53 The Kainga Ora submission [325.9] requests a number of amendments to UFD-P1 which will affect the interface between urban areas, natural hazards, and heavy industrial zones. All except the final part of the submission was originally accepted. Upon consideration, the wording “*does not immediately adjoin*” better aids the understanding of the

provision as against “*located away from*” which could be considered as vague and difficult to interpret. There are other provisions within the PDP that address reverse sensitivity effects between adjacent land use. I therefore now recommend that this submission is accepted.

Kainga Ora submission [325.11]

- 54 The submission, seeking deletion of the reference to town centre plans is accepted as Council has used other names for the documents in the past.

Kainga Ora submission [325.12]

- 55 The submission, seeking reference to specific document names is accepted as Council has used other names for the documents in the past.

Kainga Ora submission [325.13]

- 56 The submission, seeking an amendment to UFS-P6 to remove the reference to the proposed ‘certification process’ is not accepted as the new development areas identified in the policy have not been assessed as to whether they are suitable for development. As noted in paragraph 23 above, an assessment of the suitability of land for rezoning has not occurred, also including an assessment of suitability of the certification process. I therefore consider that it would be appropriate that this submission relief is addressed in the officer’s report that addresses the certification mechanism. I acknowledge that this will require that chapter author to consider consequential changes to UFD-P6 within that chapter.

Kainga Ora submission [325.14]

- 57 The submission requests a number of amendments to Policy UFD-P7. The amendments deal with determining whether the policy states a

'mechanism' for the provision of additional commercial and mixed-use zones and potential impacts upon housing capacity.

58 Kainga Ora questions whether the policy is a '*mechanism*', suggesting that it should be removed. While some of the policy provisions are not mechanisms, the basis of the policy is that it details considerations for any plan change, with the plan change being the mechanism. I therefore consider the use of this term is appropriate.

59 The submission also proposes a number of changes that remove the reference to town centres and alter the wording to provide for land to be zoned across the district rather than being linked to key activity centres.

60 The wording within the policy UFD-P7 presently reflects the policy direction within the RPS. Particularly Objective 6.2.2.(5) self-sufficiency of towns within the district, Objectives 6.2.5(2) and 6.2.6(3) support and maintenance of key activity centres, Policy 6.3.1(8) avoiding development that adversely affects key activity centres. The proposed amendments for UFD-P7(1) and (3) are therefore rejected.

61 The proposed amendment to UFD-P7(2) is inconsistent with the objectives and policies of the RPS. The RPS encourages the towns of Rangiroa, Kaiapoi and Woodend to be self-sufficient (Objectives 6.2.5(2)), and that business and industrial development responds to specifically to population growth in each town, avoiding the potential for a disconnect between business and industrial development and residential growth (Policy 5.3.1 RPS). The proposed amendments for UFD-P7(2) are therefore rejected.

62 The replacement of UFD-P7(5) with a new provision which ensures that business and mixed-use development does not reduce housing development capacity is not supported. In my view the proposed approach is inconsistent with enabling expansion of existing town, neighbourhood, and local centres, which would require some change in

land use from residential to commercial, otherwise any expansion would have to occur outside of the existing urban boundary. This would mean that residential land use would have a hierarchy over other land use. The proposed amendments are rejected.

Kainga Ora submission [325.15]

- 63 The proposed amendments by Kainga Ora are similar to those proposed for UFD-P7. The existing policies relate to ensuring any plan change integrates with the existing urban centres. The proposed amendment includes a provision where any new industrial development does not reduce housing development capacity. This would mean that residential land use would have a hierarchy over other land use. This is inconsistent with Objective 6.2.2(5) of self-sufficient growth of Rangiora, Kaiapoi and Woodend, and Policy 6.3.6 for business land. The proposed amendments are rejected.

