

# Section 32 Report

## VARIATION 1: HOUSING INTENSIFICATION

(Medium Density Residential Standards)

**Mandated by Central Government**

prepared for the

## Proposed Waimakariri District Plan

August 2022



**WAIMAKARIRI**  
DISTRICT COUNCIL

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# 1. EXECUTIVE SUMMARY

The National Policy Statement for Urban Development (NPS-UD) and the Enabling Housing Supply Amendment Act (the Amendment Act) have provided strong national direction from central government to enable intensification of the District's urban areas. In addition, the Amendment Act introduced mandatory medium density residential standards to enable higher density residential development in urban areas. Variations to the Proposed Waimakariri District Plan (PDP) are required to implement the NPS-UD and the Amendment Act requirements. For this reason, the s32 is prepared on the basis that the Amendment Act itself provided the evaluation of where the Medium Density Residential Standards (MDRS) must apply. This s32 evaluation focuses on areas that should be excluded from the density enabled by the MDRS (i.e. the 'Qualifying Matters') and how the MDRS fits within the PDP framework.

Specific evaluation assessments have been provided for the following matters considered as new or existing qualifying matters:

## ***District Wide Matters:***

### *Energy, Infrastructure and transport*

- Transport – Strategic and Arterial Roads
- Energy and Infrastructure – National grid transmission lines
- Transport – Rail corridors

### *Hazards and risks*

- Natural Hazards (Qualifying matter natural hazards)

### *Historic and Cultural*

- Historic heritage
- Notable trees

### *Natural environmental values*

- Natural character of freshwater bodies
- Public access

### *General District Wide matters*

- Noise – Noise Control for Christchurch International Airport Limited

## ***Area Specific Matters***

- Zones
  - Open Space and Recreation Zones

Key changes proposed by this variation are:

- Replace the General Residential Zone with the Medium Density Residential Zone in the Proposed District Plan in the relevant residential urban areas.
- Insert the new Medium Density Residential Standards into the Medium Residential Zone chapter in the Proposed District Plan.
- Include the higher density standards within Town Centres and Local Centre Zone.
- Changes to the height limits of the Local Centre and Neighbourhood Centre Zone to match with changes to the adjacent residential zones where the MDRS apply.



- To rezone two areas of Rangiora from 'Future Development Areas' to 'Medium Density Residential Zone' and include the MDRS. These areas are zoned Rural in the Operative District Plan however are also identified as Greenfield areas within the Canterbury Regional Policy Statement and have been identified within the District Development Strategy.
- A New 'Qualifying Matter Natural Hazards' layer to reduce potential for MRDS development within this identified area based on an identified High modelled flood risk.
- 'Qualifying Matter Airport Noise' layer to manage the threshold of reverse sensitivity effects on airport operations from MDRS development within an identified area in Kaiapoi.
- A 39m Setback from National Grid Transmission Lines in North East Rangiora identified as 'Qualifying Matter – National Grid Subdivision Corridor' to reduce potential for MRDS development from within this setback, as per the Outline Development Plan for North East Development Area in Rangiora.
- A 5m setback from the rail corridor within Town Centre Zone of Rangiora and Kaiapoi identified as a qualifying matter to reduce potential for MRDS development from within this setback.

The anticipated outcomes from the proposed variation to the Waimakariri District Plan is that the mandatory medium density residential standard will enable higher density residential housing within the urban areas of Kaiapoi, Rangiora, Woodend (including Ravenswood) and Pegasus.

## 2. OVERVIEW AND PURPOSE

### 2.1 Purpose of Section 32 RMA

The overarching purpose of Section 32 (s32) of the Resource Management Act 1991 (RMA) is to ensure that plans are developed using sound evidence and rigorous policy analysis, leading to more robust and enduring provisions.

S32 reports are intended to clearly and transparently communicate the reasoning behind plan provisions to the public. The report should provide a record of the evaluation process, including the consultation, technical work, methods, assumptions and risks that informed that process.

The District Council is required to undertake an evaluation of any proposed District Plan provisions before notifying those provisions. This s32 is prepared on the basis that Amendment Act itself provided the evaluation of where the Medium Density Residential Standards (MDRS) must apply. The evaluations within this report focuses on areas that should be excluded from the density enabled by the MDRS (i.e. the 'Qualifying Matters') and how the MDRS fits within the PDP framework. Therefore, this s32 evaluation report provides the reasoning and rationale for the qualifying matters and should be read in conjunction with the proposed provisions.

### 2.2 Direction to include MDRS provisions

Central Government's National Policy Statement on Urban Development 2020 (NPS-UD) directed Council plans to enable more people to live in urban environments to free up housing supply, increase housing affordability, respond to the changing needs of communities for development options, and better integrate this with infrastructure planning and funding. The NPS-UD came into effect on 20 August 2020. The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act (the Amendment Act), which amends the NPS-UD and the RMA, came into force 20 December 2021.

This legislation requires tier 1 councils (e.g. Auckland, Hamilton, Wellington, Christchurch, Waimakariri and Selwyn) to change their district plans to expressly include specified medium density residential standards (MDRS), which include bulk and location, site coverage, open space and height rules, to most of the urban residential areas of Waimakariri. The changes to Policy 3 of the NPS-UD require the District Plan to provide building heights and density of urban form commensurate with the level of commercial activities and community services within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent).

This s32 responds to the Government's direction. For the variations to the PDP proposed under the NPS-UD and the Amendment Act, the purpose of this evaluation report is not to assess the costs and broader impacts of the proposed changes themselves and the objectives and policies of the NPS-UD, which have already been determined, but rather those matters where the Council has options or alternatives for how best to address the issues. It also identifies the qualifying matters the Council is proposing to use for where alternative density standards are proposed, together with the required assessment under the Amendment Act.

In addition, this variation is seeking to rezone 86ha of land within the North East (65ha) and South West Development (21ha) Areas from 'Development Area' in the PDP to 'Medium Density Residential Zone' (MRZ). These rezoning's are subject to a separate s32 evaluation which should be read in conjunction with this s32.

The proposed variation to the PDP is required to go through a new intensification streamlined planning process (ISPP) for Council's to implement these changes, which are required to be notified by 20 August 2022. Submissions to this variation are proposed to be heard by the same independent hearing panel that has been established for the District Plan Review. Therefore, submissions to this variation can be considered in the wider context of the Waimakariri District Plan Review. This will be helpful in making decisions on qualifying matters that differ to the PDP, such as setbacks for Rail Corridors and National Grid Transmission lines.

### 2.3 Structure of this Section 32

This section 32 is structured into two parts:

- Part A covers: scope of the variation, the proposed approach to qualifying matters; the pre-notification consultation undertaken; and the statutory and policy context.
- Part B covers each of the specific topic areas where variations are proposed to the PDP and includes: the proposed changes to the objectives, policies and methods, including qualifying matter assessments and evaluation of costs and benefits, and reference to supporting information.

# PART A

## 3. SCOPE OF VARIATION

### 3.1 Zones and Areas

Relevant residential zones to which the Amendment Act requirements apply are all residential zones as set out in the National Planning Standards; but expressly do not include:

- the Large Lot Residential Zone;
- the Settlement Zone; or an area predominantly urban in character that the 2018 census recorded as having a resident population of less than 5,000, unless a local authority intends the area to become part of an urban environment;
- or a Settlement Zone.

In summary the MDRS applies as follows:

**Table 1 – Summary of zones / areas that MDRS applies**

Proposed District Plan Zone / Area	Within MDRS Scope?
General Residential Zone	Yes
Medium Density Residential Zone	Yes
Large Lot Residential Zone (e.g. Swannanoa, Mandeville, parts of Ohoka)	No
Settlement Zone (e.g. Cust, Waikuku, The Pines Beach, Kairaki, parts of Ohoka)	No
All rural zones	No
All commercial and industrial zones	No
Predominantly urban areas with a population less than 5000, regardless of whether they contain a General Residential or Medium Density Residential Zone: <ul style="list-style-type: none"> <li>• Oxford</li> </ul>	No

The Amendment Act also amends Policy 3 of the NPS-UD 2020 to require that in tier 1 cities/district plans are to be changed to:

- *enable as much height and density of urban form as possible in city centre zones (policy 3(a)) (the PDP does not contain city centre zones);*
- *at least 6 storey's in metropolitan centre zones (policy 3(b)) (the PDP does not contain metropolitan centre zones);*
- *at least 6 storeys within at least a walkable catchment of existing and planned rapid transit stops; the edge of city centre zones and the edge of metropolitan centre zones (policy 3(c)) (the PDP does not contain city centre zones); and*
- *within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and density of urban form commensurate with the level of*

*commercial activity and community service (policy 3(d), (the PDP contains these zones) (emphasis added).*

Plans proposed since 2020, such as the PDP, need to be amended to give effect to this change to Policy 3. This change to Policy 3 NPS-UD only applies to the Town Centre Zone, Local Centre Zone and Neighbourhood Centre Zone within the district, as the City Centre Zone and Metropolitan Centre Zone do not exist in the PDP. Town, local and neighbourhood centre zones are located in Rangiora, Kaiapoi, Woodend, North Woodend (Ravenswood), Pegasus, Oxford and Mandeville.

In addition to specific zones, the NPS only applies in urban areas. The Resource Management Act (s77F) defines urban environment as:

*“any area of land (regardless of size, and irrespective of territorial authority or statistical boundaries) that—*

*(a) is, or is intended by the specified territorial authority to be, predominantly urban in character; and*

*(b) is, or is intended by the specified territorial authority to be, part of a housing and labour market of at least 10,000 people”*

The NPS-UD has the same definition but excludes the reference in clauses (a) and (b) to the specified territorial authority (as emphasised above). However, section 77G, which sets out a duty to incorporate the MDRS in ‘relevant residential zones’ in an urban environment are defined as:

***“relevant residential zone—***

*(a) means all residential zones; but*

*(b) does not include—*

*(i) a large lot residential zone:*

*(ii) an area predominantly urban in character that the 2018 census recorded as having a resident population of less than 5,000, unless a local authority intends the area to become part of an urban environment:*

*(iii) an offshore island:*

*(iv) to avoid doubt, a settlement zone”*

For this reason, Rangiora and Kaiapoi are included as the population of these towns meets the 5,000 threshold. For Woodend (including Ravenswood) and Pegasus these towns collectively meet the 5,000 population threshold based on growth that has occurred since 2018.<sup>1</sup>

Whilst it contains a Town Centre Zone, Oxford is urban in character but does currently not meet the population threshold and is and is not intended to be part of a housing and labour market of at least 10,000 people.

Whilst it contains a Local Centre Zone, Mandeville is not currently predominantly urban in character (as identified in the Operative District Plan objective and policy framework) and is not intended to be as the residential areas are zoned Large Lot Residential in the PDP and these zones are expressly

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<sup>1</sup> The Canterbury Regional Policy Statement defines these areas as a collective for the purpose of identifying a potential third Key Activity Centre within the district.

excluded from application of the MDRS. In addition, the District Development Strategy does not identify Mandeville for significant urban development.

**Table 2 – Zones / areas that are in scope of this variation under the NPS-UD**

PDP Zone / Area	Within NPS-UD Policy 3 Scope?
Town Centre Zone, Local Centre Zone, Neighbourhood Centre Zone (except areas outside the 'urban environment' – see below)	Yes
Urban environment areas that are adjacent to the Town, Local or Neighbourhood Centre Zones	Yes
Other urban environment areas that are not located adjacent to Town, Local or Neighbourhood Centre Zones, e.g. the Large Format Retail Zone, Mixed-Use Zone, Industrial zones, Open Space zones	No
Areas with a Town, Local or Neighbourhood Centre Zone that are not part of the 'urban environment': <ul style="list-style-type: none"> <li>• Oxford</li> <li>• Mandeville</li> </ul>	No

### 3.2 Approach to Qualifying Matters

The Amendment Act and NPS-UD require the Council to apply the prescribed MDRS density standards and height outcomes to areas within scope. Density standard means:

*“a standard setting out requirements relating to building height, height in relation to boundary, building setbacks, building coverage, outdoor living space, outlook space, windows to streets, or landscaped area for the construction of a building.”*

The Amendment Act sets out a pathway - via qualifying matters, to provide PDP provisions that are less enabling than those anticipated in the MDRS density standards and Policy 3. Qualifying matters are limited to those specified in the Amendment Act and require the Council to justify the use of qualifying matters by providing the information and assessments set out in the Amendment Act (s77G to s77R).

Qualifying matter exclusions include:

- matters of national importance (s6) in the Resource Management Act, such as protecting historic heritage and areas of significant indigenous vegetation, and the management of significant risks from natural hazards;
- matters required to give effect to other National Policy Statements;
- matters required to protect the operation of nationally significant infrastructure;
- open space provided for public use;
- the need to give effect to a designation;
- the requirement in the NPS UD to provide sufficient business land suitable for low density uses to meet expected demand; and
- any other matter that makes higher density development inappropriate in an area, but only if additional qualifying matters requirements are met (e.g. site specific assessments).

The Council has undertaken a broad assessment of the PDP to assess areas of the District where intensification (to give effect to the MDRS and NPS-UD Policy 3) is more appropriate and less (or not) appropriate. Where intensification is considered to be less or not appropriate, the Council has considered whether qualifying matters can or need to be applied, and their impact on achieving the anticipated density standards and heights.

#### District-Wide Matters

Across the operative and proposed plans a number of requirements apply to development that are covered as district-wide matters. Examples of such district-wide matters are earthworks requirements, noise standards and lighting standards to be met for development. While these standards in most instances do not affect the achievement of the density standards within the MDRS they do address potential adverse effects of development.

The approach taken within this s32 evaluation is as follows:

- District-Wide Matters that would apply within a potential MDRS area have been evaluated to confirm the degree to which they would affect the achievement of density provided for in the RMA. Where these existing matters do not affect density they have not been included within the variation; however, these rules will continue to apply. An example of such a provision is a district-wide earthworks rule addressing dust or overland flow that does not impact on the achievement of the required density standards.
- Where a district-wide matter would affect the achievement of the MDRS density requirements, these provisions have been further assessed to against the requirements of Section 77I. These matters are proposed to become qualifying matters. These matters are referred to as 'existing qualifying matters' within section 77K. These qualifying matters have also been assessed within the section 32 evaluations for the Proposed District Plan and should be read in conjunction with this evaluation. An example of such district-wide provisions are protections for strategic road corridors, which may affect the setback density standards but protects the operation of that significant infrastructure.
- New qualifying matters that are introduced by section 77I are separately assessed under the requirements of Section 77J.

Table 3 below summarises this above approach in respect of district-wide matters within the PDP. This order of topics within this Table follows the framework of the PDP.

**Table 3 – PDP topics and whether qualifying matters are proposed**

Topic	Qualifying matter proposed?
<b><i>Matters assessed as not affecting density</i></b>	
<i>Energy, infrastructure and transport</i> – Major electricity distribution lines (66kV/33kV)	No
<i>Energy, infrastructure and transport</i> – Transport – Transport Design Standards (Various onsite vehicle manoeuvring and access provisions)	No

<i>Hazards and risks – Hazardous substances</i>	No
<i>Hazards and risks – Contaminated land</i>	No
<i>Historic and cultural values– Sites and areas of significance to Maori</i>	No
<i>Natural features and landscapes – Significant Natural Areas (SNA's) and Outstanding Natural Landscapes and Features (ONL's and ONF's)</i>	No
<i>General District-Wide matters – Coastal Environment</i>	No
<i>General District-Wide matters – Earthworks</i>	No
<i>General District-Wide matters – Light</i>	No
<i>General District-Wide matters – Noise</i>	No
<i>General District-Wide matters – Signs</i>	No
<i>General District-Wide matters – Temporary activities</i>	No
<i>General District-Wide matters – Financial Contributions</i>	No
Special Purpose Zones	No
Residential character	No
Designations	No
<b><i>Existing PDP provisions that will impact achievable density. Proposed as qualifying matters – no variation proposed (s77k)</i></b>	
<i>Energy, infrastructure and transport – Transport – Strategic and Arterial Roads</i>	Yes
<i>Historic and Cultural – Historic heritage</i>	Yes
<i>Historic and Cultural – Notable trees</i>	Yes
<i>Natural environmental values – Natural character of freshwater bodies (Increased building setbacks for natural character)</i>	Yes
<i>Natural environmental values – Public access (Impact density through provision of esplanade reserves)</i>	Yes
<i>General District-Wide matters – Noise – Noise Control for Christchurch International Airport Limited</i>	Yes
<i>Zones – Open Space and Recreation Zones (Reduced maximum building heights in the Open Space Zone and Sport and Active Recreation Zone adjacent to Town or Local Centre zones)</i>	Yes
<b><i>Matter will impact achievable density. Qualifying Matter required – variation proposed (s77J)</i></b>	
<i>Energy, infrastructure and transport</i> - Energy and Infrastructure – National Grid transmission lines - Transport – Rail corridors	Yes



Increased building setbacks from significant infrastructure (National Grid transmission lines and rail corridors)	
<i>Hazards and risks</i> - Natural Hazards (Qualifying matter natural hazards) Reduced residential density in areas subject to high flood hazard risk	Yes

### 3.3 Current Objectives, Policies and Methods

The Proposed District Plan manages medium density housing supply through the objectives, policies and methods for the Medium Density Residential Zone. The purpose of the Medium Density Residential Zone is to provide for residential areas predominantly used for residential activity with moderate concentration and bulk of buildings, such as detached, semi-detached and terrace housing, low rise apartments and other compatible activities. Such areas are identified close to town and neighbourhood centres, along public transport corridors, or close to public transport.

The Medium Density Residential Zone is located in the township areas of Rangiora, Kaiapoi, Woodend and Pegasus. It is anticipated that the character of these areas will be dynamic and provide for more intensive development as demand increases for smaller units with close access to township amenities.

### 3.4 Information and Analysis

The proposed variations have been informed by the technical reports that supported the PDP. Where relevant, technical evidence has been referred to in the specific topic assessments in Part B of this s32.

In addition to this, information was sought from Council's Network Planning Team as to where the MDRS provisions should not apply due to flood risk. Due to the low lying nature of the Kaiapoi Township there are parts of the town that have significant flood risk and allowing greater intensification in these areas has the potential to increase the overall risk to people and property from flooding. It is therefore necessary to exclude some parts of Kaiapoi where it considers the flood risk is too significant to allow for further intensification without subjecting the development to a typical consenting process. It is also worth noting that these MDRS exclusion areas largely coincide with those areas of Kaiapoi where the Council has significant capacity constraints in both the wastewater and drainage networks. This advice has been included in **Appendix 1**.

Advice from Council's Infrastructure Team regarding capacity to accommodate the housing intensification enabled through this variation was that the infrastructure in the areas identified as suitable for MDRS developments is generally able to support development of this density. Therefore, infrastructure capacity has not been identified as a constraint to development, except in relation to wastewater and drainage networks in Kaiapoi, as discussed above. Dependent on where, when and how many medium density developments are constructed, localised infrastructure upgrades may be required. However, these will be assessed on a case-by-case basis and any required works will be managed through Financial Contributions and/or Development Contributions as applicable.

### 3.5 Consultation Undertaken

The Amendment Act includes consultation requirements under the intensification streamlined planning process. In accordance with the requirements of the RMA, during the preparation of the proposed variation the Council has consulted with the following statutory stakeholders:

- Ministry for the Environment – Manatū Mō Te Taiao
- Waka Kotahi NZ Transport Agency

- Te Rūnanga o Ngāi Tahu
- Heritage New Zealand – Pouhere Taonga
- Canterbury District Health Board – Te Whatu Ora Health New Zealand Waitaha Canterbury
- Environment Canterbury – Kaunihera Taiao ki Waitaha
- Hurunui District Council
- Christchurch City Council
- Selwyn District Council

Feedback was received from three statutory stakeholders. The feedback and consideration of it is summarised in Table 4 below:

**Table 4 – Consideration and response to advice from Statutory Stakeholder**

Consultation stakeholders	Subject Matter	Advice Received	Consideration of, and response to, Advice
<b>Environment Canterbury Regional Council</b>  Received 13/07/2022	Natural Hazards qualifying matter	Support in principle. It would be useful to know which natural hazards the qualifying matter is susceptible to, and the reasoning for the density differentiation between Kaiapoi A and Kaiapoi B with associated mapping.	Accept the advice received to specify flooding as the natural hazard subject to the qualifying matter. As proposed in Table SUB-1, a development density of 200m <sup>2</sup> is provided for in Kaiapoi Area A and 500m <sup>2</sup> in Kaiapoi Area B. The Qualifying Matter Natural Hazards layer has now been updated to show Area A and Area B.
	All qualifying matters	Support in principle the identified qualifying matters to manage the potential effects of intensification. Queries if there are other exemptions WDC intends to introduce (for example, areas of ecological significance).	Refer to Part B of this report which includes the assessment of the need to include District Plan matters as a Qualifying Matter to prevent inappropriate development.
	Christchurch International Airport noise contour	The Canterbury Regional Policy Statement requires the avoidance of noise sensitive activities within the 50dBA L <sub>dn</sub> noise contour for Christchurch International Airport, with limited exceptions. Interested in how the Variation will manage areas within the 50dBA L <sub>dn</sub> noise contour.	The Noise Control for the Christchurch International Airport has been identified as a Qualifying Matter.
<b>Heritage New Zealand</b>  Received 12/07/2022	General	Support the general approach of the Variation. Encourages robust policies and rules to ensure intensification does not adversely affect heritage.	The Variation has been prepared with the intent to protect heritage items from adverse effects of housing intensification.

	SUB-R2	Notes absence of matters of control for subdivision within the MRZ. Concerned this has the potential to impact historic heritage. Requests Council consider this matter.	The PDP affords protection to listed historic heritage items as identified in HH-SCHED2 and will be relied on in this instance.
	Impact of residential intensification on neighbouring heritage items - MRZ Built Form Standards	Concerned residential intensification may adversely affect individual heritage items through issues such as construction vibration, overshadowing and loss of sunlight. Measures such as increased setbacks or reduced heights in the vicinity of an identified heritage item may mitigate adverse effects.	The PDP protects listed historic heritage items as identified in HH-SCHED2. Limiting the development capacity of neighbouring properties is outside of the scope afforded to protected heritage items. The existing provisions in the PDP will be relied on in this instance.
	RESZ-P15	Supports policy as it protects historic heritage from intensification through a qualifying matter. However, considers this has been inadequately carried through to the MRZ rules and standards.	The PDP affords protection to listed historic heritage items as identified in HH-SCHED2 in accordance with the RMA. The existing provisions in the PDP will be relied on in this instance.
	Archaeological authority processes in the Heritage New Zealand Pouhere Taonga Act 2014	The accelerated provision of housing may increase the number of archaeological authorities that are required. Encourage awareness among owners/developers of archaeological authority process and factor it into project planning.	Agree the Variation may increase the unearthing of archaeological discoveries requiring archaeological authorities. Advice is outside of the scope of the Variation, however, it may be successfully addressed through production of development guides.
<b>Waka Kotahi NZ Transport Agency</b>	General	Overall it is considered that the proposed amendment will not have an adverse effect on the State Highway.	Agree
Received 13/07/2022	Consistent with MDRS outcomes	The proposed re-zonings are consistent with the outcomes sought as per the MDRS and have been applied to appropriate areas to ensure that increased density can be provided to allow for increase housing supply in the Waimakariri District.	The PDP has been prepared in accordance with all relevant statutory requirements and the Variation is consistent with the MDRS.
	Relationship between submission on	It is considered that the Transport Rules, if amended as per the Waka Kotahi	Decisions on the PDP are yet to be determined.

	the PDP and Variation 1	submission, will adequately manage the potential transport related effects on the State Highway network.	
	NOISE-R16	Waka Kotahi acknowledge the requirement of this rule to manage noise effects from reverse sensitivity. The proposed rule contains an 80m setback and Waka Kotahi have sought to increase this to 100 metres via a submission on the PDP. It is noted that the setback will apply to the MRZ.	Agree that a residential unit would need to meet the noise insulation requirements of Rule NOISE- R16 if located within the setback from an arterial road, strategic road or rail designation.  Decisions on the PDP are yet to be determined.
	Seeks clarification	Unclear if work has been undertaken to identify land within and adjacent to centres which may require re-zoning to enable additional density as required by Policy 3(d) of the NPS-UD. Recommends further thought is given to identifying these areas. Provides example of commercial walking centre catchment within which 4 storeys is permitted.	The NCZ, LCZ and TCZ adjacent to residential zones have been reviewed and variations made to ensure density in these zones are commensurate with adjacent medium density residential zones.  A 'walkable catchment' is relevant where Policy 3(c) applies. However, Policy 3(c) is not relevant in this District as there are no rapid transit stops, city centre zones or metropolitan centre zones.
	Identification of relevant urban areas	Confirmation of the methodology used to establish which of the townships qualify as 'urban environments' as defined in the NPS-UD.	The RMA specifies a relevant residential zone is an urban area that in the 2018 census had a population of 5,000. To clarify, Woodend includes the developments of Pegasus and Ravenswood as these areas are identified within the District Development Strategy for additional growth (as well as completion of consented developments in Pegasus and North Woodend (Ravenswood)).

### 3.6 Iwi Authority Advice

In addition, Schedule 1, clause 4A of the RMA requires the Council to provide a copy of a draft proposed plan to iwi authorities and have particular regard to any advice received. Table 5 below summarises the consultation feedback/advice received from the iwi authority relevant to the

variations proposed and the Council's consideration of, and response to (as required by Section 32(4A)(b) of the RMA), that feedback/advice.

**Table 5 – Consideration and response to Iwi Authority advice**

<b>Iwi Authority</b>	<b>Subject Matter</b>	<b>Advice Received</b>	<b>Consideration of, and response to, Advice</b>
Ngāi Tūāhuriri Rūnanga  (Received 12/07/2022)	Ngāi Tūāhuriri to determine if the MDRS will apply to the Settlement Zone underlying the Special Purpose Zone - Kāinga Nohoanga.	Opposes intensification of the Settlement Zone. Retain the provisions of the Special Purpose Zone - Kāinga Nohoanga as notified in the PDP.	The recommendation to retain the provisions for the Special Purpose Zone - Kāinga Nohoanga in the PDP is accepted as the PDP provisions enable greater intensification in the underlying Settlement Zone than the Amendment Act enables.
	District-wide matters in particular earthworks, setbacks from water ways and sites and areas of cultural significance.	Retain the existing rules in the PDP for earthworks, setbacks from waterways and provisions relating to sites and areas of cultural significance.	Provisions relating to earthworks, setbacks from waterways and sites and areas of significance to Māori are retained without change. The district-wide matters are retained with only minor amendments to accommodate the statutory requirements of the Amendment Act.
	Impact of intensification of housing at Woodend and North Woodend (Ravenswood) on the future provision of infrastructure and services to Māori Reserve 873.	Requests Council provide written advice confirming that intensification of housing within Woodend and Ravenswood will not compromise or delay infrastructure or services to Māori Reserve 873.	Council expects the speed of intensification to be slow in these two locations; and accordingly there will not be a consequential impact on services, including future services for Māori Reserve 873.

