BEFORE INDEPENDENT HEARING COMMISSIONERS ON PROPOSED PRIVATE PLAN CHANGE 13 TO THE OPERATIVE HAMILTON CITY DISTRICT PLAN

IN THE MATTER	of the Resource Management Act 1991
AND	
IN THE MATTER	of proposed Private Plan Change 13 ('PC13') to the Hamilton City District Plan

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STATEMENT OF PRIMARY EVIDENCE OF MICHAEL ROBERT CAMPBELL ON BEHALF OF KĀINGA ORA – HOMES AND COMMUNITIES

(PLANNING)

09 AUGUST 2023

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1. EXECUTIVE SUMMARY

1.1 My full name is Michael Robert Campbell. I am a director of Campbell Brown Planning Limited (Campbell Brown). I have been engaged by Kāinga Ora-Homes and Communities (“**Kāinga Ora**”) to provide evidence in support of its submissions on **PC13.**

1.2 I have also been engaged by Kāinga Ora to provide evidence in support of its primary and further submissions on the three Waikato Intensification Planning Instruments (“**IPI**’”), being; Hamilton City Council’s Plan Change 12, Waipā District Council’s Plan Change 26 and Waikato District Council’s Variation 3 to the Proposed Waikato District Plan 2022. As such I have overview of the strategic approach that has been taken in submission across the Waikato Region, and which relate to the submissions made on PC13.

1.3 The key points addressed in my evidence are:

a) The statutory context created by the National Policy Statement: Urban Development 2020 (“**NPS-UD**”) and the directive requirements under the Resource Management Act 1991 (“**RMA**”) as amended by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021;

b) The planning principles behind the approach that Kāinga Ora has taken in relief sought through the IPI processes, and the overarching purpose of spatial planning and its role in the fulfilment of the strategic objectives of the Plan (as sought to be modified by Proposed Plan Change 12 – Enabling Housing Supply **(‘PC12’)**) to increase opportunities for intensification in strategically desirable locations.

c) Maximum building height – I recommend an increased maximum building height of 16m to more-appropriately provide for and enable meaningful *medium density* residential development at 5 storeys.

d) Height in relation to boundary – I recommend a more-nuanced approach to the height in relation to boundary standard than that

originally sought in the Kāinga Ora submission, so as to be responsive to the range of building heights and dwellings typologies enabled within the Medium Density Residential Zone ("**MDRZ**").

e) Service Areas – I recommend removal of such a requirement in favour of a matter of discretion and/or assessment criteria, as the ability to provide a service area is typically a function of whether building/site coverages are exceeded or multi-unit style development is proposed.

f) Vacant lot subdivision – I recommend the adoption of an 8 x 15m vacant lot shape factor *in addition* to a minimum vacant lot area requirement, as an appropriate response to the enabling approach taken within the RMA and Medium Density Residential Standards ("**MDRS**").

g) Flooding Hazards – I recommend that any bespoke flooding provisions are removed from PC13 as such issues are already managed through the Natural Hazards and Subdivision chapters of the District Plan. As a private plan change under Schedule 1 of the RMA, there is no impediment to updating the planning maps through this process to ensure that those provisions can be relied upon in an effective and efficient manner. I also note that HCC is presently preparing PC14 to comprehensively address updated flood hazard modelling across the City, and that such a process is also appropriate to address any such issues.

h) Consequential amendments to various affected provisions under PC13 to give effect to the relief sought by Kāinga Ora and the amendments recommended in my evidence.

i) Removal of precinct provisions that are already addressed through 'district wide' provisions.

j) I have prepared a Section 32AA assessment as set out in **Appendix A** to my evidence.

1.4 Within the Waikato Regional context, it is my opinion that the approach taken by Kāinga Ora will not be contrary to the purpose and objectives of Te Ture Whaimana or the Waikato Regional Policy Statement (**"WRPS"**), as well as the amendments to the WRPS sought to be introduced through 'Change 1', and would be consistent with those other relevant statutory documents applicable to PC13[1].

2. INTRODUCTION

2.1 My full name is Michael Robert Campbell. I am a director of Campbell Brown Planning Limited (Campbell Brown), a professional services firm in Auckland specialising in planning and resource management.

2.2 I graduated from Massey University in 1995 with a Bachelor's Degree in Resource and Environmental Planning (Honours).

2.3 I began my career in planning and resource management in 1995. I was employed by the Auckland City Council as a planner from June 1995 to August 1998. I worked as a planner for the London Borough of Bromley in the United Kingdom from December 1998 to August 2000. I was employed by a Haines Planning, a planning consultancy firm, from October 2000 to December 2003.

2.4 From January 2004 to October 2010, I worked for Waitakere City Council, beginning as a Senior Planner. In my final role at the Council, I was Group Manager Consent Services, where I oversaw the Planning, Building and Licensing Departments. In 2010, I started Campbell Brown together with my co-director Philip Brown.

2.5 I am a full member of the New Zealand Planning Institute. In July 2011, I was certified with excellence as a commissioner under the Ministry for the Environment's Making Good Decisions programme. In 2013, I was appointed to the Auckland Urban Design Panel. In 2014, I was awarded the New Zealand Planning Institute's Best Practice

[1] These are outlined at section 4 of the s42A report and I agree with reporting planner's identification of the relevant planning and policy documents. I do not repeat this in my evidence.

Award for Excellence in Integrated Planning, as well as the Nancy Northcroft Supreme Best Practice Award.

2.6 I have been involved in a number of plan review and plan change processes, including the Independent Hearings Panel hearings on the proposed Auckland Unitary Plan. In particular, I have been involved in the following policy planning projects including:

(a) The Auckland Unitary Plan review for a range of residential clients and assisted the Auckland Council with the Quarry Zone topic;

(b) Plan change for Westgate Town Centre comprising residential and commercial activities;

(c) Proposed Plan Change 59 in relation to a private plan change for approximately 1,600 homes in Albany;

(d) Proposed Private Plan Change for a research integration campus for the University of Auckland.

(e) Reviewing, making submissions and providing evidence on behalf of Kāinga Ora in relation to a suite of private plan change requests in the Drury area of South Auckland;

(f) Reviewing, making submissions and providing evidence on behalf of Kāinga Ora in relation to the proposed New Plymouth District Plan.

(g) Reviewing, making submissions and providing evidence on behalf of Kāinga Ora in relation to the proposed Central Hawkes Bay District Plan.

(h) Reviewing, making submissions and providing evidence on behalf of Kāinga Ora in relation to the three IPI processes, and PC9 to the Operative Hamilton City District Plan, all currently before an independent hearings panel for the Waikato Region.