UFD-P2 and UFD10 – Fulton Hogan

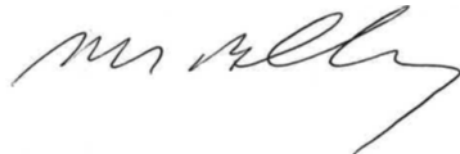
- 64 The Fulton Hogan submission [41.16] requests that a provision is added to UFD-P2 to provide for consideration of where urban development avoids reverse sensitivity effects. In my view UFD-P2 relates to for the identification and location of new (my emphasis) residential development areas. As per the Section 42A report, reverse sensitivity issues for new residential development are also addressed in UFD-P10.
- 65 Both submissions [41.16] and [41.17] request that new development avoids reverse sensitivity effects on primary production activities. The minimisation approach in UFD-P10 is consistent with the approach taken in Rural and Large Lot Residential zone policies. The submissions identify inconsistency with the approach in the RPS and PDP.
- 66 RPS Policy 5.3.2(2) enables development which “*avoid or mitigate reverse sensitivity effects and conflicts between incompatible activities*”, including identified mineral extraction areas. The RPS (Policy 6.3.9) does

however have specific policy which requires LLRZ activities to “*avoid significant reverse sensitivity effects with adjacent rural activities*”.

67 On the basis that the PDP must give effect to the RPS, Policy UFD-P10(2) is recommended to be amended to include “*avoid or mitigate*”, to better align with Policy 5.3.2 of the RPS.

68 This issue was also expressed by a number of submitters (Fulton Hogan, Daiken, Horticulture NZ, and Ashley Industrial Services). The issue of the encroachment of sensitive activities (residential activities) on existing legally established industry located within the rural zones was identified. It is recognised that these industries are located in those environments to avoid conflicts arising from reverse sensitivity issues with existing residential areas. It is also recognised that these industries cannot be easily relocated without significant investment by themselves and in infrastructure providers.

Date: 14/06/2023

A handwritten signature in black ink, appearing to read 'M. Kelly', written in a cursive style.

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Appendix 1 – List of materials provided by submitters

Statement of Primary Evidence of Brendon Liggett on behalf of Kāinga Ora - Homes and Communities

Statement of Primary Evidence of Clare Dale on behalf of Kāinga Ora - Homes and Communities

Legal Submissions on behalf of Kāinga Ora - Homes and Communities

Revised Statement of Evidence of Joanne Mitten on behalf of the Canterbury Regional Council

Appendix 2 – Recommended amendments to PDP provisions

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

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

UFD - Āhuatanga auaha ā tāone - Urban Form and Development

UFD-P1 Density of residential development

1. In relation to the density of residential development:
2. provide for intensification in urban ~~environments~~centres through provision for minor residential units, retirement villages, papakāinga or suitable up-zoning of Residential Zones where it is consistent with the anticipated built form and purpose of the zone;
3. locate any Medium Density Residential Zone so it:
 - a. supports, and has ready access to, existing or planned Commercial and Mixed Use Zones, ~~schools~~educational facilities, existing or planned public transport and open space;
 - b. supports well connected walkable communities;
 - c. avoids or mitigates natural hazard risk in any high hazard area within ~~existing~~ urban areas; and
 - d. ~~located away from~~does not immediately adjoin [325.9] any Heavy Industrial Zone.

UFD-P2 Identification/location of new Residential Development Areas

In relation to the identification/location of residential development areas:

1. residential development in the new Residential Development Areas at Kaiapoi, North East Rangiora, South East Rangiora and West Rangiora is located to implement the urban form identified in the Future Development Strategy;
2. for new Residential Development Areas, other than those identified by (1) above, avoid residential development unless located so that they:
 - a. occur in a form that concentrates, or are integrated with attached ~~to~~[325.10], an existing urban ~~environment~~centres and promotes a coordinated pattern of development;
 - b. occur in a manner that makes use of existing and planned transport and three waters infrastructure, or where such infrastructure is not available, upgrades, funds and builds infrastructure as required;
 - c. have good accessibility for all people betweento[325.10] housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport;

- d. concentrate higher density residential housing in locations focusing on activity nodes such as key activity centres, schools, public transport routes and open space;
- e. take into account the need to provide for intensification of residential development while maintaining appropriate levels of amenity values on surrounding sites and streetscapes;
- f. are informed through the development of an ODP;
- g. supports reductions in greenhouse gas emissions; and
- h. are resilient to natural hazards and the likely current and future effects of climate change as identified in SD-O6.