## 4. STATUTORY AND POLICY CONTEXT

### 4.1 Resource Management Act 1991

Section 5 of the RMA sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources. In achieving this purpose, authorities need to recognise and provide for matters of national importance identified in Section 6, have particular regard to other matters listed in Section 7, and take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) under Section 8.

The bulk of provisions are directly within RMA itself and therefore have already been evaluated to the extent that they meet the purpose of the RMA when inserted through the Amendment Act.

#### 4.1.1 Section 6

The relevant Section 6 matters that could be impacted by MDRS development that would be enabled through this variation have been recognised and provided for through the assessment of qualifying matters below. In particular Section 6 matters that have been identified as qualifying matters include:

- Natural character of the District's waterways in urban areas (s6(a))
- Public access to and along the coastal marine area, lakes, and river's (s6(d))
- Protection of historic heritage (s6f)
- Significant risks from natural hazards (s6(g))

These section 6 matters have been recognised and provided for through the qualifying matters identified in Part B below.

#### 4.1.2 Section 7

The Section 7 matters of particular relevance to this variation include:

- The efficient use and development of natural and physical resources (s7(b))
- The maintenance and enhancement of amenity values (s7(c))
- Maintenance and enhancement of the quality of the environment (7(f))

While the MDRS provisions will enable efficient use and development within the urban environments of Kaiapoi, Rangiora, Woodend (including Ravenswood) and Pegasus, there will be a change to the quality of the environment and amenity values. This may result in a reduction of amenity values and environmental quality from what would be anticipated now by the Proposed District Plan. However, s77G of the RMA imposes a duty on specified territorial authorities (which included the Waimakariri District Council) to incorporate MDRS provisions to give effect to the NPS-UD.

#### 4.1.3 Section 8

Section 8 requires the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) to taken into account when managing the use, development and protection of natural and physical resources. As mentioned above, the bulk of the provisions within the variation are taken directly from the RMA, which itself needs to meet section 8.

### 4.2 Statutory Considerations

Given the direction from Ministry for the Environment Implementation Guidance to include the MDRS provisions in the PDP, the assessment of these higher order provisions has been tailored accordingly. The relevant national instruments are assessed in Table 6 below.

**Table 6 – Statutory Considerations**

Document	Relevant provisions	Assessment
<b>National Instruments</b>		
National Policy Statement on Urban Development 2022 (NPS-UD)	<p><b>Objective 1:</b> well-functioning urban environments</p> <p><b>Objective 2:</b> housing affordability</p> <p><b>Objective 3:</b> intensification in urban environments.</p> <p><b>Objective 4:</b> urban environments change over time</p> <p><b>Objective 5:</b> principles of the Treaty of Waitangi (Te Tiriti o Waitangi).</p> <p><b>Objective 6:</b> integrated decision making</p> <p><b>Objective 8:</b> greenhouse gas emissions and climate change.</p> <p><b>Policy 1:</b> well-functioning urban environments</p> <p><b>Policy 3:</b> building heights and densities in specified zones</p>	The proposed variations give effect to NPS-UD, and in particular Policy 3 as intensification of housing will be enabled by this variation.
National Planning Standards 2019	<p><b>4. District Plan Standard</b></p> <p><b>10. Format Standard</b></p>	The National planning standards were introduced in November 2019 with the purpose of improving the consistency of council plans and policy statements. All proposed variations have been drafted in accordance with the National Planning Standards, noting that the bulk and location provisions are specifically detailed with the RMA.

<b>Regional Policy Statements and Plans</b>		
Canterbury Regional Policy Statement (CRPS)	<p><b>Chapter 6, Objective 6.2.1(2)</b> Key Activity Centres as the focus for high quality development incorporating the principles of good urban design;</p> <p><b>Objective 6.2.2</b> urban form and settlement to provide sufficient land for rebuilding and recovery, with an urban form that achieves consolidation and intensification of urban areas.</p> <p><b>Objective 6.2.3</b> recovery and rebuilding provides quality living environments and a range of densities and uses, retains special amenity areas, historic heritage, and retains important Tangata whenua values.</p> <p><b>Objective 6.2.5</b> support and maintain key activity and other centres.</p> <p><b>Objective 6.2.6</b> business land development supports the urban form and settlement pattern and adopts appropriate urban design qualities.</p> <p><b>Policy 6.3.1</b> development within greater Christchurch.</p> <p><b>Policy 6.3.2</b> business, residential and public space to give effect to the principles of good urban design.</p> <p><b>Policy 6.3.6</b> business land development</p>	<p>The variation will give effect to the CRPS through enabling intensification of housing within the settlement pattern in Map A.</p> <p>Existing Urban areas will be intensified, supporting identified Key Activity centres.</p>
<b>Iwi Management Plans</b>		
Mahaanui Iwi Management Plan 2013 (IMP)	<p>5.4 PAPATŪĀNUKU</p> <p>URBAN AND TOWNSHIP PLANNING</p> <p><b>P3.1</b> To require that local government recognise and provide for the particular interest of Ngāi Tahu Papatipu Rūnanga in urban and township planning.</p>	<p>The Iwi Management Plan must be taken into account. The views and advice from Te Ngāi Tūāhuriri Rūnanga are detailed in Table 5 above. They wish to retain the provisions of the Special Purpose Māori Zone as notified in the Proposed District Plan and support</p>



	<b>P3.2</b> To ensure early, appropriate and effective involvement of Papatipu Rūnanga in the development and implementation of urban and township development plans and strategies	retention of earthworks, setbacks from waterways and provisions relating to sites and areas of cultural significance. The variations have taken this into account and are consistent with this advice.
<b><i>Plans and proposed plans of adjacent territorial authorities</i></b>		
Operative Christchurch District Plan  Operative and Proposed Selwyn District Plan	Not applicable.	Regard must be had to the extent to which the district plan needs to be consistent with the plans and proposed plans/variations of adjacent territorial authorities. Provisions have been discussed with SDC and CCC. It is understood that these s32 evaluations have also assessed effects on nationally significant infrastructure in a consistent manner.
<b><i>Any relevant management plans and strategies</i></b>		
Waimakariri District Development Strategy 'Our District, Our Future – Waimakariri 2048'	Vision: Our District – the very best of town and country.  2.4 'Our Growing Communities' Consolidated and integrated urban growth that provides housing choice'	This Strategy's Vision recognises not only the District's rural context and its importance to the District, but also the significant and growing townships that the majority of the District's residents call home. This variation aligns with the aim to consolidate and integrate urban growth that provides housing choice.
<b><i>Recovery and regeneration plans prepared under the Greater Christchurch Regeneration Act (GCRA):</i></b>		
Land Use Recovery Plan (LURP)	<b>4.1</b> Rebuilding communities including by providing for intensification  <b>4.2</b> Revitalising commercial centres	The Land Use Recovery Plan 2013 (LURP) is a statutory document prepared under the Canterbury Earthquake Recovery Act 2011 it took effect in December 2013. Its purpose is to provide for

	<p><b>4.3</b> Providing for business through the urban form framework contained in the RPS Chapter 6 Map A.</p>	<p>residential and business land use to support recovery and rebuilding to 2028.</p> <p>Two areas within the Greenfield Priority Area Map 1A for Rangiora are included within this variation. These are discussed in Section 9 of this report, but are subject to separate s32 evaluations.</p>
Waimakariri Residential Red Zone Recovery Plan (WRRZRP)	<p><b>Vision:</b> Creatively and cost-effectively returning regeneration areas to active use, towards ensuring that Kaiapoi, Kairaki, The Pines Beach and the wider district are economically and socially vibrant, resilient, rewarding and exciting places for residents and visitors, while celebrating the significant cultural values of iwi and the wider community.</p> <p><b>Goals:</b></p> <ol style="list-style-type: none"> <li>1. Returning the regeneration areas to active use in a timely, efficient and economic manner, reflecting the needs and aspirations of the Waimakariri community.</li> <li>2. Significantly enabling Kaiapoi's journey towards becoming a prosperous and innovative centre to live, work and play in.</li> <li>3. Providing a safe, inspiring and attractive environment for residents and visitors, of all ages and abilities, with public access to and opportunities for active sport and recreation, cultural, social and economic activities.</li> <li>4. Ensuring land use proposals are resilient and built for the future drawing on relevant, sound</li> </ol>	<p>The WRRZRP included five regeneration areas. Three of these are within the Kaiapoi urban area. They are West Kaiapoi, Kaiapoi South and Kaiapoi East. They each have areas identified for mixed use business, sports and recreation, and recreational and ecological land uses. The PDP has had regard to this and proposed Mixed Use Zone (MUZ) and Open Space Zones across these areas.</p> <p>PDP height limit for the MUZ is 15m and there is no building coverage standard, which are comparable to the adjacent Kaiapoi TCZ provisions. This enables a comparable MDRS development.</p> <p>The open space zones within the Regeneration Areas are not adjacent to NCZ, LCZ or TCZ, therefore do not trigger consideration under Policy 3 of the NPS-UD.</p>

	<p>assessment of and prudent response to the risks posed by natural hazards.</p> <p>5. Enabling opportunities to restore the natural environment to support biodiversity as well as economic prosperity.</p> <p>6. Recognising and enhancing Ngāi Tūāhuriri and Ngāi Tahu values, aspirations and the important cultural history of the area.</p>	<p>The provisions applying to the MUZ are consistent with the Waimakariri Residential Red Zone Recovery Plan. No further changes to the PDP are proposed by this variation.</p> <p>The variation has had regard to the WRRZRP.</p>
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# PART B

Assessment of topics has been grouped under four headings as follows:

1. General amendments to PDP as directed by Schedule 3A of the RMA
2. Matters assessed as not affecting density
3. Existing qualifying matters that will impact achievable density – no variation proposed (s77k)
4. Qualifying matters likely to impact achievable density – variation proposed (s77J)

Qualifying matters assessments have been provided in accordance with s77I, s77K and s77J of the RMA below for the relevant PDP topics. A 'fit for purpose' approach has been taken to the length and detail of each assessment and the corresponding s32 evaluations. The level of detail corresponds to the likely impact of each qualifying matter in achieving the MDRS. This approach taken to assessing qualifying matters has been described in Section 3.2 above.

In addition, new zoning that is being enabled within North East and South West Development Areas of Rangiora through this variation. This is discussed at Section 9 below and the corresponding s32 assessment have been referenced.

## 5. GENERAL AMENDMENTS TO PDP AS DIRECTED BY SCHEDULE 3A OF THE RMA

Section 77G directs the inclusion of objectives and policies (77G(5)) and MDRS provisions (s77G(1)) as set out in clause 6 of Schedule 3A. The variations that are proposed to the PDP provisions and planning maps to meet this direction are viewable within the ePlan. Provisions that have immediate legal effect are identified by the gavel symbol within the ePlan. A s80H Evaluation of how the Amendment Act (schedule 3A) provisions have been included in the PDP is enclosed at **Appendix 2**. Township maps showing the extent of the Medium Density Residential Zoning (MRZ) for Kaiapoi, Rangiora, Woodend (including North Woodend) and Pegasus are enclosed at **Appendix 3**.

Policy 3 of the NPS-UD enables building heights and densities of urban form commensurate with the level of commercial activity and community services within adjacent neighbourhood centre zones (NCZ), local centre zones (LCZ) and town centre zones (TCZ). The assessment of how the variation and PDP aligns with Policy 3 is enclosed in **Appendix 4**.

### ***Outline Development Plans***

The PDP contains a number of Outline Development Plans (ODPs) for both existing and new Development Areas. These relate to the development site and surrounding neighbourhood context by including high level guidance for the location of key subdivision and development matters such as; land use, movement network, open space, stormwater reserves, water and wastewater.

Each Outline Development Plan has been considered and, due to the high level nature of these, it has been concluded that generally the Outline Development Plans within the PDP will have no impact on the achievement of the anticipated density under the MDRS and NPS Policy 3. The exception to this is the South Belt ODP that includes a height limit of 10.5 metres within the key on the face of the ODP. As this Outline Development Plan's– South Belt has a height specified within the key, this is required to be removed to ensure consistency with the MDRS directions and this amendment is included in **Appendix 2**. No other ODPs require amendment.

## 6. MATTERS ASSESSED AS NOT AFFECTING DENSITY

There are a number of chapters in the PDP that will have no impact on the density anticipated by the MDRS and NPS-UD Policy 3. There are also other relevant topics that the Council has assessed but decided not to progress via qualifying matters. These are topics are:

### ***District Wide Matters:***

#### *Energy, infrastructure and transport*

- Major electricity distribution lines
- Transport – Transport Design Standards

#### *Hazards and risks*

- Hazardous substances
- Contaminated land

#### *Historic and Cultural*

- Sites and areas of significance to Maori

#### *Natural features and landscapes*

- Significant Natural Areas (SNA's) and Outstanding Natural Landscapes and Features (ONL's and ONF's)

#### *General District Wide matters*

- Coastal Environment
- Earthworks
- Light
- Noise
- Signs
- Temporary Activities
- Financial contributions

### ***Area Specific Matters:***

#### *Zones*

- Special Purpose Zones
- Residential character

#### *Designations*

The assessment of these topics is contained in **Appendix 5**.

It is important to note that the MDRS provisions introduced to the PDP through this variation do not 'over-ride' requirements for resource consents under other District-wide rules where these rules do not prevent the achievement of the MDRS density standards. A resource consent may still be required under the above identified district plan provisions. For example, it is likely that a resource consent to undertake earthworks to enable an MDRS development would be required. Similarly, a residential unit would need to meet the noise insulation requirements (Rule: NOISE- R16) if located within the setback from an arterial road, strategic road or rail designation.

## 7. EXISTING QUALIFYING MATTERS THAT WILL IMPACT ACHIEVABLE DENSITY – NO VARIATION PROPOSED (s77K)

As set out in Part A of this s32, there are a number of chapters in the PDP that are likely to have an impact on the density anticipated by the MDRS and NPS-UD Policy 3. Some of these do not require variations to the PDP to enable MDRS or height /density standards. These topics are:

### ***District Wide Matters:***

#### *Energy, infrastructure and transport*

- Transport – Strategic and Arterial Roads

#### *Historic and Cultural*

- Historic heritage
- Notable trees

#### *Natural environmental values*

- Natural character of freshwater bodies
- Public access

#### *General District-wide matters*

- Noise – Airport Noise

### ***Area Specific Matters***

- Zones
  - Open Space and Recreation Zones

Each of the above listed topics are evaluated in accordance with s77K below. As they have been identified as Qualifying Matters, under s77M(4)(a), the MDRS provisions will not have immediate legal effect within areas subject to these Qualifying Matters.

## 7.1 Energy, Infrastructure and Transport – Strategic and Arterial Roads

### 7.1.1 Introduction and background

The PDP contains a requirement for new buildings to be set back from all road boundaries by 2m, except on strategic and arterial roads where the required building setback is 6m. The PDP seeks to retain the 6m building setback from strategic and arterial roads, but remove the 2m building setback from all other roads.

### *Alternative process for existing qualifying matters (77K)*

#### 7.1.2 Identify by location where this QM applies (s77K(1)(a))

This qualifying matter would apply to properties in the GRZ and MRZ immediately adjoining strategic and arterial roads in Rangiora, Kaiapoi, Woodend (including Ravenswood). The location of strategic and arterial roads adjacent to the GRZ and MRZ in Rangiora, Kaiapoi, Woodend (including Ravenswood), are identified as the 'District Plan Road Hierarchy' on the PDP planning map.

#### 7.1.3 Specify the alternative density standards proposed (s77K(1)(b))

The PDP provisions are contained in built form standards GRZ-BFS5 and MRZ-BFS5.

#### 7.1.4 Identify the s32 report relied on (s77K(1)(c))

As no variation is proposed to the PDP in relation to Strategic and Arterial Roads this topic requires no further s32 assessment as setbacks from strategic and arterial roads has already been justified in the

s32 Residential report produced for the District Plan Review process. Refer to the original [s32 Residential report](#) as it is relied on in this instance.

7.1.5 Describe the level of development that would be prevented by accommodating the qualifying matter, compared with that permitted by the MDRS and policy 3 (s77K(1)(d))

Retaining the 6m setback is based on nationally-accepted standards<sup>2</sup> and is required to enable a safe and well-functioning environment.

While the 6m building setback from strategic and arterial roads will affect a number of properties in the GRZ and MRZ in Rangiora and Kaiapoi, Woodend (including Ravenswood), it is only those properties immediately adjoining these roads that will be affected, meaning that any new residential development on the vast majority of properties in the GRZ and MRZ will be unaffected by the setback. Therefore, the effect of the setback on density of development will be minor.

Specifically, the difference between the MDRS standards and the proposed setback is a 4 metre area across the width of a residential site. There is the potential for this to reduce density however this area is also potentially able to be included within the required site coverage of 50%.

## 7.2 Historic and Cultural – Historic heritage

### 7.2.2 Introduction and Background

The PDP contains 117 scheduled Historic Heritage items and their associated heritage settings are mapped (an area surrounding the heritage item that is integral to its function and meaning).

Historic Heritage is an important RMA s6 matter, and helps to contribute to the character of the District and provide a sense of place and understanding of local history. Each heritage item is assessed against archaeological, architectural, cultural, historic, scientific, and technological values to determine its significance. These are detailed in the Proposed District Plan s32 Historic Heritage Report, and associated Historic Heritage item assessments in Schedule 2 of the Historic Heritage Chapter of the PDP.

Intensification of sites with heritage items, or development within heritage settings can adversely affect those identified heritage values. The PDP contains provisions designed to recognise, protect and maintain heritage items, and include controls on relocation or demolition, and management of activities involving a heritage item or within its setting, including subdivision.

The historic heritage provisions in the PDP should be retained as a qualifying matter, so that heritage continues to be considered and appropriately managed when applying the medium density residential standards.

### *Alternative process for existing qualifying matters (77K)*

#### 7.2.3 Identify by location where this QM applies (s77K(1)(a))

There are 38 scheduled heritage items in the PDP that are located within zones affected by the medium density residential standards. The list of scheduled heritage items can be found in the **Appendix 6**.

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<sup>2</sup> <https://www.nzta.govt.nz/assets/resources/planning-policy-manual/docs/planning-policy-manual-appendix-4B-suggested-plan-policies-and-rules.pdf>

#### 7.2.4 Specify the alternative density standards proposed (s77K(1)(b))

Retention of the historic heritage provisions does not preclude development from occurring. No alternative density standards are proposed as these applications will be dealt with on a site by site basis through the resource consent process.

#### 7.2.5 Identify the s32 report relied on (s77K(1)(c))

As no variation is proposed to the PDP in relation to historic heritage this topic requires no further s32 assessment as historic heritage has already been justified in the s32 Historic Heritage report produced for the District Plan Review process. Refer to the original [s32 Historic Heritage report](#) as it is relied on in this instance.

#### 7.2.6 Describe the level of development that would be prevented by accommodating the qualifying matter, compared with that permitted by the MDRS and policy 3 (s77K(1)(d))

Accommodating historic heritage as a qualifying matter will limit the development potential of affected sites to the degree necessary to protect the heritage values of the scheduled item. Through the resource consent process, development proposals will be assessed on a site by site basis to determine the level of development and density, if any, that is appropriate. This will not have a significant impact on the provision of development capacity and will not impose any associated costs or broader impacts.

### 7.3 Historic and Cultural – Notable Trees

#### 7.3.2 Introduction and Background

The PDP contain scheduled notable trees, with 59 scheduled notable trees in the PDP. These are all on private land as trees on public land are managed under a separate process.

The listed trees are an important RMA s6 matter and their significance is identified in the Section 32 Notable Trees report as contributing to *“local context, local character and amenity values for the community”*. All trees listed in the PDP have been assessed against the Standard Tree Evaluation Method and have scored a combined 130 points or more, demonstrating their significance for protection as a notable tree.

Intensification of sites with scheduled notable trees could adversely affect those trees, such as through removal of the tree, pruning, or activities within the root protection area such as earthworks or impermeable surfaces. The PDP contains provisions to manage these activities so that the contribution of notable trees to the character and amenity of the District is not lost.

#### *Alternative process for existing qualifying matters (77K)*

#### 7.3.3 Identify by location where this QM applies (s77K(1)(a))

Only 6 out of the 59 listed notable trees are located in zones affected by the medium density residential standards. All but one are existing notable trees scheduled in the Operative District Plan. The newly listed tree in the PDP (TREE040) is located in a relevant residential zone and has been justified through the assessment process and in the Section 32 report. The list of the affected notable trees can be found in the **Appendix 7**.

#### 7.3.4 Specify the alternative density standards proposed (s77K(1)(b))

Retention of the notable tree provisions does not preclude development from occurring. No alternative density standards are proposed as these applications will be dealt with on a site by site basis.



#### 7.3.5 Identify the s32 report relied on (s77K(1)(c))

As no variation is proposed to the PDP in relation to notable trees this topic requires no further s32 assessment beyond what was prepared for the [s32 assessment](#) that was prepared for the Notable Trees topic. That s32 assessment is relied on in this instance for the PDP is relied on in this instance.

#### 7.3.6 Describe the level of development that would be prevented by accommodating the qualifying matter, compared with that permitted by the MDRS and policy 3 (s77K(1)(d))

Accommodating notable trees as a qualifying matter will limit the development potential of affected sites to the degree necessary to protect the notable tree. Through the resource consent process, development proposals will be assessed on a site by site basis and the appropriate density will be determined by the location and size of the notable tree on the site. However, as there are only 6 listed trees on relevant residential sites, including the notable tree provisions as qualifying matters will not have a significant impact on the provision of development capacity in the District.

## 7.4 Natural Environmental Values – Natural character of freshwater bodies

### 7.4.2 Introduction and Background

Section 6 of the RMA identifies the preservation of the natural character of freshwater bodies as a matter of national importance. The PDP contain objectives and policies to protect the natural character of freshwater bodies (NATC) and introduces specific rules.

The PDP contains three schedules of listed waterbodies in the Waimakariri District. The characteristics of natural character of freshwater bodies range from physical, biological, cultural and experiential features. Not all the freshwater bodies have been investigated and those investigated have only been for a limited number of attributes, such as high ecological values, cultural or spiritual values, or are close to their natural state. All natural freshwater bodies are important and even if they are not presently scheduled, it does not mean that they do not have natural character values.

The freshwater body beds and margins are areas where hydrological and fluvial processes occur, containing the best example of active freshwater landforms, landscapes and biophysical processes. The natural character setbacks vary from 5 metres to 50 metres and are reflective of the size and dynamic nature of the fluvial processes that occur. In residential areas, these setbacks are between 5m and 20m.

Residential intensification adjoining natural freshwater bodies can have a negative effect on water quality, biodiversity, landforms, landscapes, geological and morphological aspects and on fluvial processes resulting in loss of natural character attributes and values of the water body. The PDP contains provisions to manage activities within and adjoining freshwater bodies to protect these attributes and should be retained as a qualifying matter when applying the medium density residential standards.

### *Alternative process for existing qualifying matters (77K)*

#### 7.4.3 Identify by location where this QM applies (s77K(1)(a))

The scheduled water bodies in NATC-SCHED1 and NATC-SCHED2 in the PDP list water bodies that flow through parts of Kaiapoi and a small section of the North East Rangiora development area. The scheduled water bodies can be viewed in the Natural Character of Freshwater Bodies Chapter and on the planning maps.

#### 7.4.4 Specify the alternative density standards proposed (s77K(1)(b))

The PDP protects the natural character of freshwater bodies in the Waimakariri District through managing activities within and adjacent to the scheduled water bodies. Development within these setbacks is prevented, however, this does not preclude development on the balance of the affected sites. This may mean the difference between building two units rather than three units on the site in order to accommodate the NATC setback provisions. No alternative density standards are proposed.

#### 7.4.5 Identify the s32 report relied on (s77K(1)(c))

As no variation is proposed in relation to the PDP for NATC, this topic requires no further s32 assessment as NATC provisions have already been justified in the [s32 Natural Character of Freshwater Bodies report](#) produced for the District Plan Review process. Refer to the original s32 Natural Character of Freshwater Bodies report as it is relied on in this instance.

#### 7.4.6 Describe the level of development that would be prevented by accommodating the qualifying matter, compared with that permitted by the MDRS and policy 3 (s77K(1)(d))

For residential sites, a setback of up to 20 metres from a freshwater body is a significant area of the property and may limit the intensification potential of affected sites. However, the natural hazards qualifying matter for flooding applies in Kaiapoi across a number of the sites potentially affected by the NATC setback which will exempt those affected sites from the MDRS entirely. It is considered appropriate to retain the provisions in the PDP to protect the natural character of freshwater bodies from inappropriate residential intensification, as well as to protect intensified housing development from flooding risk, further justified elsewhere in this section 32 report. Retaining these provisions will not have a significant impact on the provision of development capacity in the District.

## 7.5 Natural Environmental Values – Public access

### 7.5.2 Introduction and Background

The maintenance and enhancement of public access to and along the Coastal Marine Area (CMA) and rivers and lakes is recognised as a matter of national importance under Section 6(d) of the RMA. Public access is also a key requirement of the New Zealand Coastal Policy Statement 2010 (NZCPS). Public access is recognised as contributing to wellbeing through recreation opportunities.

Public access is facilitated by the PDP through:

- The creation of an esplanade strip or esplanade reserve applied on private land through subdivision consent, especially where there is an opportunity to create, or add to a network for public access; and
- Access corridors or land access mechanisms, often associated with land owned by the Crown, the Regional Council, within Open Space and Recreation Zones, or land use or development related to an Outline Development Plan.

Esplanade reserves or strips must have a minimum width of 20 metres where any allotment created by subdivision adjoins or is crossed by a scheduled water body, or adjoins the CMA. The scheduled water bodies are located in Table 33.1 in Chapter 33 of the Operative District Plan and are also listed in the Subdivision Chapter of the PDP.