Code of Conduct

2.7 Although this is a Council hearing, I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

Scope of Evidence

2.8 The PC13 hearing (**"the hearing"**) addresses submission points relating to PC13 in its entirety. My evidence generally follows the format of the s42A report for ease of reference.

2.9 There are a range of submission points that Kāinga Ora have not elected to provide evidence on (particularly where the reporting planner has recommended that the relief sought be accepted). My evidence therefore addresses those remaining areas of interest to Kāinga Ora.

2.10 In preparing my evidence, I have read the s42A report and supporting documentation. I have also reviewed the briefs of evidence prepared by those experts appearing in support of the Waikato Racing Club (**'the applicant'**). As noted earlier, the relevant statutory documents are comprehensively outlined within the s42A report and I do not repeat those in their entirety here, other than those aspects which are directly relevant to the relief sought by Kāinga Ora.

2.11 I have also considered the evidence of Mr Brendon Liggett (Corporate).

3. BACKGROUND TO THE KĀINGA ORA SUBMISSION

Submissions on PC12

3.1 As outlined in the primary submission, Kāinga Ora generally supports the proposed rezoning of underutilised land within the Te Rapa

Racecourse to that of the Medium Density Residential zone ('MDRZ'). I support this objective given the land is located in an area with good accessibility to a range of services and amenities, including transportation options, that would support residential development at the intensities sought by PC13. This is reflected in the descriptive (amended) text[2] proposed under the Objectives and Policies for the precinct:

> *The Te Rapa Racecourse Medium-Density Residential Precinct applies to land adjacent to the Te Rapa Racecourse. The site is adjacent to the Te Rapa employment area and is well connected to the Garnett Avenue neighbourhood centre, the Minogue Park/Waterworld large scale recreation facility and to public transport services on Te Rapa Road and Garnett Avenue. The racecourse itself is a regionally significant sporting facility that provides open space and amenity for the Precinct. The purpose of the Precinct is to create a high-quality medium density residential development. It will support a walkable community with multi-modal transport options. It integrates with the existing rest home and retirement village and other residential development adjacent to the racecourse on Minogue Drive and Ken Browne Drive.*

3.2 In the context of Hamilton City, the land also represents a relatively scarce resource (i.e., vacant brownfield land) within the wider urban context. With the benefits of location outlined above, the land has the potential to meaningfully-contribute to residential intensification in accordance with the strategic objectives of the NPS-UD, the WRPS and intended outcomes of the Medium Density Residential Standards ('**MDRS**') under the Resource Management Act 1991 ("RMA") as amended by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.

3.3 As the Commissioners will be well-aware, those requirements are being considered through the IPI process under PC12[3]. The proposed provisions put forward to support rezoning and future development under PC13 (by way of precinct provisions) also reflect the provisions being put forward by Hamilton City Council under PC12.

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[2] Attachment 1 to the evidence of Mr John Oliver.

[3] As of 3rd August, the Minister for the Environment has granted the request to defer decisions on PC12 until December 2024. The Independent Hearings Panel have since issued a direction confirming the deferral of hearings relating to PC12.

3.4 As noted earlier, Kāinga Ora has filed comprehensive submissions on all IPI processes across the Waikato Region. As a broad summary statement, the submissions in respect of PC12 generally support giving effect to the MDRS across the residential zones within Hamilton City, but seek a greater application of the zoning hierarchy *spatially,* as well as increased building heights and more-enabling provisions within the zones so as to respond to the requirements under Policy 3 of the NPS-UD, and to ensure a greater distinction between the General Residential Zone ("GRZ") and MDRZ.

3.5 For the Commissioners' benefit I have attached the primary Kāinga Ora submission on PC12 as **Appendix A** to my evidence. Relevant to consideration of PC13 is the zone hierarchy and the levels of development enabled within each residential zone.[4]

Statutory Context and Approach

3.6 In this section I provide a broad overview of the approach taken in the Kāinga Ora submission on PC12 and the statutory 'backdrop' for seeking the enablement of greater opportunities for intensification within the Hamilton City and the Medium Density Residential zone in particular (**MDRZ**).

National Policy Statement on Urban Development ("NPS-UD")

3.7 Under the overarching objective of the NPS-UD (Objective 1) to ensure 'Well functioning urban environments', Policy 3 of the NPS-UD is highly relevant to the Kāinga Ora approach taken to the proposed spatial zoning undertaken within each of the IPI's by Kāinga Ora.

3.8 In relation to Tier 1 urban environments, district plans must enable[5]:

(a) *in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and*

[4] I accept that PC12 is yet to be tested through a hearing, however I consider that the Kāinga Ora submission provides 'context' to the submissions made of PC13 in respect of the range of building heights sought to be enabled across the residential zones.
[5] Refer Policy 3 of NPS-UD

(b) *in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and*

(c) *building heights of at least 6 storeys within at least a walkable catchment of the following:*

(i) existing and planned rapid transit stops

(ii) the edge of city centre zones

(iii) the edge of metropolitan centre zones; and

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

3.9 The NPS-UD also seeks to ensure that planning decisions improve housing affordability by supporting competitive land and development markets (Objective 2), and focuses on the identification and promotion of the future character/amenity of urban environments and their evolution over time (Policy 6), rather than protection and preservation of existing amenity, by promoting and enabling compact/efficient urban form and management of effects through good urban design (Objectives 1 and 4).

3.10 In my opinion, the NPS-UD requires a long-term approach to the provision of development capacity with urgency. This necessarily means in some cases, planning for growth spatially in-advance of definitive infrastructure provision and capacity in the short term in order to provide a clear spatial 'road map' for future development, intensification and infrastructure provision/investment. Such planning should be 'forward looking' and not be unduly influenced by existing infrastructure constraints, which paradoxically can be alleviated and partially funded through the contributions and revenue that 'enabled' development will generate. When such an approach is not taken, opportunities for meaningful redevelopment and

intensification are lost, either through adherence to a less intensive form of development, or in favour of greenfield development that merely exacerbates the adverse effects of urban sprawl.

Waikato Regional Policy Statement ('WRPS')

3.11 The Waikato Regional Policy Statement ('WRPS') provides guidance on the location of more-intensive residential zones such as the MDRZ, and strategic objectives to encourage housing choice through a range of dwelling typologies supported by enabling planning provisions where appropriate.

3.12 It is noteworthy that the WRPS was amended by proposed Waikato Regional Policy Statement Change 1 ('Change 1'), which sought (amongst a range of matters) to reflect the Future Proof strategy across the Waikato Region and incorporate the requirements of the NPS-UD (as outlined earlier in my evidence). I have identified any Change 1 text in red below when quoting relevant provisions of the WRPS.