UFD-P3 Identification/location and extension of Large Lot Residential Zone areas

In relation to the identification/location of Large Lot Residential Zone areas:

1. new Large Lot Residential development is located in the ~~future~~ Large Lot Residential Zone Overlay which adjoins an existing Large Lot Residential Zone as identified in the RRDS and is informed through the development of an ODP;
2. new Large Lot Residential development, other than addressed by (1) above, is located so that it:
 - a. occurs in a form that is ~~integrated with attached to~~ [\[325.10\]](#) an existing Large Lot Residential Zone or Small Settlement Zone and promotes a coordinated pattern of development;
 - b. is not located within an identified Development Area of the District's main towns of Rangiora, Kaiapoi and Woodend identified in the Future Development Strategy;
 - c. is not on the direct edges of the District's main towns of Rangiora, Kaiapoi and Woodend, nor on the direct edges of these towns' identified new development areas as identified in the Future Development Strategy;
 - d. occurs in a manner that makes use of existing and planned transport infrastructure and the wastewater system, or where such infrastructure is not available, upgrades, funds and builds infrastructure as required, to an acceptable standard; and
 - e. is informed through the development of an ODP.

UFD-P4 Mechanism to release Residential Development Areas

Provide for the extension of existing Town Centres and locate and develop new commercial activities to implement the urban form identified in the Future Development Strategy or [Council's growth strategy](#), ~~WDDS or Town Centre Plans~~[\[325.11\]](#).

UFD-P5 Mechanism to release Residential Development Areas

Provide for the extension of existing Industrial Zones and locate and develop new industrial activities to implement the urban form identified in the Future Development Strategy or [Council's growth strategy](#) ~~WDDS~~[\[325.12\]](#).

UFD-P6 Mechanism to release Residential Development Areas

The release of land within the identified new development areas of Kaiapoi, [West Rangiora](#), North East Rangiora and South East Rangiora occurs in an efficient and timely manner via a certification process to enable residential activity to meet short to medium-term feasible development capacity and achievement of housing bottom lines.

UFD-P10 Managing reverse sensitivity effects from new development

Within Residential Zones and new development areas in Rangiora, ~~and Kaiapoi,~~ [Woodend, Ravenswood, and Pegasus](#):

1. Avoid residential activity [and development](#) that has the potential to [be impacted by or](#) limit the efficient, ~~and~~ effective [and safe](#) operation, [maintenance, repair, development](#) and upgrade of critical infrastructure, strategic infrastructure, and regionally significant infrastructure, including avoiding noise sensitive activities within the Christchurch Airport Noise Contour, unless within an existing Residential Zone;
2. ~~Minimise~~[Avoid or mitigate \[41.17\]](#) reverse sensitivity effects on [industrial activities \[41.17\]](#) [and](#) primary production from activities within new development areas through setbacks and screening, [or other methods](#), without compromising the efficient delivery of new development areas.

Appendix 3 – Recommended responses to submissions and further submissions

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

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

[insert relevant rows from Appendix B of your s42A report]

Table B 1: Recommended responses to submissions and further submissions Urban Form and Development Policy UFD-P1

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|---------------------|-------------------------------|-----------|---|--|--------------------------|--|--|
| 325.9 ¹⁷ | Kainga Ora | UFD-P1 | Amend UFD-P1: "... 2. locate any Medium Density Residential Zone so it: a. supports, and has ready access to, existing <u>or planned</u> Commercial and Mixed-Use Zones, schools, <u>existing or planned</u> public transport and open space; ... c. avoids or mitigates natural hazard risk in any high hazard area within <u>existing</u> urban areas; and d. located away from <u>does not immediately adjoin</u> any Heavy Industrial Zone." | 3.4 | Accept in part | See relevant section of this report The district plan enables development within existing and proposed zoning areas. Council requires consideration is given to these matters in policies UFD-P2, MDRZ-P3 and TRAN-P7. The proposed wording "does not immediately adjoin" implies that housing can be developed near the heavy industry irrespective of effects. There are two heavy industrial zones in the district and one already has residential properties adjoining it. has been accepted to align it with the wording used in Strategic Directions. | Yes |

Table B 2: Recommended responses to submissions and further submissions Urban Form and Development Policy UFD-P2

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|-------------------------------|-----------|---|--|---|---|--|
| 325.10 | Kainga Ora | UFD-P2 | Amend UFD-P2: "... 2. for new Residential Development Areas, other than those identified by (1) above, avoid residential development unless located so that they: a. occur in a form that concentrates, or are <u>integrated with</u> attached to , an existing urban environment and promotes a coordinated pattern of development; ... c. have good accessibility for all people between to housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; d. concentrate higher <u>and medium</u> density residential housing in locations focusing on activity nodes such as key <u>commercial centres and</u> | 3.6 | Reject <u>Accept in part</u> | See relevant section of the report <u>Right of reply – aligns with the wording used in strategic directions. The corresponding amendment was also made to UFD-P3 to ensure consistency.</u> | No <u>Yes</u> |