Esplanades are used for open space thus the rules requiring them are a qualifying matter under s77I(f) 'open space provided for public use, but only in relation to land that is open space'.

### *Alternative process for existing qualifying matters (77K)*

#### 7.5.3 Identify by location where this QM applies (s77K(1)(a))

Of the waterbodies identified in the PDP as requiring 20 metre esplanade reserves or strips, a number are located within urban areas affected by the MDRS. These are the Cam River, Courtenay Stream, Silverstream, Middle Brook, North Brook, and South Brook.

#### 7.5.4 Specify the alternative density standards proposed (s77K(1)(b))

Development is precluded within esplanade reserves or strips as they are intended for public open space. Therefore this variation does not propose any amendments to public access requirements in relation to esplanade reserves and strips, and no alternative density standards are proposed. If a development involves subdivision, this triggers the esplanade reserve or strip requirements.

#### 7.5.5 Identify the s32 report relied on (s77K(1)(c))

As no variation is proposed in relation to esplanade reserves or strips, no further s32 assessment is required as esplanades have already been justified in the s32 Public Access report produced for the District Plan Review process. Refer to the original [s32 Public Access report](#) for the original assessment as it is relied on in this instance.

#### 7.5.6 Describe the level of development that would be prevented by accommodating the qualifying matter, compared with that permitted by the MDRS and policy 3 (s77K(1)(d))

The requirement for esplanade reserves or strips for public access could have an impact on the level of density enabled on a site, if the development requires subdivision and adjoins a scheduled waterway. This therefore reduces the developable area and potentially the residential yield of a property.

There are no rules precluding development within a future esplanade reserve or strip if subdivision is not required (e.g. housing could technically be constructed within the 20 metre setback if subdivision is not required).

While these requirements will only affect a relatively small number of properties that adjoin scheduled waterways (listed in Table 33.1), and is only triggered during subdivision, the 20 metre setback is relatively large for a standard residential property, so affected properties will have a relatively significant reduction in residential yield. This will have a broader impact on development capacity within the District, however, waterway setback are an s6 matter.

## 7.6 Noise – Noise Control for Christchurch International Airport Limited

### 7.6.2 Introduction and background

Christchurch International Airport Limited (CIAL) operates the international airport located to the west of Christchurch City, separated by State Highway 1. The airport operates a 24 hour service with approximately 72,000 passenger aircraft movements per year involving domestic and international flights. Projected flights are expected to increase up to 110,000 by 2038 and 177,000 passenger aircraft movements by 2058.

The PDP does not control housing development as a result of noise from aircraft, however in certain circumstances aircraft noise contours are used to control land use where they may be subject to noise from aircraft using Christchurch International Airport. Land use activity controls within Residential Zones minimise the adverse effects of night time noise as noise can have adverse health effects and disturb peoples sleep. Noise from traffic on strategic roads can also adversely affect the residential

amenity of people living nearby. Acoustic design for residential development can be required to ensure noise levels within residential units meet acceptable noise guideline levels.

The existing contour was developed in 2008 and is intended to be remodelled every 10 years. CIAL and their consultants have undertaken the review and are now proposing new contours. The new contours take into account the change in flight paths that are presently operating for most aircraft departing from the airport to the north, including domestic travel, freight and international travel.

Due to the large volume of background material, a separate s32 report has been prepared in relation to this topic. It covers both the operative noise contour and a new noise contour (AAOCB) as presented by the CIAL. Please read that report in conjunction with this assessment.

### *Alternative process for existing qualifying matters (77K)*

#### *7.6.3 Identify by location where this QM applies (s77K(1)(a))*

The area is identified within the PDP planning maps as 'Qualifying Matter Airport Noise' overlay. The overlay is a combination of to the operative noise contour as shown in the PDP and an alternative noise contour that CIAL are seeking to protect. This approach is discussed in detail in the Airport Noise Control s32.

Figure 1 below shows the area that Qualifying Matter Airport Noise related to. This area covers the middle and southern part of Kaiapoi, being approximately 4150 residential properties.

#### *7.6.4 Specify the alternative density standards proposed (s77K(1)(b))*

The MRDS standards allow permitted development of three dwellings per lot as long as they do not exceed 50% site coverage, up to 11m (plus 1m for pitched roof) in height and 1m from side and rear boundaries. Under the new noise contour, these standards will be retained and only site density will be affected, limiting density to one dwelling per 200m<sup>2</sup> or 500m<sup>2</sup> as specified in the PDP<sup>3</sup>. Adopting the new noise contour will reduce the potential for reverse sensitivity effects on the CIAL.

#### *7.6.5 Identify the s32 report relied on (s77K(1)(c))*

A separate s32 report has been prepared in relation to this topic. That section 32 report covers both the operative noise contour and the new noise contour (AAOCB) as presented by the CIAL. It mainly focuses on the urban zoned land (residential, commercial and industrial) within Kaiapoi. The CIAL provided a section 32 that covers the entire AAOCB area, including both rural and urban land. However, this qualifying matter assessment related to urban land only.

#### *7.6.6 Describe the level of development that would be prevented by accommodating the qualifying matter, compared with that permitted by the MDRS and policy 3 (s77K(1)(d))*

While some urban intensification is allowed under the PDP, the MDRS provisions will not apply to that area beneath the operative airport noise contour. The proposed Medium Density Residential zoning in the PDP will allow for subdivision down to 200m<sup>2</sup> and enable a residential unit to be constructed on site as a permitted activity. This type of development is envisaged as complying with the intent of the Canterbury Regional Policy Statement, enabling development within Kaiapoi post Canterbury Earthquakes. Built form standards provisions for building up to 12m height with setbacks of 2m from the road boundary and 1m from side boundaries. These are similar to those proposed within the MDRS, but provide some constraint around density.

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<sup>3</sup> Subdivision Standard: SUB-S1 Allotment size and dimensions





## 7.7 Zones – Open Space and Recreation Zones

### 7.7.2 Introduction and background

The use of areas for open space purposes is identified as a qualifying matter under RMA s77O(f).

The PDP contains provisions relating to Open Space and Recreation Zones (OSRZ) which collectively refers to three zones; Natural Open Space Zone, Open Space Zone, and Sport and Active Recreation Zone. Throughout this qualifying matters assessment, OSRZ is used to refer to these zones.

Public open spaces contribute to well-functioning urban environments, anticipated by the NPS-UD and implemented by the MDRS, and are required to support increased density as intensification usually reduces private outdoor spaces. These areas are intended to be retained for public use and excluded from development for higher density commercial or residential purposes. Approximately half of the zoned OSRZ are administered under the Reserves Act 1977, and urban density development would be contrary to the purposes for which these sites were reserved. It is therefore appropriate to retain the OSRZ provisions to protect the valuable contribution of these public spaces to the community.

### *Alternative process for existing qualifying matters (77K)*

#### 7.7.3 Identify by location where this QM applies (s77K(1)(a))

Policy 3 of the NPS-UD only applies to the OSRZ where located adjacent to the Town Centre Zone, Neighbourhood Centre Zone and Local Centre Zone in Rangiora, and Kaiapoi (including Woodend and Pegasus). Maps of the affected properties have been included in **Appendix 8**. The properties are identified by a light blue boarder.

#### 7.7.4 Specify the alternative density standards proposed (s77K(1)(b))

There are no alternative density standards proposed for the OSRZ as these spaces have been identified to be retained as public open space for the benefit of the whole community, and residential development is precluded.

#### 7.7.5 Identify the s32 report relied on (s77K(1)(c))

As no variation is proposed to the PDP in relation to OSRZ this topic requires no further s32 assessment as OSRZ have already been justified in the s32 Open Space and Recreation Zones report produced for the District Plan Review process. Refer to the original [s32 Open Space and Recreation Zones report](#) as it is relied on in this instance.

#### 7.7.6 Describe the level of development that would be prevented by accommodating the qualifying matter, compared with that permitted by the MDRS and policy 3 (s77K(1)(d))

Accommodating the OSRZ as a qualifying matter will prevent residential development in these public spaces. The impacts of preventing development in these spaces will not affect development capacity in the District as these areas have already been excluded from the areas identified as suitable for commercial or residential development in the Council's development capacity assessments. Residential development of these spaces would be contrary to their intended use and the Reserves Act status of the identified locations where applicable. Higher onsite density also relies on the provision of public amenities such as open space to achieve a well-functioning urban environment. It is therefore considered appropriate to accommodate this qualifying matter to prevent the inappropriate development of public open spaces.

## 8. QUALIFYING MATTERS LIKELY TO IMPACT ACHIEVABLE DENSITY – VARIATION PROPOSED (s77J)

As previously noted, this s32 responds to the Government's direction. For the variations to the PDP proposed under the NPS-UD and the Amendment Act, the purpose of this evaluation report is not to assess the costs and broader impacts of the proposed changes themselves and the objectives and policies of the NPS-UD, which have already been determined, but rather those matters where the Council has options or alternatives for how best to address the issues. It also identifies the qualifying matters the Council is proposing to use for where alternative density standards are proposed, together with the required assessment under the Amendment Act.

As set out in Part A of this s32, there are a number of chapters in the PDP that are likely to have an impact on the density anticipated by the MDRS and NPS-UD Policy 3. The topics listed below require variations to the PDP to enable MDRS or height /density standards. These topics are:

### ***District Wide Matters:***

#### ***Energy, infrastructure and transport***

- Energy and Infrastructure – National Grid transmission lines
- Transport – Rail corridors

#### ***Hazards and risks***

- Natural Hazards (Qualifying matter natural hazards)

As these topics have been identified as Qualifying Matters, under s77M(4)(a) the MDRS provisions will not have immediate legal effect within areas subject to these Qualifying Matters.

## 8.1 Energy, Infrastructure and Transport – Energy and Infrastructure – National Grid Transmission Lines

### 8.1.1 Introduction and background

The proposed variations relate to setbacks required from the National Grid transmission lines where these lie adjacent to the urban area in north-west Rangiora.

### *Qualifying matters assessment (s77J) for Energy and Infrastructure - National grid transmission lines*

#### 8.1.1.1 Area where the qualifying matter applies

Enclosed at **Appendix 9** is a plan showing the properties immediately adjacent to the National Grid transmission lines in part of the GRZ in north-west Rangiora that would be affected.

#### 8.1.1.2 Why the area is subject to a qualifying matter (77J(3)(a)(i))

The Operative District Plan contains a requirement for structures to be set back by up to 39m from National Grid transmission lines (Table 31.1). This setback forms part of the 'National Grid Subdivision Corridor' (NGSC). Any new residential development adjacent to these transmission lines will need to comply with the setback, otherwise resource consent would be required.

The PDP contains a requirement for activities and structures to be set back by up to 12m from National Grid transmission lines (rules EI-51, EI-52, EI-53). This setback forms part of the National Grid Yard.

The NGSC was not included in the PDP as notified, only the National Grid Yard. However, additional information has been provided by Transpower regarding the NGSC and consistency with the rest of

the National Grid throughout country, and why it is needed to give effect to the NPSET, NESETA and RPS.

A precautionary approach has been taken by including the 39m setback within this Variation as 'Qualifying Matter – National Grid Subdivision Corridor'. This means MDRS development will not have immediate legal effect within the 39m setback in the Medium Density Residential Zone. This qualifying matter will need to be considered together with submissions to the PDP and any relevant submissions on this Variation.

#### 8.1.1.3 Why the qualifying matter is incompatible with the level of development provided for by Policy 3 (s77J(3)(a)(ii))

Providing for the NGSC is necessary to give effect to the NPSET, NESETA and RPS to ensure:

- the National Grid is able to be safely, effectively and efficiently operated, maintained, upgraded and developed to provide a reliable, safe and secure supply of electricity to Waimakariri and beyond; and
- the adverse effects of development in proximity to the National Grid, including potential adverse health effects, are appropriately managed and are reduced, minimised or avoided.

#### 8.1.1.4 The impact on development capacity from applying the qualifying matter (s77J(3)(b))

Enclosed at **Appendix 9** is a plan showing the properties immediately adjacent to the National Grid transmission lines in part of the Medium Density Residential Zone in north-west Rangiora (zoned General Residential Zone in PDP) that would be affected by such a 39 metre setback. GIS analysis indicates a 39 metre setback would affect 52 properties. The average lot size of the affected properties is approximately 1039m<sup>2</sup>. The plan shows that with a 39 metre setback the affected properties would have no capacity for residential intensification. However, the vast majority of the remainder of the zone in this part of Rangiora would not be affected by the setback. In this context the effect of this qualifying matter on potential for residential intensification in Rangiora is minor.

#### 8.1.1.5 Costs and broader impacts of imposing these limits (s77J(3)(c))

As identified above, there are 52 properties with no capacity for residential intensification that are impacted by this qualifying matter. However, the remainder no other areas in Rangiora, Kaiapoi, Woodend, North Woodend (Ravenswood) or Pegasus are affected by this qualifying matter. Therefore the costs and broader impacts of imposing this qualifying matter on housing intensification are insignificant.

#### 8.1.1.6 Proposed Variations and how they enable MDRS Developments (s77(4))

It is proposed to amend Subdivision rule SUB-R6 to include a new clause 'Qualifying Matter - national grid subdivisions corridor', add a definition for 'National Grid Subdivision Corridor' to the Interpretation chapter, and a new layer in the planning maps 'Qualifying Matter - national grid subdivisions corridor' to clearly identify where it applies. The effect of the NGSC setback on potential for residential intensification is minor.

## 8.2 Energy, Infrastructure and Transport – Transport – Rail corridors

### 8.2.1 Introduction and background

The rail corridor in Waimakariri District is designated for rail purposes by KiwiRail Holdings Ltd (KiwiRail/KRH). There are 23 designations listed in the PDP for KRH – KiwiRail Holdings Limited. They are identified on the planning maps.



## *Qualifying matters assessment (s77J) for Transport – Rail Corridors*

### 8.2.2 Area where the qualifying matter applies

In the PDP there are rail designations adjacent to parts of the Town Centre Zone (TCZ) in Rangiora (designation numbers KRH-12 and KRH-13) and Kaiapoi (designation numbers KRH-3 and KRH-4). These designations are existing and confirmed and have been rolled over from the Operative District Plan into the PDP. Enclosed at **Appendix 10** are two plans showing the properties immediately adjacent to the rail corridor in part of the TCZ in Rangiora and Kaiapoi.

In the Operative District Plan, under Rule 31.1.1.23 structures on sites adjacent to the boundary of a rail corridor must comply with the height in relation to boundary setback requirement (recession plane) in Appendix 31.1 Figure 31.6.

In the PDP the provisions for the TCZ contain a setback for buildings from a boundary with the rail corridor of 4 metres (built form standard TCZ-BFS8).

The Transport Chapter of the PDP also contains specifications for approach and re-start sight triangles for road/rail level crossings (TRAN-APP7).

It is not proposed to retain the height in relation to boundary setback in the ODP, but it is proposed to retain the 4 metre building setback from a rail boundary, and the approach and re-start sight triangles for road/rail level crossings, in the PDP.

Information has been received from KiwiRail regarding the proposed building setback of 4 metre building, stating that a 5 metre building setback will better achieve the safety, building maintenance and amenity benefits outlined above.

As for the National Grid transmission lines above, a precautionary approach has been taken by including the 5 metre setback within this Variation. Including it means that MDRS development will not have immediate legal effect within the 5 metre setback. This qualifying matter will need to be considered together with submissions to the PDP and any relevant submissions on this Variation.

### 8.2.3 Why the area is subject to a qualifying matter (77J(3)(a)(i))

The building setback from a rail boundary and road/rail level crossing sight triangles could potentially affect density of development on adjacent sites. However, the setback and sight triangles are required for safety, building maintenance and amenity reasons.

The sight triangles are essentially 'clear zones' for activities, structures and vegetation adjacent to road/rail level crossings and are necessary to ensure unimpeded sight lines for the safe use of the level crossings.

With regards the building setback from a rail boundary, the ability to access and maintain structures adjacent to the rail corridor without requiring access to rail land is important in providing for vehicular access to the backs of buildings (e.g. a cherry picker) and allowing for scaffolding to be erected safely. This in turn fosters visual amenity, as lineside properties can be regularly maintained. It provides for the unhindered operation of buildings, including higher rise structures and for the safer use of outdoor deck areas at height.

#### 8.2.4 Why the qualifying matter is incompatible with the level of development provided for by Policy 3 (s77J(3)(a)(ii))

These setback and sight triangle requirements are based on nationally-accepted standards<sup>4</sup> and are required to enable a safe and well-functioning environment.

#### 8.2.5 The impact on development capacity from applying the qualifying matter (s77J(3)(b))

Enclosed at **Appendix 10** are two plans showing the properties immediately adjacent to the rail corridor in part of the TCZ in Rangiora and Kaiapoi that would be affected by a 5 metre building setback. GIS analysis indicates such a 5m setback would affect 20 properties adjoining the rail boundary in the TCZ in Rangiora with an average lot size of approximately 2999m<sup>2</sup>, and would affect 10 properties adjoining the rail boundary in the TCZ in Kaiapoi with an average lot size of approximately 2197m<sup>2</sup>. As can be seen the extent of the 5 metre setback on the affected properties is minor and the setback still allows for potential new residential development on these properties. The vast majority of the remainder of the TCZ in these parts of Rangiora and Kaiapoi would not be affected by the setback.

#### 8.2.6 Costs and broader impacts of imposing these limits (s77J(3)(c))

The extent of the 5m setback on the affected properties is minor and the setback still allows for potential new residential development on these properties. The vast majority of the remainder of the TCZ in these parts of Rangiora and Kaiapoi would not be affected by the setback.

#### 8.2.7 Proposed Variations and how they enable MDRS Developments (s77(4))

It is proposed to retain the approach and re-start sight triangles for road/rail level crossings in Transport appendix TRAN-APP7. It is proposed to amend built form standard TCZ-BFS8 by increasing the setback for buildings from a boundary with the rail corridor from 4 metres to 5 metres.

The extent of the 5 metre setback on the affected properties is minor and the setback still allows for potential new residential development on these properties. The vast majority of the remainder of the TCZ in these parts of Rangiora and Kaiapoi would not be affected by the setback.

### 8.3 Hazards and risks – Natural Hazards (Qualifying matter natural hazards)

#### 8.3.1 Introduction and background

Parts of the District are subject to various natural hazards, the most significant of these affecting urban areas is fresh water flooding (from localised rainfall events and river breakouts), sea water inundation, and land deformation as a result of earthquakes (e.g. liquefaction). Increased development density in areas subject to significant natural hazards can put more people and property 'in harm's way', increasing risk. In addition, increased building and site coverage can result in increased stormwater runoff (from increased impervious surfaces) and displacement of floodwaters. These factors can overwhelm the design capacity of existing stormwater infrastructure and exacerbate flooding risk.

The s32 assessment for natural hazards is enclosed at **Appendix 11**.

#### *Qualifying matters assessment (s77J) for Natural Hazards (Qualifying matter natural hazards)*

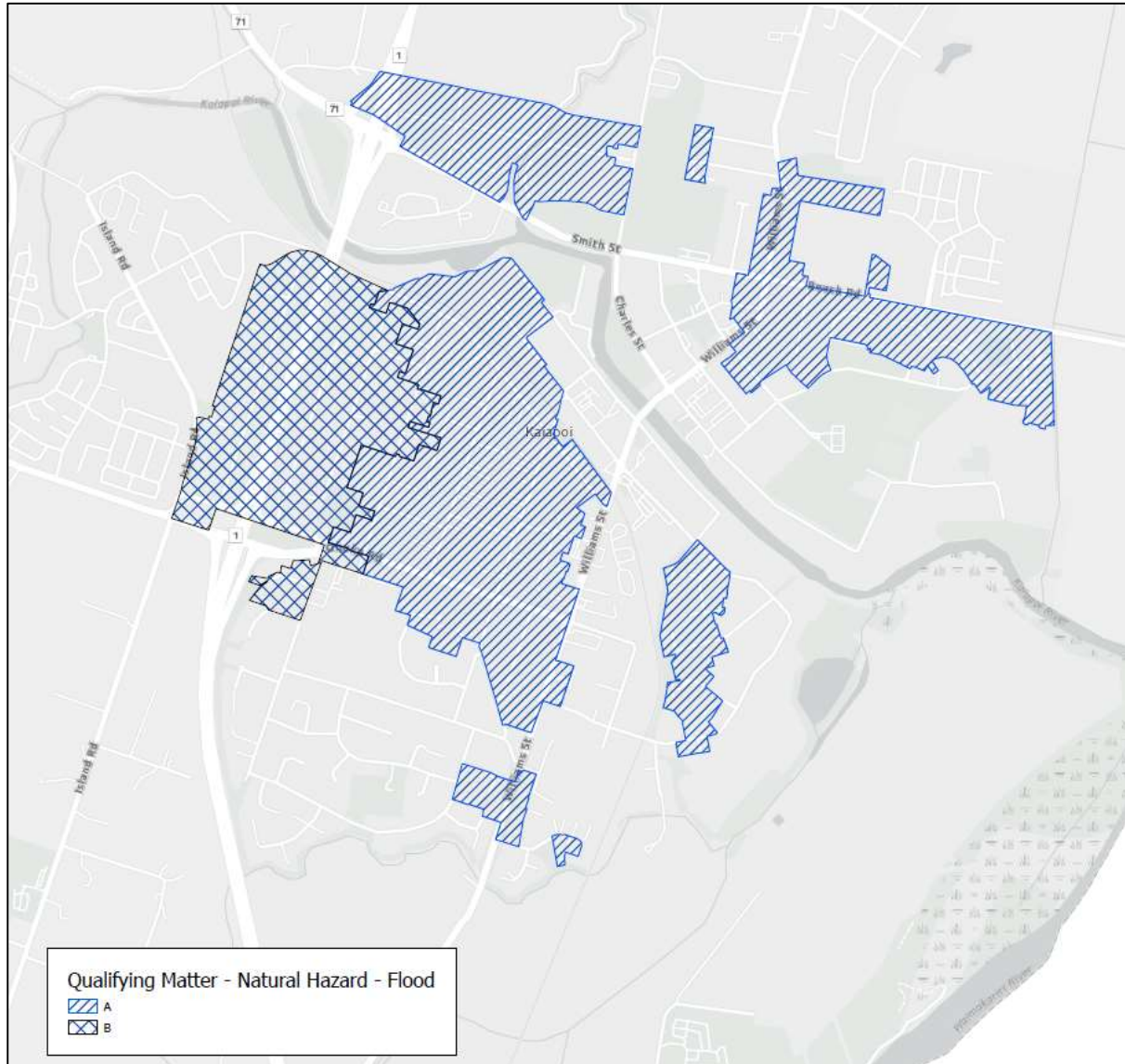
#### 8.3.2 Area where the qualifying matter applies

It is considered necessary to exclude some parts of Kaiapoi where it considered the flood risk is too significant to allow for further intensification without subjecting the development to a typical

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<sup>4</sup> <https://www.nzta.govt.nz/resources/traffic-control-devices-manual/part-09-level-crossings/>

consenting process. The proposed MDRS exclusion zones are shown in Figure 2 below. As can be seen, this area has been split into Area A and Area B. These areas relate to development density as proposed in Table SUB-1. A development density of 200m<sup>2</sup> is proposed for Area A and 500m<sup>2</sup> for Area B. Areas A and B are identified within the new 'Qualifying Matter Natural Hazards' Layer for the planning maps proposed within this Variation.



**Figure 2: Qualifying Matter Natural Hazards (MDRS exclusion)**

### 8.3.3 Why the area is subject to a qualifying matter (77J(3)(a)(i))

Due to the low lying nature of the Kaiapoi township there are parts of the town that have significant flood risk and allowing greater intensification in these areas has the potential to increase the overall risk to people and property from flooding. This is identified in the Network Planning memo enclosed at **Appendix 1**.

The PDP includes various rules on buildings and activities proposed in flood risk locations, seeking to avoid or mitigate flood risk. Generally the PDP approach is to mitigate flood risk, including high flood hazard areas, in existing urban areas, through minimum floor levels.

#### 8.3.4 Why the qualifying matter is incompatible with the level of development provided for by Policy 3 (s77J(3)(a)(ii))

As identified in the s32 assessment in **Appendix 11**, developing houses on sites subject to high flood risk without minimum site sizes puts significantly more assets at risk and contributes significantly more flood water displacement.

Furthermore, the Network Planning memo enclosed at **Appendix 1** identifies that the MDRS exclusion areas proposed largely coincide with those areas of Kaiapoi where the Council has significant capacity constraints in both the wastewater and drainage networks. The low lying nature of these areas are not only conducive to flooding but they also feature high groundwater levels that are conducive to inflow and infiltration that impacts the performance of the wastewater network. The low lying nature of the land also results in a drainage network that relies heavily on mechanical pumping with limited redundancy to provide protection for people and property in major flood events.

Therefore, it is considered inappropriate to apply the MDRS provisions in areas that are subject to significant flooding and sea water inundation.

#### 8.3.5 The impact on development capacity from applying the qualifying matter (s77J(3)(b))

This qualifying matter maintains the PDP development potential. Increased development capacity is provided through rezoning residential areas in Kaiapoi MRZ in the PDP, rather than GRZ. Density is 1 unit per 500m<sup>2</sup> in GRZ and 1 unit per 200m<sup>2</sup> in MRZ. This provided opportunities for Kaiapoi to grow and evolve, recognising the benefits of intensification and also that Kaiapoi is constrained by significant natural hazard risk.

This will not enable the density of the MDRS. However, as set out in the Natural Hazards s32 for the PDP, the PDP is considered the best option to respond to the identified natural hazards and the higher order planning framework (including the NPS-UD before the Amendment Act Policy 3 changes).

#### 8.3.6 Costs and broader impacts of imposing these limits (s77J(3)(c))

The proposed approach will impose additional costs on some in the Kaiapoi community as some sites will not be able to be developed to the extent envisaged by the MDRS. In addition, developments will need to incorporate mitigation measures to ensure that the impacts from natural hazards are reduced to an acceptable level.

However, this needs to be considered in relation to the risk to life and property that can arise from undertaking development within areas susceptible to natural hazards. Development which does not take into account the natural hazard risk has the potential to have significant health and safety impacts and well as economic costs from the resulting damage. Overall, it is considered that the costs of the proposed approach on the community are justifiable, although some properties will be more impacted than others.