3.13 I consider the following objectives and policies relevant to the issue of building heights and height in relation to boundary controls as-sought in the Kāinga Ora submission (emphasis added):

> ***UFD-O1 – Built environment***
>
> *Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes, including by: […]*
>
> *8. anticipating and responding to changing land use pressures outside the Waikato region which may impact on the built environment within the region;*
>
> *12. strategically planning for growth and development to create responsive and well-functioning urban environments, that:*
>
> *b. improves housing choice, quality, and affordability;*

e. improves connectivity within urban areas, particularly by active transport and public transport;

UFD-P1 Planned and co-ordinated subdivision, use and development.

Subdivision, use and development of the built environment, including transport, occurs in a planned and co-ordinated manner which:

(a) Has regard to the principles in APP11.

3.14 APP11 of the WRPS is referenced in UFD-P1 and includes a set of 'development principles' to guide future development of the built environment within the Waikato region. These principles are not absolutes and it is recognised that some developments will be able to support certain principles more than others. Of particular relevance to the consideration of height and the zoning sought through the Kāinga Ora submission (emphasis added):

(a) Support existing urban areas in preference to creating new ones;

(c) Make use of opportunities for urban intensification and redevelopment to minimise the need for urban development in greenfield areas;

(i) Promote compact urban form, design and location to:

(i) Minimise energy and carbon use;

(ii) Minimise the need for private motor vehicle use;

(iii) Maximise opportunities to support and take advantage of public transport in particular by encouraging employment activities in locations that are or can in the future be served efficiently by public transport;

(iv) Encourage walking, cycling and multimodal transport connections; and

(v) Maximise opportunities for people to live, work and play within their local area;

3.15 I also consider UFD-P12 relevant, which largely imports Policy 3 of the NPS-UD into the WRPS as a result of the amendments proposed under 'Change 1'. I have outlined Policy 3 earlier and do not repeat it here.

The purpose of Spatial Planning and associated zone-provisions

3.16 In my opinion, it is relevant to the discussion of building heights and bulk and location controls as-sought through the Kāinga Ora submission, to also consider the overarching purpose of spatial planning[6] and its role in the fulfilment of the strategic objectives of the Plan.

3.17 Zoning of land is the fundamental mechanism within the District Plan to identify the geographical areas of the Waikato District that are best suited to providing for differing levels of change and growth over time. It sets a pattern of land use to provide for the social, economic, cultural and environmental wellbeing of the community, both now but more importantly for future generations. Where zoning and/or enabled development within zones places heavy emphasis on preservation of existing intensities of development in reference to historic development patterns; the long-term strategic objectives of new District Planning (in response to national direction such as that of the NPS-UD) can be compromised.

3.18 This also fails to realise the opportunity cost of taking a short-medium rather than long-term approach to spatial planning (i.e., over a present District Planning cycle). Development opportunities for infill or comprehensive redevelopment at high intensities can be compromised where the zoning and/or provisions do not enable or support such objectives. Furthermore, how land is zoned does not prescribe that change must happen, rather it enables and prescribes what and how changes may occur[7]. In many instances, how a particular parcel of land is zoned may not lead to any change in the existing use of that land – either in the short or long term.

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[6] I refer here to 'spatial planning' as the general exercise of zone-based land use planning.
[7] Existing land uses are also protected from district planning changes through Section 10 of the RMA.

3.19 I consider there are a number of factors that influence landowners' decisions as to whether or not they would redevelop existing residential land and the extent of that redevelopment. These factors include considerations of a landowner's existing use of land and investment in capital on land, the configuration and characteristics of the land, or fragmentation of land ownership (if changes in land use require site amalgamations), the commercial viability of undertaking development or redevelopment in certain locations and desired typology/dwelling mix. These factors may mean that land is not used or developed in the way which zoning provides for or anticipates in the short or even medium term.

3.20 It is therefore important to consider the application of zoning (and associated enabling provisions), is not just to provide for the expected or anticipated realisation of change simply within the lifetime of the District Plan itself (e.g., the next 10-15 years), but also the pattern of zoning applied across Waikato over a longer-term horizon.

3.21 In my opinion, appropriate regulatory incentivisation in the form of *enabling planning provisions* for substantive infill, multi-unit and higher-density development, are therefore *critical* in achieving compact urban form outcomes that capitalise on the favourable location that existing urban areas have to established public transport, service amenities, employment and education opportunities. This also ensures the ability to realise 'housing choice' through a range of possible development typologies, and gives-effect to Policy 1(d) of the NPS-UD which seeks to; *'support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets'* by ensuring that typically lower-density greenfield development does not remain a strongly preferred choice for the housing sector, by delivering a competitive advantage to intensification through encouraging development in strategic locations.

3.22 As such, I consider the NPS-UD and the Resource Management (as-amended by the Enabling Housing Supply and Other Matters Amendment Act 2021) prescribe a fundamental shift in how spatial

planning has typically occurred throughout New Zealand, by dramatically increasing the ability to enable redevelopment in brownfield areas within existing urban areas. Certainty of outcome through clear signals on where brownfield development and intensification should occur (supported through enabling planning provisions) reduces the perception of 'risk' within the development community and in my experience can provide a greater level of confidence in approaching investment in both infill, multi-unit and higher-density style development.

3.23 It is these principles outlined above, which have guided the approach taken by Kāinga Ora through submissions on PC12, and which relate to the range of buildings heights sought to be enabled across the residential zones through that process.

4. SUBMISSION POINTS AND ANALYSIS

Rule 4.6.7 – Building Height (submission point 24.12)[8]

4.1 Kāinga Ora sought that the proposed 15m building height standard be increased to 18m to appropriately enable 5 storey development. This was in response to Objective 4.2.15(b) of the precinct (as-notified) seeking to enable 3 to 5 storey development. The requested 18m height limit was consistent with the Kāinga Ora submission on the building height rule within the MDRZ (as proposed to be amended under PC12).

4.2 The reporting planner recommends that the submission be rejected, noting that the proposed height limit of 15m is consistent with that proposed under PC12 for development within the Medium Density Residential zone (excluding identified precincts). The applicant has also amended Objective 4.2.15(b) to reference development of 'up to 4 storeys' within the precinct. Aside from the above recommendations there is little analysis within the s42A report as to why the relief

[8] This includes consequential amendments to Objective 4.2.15b and Policy 4.2.15e (submission point 24.2) to reference '3 to 5 storey' buildings.

sought by Kāinga Ora would *not* be appropriate in light of the originally-stated objective of the precinct.