¹⁷ Waka Kotahi FS110 support; M Hales FS46 support

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|-------------------------------|-----------|--|--|--------------------------|----------------------------|--|
| | | | <p>mixed use activity centres, schools, public transport routes and open space;</p> <p>e. take into account the need to provide for intensification of residential development while maintaining <u>managing appropriate levels of amenity values on surrounding sites and streetscapes that will change and develop overtime in response to providing increased and varied housing densities and types;...</u>"</p> | | | | |

Table B 3: Recommended responses to submissions and further submissions Urban Form and Development Policy UFD-P4

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|-------------------------------|-----------|---|--|---|--|--|
| 325.11 | Kainga Ora | UFD-P4 | <p>Amend UFD-P4:</p> <p>"Provide for the extension of existing Town Centres and locate and develop new commercial activities to implement the urban form identified in the Future Development Strategy or <u>Council's growth strategy, WDDS or Town Centre Plans.</u>"</p> | | Reject Accept | <p>Council does not have a growth strategy, it does however have town centre plans and strategies, and a district development strategy that deal with the expansion of town centres. Council accepts that the names of the various district development strategies and town centre plans have changed over time and that a more generic name is considered to be more suitable.</p> | No Yes |

Table B 4: Recommended responses to submissions and further submissions Urban Form and Development Policy UFD-P5

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|-------------------------------|-----------|--|--|---|---|--|
| 325.12 | Kainga Ora | UFD-P5 | <p>Amend UFD-P5:</p> <p>"Provide for the extension of existing Town Centres and locate and develop new commercial activities to implement the urban form</p> | | Reject Accept | <p>Council does not have a growth strategy, it does however have town centre plans and strategies, and a district development strategy that deal with the expansion of</p> | No Yes |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|-------------------------------|-----------|---|--|--------------------------|---|--|
| | | | identified in the Future Development Strategy <u>or Council's growth strategy, WDDS or Town Centre Plans.</u> " | | | town-centres. Under the NPS-UD Council is required to have a Future Development Strategy. Council accepts that the names of the various district development strategies and town centre plans have changed over time and that a more generic name is considered to be more suitable. | |

Table B 15: Recommended responses to submissions and further submissions Urban Form and Development UFD-P10

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|---------------------|-------------------------------|-----------|--|--|---|---|--|
| 41.17 ¹⁸ | Fulton Hogan | UFD-P10 | Amend UFD-P10, to apply to all new development areas and to take a clearer stance on reverse sensitivity effects: "Managing reverse sensitivity effects from new development Within Residential Zones and For new development areas in Rangiora and Kaiapoi: 1. avoid residential activity that has the potential to limit the efficient and effective operation and upgrade of critical infrastructure, strategic infrastructure, and regionally significant infrastructure, including avoiding noise sensitive activities within the Christchurch Airport Noise Contour, unless within an existing Residential Zone; 2. minimise avoid reverse sensitivity effects on primary production activities from activities within new development areas through setbacks and screening, without compromising the efficient delivery of new development areas. " | 3.6 | Reject <u>Accept in part</u> | See relevant section of the report. The policy has been amended to include "avoid or mitigate" to bring it in line with RPS Policy 5.3.2. <u>The assessment of the submission is in paragraphs 58 and 59 of the reporting officer's right of reply.</u> | No <u>Yes</u> |

¹⁸ KiwiRail FS99 support

Appendix 4 – List of materials tabled by Council

Greater Christchurch Urban Development Strategy 2007.

<https://greaterchristchurch.org.nz/our-work/background/background-2007/>

Land Use Recovery Plan 2013.

<https://greaterchristchurch.org.nz/assets/Documents/greaterchristchurch/Plans/LandUseRecoveryPlan.pdf>

Our Space 2018, Greater Christchurch Partnership.

<https://www.greaterchristchurch.org.nz/assets/Documents/greaterchristchurch/Our-Space-consultation/Draft-Our-Space-2018-2048.pdf>

Greater Christchurch Partnership – Greater Christchurch Housing Development Capacity Assessment March 2023.

Attached to email