Land use planning and subdivision decisions are one of the methods that councils have available to manage the risks associated with natural hazards and it is a fundamental consideration under the RMA. As such, the proposed approach can be realistically achieved within Council's power, skills and resources.

#### 8.3.7 Proposed Variations and how they enable MDRS Developments (s77(4))

The proposed approach is to apply the zone provisions in the PDP as notified in the area affected by high flood hazard and sea water inundation, rather than the MDRS provisions. This area is identified

on the PDP District Planning Maps as the 'Qualifying Matter Natural Hazards' layer. This layer covers areas within Kaiapoi as identified in Figure 1 above.

The MDRS apply in the balance of Kaiapoi and the District and thereby provide significant opportunities for growth and economic development.

It is considered that the preferred approach provides a more balanced response to the competing aims of appropriately managing natural hazard risk while providing opportunities for Kaiapoi to grow and evolve, including through intensification as sought through the Amendment Act and NPS-UD Policy 3.

## 9. NEW ZONING ENABLED THROUGH THIS VARIATION

Variation 1 is seeking to rezone 86ha of land within the North East (65ha) and South West Development (21ha) area from the proposed Development Area to Medium Density Residential Zone (MRZ). This will provide for additional greenfield land in Rangiora available for immediate residential development.

The proposed rezoning will provide for residential housing in accordance with the proposed Medium Density Residential Zone and the new MDRS provisions. The proposed MRZ provides for a minimum net site area of 200m<sup>2</sup>.

The rezoning of areas of land within the two proposed areas would enable approximately 1000 future allotments. 800 allotments will be in North East and 200 within South West Development areas of Rangiora.

The residential re-zonings proposed align with the North East Rangiora ODP and the South West Rangiora ODP. This will ensure a well-functioning urban environment is achieved when the sites are developed.

A s32 assessment has been undertaken in a separate document for both the North East and South West development areas. Please refer to Section 32 Report - Variation 1 – Residential Intensification (rezoning land) for the full assessments.

## 10. SCALE AND SIGNIFICANCE EVALUATION

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

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

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

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

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

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

- (a) Are of regional or district wide significance;
- (b) Involve a matter of national importance in terms of Section 6 of the RMA;
- (c) Involve another matter under Section 7 of the RMA;
- (d) Raise any principles of the Treaty of Waitangi (Te Tiriti o Waitangi) under Section 8 of the RMA;
- (e) Address an existing or new resource management issue;
- (f) Adversely affect people's health and safety;
- (g) Adversely affect those with particular interests including Maori;
- (h) Adversely affect a large number of people;
- (i) Result in a significant change to the character and amenity of local communities;
- (j) Result in a significant change to development opportunities or land use options;
- (k) Limit options for future generations to remedy effects;
- (l) Whether the effects have been considered implicitly or explicitly by higher order documents;  
and
- (m) Include regulations or other interventions that will impose significant costs on individuals or communities.

Policies and methods have been evaluated as a package, as together they address a particular issue and seek to meet a specific objective.

## 10.1 Evaluation of Scale and Significance

**Table 7 - Evaluation of Scale and Significance**

	Low	Medium	High
<b>Degree of change from the Proposed Plan</b>		✓	
The urban areas within scope are as per the MDRS and NPS-UD Policy 3. The degree of change from the PDP is medium, however, as these are mandatory changes these matters are not relevant.			
<b>Effects on matters of national importance</b>	✓		
<p>The following matters of national importance have been recognised and provided for by this variation through identifying qualifying matters to manage MDRS development:</p> <ul style="list-style-type: none"> <li>• Natural character of the Districts waterways in urban areas (s6(a))</li> <li>• Public access to and along the coastal marine area, lakes, and river's (s6(d))</li> <li>• Protection of historic heritage (s6f)</li> <li>• Significant risks from Natural Hazards (s6(g))</li> </ul> <p>The degree of change and scale produce a low scale and significance result as these matters have been recognised and provided for.</p>			
<b>Scale of effects geographically</b>		✓	
The scale of effects associated with this variation are important at a local and regional level. In particular, the provision of residential land and potential for intensification is important for both affordable housing and keeping an adequate supply of land for residential development.			
<b>Scale of effects on people</b>	✓		
The effects of the proposed provisions will generally be felt at a local level, enabling MDRS development in residential neighbourhoods, TCZ, NCZ and LCZ within Rangiora, Kaiapoi, Woodend, Ravenswood and Pegasus. The provisions will have a minor impact across the Greater Christchurch area in terms of supply for the general housing market.			
<b>Scale of effects on those with specific interests, e.g., Mana Whenua, industry groups</b>		✓	
The proposed provisions are most likely to affect local community groups, such as churches, clubs and other community facility service providers, as well as other service providers including emergency services and Kainga Ora. The provisions will also affect developers as a group to a moderate extent, given that both density and built form standards will provide a framework for delivery for residential investment activity.			
<b>Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice? Is it consistent, inconsistent or contrary to those?</b>	✓		
The degree of policy risk is considered to be low as the proposed provisions are directed by the RMA and will give effect to the National Policy Statement on Urban Development. Further, the use of qualifying matters has been provided for under the RMA through the Amendment Act and the appropriate evaluations have been undertaken.			
<b>Likelihood of increased costs or restrictions on individuals, communities or businesses</b>	✓		
The proposed provisions will result to changes to urban form, and include restrictions on how residential housing will be designed. However, all proposed amendments are within scope are as per the RMA, MDRS and NPS-UD Policy 3. The degree of change from the PDP is high, however, the proposed variations are mandatory changes.			
<p><b>Summary - Scale and Significance</b></p> <p>The degree of change from the PDP is medium, however, the proposed variations are mandatory changes. The mandatory Amendment Act directives are deemed to be in accordance with Part 2 of the RMA.</p>			



## 11. EVALUATION OF PROPOSED OBJECTIVES

Section 32(1)(a) of the RMA requires the District Council to evaluate the extent to which the objectives are the most appropriate way to achieve the purpose of the RMA. The level of detail undertaken for the evaluation of the proposed objectives has been determined by the preceding scale and significance assessment. Below is a summary of the proposed objectives that have been identified as the most appropriate to address the resource management issue(s) and achieve the purpose of the RMA, against those objectives in the operative plan.

### 11.1 Evaluation of Proposed Objectives

**Table 8 – Evaluation of Proposed Objectives**

Existing Objective/s (status quo)	Appropriateness to achieve the purpose of the Resource Management Act 1991
MRZ-O1 Provision of medium density housing A higher density suburban residential zone located close to amenities with a range of housing typologies providing for predominantly residential use.	Relevance: This objective is relevant to the provision of medium density housing, however, it does not provide the outcomes as prescribed by Schedule 3A clause 6 (1).
	Reasonableness: The objective is reasonable, however it does not provide the outcomes as prescribed by Schedule 3A clause 6 (1).
	Achievability: The Objective does not prescribe the outcome specified by Schedule 3A clause 6 (1).
Proposed Objective/s	Appropriateness to achieve the purpose of the RMA
<b>SD- O2 Well-functioning urban environments</b>  Waimakariri District contains well-functioning urban environments that enable all people and community's to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.	Relevance: This objective is as prescribed in Schedule 3A clause 6(1)(a).
	Reasonableness: Schedule 3A was developed to give effect to the sustainable management purposed of the RMA. The Objective is therefore reasonable.
	Achievability: It is possible to monitor this objective for effectiveness through review of building consents and complaints.
MRZ-O1 housing types and sizes  The medium density residential zones provides for a variety of housing types and sizes that respond to: i. Housing needs and demand; and ii. The neighbourhood's planned urban built character, including 3-storey buildings.	Relevance: This objective is as prescribed in Schedule 3A clause 6(1)(b).
	Reasonableness: Schedule 3A was developed to give effect to the sustainable management purposed of the RMA. The Objective is therefore reasonable.
	Achievability: It is possible to monitor this objective for effectiveness through review of building consents and complaints.

### 11.2 Summary – Evaluation of Proposed Objectives

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

1. The status quo within the PDP
2. The proposed objectives

A reasonable alternative objective has not been assessed as the proposed Objectives have been directed by the RMA. The mandatory MDRS directives are deemed to be in accordance with Part 2 of the RMA. As such, the objectives proposed must be the most appropriate way to achieve the purpose of the Act.



## 12. EVALUATION OF PROPOSED POLICIES AND METHODS

Section 32 (1)(b) of the RMA requires an evaluation of whether the proposed policies and methods are the most appropriate way to achieve the proposed objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the proposed policies and methods in achieving the objectives, and summarising the reasons for deciding on the proposed policies and methods.

The level of detail undertaken for the evaluation of the proposed policies and methods has been determined by the preceding scale and significance assessment and the direction within the Amendment Act.

The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the proposed policies and methods, including opportunities for economic growth and employment.

The assessment must, if practicable, quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

Policies and methods have been evaluated as a package, as together they address a particular issue and seek to meet a specific objective.

### 12.1 Evaluation of Proposed Policies and Methods

In response to housing supply shortages, the Ministry for the Environment (MfE) required cost-benefit analysis of two amendments to the Resource Management Act that require councils to up-zone:

- Implement a new default Medium Density Residential Standards (MDRS) in their residential areas; and
- Bring forward the timing of implementation for the intensification policies of the National Policy Statement on Urban Development (NPS-UD), to enable denser housing close to jobs, transport options and areas of high demand.

#### 12.1.1 Benefits and Costs

A report titled 'Cost-Benefit Analysis of proposed Medium Density Residential Standards<sup>5</sup>' was prepared by PWC and Sense Partner to provide this assessment. It provided an estimate of the MDRS effects on the housing market and an assessment of the costs and benefits associated with those effects. This is the evaluation of the proposed policies and methods on which MfE relied when introducing the MDRS provisions to the RMA through the Amendment Act.

The report stated that impacts of the MDRS are wider than just the change in the market for housing. The cost-benefit analysis required assessment of the broader costs and benefits of the policy to society. The report assessed the costs borne by supporting infrastructure networks as urban development intensifies, the costs of lost views and sunshine for existing residents that occur when new structures are built near existing ones, the environmental costs of enabling more populous cities, and the implementation costs of the policy for local governments.

The report also incorporate the benefits of:

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<sup>5</sup> <https://environment.govt.nz/assets/publications/Cost-benefit-analysis-of-proposed-MDRS-Jan-22.pdf>

- more efficient labour markets and knowledge spillovers that accompany dense urban agglomeration
- more efficient use of existing infrastructure where growth is diverted from fringe expansion to intensification
- avoiding unnecessary expansion of the urban footprint and thereby preventing the loss of the natural landscape, the expensive expansion of infrastructure networks, and the compounding congestion from the car-dependent lifestyles that accompany that expansion.

It was concluded that the MDRS would enable nearly 74,600 (base estimate) additional dwellings above what would otherwise take place in New Zealand's fastest growing cities in the medium term. 11,500 of those dwellings would be within the Christchurch area, which included the Waimakariri District for the purposes of that evaluation. Of the 11,500 additional dwellings, 269 were within the Waimakariri District and anticipated to be built within the next five to eight years. The primary economic benefit of the MDRS is the decline in house prices that generates a transfer between existing homeowners and would be homebuyers.

#### 12.1.2 Efficiency and Effectiveness

The provisions within this variation enable the MDRS as directed by the Amendment Act and therefore must be the most efficient and effective option.

#### 12.1.3 Risk of acting or not acting

Council must notify a plan change by 20 August 2022. It is certain that the Council must act and as Option A is directed by the Amendment Act, there is a low risk of acting in the manner proposed.

#### 12.1.4 Other reasonably practicable options

There is no other reasonably practicable option than to implement the Amendment Act. The existing provisions in the PDP do not enable the MDRS as directed by the Amendment Act and are therefore less efficient and less effective in achieving the objectives. While this option has opportunities for economic growth and employment, the PDP is not aligned with the mandatory changes. The mandatory MDRS directives are deemed to be in accordance with Part 2 of the RMA.

## 12.2 Summary – Evaluation of Proposed Policies and Methods

For the purpose of this evaluation, the Council has considered the following potential policies and methods:

1. The status quo within the PDP
2. The proposed policies and methods

A reasonable alternative for policies and methods has not been assessed as the proposed policies and methods have been directed by the RMA. The Amendment Act and NPS-UD are deemed to be in accordance with Part 2 of the RMA. As such, the policies and methods proposed must be the most appropriate way to achieve the purpose of the Act.

## 13. CONCLUSION

The proposed objectives, policies and methods align with the Amendment Act and NPS-UD which are deemed to be in accordance with Part 2 of the RMA. As such, the proposed objectives, policies and methods must be the most appropriate way to achieve the purpose of the Act.

## APPENDIX 1 – NETWORK PLANNING MEMO – MDRS EXCLUSIONS ZONE KAIAPOI

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## **WAIMAKARIRI DISTRICT COUNCIL**

### **MEMO**

**FILE NO AND TRIM NO:** DDS-06-10-02-05-26 / 220705113638

**DATE:** 5 July 2022

**MEMO TO:** Andrew Willis, Contract Planner  
Rachel McClung, Principal Policy Planner

**FROM:** Chris Bacon, Network Planning Team Leader

**SUBJECT:** MDRS Exclusion Zones - Kaiapoi

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Andrew/Rachel

The following memo seeks to document the approach taken to map areas where the provisions under the MDRS should not apply in response to flood risk.

In response to the MDRS provisions the Waimakariri District Council has considered it necessary to exclude some parts of Kaiapoi where it considers the flood risk is too significant to allow for further intensification without subjecting the development to a typical consenting process. Due to the low lying nature of the Kaiapoi township there are parts of the town that have significant flood risk and allowing greater intensification in these areas has the potential to increase the overall risk to people and property from flooding.

In response the Council has determined that using the 'High Hazard' categorisation from the 500 year flood event is the most appropriate level to apply these exclusions. The 500 year high hazard is used in the ECAN Regional Policy Statement (RPS) as the level at which development is not permitted. Therefore by adopting this approach there is consistency with the approach used regionally for planning growth and development.

The principals behind the rules in the RPS are to limit the overall risk to new developments and new infrastructure from flood events. Areas subject to a high hazard category are areas where damage to property and infrastructure could be severe and where there is a risk posed to human life.

It is also understood that this is consistent with the approach being promoted by the Christchurch City Council (CCC). However it is noted that the CCC haven't formally adopted this approach yet. Having consistency between local authorities is seen as being beneficial.

The proposed mapped areas include all residential zoned properties completely or significantly covered by a 500 year high hazard rating. Given the provisions under the MDRS it was not considered necessary to map commercial or rural properties that may also fall under a 500 year high hazard category.

The mapped hazard is determined by both the depth and velocity of water and is based on nationally accepted schema based on guidance from NSW. The flooding is a combination of:

- Localised Flooding
- Ashley Breakout Flooding
- Coastal Inundation

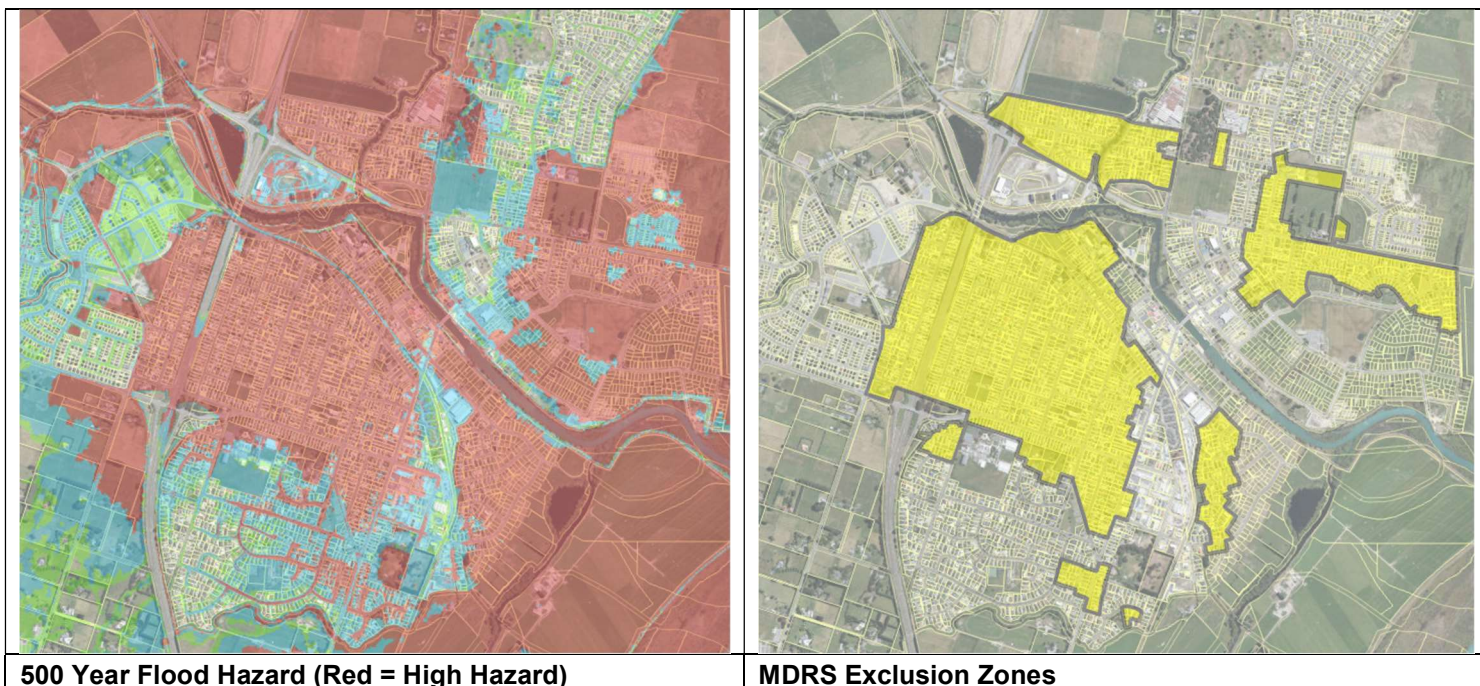
All of the flooding scenarios modelled include allowances for climate change with respect to rainfall and sea level rise. For further information on the modelling including the methodology and the flood hazard schema used please refer to the following TRIM reports:

- Localised Flooding – 200409043873[v2]
- Ashley River Breakout – 200824109069
- Coastal Inundation – 200312034365

Information on the modelling can also be found on the Council Natural Hazards Portal:

<https://www.waimakariri.govt.nz/planning/district-plan/natural-hazards>

Figure 1 shows the 500 year flood hazard as mapped in Kaiapoi along with the proposed MDRS exclusion zones.



*Figure 1 - Kaiapoi Flood Hazard and MDRS Exclusion Zones*

It is also worth noting that the MDRS exclusion areas proposed largely coincide with those areas of Kaiapoi where the Council has significant capacity constraints in both the wastewater and drainage networks. The low lying nature of these areas are not only conducive to flooding but they also feature high groundwater levels that are conducive to inflow and infiltration that impacts the performance of the wastewater network. The low lying nature of the land also results in a poorly performing drainage network that relies heavily on mechanical pumping with limited redundancy to provide protection for people and property in major flood events.

**APPENDIX 2 – TABLE OF HOW MDRS ARE INCORPORATED INTO THE PDP BY VARIATION 1 (s80H EVALUATION)**

<b>Chapter</b>	<b>Amended provision wording</b>	<b>Act requirements</b>	<b>Act reference / Schedule 3A (MDRS) reference</b>	<b>Immediate/Legal effect (s 86BA)</b>
How the plan works	TABLE RSL-1 added which contains the qualifying matters and how and where they apply	Implements Act	s 77J, s77K, s77O	Legal effect
All residential zones – matters of discretion	Additional RES-MD12-MD16, which outline principles that represent the matters in the MDRS. These provisions reflect the principles contained in the MRDS, but implemented as matters of discretion.	Implements the MDRS at a matter of discretion basis	s 77G	Legal effect
General approach	Narrative text changed to add additional text to introduction for built form standards to outline where the MDRS density standards can be found	Implements the MDRS	s 77G	Legal effect
GRZ – General residential zone	<p>Introduction amended to state that the General Residential Zone applies only to Oxford (all other residential zones have been upgraded to medium density residential zones), and in ODPs (outline development plans) which still reference the general residential zone. The exact wording is:</p> <p>The general residential zone <u>only applies to Oxford</u> ...</p> <p><u>In an ODP where the General Residential Zone is shown (outside of Oxford), the MDRS</u></p>	Implements section 77G of the RMA	s 77G	Legal effect

Chapter	Amended provision wording	Act requirements	Act reference / Schedule 3A (MDRS) reference	Immediate/Legal effect (s 86BA)
	<p><u>takes precedence and those areas are therefore to be considered as Medium Density Residential Zone</u></p> <p>This removes the immediate need to update the ODP schedules, although noting that these may be updated at a future stage of plan development.</p>			
Medium density residential zone	MRZ-R18 amended to remove inconsistencies with MDRS	Implements the MDRS	s 77G	Legal effect
Medium density residential zone	MRZ-BFS1 Site density, rule removed and replaced with new rule which is consistent with the MDRS	Implements the MDRS	s 77G	Immediate legal effect if there is no qualifying matter affecting an individual property.
Special purpose zone, hospital	Rules interpretation, general residential zone provisions removed and replaced with the definitions in SPZ(HOS)-1.	Implements MDRS	s 77G	Legal effect
Special purpose zone, hospital	Table SPZ(HOS)-1 general residential zone replaced with medium density zone.	Implements MDRS	s 77G	Legal effect
Southwest Rangiora Development Area	SWR-Southwest Rangiora Development Area added, rezoning two greenfields area to medium density	Act enables a plan to implement measures that are more enabling of development.	s 77H	Legal effect
All residential zones – matters of discretion	Additional matter added to RES-MD2, incorporating road and rail qualifying matters which may affect setbacks where developments occur adjacent to streets and open spaces..	Implements the qualifying matters in Table RSL	s 77I	Immediate legal effect if there is no qualifying matter affecting an individual property
Definitions	Definition of "qualifying matters" added	Overview	s 77I	Immediate legal effect

Chapter	Amended provision wording	Act requirements	Act reference / Schedule 3A (MDRS) reference	Immediate/Legal effect (s 86BA)
Definitions	Definition of "national grid subdivision corridor" altered to reference specific corridors related to transmission line voltage	Implements the qualifying matters in Table RSL	s 77I	Legal effect
Subdivision	SUB-MCD9 which contains airport noise contours removed	Removed due to addition of qualifying matter - airport noise	s 77I	Immediate legal effect
Subdivision	Medium density residential zone with qualifying matters added for specific areas Kaiapoi Area A at 200m <sup>2</sup> , and Kaiapoi Area B, at 500m <sup>2</sup> , airport noise area (where natural hazards exist), national grid subdivision corridor	Implements the ability within the Act to provide for qualifying matters	s 77I	Legal effect
Subdivision	SUB-R11, reference to 50dBA noise contour removed due to addition as a qualifying matter	Implements the qualifying matters in Table RSL	s 77I	Legal effect
Town centre zone	TCZ-BFS8 rail boundary setback amended to 5m (was 4m)	Implements the qualifying matters in Table RSL	s 77I	Legal effect
Subdivision	Rule SUB R6 amended to add additional criteria for subdivision within qualifying matter – national grid subdivision corridor, as a restricted discretionary activity.	s 77I (e) provides for territorial authorities to make the MDRS less enabling of development where the safe and efficient operation of nationally significant infrastructure is required.	s 77I (e)	Legal effect
Definitions	Definition of "construction work" amended to include <u>conversion</u>	Implements the definitions within cl 1 sche 3A RMA.	cl 1	Legal effect
Definitions	Definition of multi-unit residential development changed to reference "three" units	Implements the MDRS	cl 2	Immediate legal effect if there is no qualifying matter affecting an individual property



Chapter	Amended provision wording	Act requirements	Act reference / Schedule 3A (MDRS) reference	Immediate/Legal effect (s 86BA)
Kaiapoi development area	DEV-K-P2 amended to medium density	Implements MDRS	cl 2	Legal effect
Medium density residential zone	Rule R3 deleted, as it did not comply with the MDRS.	Implements the MDRS, in sch 3A cl 2 (1), and (2) of the RMA	cl 2	Immediate legal effect
Subdivision	Rule SUB R2 amended to remove reference to all zones	Implements cl 2 of Schedule 3A RMA, which requires the permitted activity density standards).	cl 2	Legal effect, as subdivision rules do not have immediate legal effect, see s 86BA(1)(b) which applies to the density standards, not the subdivision activity status in cl 3
South West Rangiora Development Area	DEV-WR-P2 amended from general residential to medium density residential	Implements MDRS	cl 2	Legal effect
South West Rangiora Development Area	DEV-WR-R1 deleted, as it applied general residential zone restrictions	Implements MDRS	cl 2	Immediate legal effect if there is no qualifying matter affecting an individual property.
Medium density residential zone	MRZ-R2 residential unit rule (permitted activity) amended. This references MRZ-BFS1, which contains the built form standards.	Implements the MDRS, in sch 3A cl 2 (1), and (2) of the RMA	cl 2 (1) & (2)	Immediate legal effect if there is no qualifying matter affecting an individual property.
Medium density residential zone	New MRZ-BFS1 number of residential units per site, notification status, and legal effect	Implements the MDRS, in sch 3A cl 2 (1), and (2), and cl 5 of the RMA	cl 2, cl 4, cl 5, cl 10	Immediate legal effect if there is no qualifying matter affecting an individual property
Medium density residential zone	Introduction text amended to state that the medium density residential zone now applies to the township areas of Rangiora, Kaiapoi, <del>Oxford</del> , Woodend, <u>Pegasus and North Woodend (Ravenswood) Silverstream</u>	Implements cl 2, schedule 2, and section 77G of the RMA.	cl 2, s77G	Legal effect
Subdivision	SUB-R2 amended	Implements MDRS	cl 2,8,9	Immediate legal effect if there is no qualifying matter

Chapter	Amended provision wording	Act requirements	Act reference / Schedule 3A (MDRS) reference	Immediate/Legal effect (s 86BA)
				affecting an individual property
Subdivision	Additional criteria for subdivision within medium density zone added, with controlled activity status. Non-compliance with the amended rule triggers a discretionary activity.	Implements cl 4	cl 3	Immediate legal effect if there is no qualifying matter affecting an individual property affecting an individual property
Subdivision	SUB S1 amended to reflect MDRS.	Implements the general and further rules about subdivision in the MDRS	cl 4, 5, 7, 8	Immediate legal effect if there is no qualifying matter affecting an individual property. Where qualifying matters exist their minimum allotment size reverts to what is in the operative plan.
Subdivision	Medium density residential zone split into <i>with or without</i> qualifying matters.	Implements qualifying matters	cl 4,5,8	Immediate legal effect if there is no qualifying matter affecting an individual property.
Strategic directions	Additional objective SD-O2  <u>Well functioning urban environments</u>  <u>Waimakariri District contains well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural well-being, and for their health and safety, now and into the future</u>	Implements Objective 1 of the (amended NPS-UD) as contained within schedule 3A clause 6(1)(a)	cl 6(1)(a)	Legal effect
Medium density residential zone	Proposed objective MRZ-O1 deleted and replaced with NPS-UD Objective 2:  <u>Housing types and sizes:</u>	Implements sch 3A cl 6(1)(b), which contains Objective 2 of the NPS-UD, which is part of the MDRS.	cl 6(1)(b)	Legal effect

Chapter	Amended provision wording	Act requirements	Act reference / Schedule 3A (MDRS) reference	Immediate/Legal effect (s 86BA)
	<u>The medium density residential zones provides for a variety of housing types and sizes that respond to i. Housing needs and demands; and ii. the neighbourhood's planned urban built character, including 3-storey buildings;</u>			
Medium density residential zone	Additional policy MRZ-P1:  <u>Housing types Enable a variety of housing types with a mix of densities within the zone, including 3-storey attached and detached dwellings, and low-rise apartments</u>	Implements sch 3A cl 6(2)(a), which contains Policy 1 of the NPS-UD, which is part of the MDRS.	cl 6(2)(a)	Legal effect
General residential	Additional policy RESZ-P15 added stating:  "Apply the Medium Density Residential Standards across all relevant residential zones in the district plan except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga)"	Implements sch 3A cl 6(2)(b) which contains Policy 2 of the NPS-UD.	cl 6(2)(b)	Legal effect

Chapter	Amended provision wording	Act requirements	Act reference / Schedule 3A (MDRS) reference	Immediate/Legal effect (s 86BA)
General residential	RESZ-P3 amended to include “encouraging development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance”	Implements cl 6(2)(c) of Schedule 3A RMA, by including Policy 3 of the NPS-UD	cl 6(2)(c)	Legal effect
General residential	RESZ-P8 amended to include “housing is designed to meet the day-to-day-needs of residents”	Implements cl 6(2)(d) of Schedule 3A RMA, by including Policy 4 of the NPS-UD	cl 6(2)(d)	Legal effect
Medium density residential zone	Additional policy MRZ-P2:  “ <u>Housing developments Provide for developments not meeting permitted activity status, while encouraging high-quality developments</u> ”	Implements sch 3A cl 6(2)(e), which contains Policy 5 of the NPS-UD, which is part of the MDRS.	cl 6(2)(e)	Legal effect
Subdivision	Minimum allotment areas for MDRZ without qualifying matters amended to n/a (from 200m2) for the purpose of construction and use of residential units.	Implements the general and further rules about subdivision in the MDRS	cl 7, 8	Immediate legal effect if there is no qualifying matter affecting an individual property
Subdivision	MRZ-NCZ-BFS2 amended	Implements MDRS	cl 9	Immediate legal effect if there is no qualifying matter affecting an individual property
Subdivision	MRZ-BFS2 amended	Implements MDRS	cl 10	Immediate legal effect if there is no qualifying matter affecting an individual property
Medium density residential zone	MRZ-BFS4, amended to incorporate the new 11m height limitation (apart from certain roofs that exceed 11m)	Implements the MDRS, in sch 3A cl 11	cl 11	Immediate legal effect if there is no qualifying matter affecting an individual property, as this standard supports the rules.