4.3 In my opinion, it is clear that PC12 envisages that 5 storey development will be enabled within the MDRZ[9]. This is reflected in Policy 4.3.2.2a which seeks to *'Enable a variety of housing typologies with a mix of densities within the zone, including 3 to 5 storey terrace residential units and apartment buildings'*. Policy 4.3.2.1a also recognises higher density development by seeking that *'…development achieves higher density in conjunction with high quality amenity through a master planning approach that is informed by the relevant structure plan and related rules'*. I consider that such a structure planning or master planning approach is being undertaken in respect of the Te Rapa Race course precinct.

4.4 The above sits in contrast to the GRZ which is the zone in which the minimum MDRS requirements are to be applied under PC12, inclusive of the required *minimum* three storey development through a 11m permitted building height.

4.5 In my opinion, the proposed reduction by the applicant to a '4 storey' planned built form outcome risks diluting the distinction between the planned outcomes for each zone across PC12 – particularly where a four-storey outcome is specifically-referenced for the precinct, but a 15m height limit is maintained similar to the MDRZ provisions.

4.6 In my review of the supporting documentation, s42A report and planning evidence, I find no clear reason why the '4 storey' reference has been introduced to the precinct. I therefore agree with the intent of the Kāinga Ora submission, but consider that '3 to 5 storey' development should be consistently enabled across the MDRZ, and referenced similarly in the proposed precinct provisions (as was done in the notified version).

4.7 I note that a range of qualifying matters are proposed by the applicant to address the specific characteristics of the site and manage the

[9] I acknowledge that at this time the provisions of PC12 carry little weight and are yet to be tested through a hearing process.

interface with existing industrial activities adjacent, including a proposed 30m setback to manage reverse sensitivity effects. In addition to the flooding constraints that are upon the land, I consider that enabled building heights up to 5 storeys would be an efficient and effective approach to account for those features that otherwise constrain the enablement of the greatest densities of residential development on the site consistent with the NPS-UD and WRPS. As noted in the planning evidence of Mr Oliver:

> *The PPC13 site is approximately 320m from the 'Garnett Road Business 6 Neighbourhood Centre Zone' and approximately 350m from the 'Home Straight Business 1 Commercial Fringe Zone', well within the widely accepted walkable catchment measure of 400m (which is used in PC12). These provide commercial and community services that would be the equivalent of the 'neighbourhood centre zones, local centre zones and town centre zones' referred to in Policy 3(d) of the NPS-UD. Consistency of the location with Policy 3(d) provides further support for a Medium Density Residential Zone for the PPC13 site.*

4.8 I agree with Mr Oliver's assessment, but consider that a further requirement of Policy 3(d) is to provide *'building heights and densities of urban form commensurate with the level of commercial activity and community services'*. In light of the walkability of the site, its setting within an establish urban context surrounded by a range of land uses, recreation and employment opportunities, as well as support by regular public transport and multi-modal transportation alternatives; it is my opinion the 5 storeys (as originally sought through Objective 4.2.15(b)) would be a 'commensurate' level of development enabled under Policy 3(D) of the NPS-UD. This also appears to be consistent with Hamilton City Council's approach to the spatial application of the Medium Density Residential zone around other Business zoned centres, and the enablement of 5 storey development.

4.9 Notwithstanding the number of 'storeys', I consider the 18m height limit sought by Kāinga Ora would in fact enable development more

akin to 6 storey residential development. In my experience[10], a 16m height limit provides an appropriate level of design flexibility to *enable* 5 storey apartment buildings (roughly 3.2m per floor/storey) when taking into consideration a range of floor to ceiling heights, the need to accommodate inter-floor services in apartment buildings, as well as lift over runs and/or roof top services.

4.10 Overall, I consider 5 storey development is an appropriate outcome within the proposed precinct, and will ensure consistency with the planned built form outcomes for the MDRZ under PC12. Notwithstanding that process, the proximity of the precinct to supporting amenities, jobs, public transport and recreation opportunities, is consistent with Policy 3(d) of the NPS-UD. I recommend that Objective 4.2.15 and Policy 4.2.15e be amended to the notified version of the precinct and reference '3 to 5 storeys'.

4.11 I also recommend the permitted building height under Rule 4.6.7 increase in height from 15m to 16m (inclusive of roof form allowance)[11]. This will not, in my view, have a demonstrably-adverse effect from a shading and visual perspective (compared to the proposed 15m height) on surrounding land uses due to the separation provided by the existing race course site and proposed internal setback (30m) but will provide an enabling height limit to achieve 5 storey apartment development when taking into account inter-floor services and providing an appropriate level of internal amenity through flexible floor-ceiling heights for apartment typologies.

4.12 I have prepared a Section 32AA assessment as set out in **Appendix A** to my evidence.

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[10] In my experience in Auckland, the Terrace Housing and Apartment Buildings zone (THAB) under the Auckland Unitary Plan, enables 5 storey development with a permitted maximum building height of 16m.

[11] On a without prejudice basis, it is my understanding that Kāinga Ora will pursue this revised position in PC12 hearings, along with proportionate adjustments to the building heights sought within the High Density Residential zone.

Rule 4.6.3 – Height in Relation to Boundary (Submission point 24.9)

4.13 Kāinga Ora opposed the height in relation to boundary exclusion that would apply in the precinct (as-notified), and sought the application of a 6m+60º height in relation to boundary recession plane which would be more-enabling of development up to 5 storeys.

4.14 In response to the submission, I understand the applicant has amended PC13 to include a height in relation to boundary standard consistent with the 4+60º MDRS standard that *must* apply to all relevant residential zones (unless a qualifying matter applies)[12]. I also understand through the tracked amended provision attached to the evidence in chief of Mr Olliver, that the standard may have been omitted in error in the notified version of PC13.

4.15 The reporting planner has recommended that the Kāinga Ora submission be accepted in part, insofar as a lack of height in relation to boundary control may result in poor urban design outcomes, and no qualifying matter has been identified that would make the level of development enabled by such a standard inappropriate. However, the inclusion of a 6m+60^0 standard is not supported.

4.16 While I support the use of the 4m+60º standard for the reasons outlined above, I consider that that such a standard relates to the built form that is enabled by the package of MDRS controls which relate to development of buildings up to three storeys/11m in height. In the context of a zone (and precinct) that has sought to enable 3 to 5 storeys through a 15m building height standard, I consider such a standard does not appropriately enable the planned built form outcomes of the zone or the precinct as expressed in both the objectives and policies (including amendments sought earlier in my evidence).

4.17 I note that this is a similar issue that has been dealt with through the Auckland Unitary Plan in respect of the Terrace Housing and Apartment Buildings zone (THAB). That zone also enables up to 5

[12] Section 77G(1) of the RMA (as-amened)

storey development in a range of typologies, with a 16m height limit. In order to enable such an outcome, a stepped approach to height in relation to boundary has been taken through Auckland Council's IPI process (proposed plan change 78 - enabling housing supply) which provides a more-enabling height in relation to boundary framework where development involves 4 or more dwellings (and is likely to require buildings of a greater height).[13] That approach is summarised as follows[14]:

- Developments involving up to three dwellings per site must not exceed a 4+60^{o} recession plane (Standard H6.6.6(1));

- Developments containing four or more dwellings and any other development outside a walkable catchment must not exceed an 8m + 60^{o} recession plane (Standard H6.6.6(1A)).

4.18 In my opinion, a similar approach is warranted in the case of the MDRZ and the proposed precinct, to ensure that the planned built form outcomes of the zone and precinct are appropriately enabled in a manner consistent with the NPS-UD. I have also outlined earlier in my evidence the benefits that such enabling provisions play in promoting and incentivising intensification, including the reduction of regulatory constraints and perceived risks associated with higher-densities and scales of built form.

4.19 In lieu of the 'walkable catchment' approach taken in the above example, I consider that the number of 'storeys' as well as number of units proposed is an appropriate threshold when applying a more-enabling height in relation to boundary control. This would effectively manage a situation where more than 4 residential units are proposed in housing typologies that do not require greater than 3 storeys. In such a case the 4m + 60^{o} standard would still apply rather than

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[13] This approach also varies whether a site is within a 'walkable catchment', in which case an even more enabling 19m + 60^{o} standard applies to building within 21.5m of a site frontage. However, I do not consider that relevant in the context of PC13 as such a catchment approach has not been taken by HCC under PC12 as it relates to the Medium Density Residential zone.

[14] https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/Pages/details.aspx?UnitaryPlanId=140

enabling greater building bulk closer to boundaries as a result of applying the 6m + 60º control.

4.20 I therefore recommend the following amendments to the height in relation to boundary standard. The proposed amendments put forward by the applicant are in red, with my proposed amendments in **blue**:

> b. In the Te Rapa Racecourse Medium-Density Residential Precinct the following shall apply:
>
> i. Buildings containing up to three residential units and which do not **exceed three storeys in height,** must not project beyond a 60º recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown on the following diagram. ~~**Where a boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.**~~
>
> **ii. Buildings containing more than 3 residential units and which also exceed three storeys, must not project beyond a 60º recession plane measured from a point 6 metres vertically above ground level along all boundaries.**
>
> **iii. Where a boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.**
>
> ~~**ii.**~~ **iv**. This standard does not apply to:
>
> • A boundary with a road;
>
> • Existing or proposed internal boundaries within a site.

4.21 In my opinion the above approach provides a more-enabling framework where development is likely to involve development intensities greater than those anticipated by the standard MDRS-enabled levels of development. I also consider it relevant that the MDRS would (as-required by the Amendment Act) also apply to adjacent residential land to the southeast which is presently zoned GRZ and which is a 'relevant residential zone'. The addition of the 6m

+60° would not obviate compliance with the MDRS where lower development heights are proposed within the precinct.

4.22 I also note that development involving 4 or more residential units would require restricted discretionary consent within the precinct under 4.5.4ll (activity table) where there would necessarily be the opportunity to consider the overall design of buildings under the matters of discretion relating to design and layout, character and amenity and bespoke assessment matters proposed for the Te Rapa Racecourse Precinct under 4.11 of the MDRZ.

4.23 Overall, I consider the above amendments to be an efficient and effective approach that will enable the planned built form outcomes of the zone. I have prepared a Section 32AA assessment as set out in **Appendix A** to my evidence.

Rule 4.8.6 Service Areas (Submission point 24.16)

4.24 Kāinga Ora opposed the inclusion the service area standard, noting that the availability of servicing area is a matter that can more efficiently be managed through assessment criteria rather than as a permitted development standard. I also note that service area standards are proposed within PC12 and have been opposed by Kāinga Ora for similar reasons.

4.25 The reporting planner has recommended the submission be rejected, noting that 'service areas are an important component of residential development'.[15] I also note that Mr Olliver makes the following comments when considering the appropriateness of removing the service areas standard[16]:

> *The outdoor living area and service area standards are in accordance with the MDRS, which do not distinguish retirement villages and rest homes from other residential development. Therefore, it is appropriate to maintain consistency with the MDRS. This is an issue better dealt with through PC12.*

[15] Section 42A report, page 53.
[16] Evidence in chief of Mr Olliver, para. 122.

4.26 Under Clause 3A of the Amendment Act there is no 'service area' standard introduced as part of the MDRS. In my opinion, such a standard is not an efficient or effective approach to ensuring sufficient space on residential sites for servicing requirements (typically storage of waste bins etc). Particularly where development comply with the applicable coverage controls, there should be ample space on typical residential sites to accommodate 'service areas' without requiring a permitted standard. This merely results in a long list of compliance matters that must be followed and demonstrated both for resource consents and where permitted development requires a building consent.

4.27 In my experience, availability of service areas generally are more of an issue for multi-unit and higher-density developments where greater site coverages are involved or where the intensity of development requires a larger volume of waste storage and associated servicing requirements. In those cases, development would trigger a restricted discretionary consent for development exceeding 4 residential units and require design assessment.

4.28 For the above reasons, I agree with the Kāinga Ora submission that the assessment of service areas is better-suited to an assessment criterion for development involve 4 or more residential units per site. I recommend that the service area standard is removed from PC13, and that the following assessment criteria is added to 1.3.3P – Te Rapa Racecourse Medium Density Residential Precinct:

> The extent to which the subdivisions and development layout and building design:
>
> […]
>
> **x. provides suitable service area/s on the site to support the intensity of development proposed.**

4.29 I have prepared a Section 32AA assessment as set out in **Appendix A** to my evidence.

Rule 23.7.1z Vacant Lot subdivision (Submission point 24.20)

4.30 Kāinga Ora opposed the inclusion of a minimum net site area and sought that a minimum shape factor be relied upon to 'ensure that smaller vacant lot sizes are not created which might otherwise foreclose multiunit redevelopment of a single site, in accordance with the MDRS and the enabling provisions of the zone'.