Chapter	Amended provision wording	Act requirements	Act reference / Schedule 3A (MDRS) reference	Immediate/Legal effect (s 86BA)
South Belt Development Area	DEV-SBT-BFS2 amended to be consistent with MDRS height standard of 11m	Implements MDRS	cl 11	Legal effect
Medium density residential zone	MRZ-BFS7, amended to incorporate new boundary height standards	Implements the MDRS, in sch 3A, cl 12	cl 12	Immediate legal effect if there is no qualifying matter affecting an individual property.
Medium density residential zone	MRZ-BFS5, amended to incorporate the new boundary setbacks, with addition of 1.5m road boundary setbacks (was 2m), removal of garage setbacks (was 6m), 5m setback (was 4m) for the rail corridor, and a 12m setback (qualifying matter, for national grid support structures)	Implements the MDRS, in sch 3A, cl 13, with additional qualifying matters	cl 13	Immediate legal effect if there is no qualifying matter affecting an individual property.
Medium density residential zone	MRZ-BFS2 amended to 50% coverage	<p>Implements sch 3A cl 14 requirements for maximum building area coverage of 50% of the net site area. Noting that the proposed plan contained a more enabling provision of 55% of the site area.</p> <p>However, the MDRS amendments to the Act enabled operative plans with more enabling provisions than the MDRS, but as the 55% coverage provision is in the <i>proposed plan</i>, with the operative plan having a 30% restriction, it is considered better to amend the provision</p>	cl 14	Immediate legal effect if there is no qualifying matter affecting an individual property.

Chapter	Amended provision wording	Act requirements	Act reference / Schedule 3A (MDRS) reference	Immediate/Legal effect (s 86BA)
		to 50%, then later submit to recommend that it is returned to 55%. s 77H enables plans incorporating the MDRS to be more enabling of development.		
Medium density residential zone	MRZ-BFS9, amended to incorporate new outdoor living space requirements per unit standards	Implements the MDRS, in sch 3A, cl 15	cl 15	Immediate legal effect if there is no qualifying matter affecting an individual property
Medium density residential zone	Additional MRZ-BFS10, incorporating new outlook space per unit standards	Implements the MDRS, in sch 3A, cl 16	cl 16	Immediate legal effect if there is no qualifying matter affecting an individual property
Medium density residential zone	Additional MRZ-BFS11, incorporating windows to street standards	Implements the MDRS, in sch 3A cl 17	cl 17	Immediate legal effect if there is no qualifying matter affecting an individual property
Medium density residential zone	Additional MRZ-BFS12, incorporating landscaped area standards	Implements the MDRS	cl 18	Immediate legal effect if there is no qualifying matter affecting an individual property
Local centre zone	LCZ-BFS1 amended to be consistent with MDRS building height standard of 11m	Implements MDRS, but does not make this zone less enabling of development (s 77N(3) test).  s77P assessment does not apply as the changes are minor and do not limit development capacity	s 77N, s77P	Legal effect
Local centre zone	LCZ-BFS2 amended to clarify that where boundaries exist between a local centre zones and a medium density residential zone, that the most enabling of the boundary (i.e the medium density	Implements MDRS, but does not make this zone less enabling of development (s 77N(3) test). s77P assessment does not apply as the changes are minor and do not limit	s 77N, s77P	Legal effect

Chapter	Amended provision wording	Act requirements	Act reference / Schedule 3A (MDRS) reference	Immediate/Legal effect (s 86BA)
	residential zone boundary) applies.	development capacity		
Neighbourhood centre zone	NCZ-BFS1 amended to be consistent with MDRS building height standard of 11m	Implements MDRS, but does not make this zone less enabling of development (s 77N(3) test). s77P assessment does not apply as the changes are minor and do not limit development capacity	s 77N, s77P	Legal effect
Neighbourhood centre zone	NCZ-BFS2 amended to clarify that where boundaries exist between zones, that the most enabling of the boundary (i.e the medium density residential zone boundary) applies.	Implements MDRS, but does not make this zone less enabling of development (s 77N(3) test). s77P assessment does not apply as the changes are minor and do not limit development capacity	s 77N, s77P	Legal effect
South West Rangiora Development Area	DEV-WR-R2 adjusted to DEV-WR-R1	Minor renumbering as a consequential change	Minor and inconsequential	No change apart from numbering with respect to proposed district plan
Medium density residential zone	MRZ-P4 renumbered	Minor renumbering as a consequential change	Minor and inconsequential	No change apart from numbering with respect to proposed district plan

## APPENDIX 3 – VARIATIONS TO THE PDP PLANNING MAPS – PROPOSED ZONES

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Residential Zones - Proposed

- General Residential Zone (GRZ)
- Medium Density Residential Zone (MRZ)
- Large Lot Residential Zone (LLRZ)
- Settlement Zone (SETZ)

Open Space Zones

- Natural Open Space Zone (NOSZ)
- Open Space Zone (OSZ)
- Sport and Active Recreation Zone (SARZ)

Industrial Zones

- General Industrial Zone (GIZ)
- Heavy Industrial Zone (HIZ)
- Light Industrial Zone (LIZ)

Commercial Zones

- Local Centre Zone (LCZ)
- Large Format Retail Zone (LFRZ)
- Mixed Use Zone (MUZ)
- Neighbourhood Centre Zone (NCZ)
- Town Centre Zone (TCZ)

Rural Zones

- General Rural Zone (GRUZ)
- Rural Lifestyle Zone (RLZ)

Special Purpose Zones

- Special Purpose Zone Hospital (SPZ HOS)
- Special Purpose Zone Kainga Nohoanga (SPZ KN)
- Special Purpose Zone Kaiapoi Regeneration (SPZ KR)
- Special Purpose Zone Museum and Conference Centre (SPZ MCC)
- Special Purpose Zone Pines Beach and Kairiki Regeneration (SPZ PBKR)
- Special Purpose Zone Pegasus Resort (SPZ PR)

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- General Residential Zone (GRZ)
- Medium Density Residential Zone (MRZ)
- Large Lot Residential Zone (LLRZ)
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- Medium Density Residential Zone (MRZ)
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- Settlement Zone (SETZ)

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- Town Centre Zone (TCZ)

Rural Zones

- General Rural Zone (GRUZ)
- Rural Lifestyle Zone (RLZ)

Special Purpose Zones

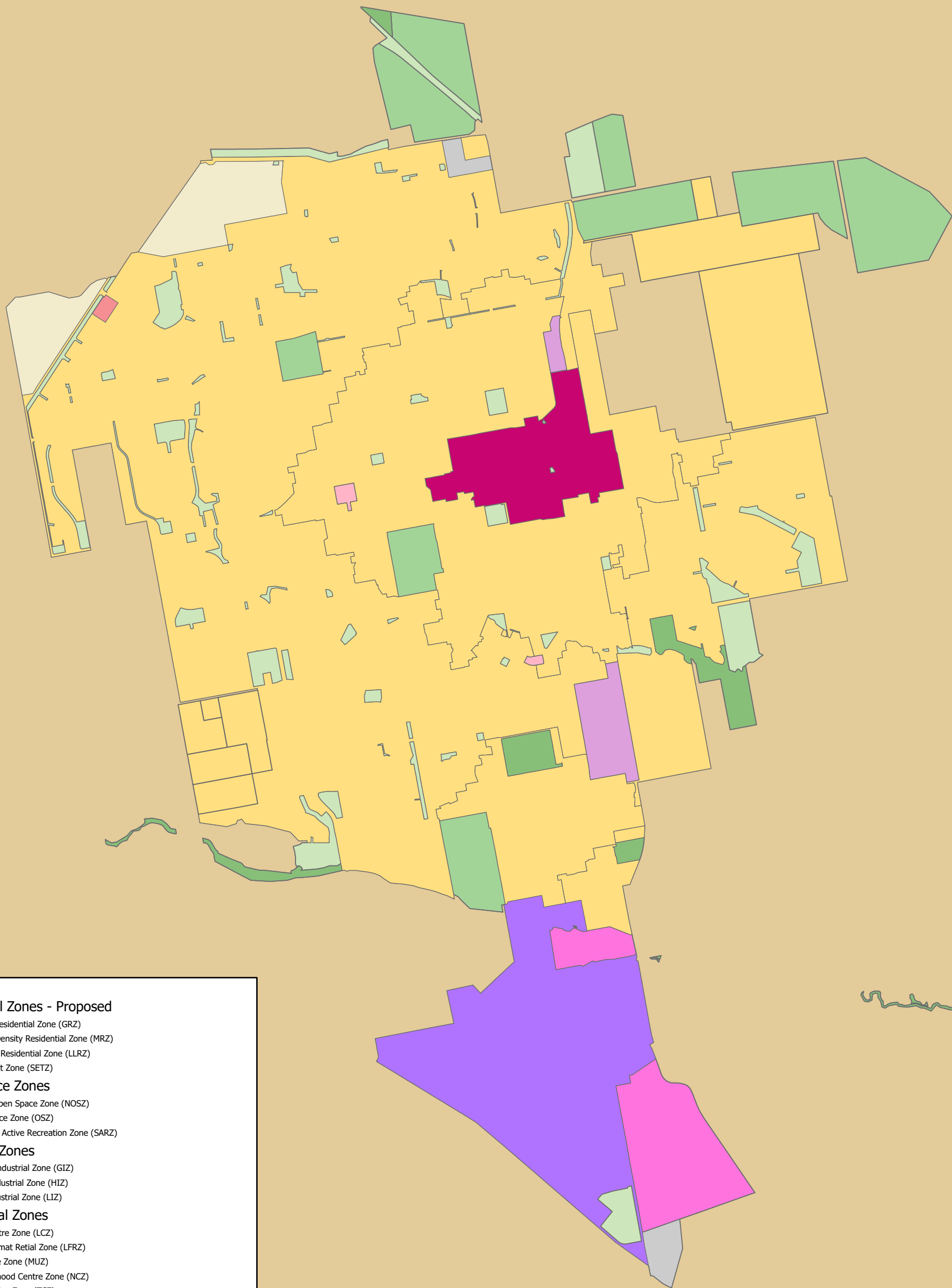
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- Special Purpose Zone Kainga Nohoanga (SPZ KN)
- Special Purpose Zone Kaiapoi Regeneration (SPZ KR)
- Special Purpose Zone Museum and Conference Centre (SPZ MCC)
- Special Purpose Zone Pines Beach and Kairiki Regeneration (SPZ PBKR)
- Special Purpose Zone Pegasus Resort (SPZ PR)

0 9000 18000 27000  
Meters

Kaipoi

Date: 21/07/2022

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#### Residential Zones - Proposed

- General Residential Zone (GRZ)
- Medium Density Residential Zone (MRZ)
- Large Lot Residential Zone (LLRZ)
- Settlement Zone (SETZ)

#### Open Space Zones

- Natural Open Space Zone (NOSZ)
- Open Space Zone (OSZ)
- Sport and Active Recreation Zone (SARZ)

#### Industrial Zones

- General Industrial Zone (GIZ)
- Heavy Industrial Zone (HIZ)
- Light Industrial Zone (LIZ)

#### Commercial Zones

- Local Centre Zone (LCZ)
- Large Format Retail Zone (LFRZ)
- Mixed Use Zone (MUZ)
- Neighbourhood Centre Zone (NCZ)
- Town Centre Zone (TCZ)

#### Rural Zones

- General Rural Zone (GRUZ)
- Rural Lifestyle Zone (RLZ)

#### Special Purpose Zones

- Special Purpose Zone Hospital (SPZ HOS)
- Special Purpose Zone Kainga Nohoanga (SPZ KN)
- Special Purpose Zone Kaiapoi Regeneration (SPZ KR)
- Special Purpose Zone Museum and Conference Centre (SPZ MCC)
- Special Purpose Zone Pines Beach and Kairaikai Regeneration (SPZ PBKR)
- Special Purpose Zone Pegasus Resort (SPZ PR)

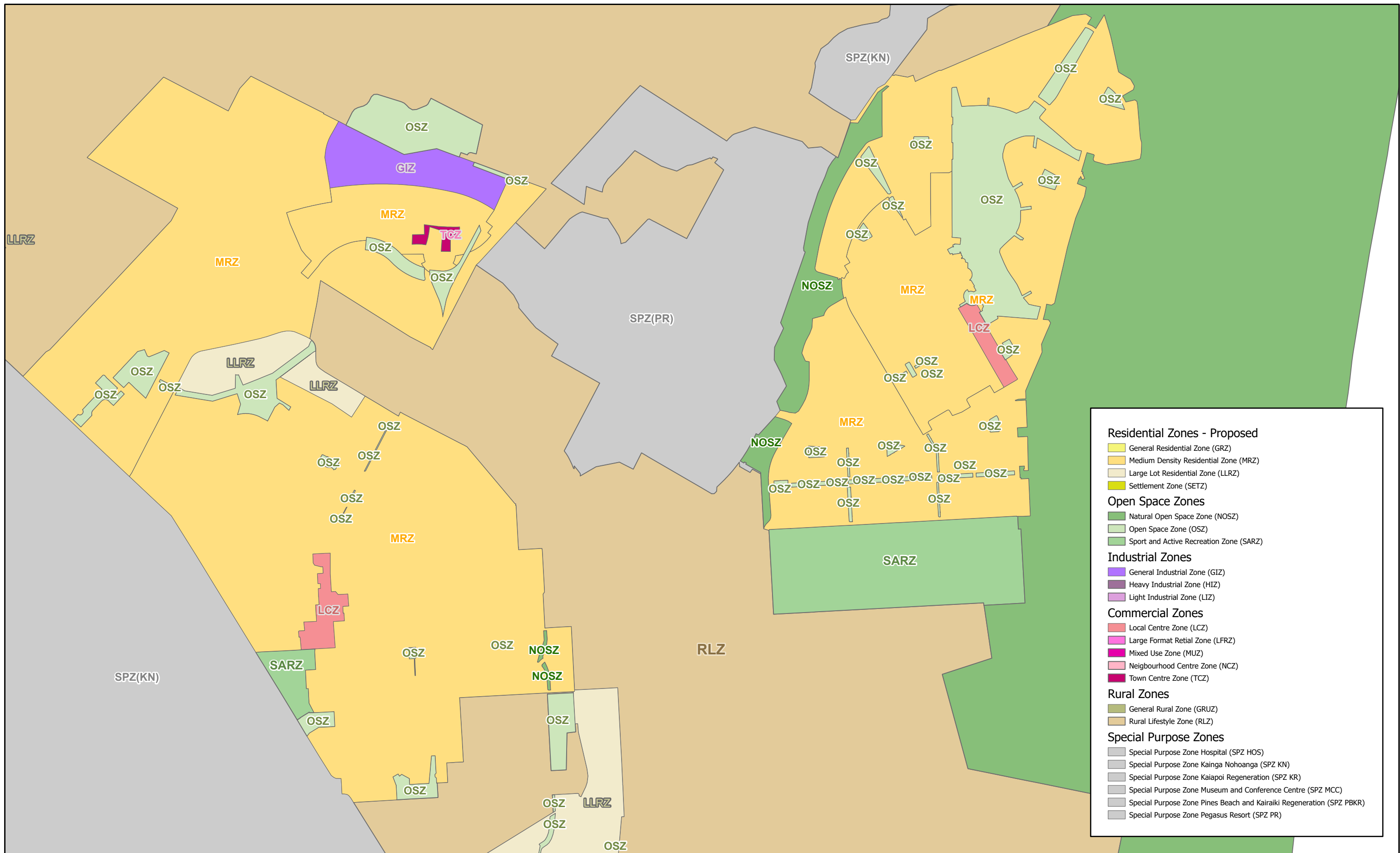
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Original Size - A3

## Rangiora

Date: 21/07/2022

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## Ravenswood - Woodend - Pegasus

Date: 21/07/2022

Author:

Scale 1:13,382

Original Size - A3

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## APPENDIX 4 – ASSESSMENT OF COMMERCIAL AND MIXED-USE ZONES AND ADJACENT ZONES AGAINST POLICY 3

### 1. Introduction and background

The PDP applies the National Planning Standards zones to the Operative District Plan and creates a hierarchy of centres, consistent with the CRPS chapter 6 requirements. The PDP also gives effect to the NPS-UD before the Amendment Act changes to Policy 3. The centre zones included in the PDP, together with their height limits, maximum building coverage (density standards) and anticipated scale are:

Zone	Max. Height Limit	Max. Building Coverage	Anticipated scale
<b>Town Centre Zone</b>	12-18m	100%	Unlimited
<b>Local Centre Zone</b>	10m	55%	1,000m <sup>2</sup> to 4,000m <sup>2</sup> floor space and up to 15 shops
<b>Neighbourhood Centre Zone</b>	8m	55%	up to 450m <sup>2</sup> floor space; and up to five shops

Previously, NPS-UD Policy 3(d) required that the PDP enable building heights and density of urban form to be commensurate with the greater of:

- the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or
- relative demand for business use in that location.

The height limits in the PDP were developed with reference to the existing built form, both within and adjacent to the zone, and also after receiving advice from local developers on demand, including consideration of building cost (this is explained in the Commercial Zones s32). They are also informed by amenity considerations.

The level of accessibility by existing or planned active or public transport to the centres was not considered high and therefore not determinative for the proposed height limits. The building coverage standards were informed by the existing built form and the density of development in the Medium Density Residential Zone (55%) which is likely to be adjacent to the centres.

The Amendment Act changed Policy 3(d) to read as follows:

*“(d) within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and density of urban form commensurate with the level of commercial activity and community services.”*

The PDP is required to give effect to the amended Policy 3 and this variation responds to this requirement. The key changes between the former and amended NPS-UD Policy 3(d) are the requirement to provide building heights and density of urban form:

- commensurate with the level of commercial activity and community services; and
- not only providing this within these zones, but also adjacent to them.

## 2. Issues and Options

The key issue to determine is whether the PDP height and density provisions for the TCZ, LZC, NCZ and the areas adjacent to these give effect to NPS-UD Policy 3 or whether changes to the PDP provisions are required.

Regarding commensurate development, the neighbourhood and local centres typically are limited to one and two storey structures, dominated by retail activities. Some also have community services such as medical / dental centres (e.g. Pegasus and Silverstream in Kaiapoi). The town centres typically have the highest scale and density of development in the District and generally range from single storey structures up to three storeys. They are still however low density given the existing building height and are unlikely to change significantly in the medium term given the advice from local developers.

Consistent with developer advice, the base PDP building height in the TCZ is 12m (4 stories). A bonus is provided to 18m in height if residential activities are proposed as part of a mixed use development. There are no maximum building coverage standards. The height standards were developed with advice from local developers and therefore are sufficient to meet market demand for at least the lifespan of the district plan and are presumably commensurate with the level of commercial services available and required (which are generally in 1 and 2 storey buildings). The level of community services is considered to be comparable to the level of existing commercial activity.

Regarding adjacent zones, the District's neighbourhood and local centres are principally located within the towns of Rangiora, Kaiapoi, Woodend and Pegasus. There is also a local centre located at Mandeville. 'Adjacent' is not defined in the NPD-UD and could arguably be anywhere from only those sites adjoining the centre zones to sites within a walkable catchment (800m).

The zones adjacent to these centres, together with comments on commensurate development and applicable density standards is provided in the table below.

Zone	Commensurate development / applicable density standards
Light industrial zone (adjacent to Rangiora TCZ)	The height limit (15m) and other density standards (including no maximum building coverage) in this zone were assessed through the development of the PDP with reference to its location adjacent to the centre. In addition, the height limit and building coverage are comparable to the PDP TCZ standards. It is therefore considered that the PDP height and density standards for this zone already give effect to Policy 3.
General Industrial Zone (adjacent to Kaiapoi TCZ)	The height limit (15m) and other density standards (including no maximum building coverage) in this zone were considered through the development of the PDP. These zones are intended for low density space intensive activities where higher densities are not typically required. The DDS identified that depending on demand in Kaiapoi, additional industrial land may be required. The NPS-UD s3.32 includes the requirement to provide sufficient business land suitable for low density uses to meet expected demand as a qualifying matter where higher density need not apply. However, given that the PDP height and building coverage standards are comparable to the TCZ it is considered that the



	PDP height and density standards for this zone already give effect to Policy 3.
Mixed use zone (adjacent to Kaiapoi TCZ)	The mixed use zone is a bespoke zone for an area that was 'red zoned' as a result of the Canterbury Earthquakes. The provisions applying to this area are consistent with the Waimakariri Residential Red Zone Recovery Plan. The PDP height limit for the zone is 15m and there is no building coverage standard, which are comparable to the adjacent Kaiapoi TCZ provisions. As such, it is considered that the PDP height and density standards for this zone already give effect to Policy 3.
Open Space zone (adjacent to Rangiora TCZ, LCZ and Kaiapoi LCZ, TCZ and NCZ; and Woodend LCZ and Pegasus LCZ); and Sport and Active Recreation Zone (adjacent to Kaiapoi TCZ and Woodend LCZ)	Open space zones and sport and active recreation zones are zoned for open space activities. While technically within scope of the NPS-UD, these areas are not anticipated to have high density development occurring in them. Technically a qualifying matters assessment is required to avoid high density urban development occurring in these zones.
Residential Zone adjacent to LCZ and NCZ in multiple locations	Generally the scale of built form and level of commercial and community services in these centres would not support development in excess of those provided for by the MDRS. Furthermore, the PDP height limits (10m and 8m) and building coverage 55%) are less than or comparable to those provided for by the MDRS. As such, it is considered that the PDP height and density standards for this zone already give effect to Policy 3.
Residential Zone adjacent to TCZ in multiple locations	<p>The town centres of Rangiora and Kaiapoi have the greatest scale of built form and the District's commercial and community services. The base building height in the TCZ is 12m (there are no maximum building coverage standards). A bonus is provided to 18m in height if residential activities are proposed as part of a mixed use development. These height standards were developed with advice from local developers and therefore are sufficient to meet market demand and are presumably commensurate with the level of commercial services available.</p> <p>The MDRS height limit applying adjacent to the TCZ is 12m including the roof. As such, the MDRS heights will be comparable to the TCZ base height. It is considered unusual and unnecessary to provide greater heights and density in residential areas adjacent to town centres than the centre itself. Given the above, it is considered that the PDP height and density standards for this zone already give effect to Policy 3.</p>

### 3. Proposed variation to the LCZ and NCZ built form standards

#### 3.1 Height limits

Applying the MDRS height limits (11m + 1m for pitched roof) to the residential zones in the districts would mean that neighbourhood and Local centres have a lower height limit than the adjacent residential zones. This is considered incongruous and therefore the Council has determined that the height limit should be raised in these centres to be commensurate with the 11m height limit in the MDRS (the height limit in the Town Centre Zone can remain unchanged given the conclusions reached

above). This is considered to be a consequential change and no further assessment (costs / benefits) is proposed.