4.31 The reporting planner has recommended that the submission be accepted in part, noting the following:

> *The minimum net site area is required to set a minimum site size for <u>any subdivision</u>. The shape factor requirement ensures the site is of a practical shape to accommodate development, although for the plan change minimum lot dimensions are proposed as an alternative (Rule 23.7.9 c.). The two provisions have different purposes. I do not consider that these provisions would foreclose multiunit development. The minimum site size is a minimum standard and does not prevent larger sites being included in a subdivision. Additionally, the objectives and policies for the racecourse precinct seek that a variety of housing types be established including buildings up to 4 storeys. The precinct plan also identifies the housing area as 'medium density residential development'.*

4.32 In my opinion, the RMA requires that density reflects the minimum required to accommodate the level of development permitted under the MDRS. While the Part 2 density standards of Schedule 3A provide for 3 residential units per site (clause 10), it is my view that the anticipated outcome of the RMA is that *any* minimum lot size, shape size or other size - related subdivision requirement must be able to accommodate a single "typical" dwelling in compliance with the density standards contained in Schedule 3A – being the minimum level of development that can be achieved as a permitted activity under the MDRS as-applied through the proposed MDRZ provisions. I also note the reporting planner's reference above to the minimum lot area requirement applying to *any* subdivision, whereas the RMA clearly prescribes that minimum not areas shall only apply where *vacant lots* are created under Clause 8, Schedule 3A.

4.33 While a minimum site area could be applied to accommodate the requirements of the MDRS, a standard based on minimum lot size does not adequately address the limitations on "practical" development

caused by irregular shaped sites and topographically constrained landform. As more "marginal" land is developed for infill housing, minimum lot size becomes less useful than ensuring lots are capable of accommodating complying development. The creation of allotments which are impractical or cost-prohibitive to develop is an inefficient use of the residential land resource.

4.34 The RMA applies the MDRS requirements across all relevant residential zones. The subdivision requirements that apply are under the MDRS within Schedule 3A of the RMA. Of note is that under Clause 7, any size related subdivision requirement should reflect the minimum required to accommodate the level of development permitted under the MDRS, and accordingly, it is considered inappropriate to require a shape or size-related subdivision requirement in excess of that minimum outcome.

4.35 As a result of architectural testing shown in Figure 1 below, a shape factor comprising a rectangle of 8m x 15m is proposed which is capable of accommodating a dwelling in compliance with the density standards[17] of building height, height in relation to boundary, setbacks, building coverage, outdoor living space, outlook space, windows to street and landscaping. This is considered to better align with the configuration of residential lots in existing urban areas which are largely rectangular.

4.36 I note that the density standards provide for up to three dwellings and sufficient building height to enable a three-storey building to be constructed on a permitted basis, a more conservative approach has been taken to determine what constitutes a "typical" dwelling under the MDRS. The shape factor proposed enables a two storey, two-bedroom dwelling of 94m^2 to be built on a 120m^2 site.

[17] Amendment Act, Schedule 3A, Part 1 definition 'density standard' - 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

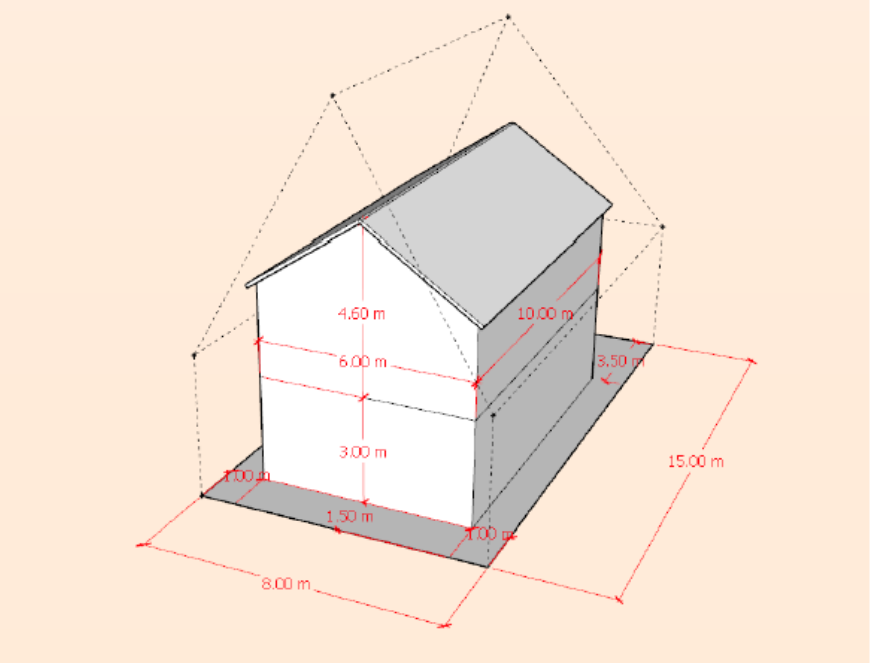

Figure 1: Modelled permitted building envelope within a flat 8m x 15m site. In this example it has been assumed no parking is provided as-prescribed by the NPS-UD.

4.37 I consider a minimum shape factor requirement can be a sufficient approach to manage the effects of *vacant*[18] lot area of an appropriate size to accommodate a complying building, subject to being free from access and easements. Notwithstanding, I also acknowledge that there will be situations where developments seek to provide for access and parking arrangements (for both commercial reasons and those of practicality). In those circumstances a minimum lot area of 120m2 would not, in my view, provide a flexible response to achieving sufficient lot area.

4.38 I therefore recommend that the minimum lots area requirement under 23.7.1 is reduced from 280m^2 to 200m^2, in addition to the shape factor requirement sought in the Kāinga Ora submission.[19] In my opinion, the shape factor requirement should apply rather than the transport corridor boundary length and minimum lot dept requirements under 23.7.9.

[18] I reiterate that minimum site area and shape factor requirements would only apply to vacant lot subdivision.
[19] This is consistent with the approach taken by Kāinga Ora to Variation 3 to the Proposed Waikato District Plan, and evidence presented to the Independent Hearing Panel on 27 July 2023.

4.39 In my opinion, this will ensure sufficient area to accommodate the planned built form outcomes of the precinct in a manner consistent with the RMA and enabling requirements of Schedule 3A. The application of a shape factor standard will ensure vacant lots created through subdivision are usable, and support the integrated, liveable and sustainable communities envisaged by the policy framework.

Flooding provisions and hazard mapping (Submission point 24.8, 24.19, 24.21)

4.40 Kāinga Ora opposed the inclusion of proposed Rules 4.5.4.vv; Rule 23.3e.xvi and 23.7.9.b as they are seen as a duplication of the operative (and unaffected by PC12) rule 22.3h which relates to the construction of buildings within a hazard area. Kāinga Ora considered that the existing rule framework already provides for such an activity and manages hazard risk appropriately.