### 3.2 Height in relation to boundary

The commercial zones contain height in relation to boundary rules for buildings proposed adjacent to rural, residential or open space zones in order to manage amenity on adjacent sites. These were justified as part of developing the PDP. The MDRS contain a specified height in relation to boundary standard for residential zones which manages residential to residential interfaces within the zone. For consistency it makes sense to also apply this standard to commercial zones when development is proposed adjacent to residential zones. This is considered to be a consequential change and no further assessment (costs / benefits) is proposed.

### 4. Conclusion

Given the conclusions reached above, it is considered that no qualifying matters are required within the TCZ, LCZ and NCZ. It is also considered that qualifying matters reports are not required for residential, light industrial or general industrial zones adjacent to these centres as it is considered that the PDP height and density standards for these zones already give effect to Policy 3.

## APPENDIX 5 – ASSESSMENT OF MATTERS THAT DO NOT IMPACT ACHIEVABLE DENSITY

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### 1. District Wide Matters

#### 1.1 Energy, infrastructure and transport

##### *1.1.1 Major electricity distribution lines*

The PDP contains a requirement for activities and structures to be set back by up to 10m from ‘major electricity distribution lines’ (Energy and Infrastructure rules EI-54, EI-55, EI-56). These are defined as the 33kV/66kV electricity distribution lines in Waimakariri District and are owned and operated by Mainpower NZ Ltd. These exist adjacent to a small part of the GRZ in north Rangiora. Any new residential development adjacent to these major electricity distribution lines will need to comply with this setback. Retaining this setback is necessary to give effect to the NPSET, NESETA and RPS. However, Mainpower in its submission on the PDP considered the proposed 10m setback to be onerous, and requested it be reduced to 6m which will reduce this potential constraint on future residential development. GIS analysis indicates such a 6m setback would have no effect on density of residential development. The major electricity distribution lines are on the opposite side of the road to the GRZ in north Rangiora and the road width is more than 6m.

##### *1.1.20 Transport – Transport Design Standards*

The PDP contains a range of transport design standards that manage the transport related aspects of development and subdivision such as vehicle crossings and accessways. The transport design standards are applicable throughout the District, including in those parts of the MRZ adjacent to the TCZ, NCZ and LCZ in Rangiora, and Kaiapoi (including Woodend and Pegasus). The transport design standards are based on nationally-accepted standards and are required to enable a safe and well-functioning environment. Density of development can be planned to accommodate transport design standards where required.

As such, these provisions will have no impact on the achievement of the anticipated density under the MDRS and NPS Policy 3 and can continue to apply without the need for a qualifying matters assessment.

#### 1.2 Hazards and risks

##### *1.2.1 Hazardous substances*

The hazardous substances provisions include rules such as sensitive activities (e.g. residential units) located within a major hazard facility. As there are no existing major hazard facilities in the Waimakariri District in the general or medium density areas of Rangiora, Kaiapoi or Woodend (only one is located in the Rural Lifestyle Zone), the rules do not impact on the density anticipated in the MDRS.

As such, these provisions will have no impact on the achievement of the anticipated density under the MDRS and NPS Policy 3 and can continue to apply without the need for a qualifying matters assessment.

##### *1.2.2 Contaminate land*

There are no rules contained in the Proposed District Plan Contaminated Land Chapter. Therefore, this chapter does not have any impact on the density anticipated in the MDRS. As such, these provisions will have no impact on the achievement of the anticipated density under the MDRS and NPS Policy 3 and can continue to apply without the need for a qualifying matters assessment.



### 1.3 Historic and Cultural

#### *1.3.1 Sites and areas of significance to Maori*

The sites and areas of significance to Maori relates to the management of sites and areas of cultural significance to Ngāi Tūāhuriri, who hold mana whenua status over the area within the District. It recognises and provides for the relationship of Ngāi Tūāhuriri mana whenua with their ancestral lands, water, sites, wāhi tapu and other taonga, in the future development of the District.

Rules that relate to these sites manage earthworks and land disturbance. As such these provisions will have no impact on the achievement of the anticipated density under the MDRS and NPS Policy 3.

### 1.4 Natural features and landscapes

#### *1.4.1 Significant Natural Areas (SNA's) and Outstanding Natural Landscapes and Features (ONL's and ONF's)*

The Council has determined that areas of the district identified as SNAs or ONLs / ONFs do not occur in urban areas. As such, the NPS-UD and MDRS will not apply and the provisions do not need to be justified as a qualifying matter. These are not further assessed within this s32.

## 2. General District Wide Matters

### 2.1 Coastal Environment

The PDP contains an identified coastal environment and specific provisions applying that were justified as part of developing the PWDP. The majority of the Coastal Environment is not located within urban areas and is zoned Natural Open Space. However, isolated areas of the coastal environment (such as at Waikuku (SETZ) and Kairaki (SPZ(PBKR)) overlap with existing urban areas which are zoned Settlement Zone on the PDP.

Development within the coastal environment can affect the values of the coastal environment. The chapter contains the following specific building restrictions:

- Setbacks from coastal natural character areas (20m)
- Maximum building GFA (75m<sup>2</sup>)
- Maximum building height (4m)

It is proposed that specific building restrictions continue to apply after the adoption of the MDRS and NPS-UD as these are justified in the Coastal Environment.

As set out in Part A, the Settlement Zone is expressly not within the scope of the MDRS and as such all the specific provisions can continue to apply without qualifying matters assessments.

### 2.2 Earthworks

The earthworks provisions include limits on the amount of earthworks that can be undertaken within a site, with different limits applying depending on the zone. The earthworks provisions do not alter the MDRS or specify a reduced level of density anticipated under the MDRS or the NPS-UD Policy 3. As such, these provisions will have no impact on the achievement of the anticipated density under the MDRS and NPS Policy 3 and can continue to apply without the need for a qualifying matters assessment.

### 2.3 Light

Rules in the Proposed District Plan Light chapter manage lighting through standards such as light spill limits, but do not have an impact on density. As such, these provisions will have no impact on the

achievement of the anticipated density under the MDRS and NPS Policy 3 and can continue to apply without the need for a qualifying matters assessment.

## 2.4 Noise

The noise provisions include limits on the amount of noise that can be generated within a site, with different limits applying depending on the zone. They also apply to specified noisy activities such as helicopters. In addition, the provisions specify indoor design levels which are required to be delivered by the building envelope. The noise provisions do not alter the MDRS or specify a reduced level of density anticipated under the MDRS or the NPS-UD Policy 3. As such, these provisions will have no impact on the achievement of the anticipated density under the MDRS and NPS Policy 3.

## 2.5 Signs

The signage provisions apply to both onsite and offsite signs. These provisions relate solely to signs and do not affect the height and density standards applying to buildings. As such, these provisions will have no impact on the achievement of the anticipated density under the MDRS and NPS Policy 3.

## 2.6 Temporary Activities

Rules in the Proposed District Plan Temporary activities chapter manage temporary activities through standards such as duration, but do not have an impact on density. As such, these provisions will have no impact on the achievement of the anticipated density under the MDRS and NPS Policy 3 and can continue to apply without the need for a qualifying matters assessment.

## 2.7 Financial contributions

Variation 2 - Financial Contributions is being notified concurrently with this variation. In general terms, financial contributions are required to cover the proportioned cost of the provision of infrastructure and/or to offset adverse effects of development that cannot be otherwise avoided, remedied or mitigated e.g.: natural hazard mitigation. However, they will not impact density and will have no impact on achieving the anticipated density under MDRS and NPS Policy 3.

# 3. Area Specific Matters

## 3.1 Zones

### 3.1.1 Special Purpose Zones

There are a number of special purpose zones in the PDP as follows:

- Special Purpose Zone (Kāinga Nohoanga)
- Special Purpose Zone (Kaiapoi Regeneration)
- Special Purpose Zone (Pines Beach and Kairaki Regeneration)
- Special Purpose Zone (Pegasus Resort)
- Special Purpose Zone (Museum and Conference Centre)
- Special Purpose Zone (Hospital)

None of these zones are within scope of the MDRS and NPS-UD Policy 3 and as such these provisions will remain unchanged and do not require a qualifying matters assessment.

### 3.1.2 Residential character

In the context of residential environments, character is what makes one neighbourhood distinctive from another. It is the way a place 'looks and feels'. The character of an area is generally derived from a grouping of physical elements that communities can easily identify with. Elements such as a groups

of buildings with consistent form, scale and architectural detailing can contribute to the definition of an area's character. All streets, neighbourhoods and towns have character of one kind or another.

The character of an area can be sensitive to change including the redevelopment of buildings and sites and intensification through subdivision and infill development. The change can be both beneficial and detrimental depending on the nature of the existing character and whether it is positive or negative respectively.

Areas of special character will often be characterised by the coherence and homogeneity of elements and contain both built form and landscape elements. These areas contain character values for communities that live within them or are familiar with them.

Although not currently present in the Waimakariri District character areas have been identified in other regions around the country including Christchurch. In simplistic terms character areas are geographic areas, blocks or even streets within residential neighbourhoods that are distinctive from their surroundings and are considered to have a special character worthy of retention. In the Christchurch District Plan these areas are identified and specific provisions are provided to maintain the integrity of their character.

Character elements may be broadly divided into two areas; landscape character elements and built character elements. In turn, these two areas may be comprised of dominant and secondary elements. The dominant elements can be described as key indicators of the character, with the secondary elements being those that support and reinforce the character, rather than being an overt contributor to it. For example, a collection of houses of a particular architectural style within an area may be the dominant character element, with the landscape response to the open spaces around the collection of houses being the secondary element. The character elements become highly interrelated in the resultant character.

The Council undertook a residential character assessment in 2018 to support the DPR. The assessment included a documentation review, mapping of spatial data, review of character elements for each zone, and site appraisals. The study concluded that:

- Residential character across the districts residential zones contain some similarities with the majority of residential development in standalone single storey houses with a wide range of styles, ages and building designs.
- However there are some subtle variations between zones with key differences relating to density, site size, separation of buildings, setbacks and gardens sizes.
- Some large scale global consents particularly within the Residential 2 Zone have resulted in intrusive character and urban design outcomes, significant increases in density, site coverage and building bulk and location effects.
- None of the focus areas assessed within this study exhibit special character and therefore they do not warrant provision in the District Plan in terms of character areas or other such mechanisms for their specific management.

Given the conclusions in the residential character assessment the Council has determined that there are no character and amenity reasons which would justify excluding certain areas from the application of the MDRS. As such, no qualifying matters assessment is required.

### 3.2 Designation

The PDP contains a number of sites that have been designated for specific purposes. It is proposed that these designations continue to apply after the adoption of the MDRS and NPS-UD Policy 3. It is understood that designated sites are excluded from the application of MDRS and Policy 3 of the NPS-UD. As such, they do not need to be justified and carried forward as qualifying matters.

## APPENDIX 6 – HISTORIC HERITAGE SITES LOCATED IN ZONES AFFECTED BY MDRS

Heritage Item ID	Name	Address	Legal Description	Description of Item	Existing or new	Zone
HH001	Former Bank of New Zealand (incl. manager's residence)	188 Williams Street, Kaiapoi	Lot 1 DP 36550	Building	Existing	Town Centre Zone
HH003	St Bartholomew's Anglican Church	23B Cass Street, Kaiapoi	Lot 3 DP 26905	Building	Existing	Medium Density Residential Zone
HH009	'Ashley Farm', former Smith farmhouse	269 West Belt, Rangiora	Lot 2 DP 457748	Building	Existing	General Residential Zone
HH010	'Turvey House' (aka 'Ayerholme'), fmr Samuel and Sarah Ayers house	208 King Street, Rangiora	Lot 3 DP 82008	Building	Existing	Town Centre Zone
HH013	Rangiora Borough Council Substation	131B Percival Street, Rangiora	Lot 5 DP 12852	Building	New	Medium Density Residential Zone
HH014	Anglican Church of St John the Baptist	351 High Street, Rangiora	Lot 5 DP 11217	Building	Existing	Medium Density Residential Zone
HH016	Former Keir house	62 Ivory Street, Rangiora	Pt Lot 2 DP 13945	Building	Existing	Medium Density Residential Zone
HH017	Johnston's Buildings	113 High Street, Rangiora	Lot 2 DP 28806	Building	Existing	Town Centre Zone
HH018	Former Rangiora Borough Council Chambers / Rangiora Library	133 Percival Street, Rangiora	Lot 4 DP 12852	Building	Existing	Town Centre Zone
HH019	Former Rangiora Bowling, Tennis and Croquet Club pavilion/Rangiora Bowling Club pavilion	25 Good Street, Rangiora	Lot 7 DP 71	Building	Existing	Medium Density Residential Zone
HH022	Former Kirk house	12 Carew Street, Kaiapoi	Part Lots 13 & 14 DP 711	Building	New	Medium Density Residential Zone
HH036	Former Campbell rental cottage	5 Meadow Street, Kaiapoi	Lot 1 DP 446221	Building	Existing	Medium Density

						Residential Zone
HH037	Former Rinaldi cottage	65 Sneyd Street, Kaiapoi	Pt RS 366	Building	Existing	General Residential Zone
HH038	Former Kaiapoi Post & Telegraph Office/former Wilson/Partridge dwelling	73 Sneyd Street, Kaiapoi	Pt RS 366	Building	Existing	General Residential Zone
HH039	Former Dickie cottage	259 Williams Street, Kaiapoi	Lot 1 DP 320188	Building	Existing	Medium Density Residential Zone
HH040	Former Hean cottage	7 Meadow Street, Kaiapoi	Lot 1 DP 27593	Building	Existing	Medium Density Residential Zone
HH041	Former Morgan/Sims house	232 Williams Street, Kaiapoi	Lot 1 DP 27664	Building	New	Medium Density Residential Zone
HH044	Kaiapoi Methodist Church/Kaiapoi Co-operating Parish Church	53/53A Fuller Street, Kaiapoi	Lot 1 DP 37286	Building	Existing	Medium Density Residential Zone
HH045	Former Kaiapoi Railway Station	57 Charles Street, Kaiapoi	Lot 11 DP 42864	Building	Existing (listed in ODP as 65 Charles street)	Town Centre Zone/ Open Space Zone
HH053	Former Fulton/Good house (aka 'Boraston' & 'Broadgreen')	29 George Street, Rangiora	Lot 3 DP 36263	Building	Existing	Medium Density Residential Zone
HH055	Former Rowe cottage	47 Edward Street, Rangiora	Lot 2 DP 22648	Building	Existing	Medium Density Residential Zone
HH056	Former Rangiora Courthouse	143 Percival Street, Rangiora	Section 2 SO 17511	Building	Existing	Town Centre Zone
HH057	'Bush Farm' (aka 'Fleetwood'), former Williams/Foster farmhouse	14 Strachan Place, Southbrook, Rangiora	Lot 94 DP 30729	Building	Existing	General Residential Zone
HH059	Former Payne rental cottage	56 Church Street, Rangiora	Pt RS 53	Building	Existing	Medium Density Residential Zone

HH060	Former Jennings/Ivory cottage	66B Ivory Street, Rangiora	Lot 2 DP 59835	Building	Existing	Medium Density Residential Zone
HH061	Former Ayers/Winskill house	22 Seddon Street, Rangiora	Lot 1 DP 12159	Building	Existing	Medium Density Residential Zone
HH062	Suffolk House, former Hunnibell's boot and shoe shop	257 High Street, Rangiora	Lot 1 DP 43552	Building	Existing	Town Centre Zone
HH063	Former Junction Hotel façade	112 High Street, Rangiora	Pt Lot 3 DP 1569	Building	Existing	Town Centre Zone
HH065	Former Northern Agricultural and Pastoral Association building	93 Ivory Street, Rangiora	Part Lot 3 DP 6146	Building	Existing	Town Centre Zone
HH066	Rangiora Town Hall	303 High Street & 175 King Street, Rangiora	Part RS 53	Building	Existing	Town Centre Zone
HH069	Woodend Methodist Church	86 Main North Road (SH 1), Woodend	Part RS 367B	Building	Existing	General Residential Zone
HH088	Rangiora Railway Station	2 Blackett Street, Rangiora	Lot 8 DP 69077 & Part RS 917	Building	Existing	Town Centre Zone
HH092	Anglican Church of St John the Baptist Sunday School & Parish Hall	71 Church Street, Rangiora	Part of Lots 4 & 5 DP 11217	Building	New	Medium Density Residential Zone
HH096	Rangiora Borough School Diamond Jubilee Memorial Gates	157 King Street, Rangiora	Part Lot 1 DP 26526	Monument	New	Medium Density Residential Zone
HH097	Former CW Bell's tailor shop	214/216 High Street, Rangiora	Lot 1 DP 24864	Building	New	Town Centre Zone
HH112	Hassall's Ford footbridge (Butcher's footbridge)	Kaiapoi River, near Butchers Road, Kaiapoi		Structure	New	General Residential Zone/ Open Space Zone
HH115	'Oakleigh', former Chapman/Van Asch/Kippenberger residence	148 King Street, Rangiora	Part Lot 1 DP 6401	Building	New	Medium density residential Zone

HH116	Former Rangiora Post & Telegraph Office	132A King Street, Rangiora	Lot 1 DP 80919	Building	New	Medium density residential Zone
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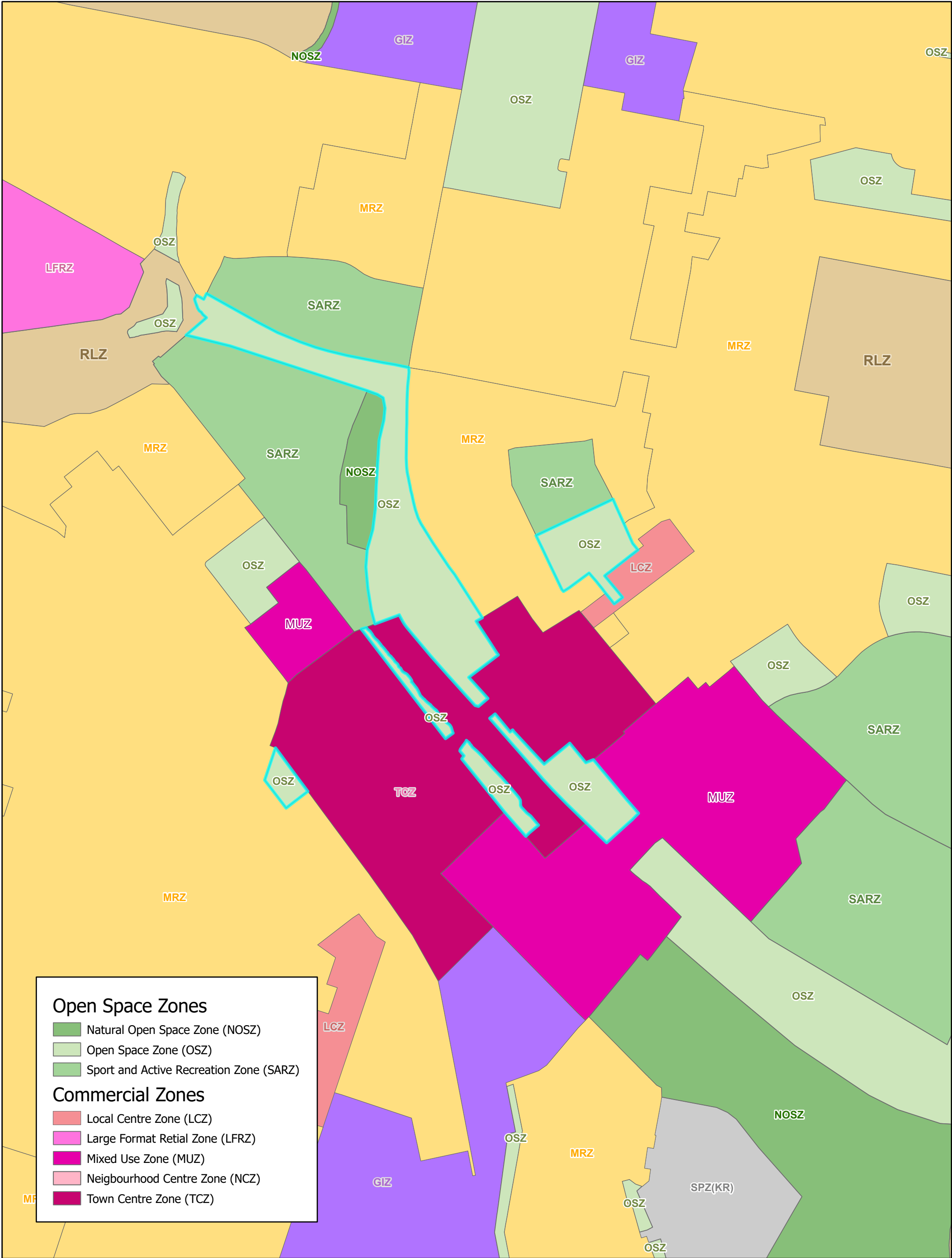


## APPENDIX 7 – NOTABLE TREES LOACTED IN ZONES AFFECTED BY MDRS

TREE ID	Address	Legal description	Common name (Botanical name)	Number of trees (Single / Group)	Existing or new
TREE035	1 Hilton Street, Kaiapoi	Pt RS 321	London Plane ( <i>Platanus x acerifolia</i> )	1	Existing
TREE036	1 Rich Street, Kaiapoi	LOT 1 DP 16755	Kowhai ( <i>Sophora tetraptera</i> )	1	Existing
TREE037	23 Fuller Street, Kaiapoi	LOT 3 DP 26905	Giant Redwood ( <i>Sequoiadendron gigantium</i> )	1	Existing
TREE038	77 Hilton Street, Kaiapoi	FLAT Unit 1 DP 423305	Black Beech ( <i>Nothofagus solandri</i> )	1	Existing
TREE039	23 Cass Street, Kaiapoi	LOT 3 DP 26905	English Oak ( <i>Quercus robur</i> )	1	Existing
TREE040	100 Oxford Road, Rangiora	LOT 1 DP 504565	English Elm ( <i>Ulmus procera</i> )	1	New

## APPENDIX 8 – ADJACENT OPEN SPACE AND RECREATION ZONED PROPERTIES

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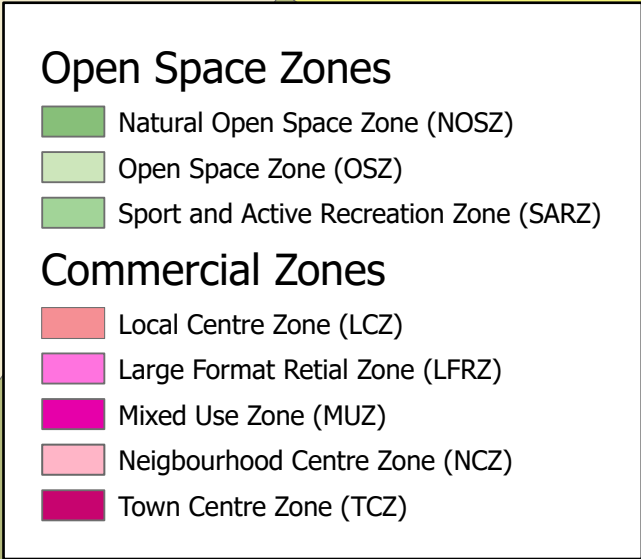


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**Kaiapoi**

Date: 22/07/2022

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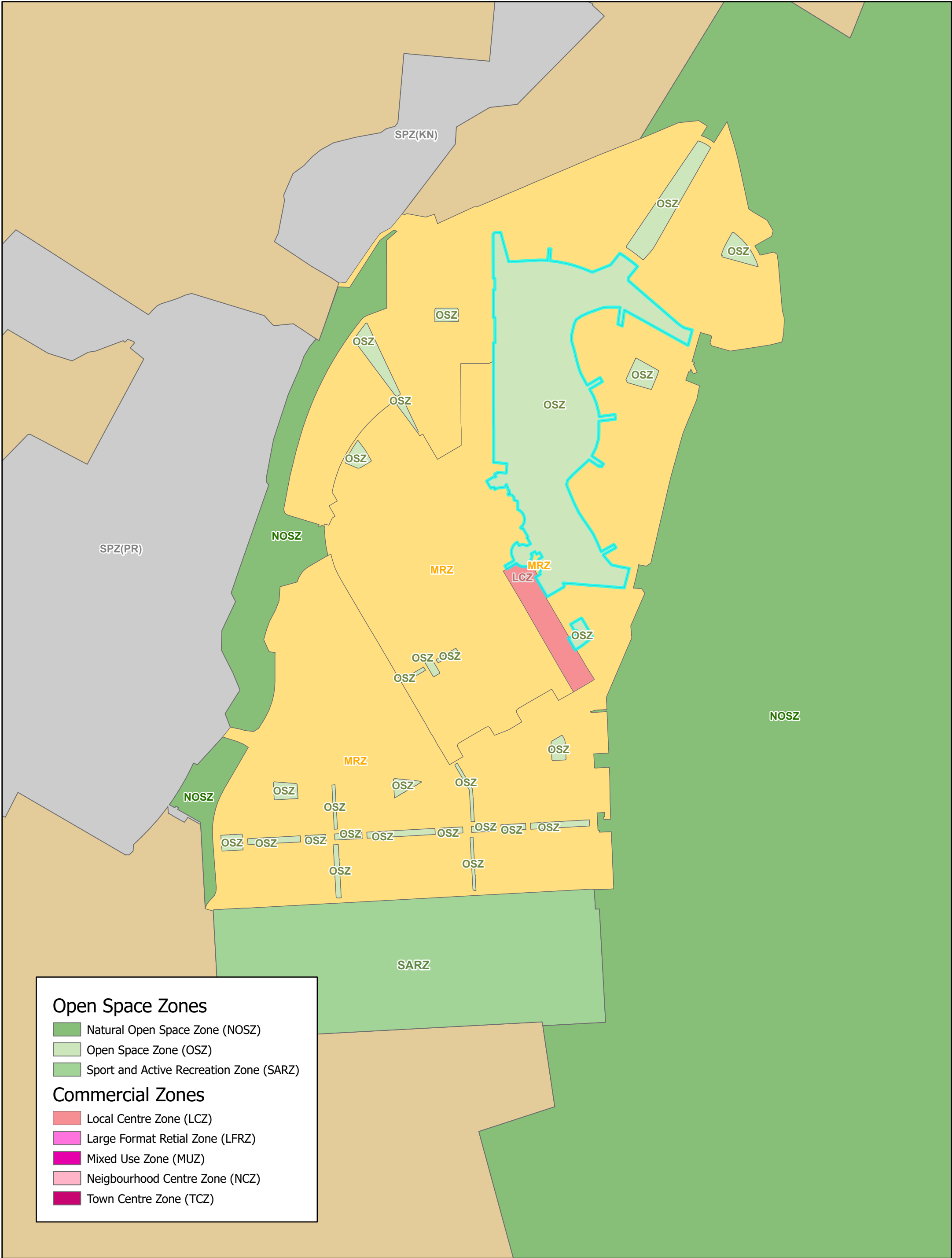
Date: 22/07/2022



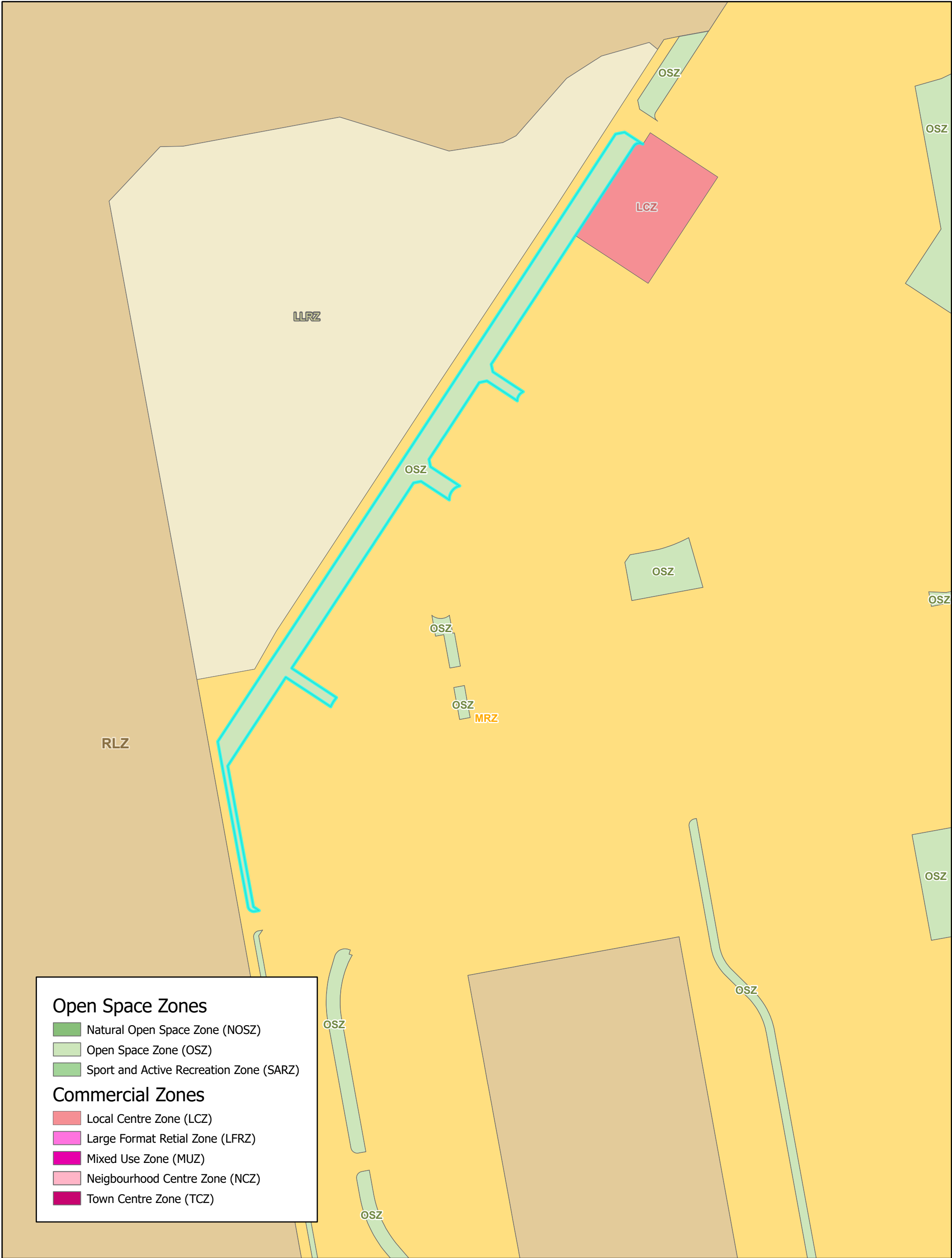
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### Open Space Zones

- Natural Open Space Zone (NOSZ)
- Open Space Zone (OSZ)
- Sport and Active Recreation Zone (SARZ)

### Commercial Zones

- Local Centre Zone (LCZ)
- Large Format Retail Zone (LFRZ)
- Mixed Use Zone (MUZ)
- Neighbourhood Centre Zone (NCZ)
- Town Centre Zone (TCZ)

0 9000 18000 27000  
Meters

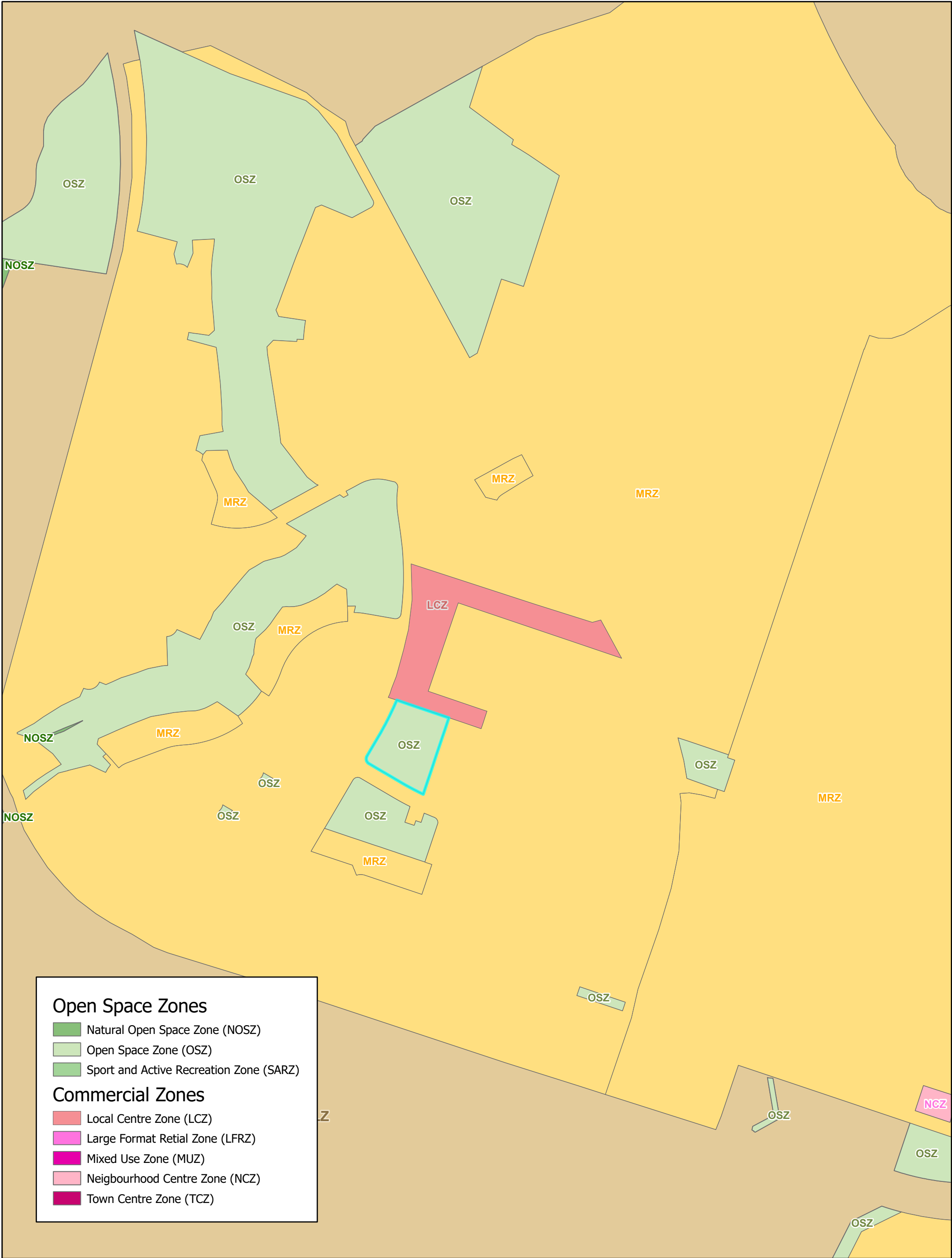
**Rangiora - North West**

Date: 22/07/2022

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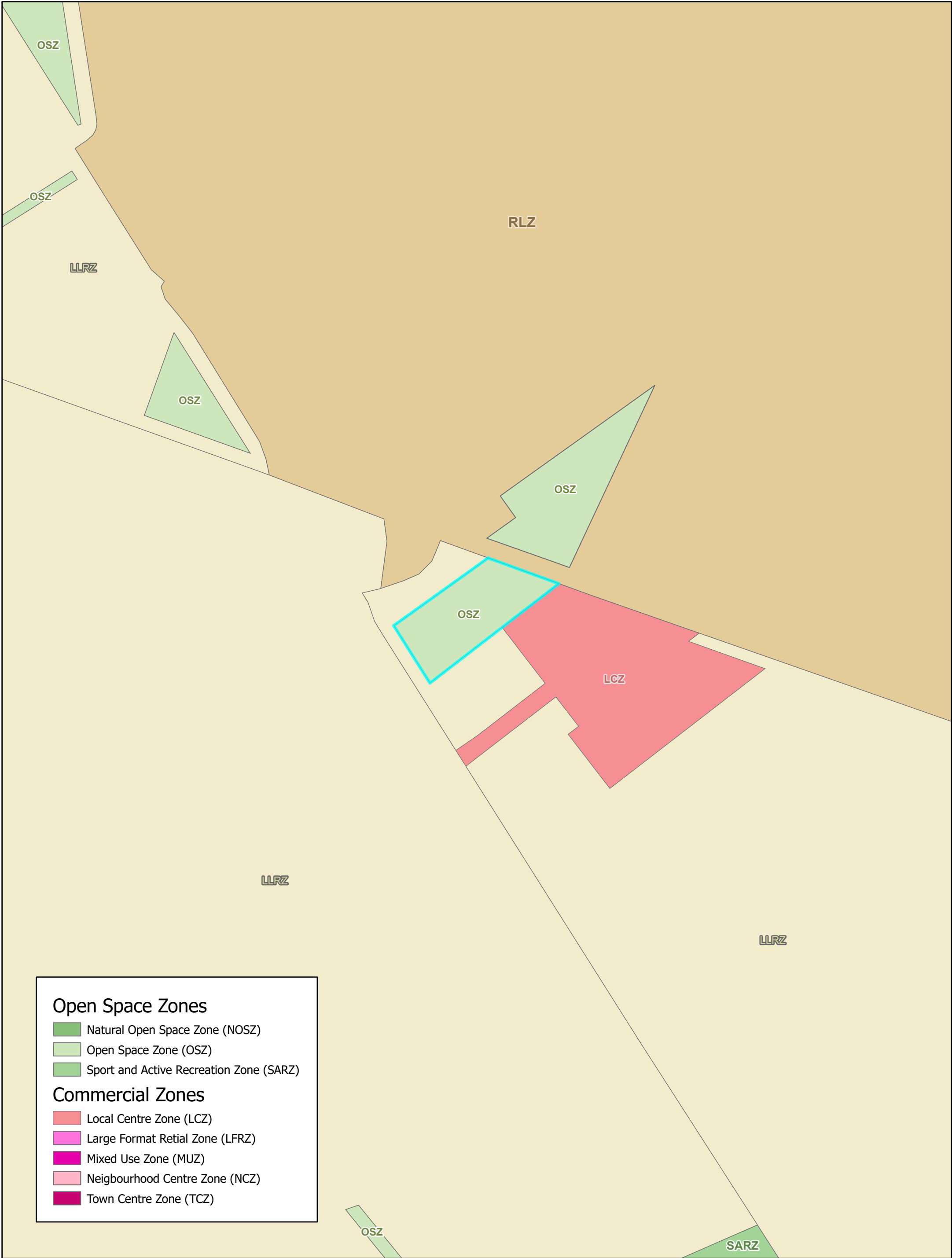


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Original Size - A3



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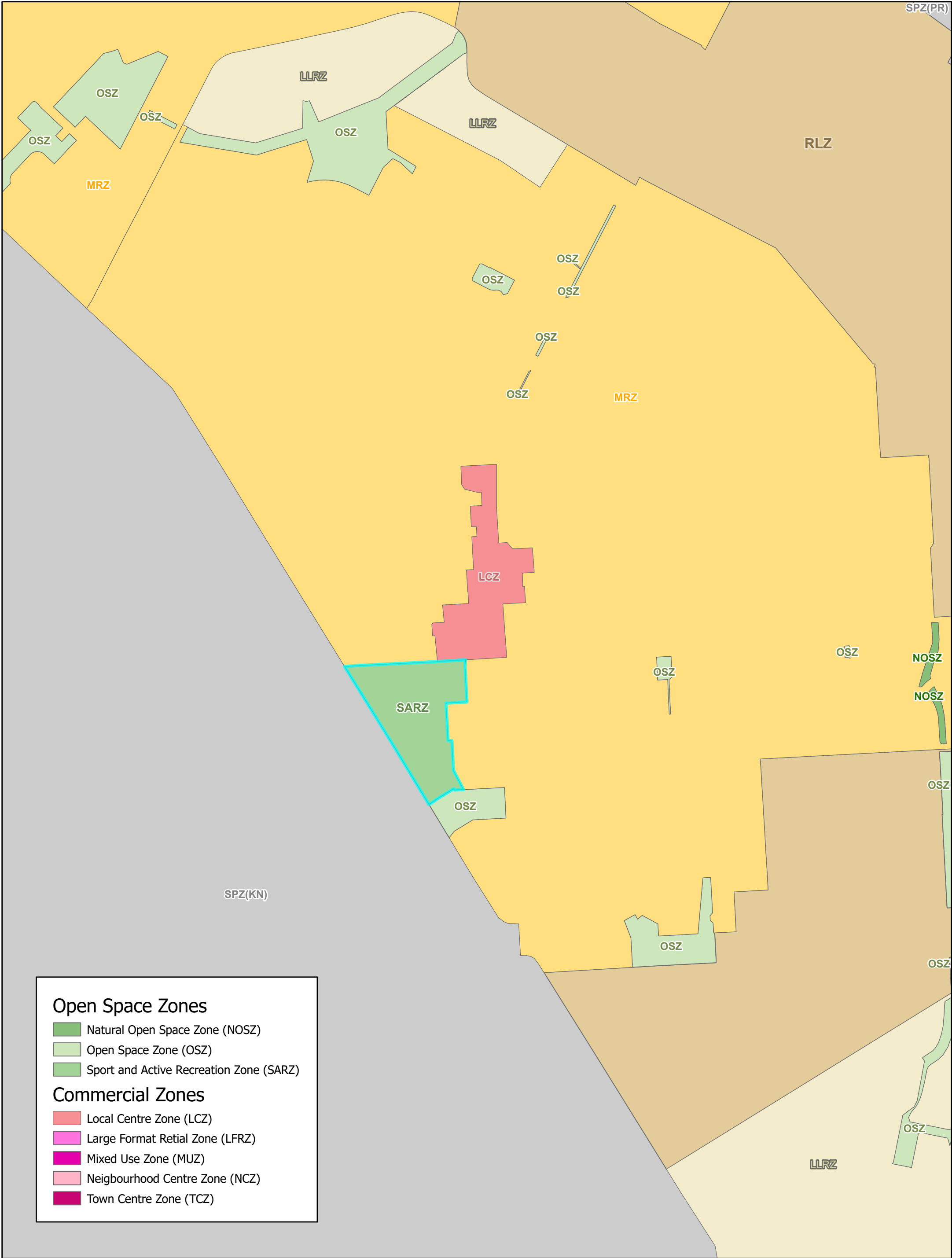
0 9000 18000 27000  
Meters

**Rangiora - North West**

Date: 22/07/2022

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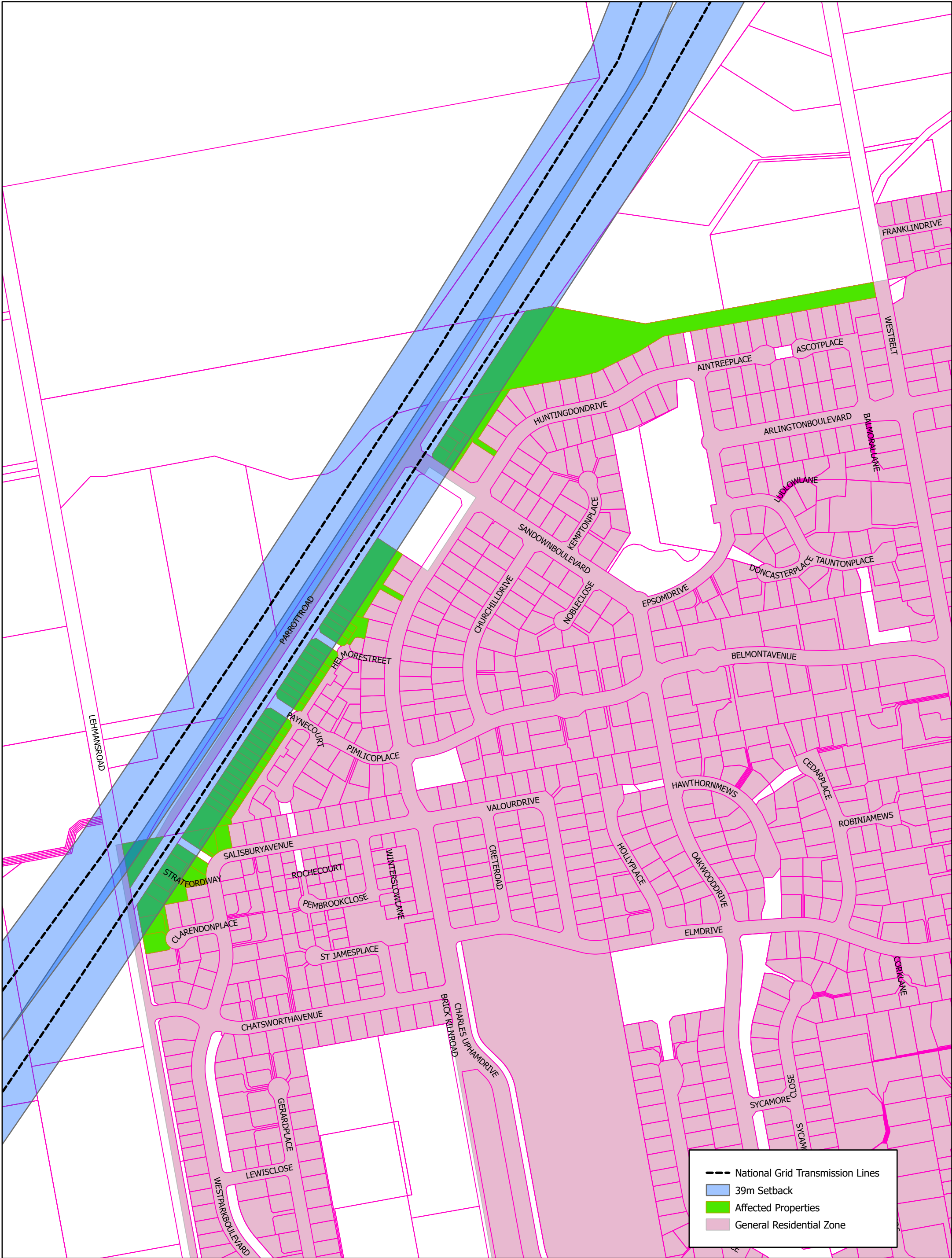
0 9000 18000 27000  
Meters

Scale 1:6,356  
Original Size - A3



## APPENDIX 9 – SETBACK FROM NATIONAL GRID TRANSMISSION LINES – AFFECTED PROPERTIES

---



0 37.5 75 150 M  
Scale: 1:4,405

Original Size - A3

## National Grid Transmission Lines Setback

Date: 7/06/2022

Job # 22-021

### DISCLAIMER

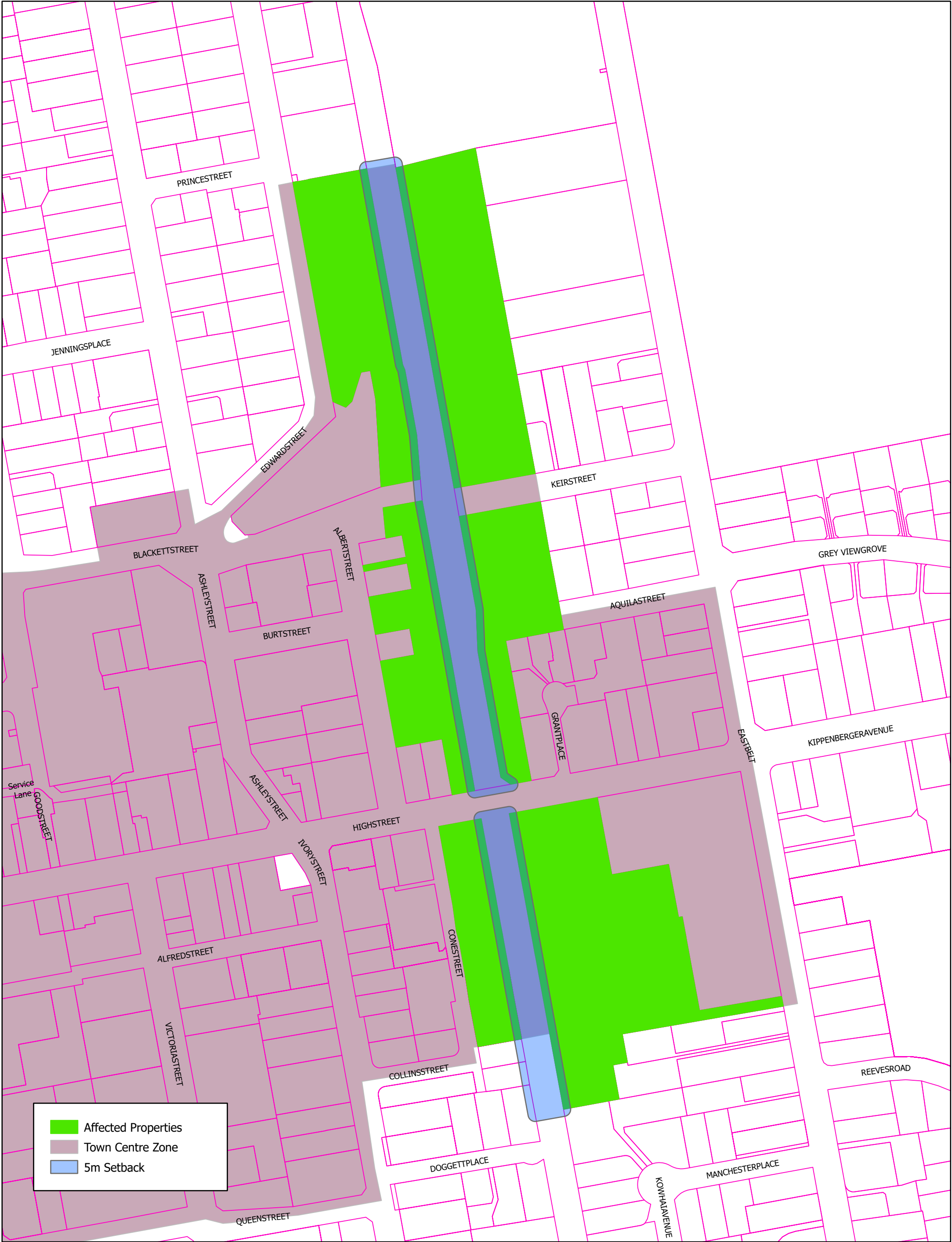
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**WAIMAKARIRI**  
DISTRICT COUNCIL

## APPENDIX 10 – SETBACK FROM RAILWAY CORRIDOR – AFFECTED PROPERTIES

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0 20 40 80 M

Scale: 1:2,335

Original Size - A3

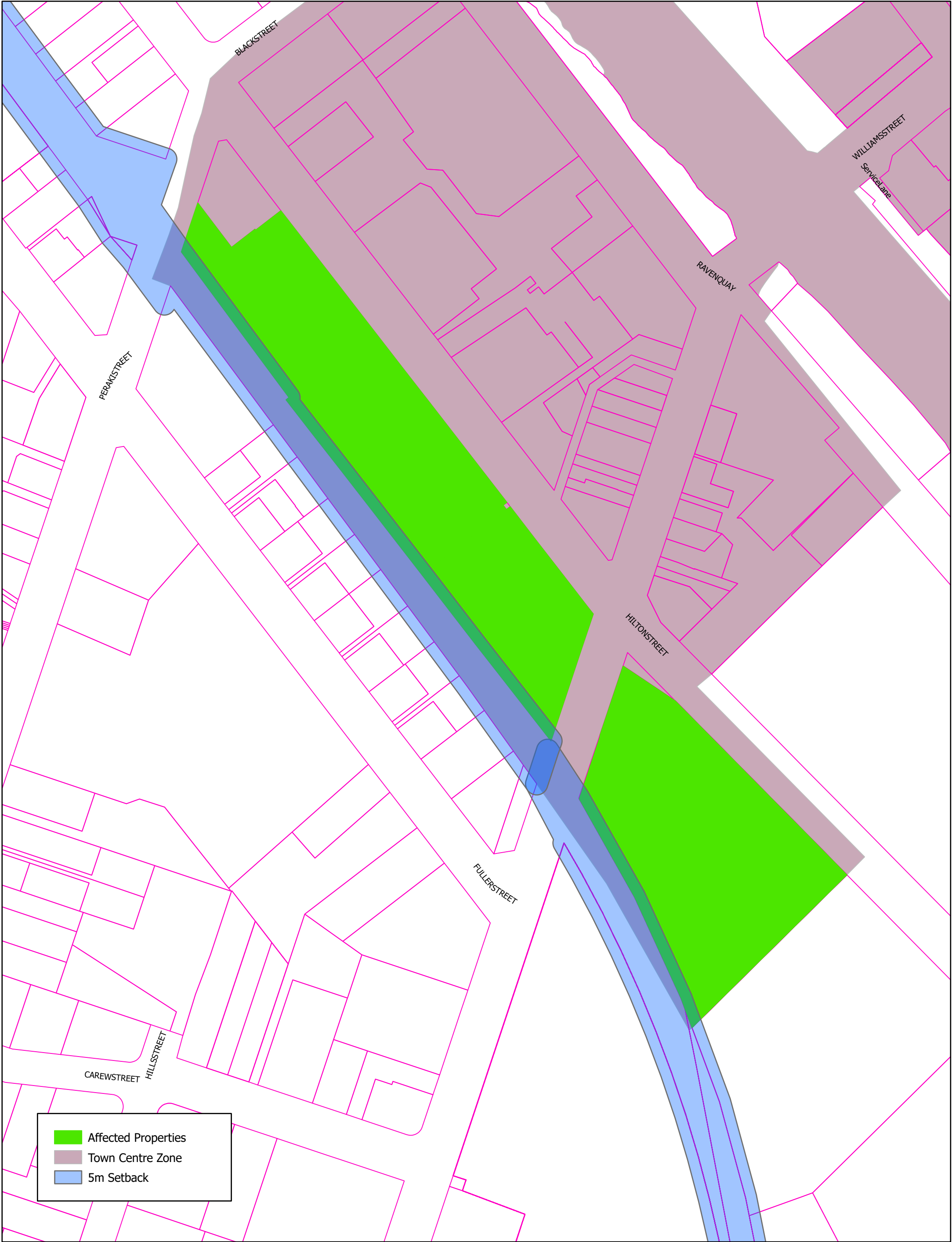
### Railway Corridor Setback Rangiora

Date: 7/06/2022

Job# 22-021

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0 12.5 25 50 M  
Scale: 1:1,495

Original Size - A3

### Railway Corridor Setback Kaiapoi

Date: 7/06/2022

Job# 22-021

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## APPENDIX 11 – NATURAL HAZARDS S32 ASSESSMENT

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### Introduction and background to the topic

Parts of the District are subject to various natural hazards, the most significant of these affecting urban areas being fresh water flooding (from localised rainfall events and river breakouts), sea water inundation and land deformation as a result of earthquakes (e.g. liquefaction). Increased development density in areas subject to significant natural hazards can put more people and property 'in harm's way', increasing risk. In addition, increased building and site coverage can result in increased stormwater runoff (from increased impervious surfaces) and displacement of floodwaters. These factors can overwhelm the design capacity of existing stormwater infrastructure and exacerbate flooding risk.