4.41 The reporting planner recommends that the submission be rejected, noting that[20]:

> *[…] the District Plan minimum freeboard requirement for buildings in a low flood hazard area (Rule 22.5.6 c.) will not apply to this site as the flood hazard area is not shown on the planning maps [(and the rule specifically related to hazards shown on the planning maps)]. If buildings are constructed prior to subdivision (and therefore prior to consideration of a flood risk assessment report) I consider that the minimum freeboard requirement should be met.*

4.42 In my opinion, there is no reason provided as to why the planning maps cannot be updated through this Schedule 1 planning process that PC13 is subject to. I agree with the Kāinga Ora submission that there is an existing rule framework within the district plan to manage the effects of flooding, and that the introduction of bespoke provisions is therefore not an efficient or effective approach which essentially duplicates the existing plan. I therefore recommend that the planning maps are updated and the flood hazard removed from the proposed precinct plan.

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[20] Section 42A report, para. 5.29.

4.43 I also note that this situation illustrates the difficultly with flood hazard information being contained within district planning maps. As a general principle, I consider it is appropriate that flooding information along with any constraint mapping is a non-statutory layer that sits outside of the District Plan. Providing flooding information as a non-statutory layer recognises that this information is continually updated at catchment scale to reflect the best information available and the evolving nature of flood plains as ongoing built development affects flooding extents, depths, flows and flow paths.

4.44 If flooding information is included in the District Plan, then the information effectively becomes a "snap shot in time" and does not recognise ongoing changes in flood catchments and the results of ongoing redevelopment. It is a reflection of the existing environment and requires the Council to undertake a Schedule 1 Plan Change process every-time the information needs to be updated.

4.45 Therefore, while I recommend that the planning maps are updated to respond to PC13 *in this instance* to ensure that the identified hazard is effectively and efficiently managed; my general recommendation is that this information sits outside the district plan for the reasons outlined above. If there is a justified impediment to updating the planning maps at this time, then I consider the proposed provisions appropriate in this instance to ensure the effects of flooding on the site are addressed.

5. CONCLUSIONS

5.1 I consider that the amended provisions as set out in my evidence will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of the WRPS and other relevant statutory documents including the NPS-UD. In addition, I consider those provisions will achieve greater-consistency with the intended outcomes of PC12 which reflect Hamilton City Council's approach to the implementation of the MDRS and NPS-UD. In my opinion they will assist in striking an appropriate balance in managing the effects of

intensification, while enabling greater opportunities to facilitate growth within in a strategic location.

Michael Robert Campbell

9 August 2023

Appendix A – Section 32AA assessment

Having regard to section 32AA, the following is noted:

Table 1: Amendment to Rule 4.6.7 for additional Building Height in the Te Rapa Racecourse Precinct (and consequential changed to objectives and policies)

Effectiveness and efficiency	• The proposed change to the maximum height control will enable additional height to accommodate a greater range of building and dwelling typologies. • The proposed change to a 16m permitted building height will enable the planned built form outcomes of the precinct to be achieved, which were notified as 3 to 5 storeys. This will also ensure consistency with those outcomes sought by the Council in the notified version of PC12 – Enabling Housing Supply, and the relief sought (and which will be pursued) by Kainga Ora through that process. • The proposed changes will ensure a reasonable level of amenity is afforded to residents in the surrounding area due to the spatial arrangement of development within the precinct, the proposed bulk and location standards that would apply, and the requirements of the MDRS. • The proposed amendments are a simple and effective change to PC13 that will respond to the requirements of the NPS-UD. • The proposed increase in permitted height will provide for efficient land use and greater densities in proximity to existing services, amenities, recreational opportunities and frequent public transport, all within a walkable existing urban environment.
Costs/Benefits	• The recommended amendments will introduce 1m of additional height in appropriate areas which is simple and effective. • Provides a competitive advantage to lower intensity residential development which would otherwise compromise efficiencies of land use in a strategically desirable location. • The proposed change requires amendment to the existing rule framework, but costs associated with this are negligible as this is already part of a Schedule 1 RMA process. • The proposed changes could impact the amenity of some people as a result of greater building scale; however, the increase is only 1m above that already sought to be enabled in the precinct, and will better-provide for the planned outcomes expressed through the propose precinct provisions. • The effects of the additional 1m of building height proposed by Kainga Ora are less than minor, and would be mitigated through the height in relation to boundary amendments also proposed and building setback requirements. The NPS-UD also recognises that the amenity of urban environment will change over time as a result of giving effect to the requirements of the NPS-UD, but that is not in-itself an adverse effect (Policy 6).
Risk of acting or not acting	• I consider that the appropriateness of adopting the relief sought must be considered in the context of the direction set out in higher order policy documents and in particular the NPS-UD. I also consider the intended approach to the MDRS under PC12 to be of relevance given the statutory requirements of territorial authorities to give effect to them through an IPI process. • The NPS-UD seeks to enable growth by requiring local authorities to provide development capacity to meet the diverse demands of communities, address overly restrictive rules, and encourage quality, liveable urban environments. • I am of the opinion that the relief sought by Kāinga Ora will be more in line with outcomes expressed in the NPS-UD, particularly as it will

	contribute to achieving a well-functioning urban environment, and the planned built form outcomes of the zone and precinct as-notified.
Decision about more appropriate action	• The recommended amendments as set out in my evidence are therefore considered to be more appropriate in achieving the purpose of the RMA than the notified version of the P13 or the proposed changes set out in the section 42A report and the applicant's evidence.

Table 2: Amendments to Rule 4.6.3 Height in Relation to Boundary

Effectiveness and efficiency	• The proposed 6m+60 standard would apply to development above 3 storeys *and* exceeding 3 dwellings. For all other development the MDRS standard would apply. This would support the proposed change to a 16m permitted building height and the enablement of apartment typologies consistent with the planned built form outcomes for the precinct which were notified as 3 to 5 storeys. • This will also ensure consistency with those outcomes sought by the Council in the notified version of PC12 – Enabling Housing Supply, and the relief sought (and which will be pursued) by Kainga Ora through that process. • The amendments will ensure efficient realization of apartment typologies and avoid unnecessary consenting triggers (i.e., infringement or the MDRS height in relation to boundary standard) which only enables up to 3 storey / 11m buildings.
Costs/Benefits	• The recommended amendments better clarify the outcomes sought by the MDRS standards and provide a better roadmap for the planned urban form. • The proposed changes will provide greater certainty to investors who seek to utilise the MDRS standards and in calculating potential yield for multiunit developments. • The proposed change requires amendment to the existing rule framework, but costs associated with this are negligible as this is already part of a Schedule 1 RMA process. • The proposed changes could impact the amenity of some people, but the more-enabling standard only applies to development exceeding 3 storeys /units and therefore is subject to a restricted discretionary consent process to also consider the overall design and layout of buildings.
Risk of acting or not acting	• I consider that the appropriateness of adopting the relief sought must be considered in the context of the direction set out in higher order policy documents and in particular the NPS-UD. I also consider the intended approach to the MDRS under PC12 to be of relevance given the statutory requirements of territorial authorities to give effect to them through an IPI process. • The NPS-UD seeks to enable growth by requiring local authorities to provide development capacity to meet the diverse demands of communities, address overly restrictive rules, and encourage quality, liveable urban environments. • I am of the opinion that the relief sought by Kāinga Ora will be more in line with outcomes expressed in the NPS-UD, particularly as it will contribute to achieving a well-functioning urban environment, and the planned built form outcomes of the zone and precinct as-notified.

Decision about more appropriate action	• The recommended amendments as set out in my evidence are therefore considered to be more appropriate in achieving the purpose of the RMA than the notified version of the P13 or the proposed changes set out in the section 42A report and the applicant's evidence.

Table 3: Deletion of Rule 4.8.6 Service Areas and inclusion as assessment criteria.

Effectiveness and efficiency	• The MDRS do not prescribe a 'service area' standard for enabled development in compliance with those standards, therefore such a standard is not appropriate and would be inefficient in regards to enabling development permitted by the MDRS. • The need for service areas typically becomes an issue with greater intensities of development, where large numbers of people within a site need a greater level of supporting infrastructure (i.e., waste storage and the like). The provision of such area can more-efficiently be managed through a matter of discretion / assessment criteria, which development exceeding 3 units per site is already subject to a restricted discretionary resource consent process. • The proposed amendments to assessment criteria (and consequential matters of discretion) will require a proportionate response to the intensity of development proposed beyond 3 units. A 'one size fits all' service areas requirement (as a minimum) is not efficient or effective, particularly for larger scale development where *greater* areas may in fact be required. • The subjectivity of such an assessment means that this issue is more-appropriately managed by way of assessment criteria.
Costs/Benefits	• The recommended amendments better clarify the outcomes sought by the MDRS standards and provide a better roadmap for the planned urban form. • The proposed changes will provide greater certainty to investors who seek to utilise the MDRS standards and in calculating potential yield for multiunit developments. • The proposed change requires amendment to the existing rule framework, but costs associated with this are negligible as this is already part of a Schedule 1 RMA process. • The proposed changes will avoid unnecessary regulatory compliance assessment (as a permitted activity standard) by requiring this in a proportionate manner as an assessment criterion.
Risk of acting or not acting	• I consider that the appropriateness of adopting the relief sought must be considered in the context of the direction set out in higher order policy documents and in particular the NPS-UD. • The NPS-UD seeks to enable growth by requiring local authorities to provide development capacity to meet the diverse demands of communities, address overly restrictive rules, and encourage quality, liveable urban environments. • I am of the opinion that the relief sought by Kāinga Ora will be more in line with outcomes expressed in the NPS-UD, particularly as it will contribute to achieving a well-functioning urban environment, and the planned built form outcomes of the zone and precinct as-notified.
Decision about more appropriate action	• The recommended amendments as set out in my evidence are therefore considered to be more appropriate in achieving the purpose of the RMA than the notified version of the P13 or the proposed changes set out in the section 42A report and the applicant's evidence.

Table 4: Amendments to vacant lot subdivision standards

Effectiveness and efficiency	• The recommended amendments to the minimum lot area and shape factor requirements (frontage width and depth) will provide greater flexibility to provide housing supply and choice. • The proposed amendments are efficient and effective, being consistent with Clause 7 under Schedule 3A of the RMA in that any size related subdivision requirement should reflect the minimum required to accommodate the level of development permitted under the MDRS. It is considered inefficient to require a shape or size-related subdivision requirement in excess of that minimum outcome.
Costs/Benefits	• The benefits of the recommended changes are the streamlining of considerations and ensuring that subdivision of vacant lots reflect the minimum level of development permitted under the MDRS in accordance with the Act. • The amendments will allow for flexibility of unit size and ensure standards appropriately give effect to the PDP Objectives and NPS-UD.
Risk of acting or not acting	• Both the PC13 Objectives and the NPS-UD require a range of housing types and sizes to meet the needs of the community, these outcomes are clearly articulated through policies matters of discretion under the PDP and as sought to be amended through PC13. • The risk of not acting is that there is a lack of flexibility which recognises modern design principles and the potential to create high quality living environment in a range of dwelling sizes.
Decision about more appropriate action	• The recommended amendments as set out in my evidence are therefore considered to be more appropriate in achieving the purpose of the RMA than the notified version of the PDP or the proposed changes set out in the section 42A report.

Table 5: Amendments to Flood Hazard District Plan maps and deletion of Rules 4.5.4.vv; 23.3e.xvi and 23.7.9.b

Effectiveness and efficiency	• There are existing methods within the district plan and the wider regulatory framework to achieve similar outcomes, such that including the hazard information within the precinct plan along with bespoke rules (that essentially duplicate existing rules) is not an efficient or effective approach. • The PC13 process already provides an opportunity to update the district planning maps, which appears to be the only reason as to why bespoke provisions are required. • By potentially providing flooding information as a non-statutory layer, this recognises that this information is continually updated at catchment scale to reflect the best information available and the evolving nature of flood plains as ongoing built development affects flooding extents, depths, flows and flow paths.
Costs/Benefits	• The proposed change requires amendment to the existing district planning maps, but costs associated with this should be negligible as this is already part of a Schedule 1 RMA process. Should renotification be required the costs would likely be disproportionate to efficiency of bespoke rules in this instance. • The proposed amendments avoid any confusion in district plan administration and ensure hazard information is contained in the correct part of the district plan.
Risk of acting or not acting	• In this instance there is little risk in acting or not acting, and in either case the hazard will be identified and managed. However, if flooding information is included in the District Plan, then the information

	effectively becomes a "snap shot in time" and does not recognise ongoing changes in flood catchments and the results of ongoing redevelopment. It is a reflection of the existing environment and requires the Council to undertake a further Schedule 1 Plan Change process every-time the information needs to be updated.
Decision about more appropriate action	• The recommended amendments as set out in my evidence are therefore considered to be more appropriate in achieving the purpose of the RMA than the notified version of the PDP or the proposed changes set out in the section 42A report.