A number of technical reports on natural hazards informed the PDP. A useful resource created from these was the natural hazards portal which can be accessed at the following address: <https://waimakariri.maps.arcgis.com/apps/MapSeries/index.html?appid=16d97d92a45f4b3081ffa3930b534553>.

Whilst liquefaction affects large parts of the urban environment, the PDP Natural Hazards Chapter generally considers this hazard to be able to be adequately managed by Building Act requirements. Furthermore, the areas of the district most affected by land deformation were 'Red Zoned' by central government after the Canterbury 2010/2011 earthquake sequence and are not considered within scope of the Amendment Act or the NPS-UD Policy 3 (see Part A of this s32).

As set out in the PDP Natural Hazards s32, coastal erosion is projected to be limited to the northern part of the District and will only occur within the active dune system. This leaves freshwater flooding and sea water inundation as the most prevalent natural hazards being managed by the PDP and of relevance to the Amendment Act and NPS-UD Policy 3.

The PDP proposes to manage flooding and sea water inundation risk in existing urban areas through a minimum floor level approach achieved through a certification pathway. In Kaiapoi a fixed minimum floor level approach has been adopted. These approaches also take into account the proposed density provisions applying in at risk areas and to a lesser extent the infrastructure requirements in these areas. The approach differentiates between low to medium flood risk and high flood hazard risk, as well as existing urban areas vs rural areas. The contributing matters of consideration were:

1. New developments in high flood hazard rural areas should be avoided as this generally increases natural hazard risk where there was little or none previously;
2. Some intensification and increased natural hazard risk is acceptable in existing urban areas subject to high flood hazards where:
  - the community has already accepted increased flood risk;
  - the benefits from being able to re-develop and intensify outweigh the increased natural hazard risk;
3. Increasing natural hazard risk should ideally be avoided in areas subject to sea water inundation (as per the NZCPS);
4. The CRPS sets out a framework for managing natural hazards, which includes mitigation in existing urban areas.

The area of the District within scope of the Amendment Act and NPS-UD Policy 3 and that is also subject to significant flooding and sea water inundation risk is limited to Kaiapoi. Noting the four

considerations above, parts of Kaiapoi were up-zoned from an ODP zoning comparable to the GRZ to the MRZ. This provided opportunities for Kaiapoi to grow and evolve, recognising the benefits of intensification and also that Kaiapoi greenfield growth is constrained by significant natural hazard risk. This was recognised in the DDS where it stated for Kaiapoi (page 41):

- *“Extent of hazard risk to be considered as part of the Council’s response to the National Policy Statement on Urban Development Capacity*
- *148 hectares of additional feasible residential land required for the next 21 years of growth (this includes capacity in remaining stages of existing residential developments and new greenfield areas)*
- *Future residential growth directions proposed to the north east of existing Kaiapoi*
- *Opportunities for intensification and regeneration to be identified*
- *New growth directions take into account the areas of unacceptable natural hazard risk and areas of significant environment and cultural values”*

As set out in the PDP s32, the PDP is considered the best option to respond to the identified natural hazards and the higher order planning framework (including the NPS-UD before the Amendment Act Policy 3 changes).

#### Issues and Options

Both the Operative District Plan and the PDP include various rules on buildings and activities proposed in flood risk locations, seeking to avoid or mitigate flood risk. As set out earlier, generally the PDP approach is to mitigate flood risk, including high flood hazard areas, in existing urban areas, through minimum floor levels. While it could be argued that high flood hazard areas should be avoided completely, this approach recognises that the Kaiapoi community is already established and currently subjected to flood risk and gives effect to CRPS Policy 11.3.1.

Providing for some intensification enables the town to evolve and landowners to modestly develop their sites. However, significant high density development would put even more assets in “harm’s way” and goes beyond providing modest opportunities for Kaiapoi to grow. For the above reasons it is considered inappropriate to apply the MDRS provisions in areas that are subject to significant flooding and sea water inundation.

Considering the Amendment Act and NPS-UD requirements, the options for the Kaiapoi areas subject to high flood hazard and sea water inundation that have been considered are set out below.

For commercial areas, the NPS-UD directs height limit changes. Adding additional floors above floodwaters does not contribute to increased risk to the same extent as additional ground floor activity and does not contribute to additional flood water displacement. In the commercial areas of Kaiapoi, the PDP requires residential activity to be above the ground floor. As such, increased height in commercial zoned areas is not as relevant to existing natural hazard risk compared to increased residential density.

NPS-UD Policy 3 also applies to areas adjacent the TCZ, LCZ and NCZ. Where these are in the flooding constrained precinct they will also be excluded via qualifying matters.

The options for the Kaiapoi residential areas that have been considered are set out below. For the above reasons it is considered inappropriate to apply the MDRS provisions in areas that are subject to significant flooding and sea water inundation.



Option	Comment	QM matter required?
<b>Option 1 - Status Quo*</b>  Apply the MDRS in Kaiapoi irrespective of high flood risk	Highest development option  Sites subject to high flood risk can be developed for 3 houses without minimum site sizes. This puts significantly more assets at risk and contributes significantly more flood water displacement (relative to the other options).  <i>*The Amendment Act and NPS-UD Policy 3 are required to be applied unless qualifying matters apply. As such, they are considered to be the status quo option</i>	No
<b>Option 2</b>  Apply the zones as per the PDP	<b>Preferred option</b>  Maintains the PDP development potential proposed. Density is 1 unit per 500m <sup>2</sup> in General Residential Zone and 1 unit per 200m <sup>2</sup> in Medium Density Residential Zone. This option provides opportunities for Kaiapoi to intensify but not at the density enabled by the MDRS.	Yes
<b>Option 3</b>  Apply the zones as per the ODP	Lowest development option  Reduces the density from the PDP. Density is 1 unit per 300m <sup>2</sup> in the Residential 1 zone and 1 unit per 600m <sup>2</sup> in the Residential 2 zone. This is the lowest density approach and provides the least opportunities for Kaiapoi to grow relative to the other options.	Yes

### Proposed approach

The proposed approach is to apply the zone provisions in the PDP as notified in the area affected by high flood hazard and sea water inundation, rather than the MDRS provisions. This area would be mapped as the “Flooding Constrained Precinct” or similar. The MDRS provisions will apply to the remainder of the residential zoned areas (General Residential / Medium Density Residential) in Kaiapoi.

In order to justify the proposed approach in the Flooding Constrained Precinct and apply alternative density standards to those required under the Amendment Act, qualifying matters justification is required.

### Qualifying matters justification

As set out in Section 8.3 of the main report, the proposed approach within the residentially zoned areas is justified due to the modelled flood hazard risk.

NPS-UD Policy 3 also applies to areas adjacent the Town Centre, Local Centre and Neighbourhood Centre zones. Where these areas fall within the proposed Flooding Constrained Precinct they are proposed to be excluded from the requirements of NPS-UD Policy 3 via a qualifying matter for consistency and because increased height may encourage greater development and put more

significant assets at risk of natural hazards. In these areas the PDP height and other density standards will apply.

For the specified commercial zones within Kaiapoi that are also subject to flooding, the Council has chosen to implement NPS-UD Policy 3 without qualifying matters as they are not required (see the section on commercial areas within this s32).

#### Scale and significance statement

Scale and Significance Evaluation			
	Low	Medium	High
Degree of change from the Proposed Plan	✓		
<p>The proposed approach seeks to apply the PDP approach in Kaiapoi through the use of qualifying matters. The degree of change from the PDP is low.</p> <p>The remainder of the urban areas within scope are as per the MDRS and NPS-UD Policy 3. The degree of change from the PDP is high, however, as these are mandatory changes these matters are not relevant.</p>			
	Low	Medium	High
Effects on matters of national importance		✓	
<p>The Proposed Plan manages significant risk from natural hazards as a matter of national importance (Section 6(h) RMA). These matters are considered through this variation via qualifying matters applying in the Kaiapoi Flooding Constrained Precinct. Although a clear matter of national importance, the degree of change and scale produce a medium scale and significance result.</p>			
	Low	Medium	High
Scale of effects geographically (local, district wide, regional, national)	✓		
<p>The proposed alternative provisions are limited to the Kaiapoi Flooding Constrained Precinct and as such are a local scale only.</p> <p>The remainder of the urban areas within scope are as per the MDRS and NPS-UD Policy 3. In this respect the scale of effects is high, however, as these are mandatory changes these matters are not relevant.</p>			
	Low	Medium	High
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)		✓	
<p>The proposed alternative provisions are limited to the Kaiapoi Flooding Constrained Precinct. While of a local scale only, they affect the District's second largest urban area.</p>			

Scale and Significance Evaluation			
The remainder of the urban areas within scope are as per the MDRS and NPS-UD Policy 3. In this respect the scale of effects is high, however, as these are mandatory changes these matters are not relevant.			
	Low	Medium	High
Scale of effects on those with specific interests, e.g., Mana Whenua, industry groups	✓		
The scale of the effects on tangata whenua and special interest groups is assessed as low.			
	Low	Medium	High
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice? Is it consistent, inconsistent or contrary to those?	✓		
The degree of policy risk is considered to be low as the proposed approach in Kaiapoi has been justified through the PDP s32 and the use of Qualifying Matters is provided for under the Amendment Act.			
The provisions applying to the remainder of the urban areas within scope are as per the MDRS and NPS-UD Policy 3. In this respect the degree of policy risk is also low. However, as these are mandatory changes these matters are not relevant.			
	Low	Medium	High
Likelihood of increased costs or restrictions on individuals, communities or businesses	✓		
The proposed approach seeks to apply the PDP approach in Kaiapoi through the use of qualifying matters. In this regard the likelihood of increased costs or restrictions relative to the PDP is low.			
The provisions applying to the remainder of the urban areas within scope are as per the MDRS and NPS-UD Policy 3. These are mandatory changes and as such these matters are not relevant.			
<b>Summary - Scale and Significance</b> Overall, it is considered that the scale and significance of the proposal is <b>low</b> .			

### Evaluation of proposed approach

The evaluation table below considers two options: the status quo approach, which is the application of the MDRS and NPS-UD Policy 3 in full with no qualifying matters applying; and the proposed approach, which applies qualifying matters to parts of Kaiapoi that are subject to high flood hazard and sea water inundation.

The Amendment Act and NPS-UD Policy 3 are required to be applied unless qualifying matters apply. As such, they are considered to be the status quo option. The proposed approach is consistent with the PDP and therefore relevant parts of the s32 from the PDP Natural Hazards Chapter has been reproduced here.

Approach	Benefits	Costs	Efficiency and Effectiveness	Risk of acting / not acting
<b>Status Quo*</b>	Environmental, economic, social and cultural effects anticipated	Environmental, economic, social and cultural effects anticipated		If there is uncertain or insufficient information about the subject matter of the approach
<p><i>*The Amendment Act and NPS-UD Policy 3 are required to be applied unless qualifying matters apply. As such, they are considered to be the status quo option</i></p> <p><b>Objectives, Policies and methods:</b></p> <p>Some discrete changes will be required to the PDP to implement the MDRS and Policy 3 NPS-UD (e.g. adding a new objective to recognise the national</p>	<p><b>Environmental:</b></p> <p>No direct or indirect environment benefits have been identified with the status quo that aren't already set out in the supporting reports for the MDRS and NPS-UD Policy 3.</p> <p><b>Economic:</b></p> <p><u>Direct benefits</u></p> <p>The direct economic benefits derived from the status quo include:</p> <ul style="list-style-type: none"> <li>Increased development potential in those areas of Kaiapoi that are subject to</li> </ul>	<p><b>Environmental:</b></p> <p>No direct or indirect environmental costs have been identified with the status quo that aren't already set out in the supporting reports for the MDRS and NPS-UD Policy 3.</p> <p><b>Economic:</b></p> <p><u>Direct costs</u></p> <p>The following direct economic costs have been identified:</p> <ul style="list-style-type: none"> <li>Increased costs to recover from natural hazards (such as repairing damage, loss of productivity).</li> <li>Increased costs to upgrade infrastructure.</li> </ul>	<p><b>Efficiency</b></p> <p>The status quo approach is not considered to be the most efficient because:</p> <ul style="list-style-type: none"> <li>They do not fully give effect to higher order direction (Section 6(h), and CRPS) as significant hazard sensitive development is permitted to occur within high flood hazard areas and areas subject to sea water inundation.</li> <li>When a significant hazard event occurs there will likely be greater economic costs.</li> </ul> <p><b>Effectiveness</b></p>	<p>It is considered that there is certain and sufficient information on which to assess the status quo approach on as:</p> <ul style="list-style-type: none"> <li>The expert assessments provided show that there are a number of natural hazards that affect the District and that some of the potential impacts represent a significant risk to residential development;</li> <li>Higher order guidance (Section 6(h), and CRPS) provides direction on how natural hazard risk needs to be managed and addressed within District Plans. The status quo approach is less consistent with this higher order</li> </ul>

<p>direction supporting increased density of development in existing urban areas that are subject to natural hazards).</p> <p>As this is not the preferred option these amended / new provisions have not been drafted.</p>	<p>high flood hazard and sea water inundation.</p> <p><b>Social:</b></p> <p>Greater intensification will support the continued development of Kaiapoi.</p> <p><b>Cultural:</b></p> <p>No direct or indirect cultural benefits have been identified with the status quo approach.</p>	<ul style="list-style-type: none"> <li>There may be increased costs on ratepayers to improve infrastructure to remove or reduce flood risk.</li> </ul> <p><b>Social:</b></p> <p>With greater assets at risk there are potentially greater social costs if a natural hazard event occurs.</p> <p><b>Cultural:</b></p> <p>No direct or indirect cultural costs have been identified with the status quo approach.</p>	<p>The status quo approach is considered to not be as effective as the preferred approach because:</p> <ul style="list-style-type: none"> <li>They do not fully give effect to higher order direction (Section 6(h), and CRPS) as they put proportionally greater assets at risk of natural hazards with little increased benefit.</li> </ul>	<p>direction than the preferred approach;</p> <ul style="list-style-type: none"> <li>The status quo approach does not fully enable the Council to undertake its functions under Section 31(b)(i) of the RMA;</li> <li>New Zealand has experienced a significant number of large natural hazard events in the last decade (Christchurch Earthquake Sequence, Kaikoura Earthquake, Gisborne Floods, Dunedin Floods, West Coast Floods and Southland Floods). There has been significant social and economic costs from these events. Some of these costs could have been avoided if there had been better recognition of natural hazard risks.</li> </ul>
<p><b>Appropriateness to achieve the purpose of the RMA</b></p>				
<p><b>Relevance:</b></p> <p>The status quo approach responds to Part 2 of the RMA, but does not fully respond to Section 6(h) - the management of future development in the natural hazard and coastal hazard overlays. The approach assists the Council with undertaking their functions under s.31 of the Act. The proposed approach does not fully give effect to the higher order documents (NZCPS and CRPS), which require a risk-based approach to the management of natural hazards (as previously identified).</p> <p><b>Reasonableness</b></p>				

The status quo approach will not impose additional direct costs on the community but infrastructure will likely be required to be upgraded. In addition, developments will need to incorporate mitigation measures to ensure that the impacts from natural hazards are reduced to an acceptable level.

However, this needs to be considered in relation to the risk to life and property that can arise from undertaking development within areas susceptible to natural hazards. Development which does not take into account the natural hazard risk has the potential to have significant health and safety impacts and well as economic costs from the resulting damage.

**Achievability:**

Land use planning and subdivision decisions are one of the methods that councils have available to direct development. As such, the proposed approach can be realistically achieved within Council's power, skills and resources.

**Opportunities for economic growth and employment**

The status quo approach does not prevent economic growth or employment.

**Quantification**

Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified.

Given the assessment of the scale and significance of the proposed changes above it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes. The evaluation in this report identifies where there may be additional cost(s), however the exact quantification of the benefits and costs discussed was not considered necessary, beneficial or practicable.

<b>Approach</b>	<b>Benefits</b>	<b>Costs</b>	<b>Efficiency and Effectiveness</b>	<b>Risk of acting / not acting</b>
<b><u>Preferred Option</u></b>	Environmental, economic, social and cultural effects anticipated	Environmental, economic, social and cultural effects anticipated		If there is uncertain or insufficient information about the subject matter of the provisions
<b><u>Objective: as per the PDP</u></b>	<b><u>Environmental:</u></b> No direct or indirect environment benefits have been identified with the	<b><u>Environmental:</u></b> No direct or indirect environmental costs have been identified with the preferred	<b><u>Efficiency</u></b> The preferred option is considered to be the most efficient because:	It is considered that there is certain and sufficient information on which to base the preferred option as:
<b><u>Policy: as per the PDP</u></b>				

<b>Methods: as per the PDP</b>	preferred option other than those identified in the PDP supporting material.	option other than those identified in the PDP supporting material.	<ul style="list-style-type: none"> <li>• It gives effect to higher order direction (Section 6(h), NZCPS and CRPS).</li> <li>• While the proposed approach will result in some additional economic costs, it is considered that the resulting benefits to future occupants and the recovery of the District following a natural hazard event outweigh these costs.</li> <li>• The proposed approach would assist with the transfer of costs for addressing natural hazard risk from future property owners and local and central government onto developers at the time the developments are undertaken.</li> <li>• It is recognised that there are potential costs to be borne by tangata whenua. Careful consideration was given to whether an alternative framework was required to allow for the cultural aspirations of these communities to be met. However, this was decided against due to the higher order direction and that being more</li> </ul>	<ul style="list-style-type: none"> <li>• The expert assessments provided show that there are a number of natural hazards that affect Kaiapoi and some pose a significant risk to life and property.</li> <li>• The preferred option is consistent with higher order direction.</li> <li>• The preferred option allows Council to undertake its functions under Section 31(b)(i) of the RMA;</li> <li>• New Zealand has experienced a significant number of large natural hazard events in the last decade (Christchurch Earthquake Sequence, Kaikoura Earthquake, Gisborne Floods, Dunedin Floods, West Coast Floods and Southland Floods, Nelson/Tasman, Canterbury Floods and Lake Ohau wildfires). There have been significant social and economic costs from these events. Some of these costs could have been avoided if there had been better recognition of natural hazard risks when some of the impacted communities were developed. The preferred option seeks to</li> </ul>
	<p><b>Economic:</b></p> <p><u>Direct benefits</u></p> <ul style="list-style-type: none"> <li>• Reducing the risk for damage to future developments from natural hazard events as a result of incorporated mitigation measures.</li> <li>• Likely ability to retain insurance cover for future properties as they have been able to be designed to mitigate the risks from natural hazards.</li> <li>• Reduced costs to recover from natural hazards (such as clean-up, repairing damage, loss of productivity).</li> <li>• Communities that experience less damage in a natural hazard event are able to recover faster. This ensures significantly reduced economic impacts from when a natural hazard event occurs as the loss of</li> </ul>	<p><b>Economic:</b></p> <p>The following economic costs have been identified:</p> <ul style="list-style-type: none"> <li>• There will be a loss of development potential relative to the MDRS.</li> </ul>		

	<p>productivity and employment opportunities are not as significant.</p> <ul style="list-style-type: none"> <li>The proposed provisions allow for some development within the existing urban area to still occur, providing appropriate hazard mitigation measures are incorporated into the development. This assists people in the urban area to provide for their economic well-being.</li> </ul> <p><u>Indirect benefits</u></p> <ul style="list-style-type: none"> <li>Potentially lower future costs to respond to natural hazard events as they have been planned for. This includes events like sea level rise and flooding which are impacted by climate change. This has the potential for reduced increasing rates of insurance premiums, reduced Council rates increases (to pay for mitigation to reduce the</li> </ul>		<p>permissive in the natural hazard overlays could put life and future developments at considerable risk, which would result in worse outcomes for these communities in the longer term.</p> <p><b>Effectiveness</b></p> <p>The preferred approach is considered to be the most effective because:</p> <ul style="list-style-type: none"> <li>It gives effect to higher order direction (Section 6(h), NZCPS and CRPS), which the proposed objectives also respond to.</li> <li>The proposed approach relates to the natural hazards that have the potential to have the greatest impact within Kaiapoi.</li> <li>The activity status and the regulatory response associated with the proposed approach is directly proportionate to risk to development from a natural hazard.</li> </ul>	<p>ensure that future development is undertaken in a manner to ensure that these future social and economic costs do not continue to increase.</p> <ul style="list-style-type: none"> <li>The preferred option allows Council to meet its requirements under CDEM Group Plan, by providing a risk-based approach to the management of natural hazard risk.</li> </ul>
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	impacts from natural hazards).			
	<p><b>Social:</b></p> <p><u>Direct benefits</u></p> <ul style="list-style-type: none"> <li>Purchasers of new properties that are located in the flood hazard constrained precinct will have more confidence these have been appropriately developed. This will reduce the potential for future social costs such as stress, strain on mental health, illness and loss of work days.</li> </ul> <p><u>Indirect benefits</u></p> <p>No indirect benefits have been identified.</p>	<p><b>Social:</b></p> <p>No direct or indirect social costs have been identified.</p>		
	<p><b>Cultural:</b></p> <p>No direct or indirect cultural benefits have been identified.</p>	<p><b>Cultural:</b></p> <p>Te Ngāi Tūāhuriri Rūnanga Opposes any intensification of the Settlement Zone, underlying the Special Purpose Māori Zone at Tuahiwi. Therefore the proposed approach will not impact on tangata whenua aspirations to further develop</p>		

		their land. However, it is understood that tangata whenua accept that the response to and management of natural hazards is equally applicable to development of Māori land and descendent land within Māori Reserve 873.		
<b>Appropriateness to achieve the purpose of the RMA</b>				
<p><b>Relevance:</b></p> <p>The preferred option gives effect to Part 2 of the RMA as follows:</p> <ul style="list-style-type: none"> <li>- s5 - it provides for the sustainable management of the District by ensuring developments are designed to avoid or mitigate the effects of the natural hazard, which also provides for the social, economic and cultural well-being of the local community as well as their health and safety.</li> <li>- Section 6(h) - the framework manages future development in the natural hazard and coastal hazard overlays.</li> <li>- Section 7(i) – the flood modelling and coastal inundation modelling has taken into account climate change.</li> </ul> <p>The proposed approach also assists Council with undertaking their functions under s.31 of the Act.</p> <p>The proposed approach also gives effect to higher order documents (NZCPS and CRPS), which require a risk-based approach to the management of natural hazards (as previously identified).</p> <p><b>Reasonableness</b></p> <p>The proposed approach will impose additional costs on some in the Kaiapoi community as some sites will not be able to be developed to the extent envisaged by the MDRS. In addition, developments will need to incorporate mitigation measures to ensure that the impacts from natural hazards are reduced to an acceptable level.</p> <p>However, this needs to be considered in relation to the risk to life and property that can arise from undertaking development within areas susceptible to natural hazards. Development which does not take into account the natural hazard risk has the potential to have significant health and safety impacts and well as economic costs from the resulting damage. Overall, it is considered that the costs of the proposed approach on the community are justifiable, although some properties will be more impacted than others.</p>				

<p><b>Achievability:</b></p> <p>Land use planning and subdivision decisions are one of the methods that councils have available to manage the risks associated with natural hazards and it is a fundamental consideration under the RMA. As such, the proposed approach can be realistically achieved within Council's power, skills and resources.</p>
<p><b>Opportunities for economic growth and employment</b></p> <p>The preferred option only covers a small portion of Kaiapoi. The MDRS apply in the balance of the District and thereby provide significant opportunities for growth and economic development.</p>
<p><b>Quantification</b></p> <p>Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified.</p> <p>Given the assessment of the scale and significance of the proposed changes above it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes. The evaluation in this report identifies where there may be additional cost(s), however the exact quantification of the benefits and costs discussed was not considered necessary, beneficial or practicable.</p>

### Summary / conclusions

It is considered that the preferred approach provides a more balanced response to the competing aims of appropriately managing natural hazard risk while providing opportunities for Kaiapoi to grow and evolve, including through intensification as sought through the Amendment Act and NPS-UD Policy 3.

