

1. EXECUTIVE SUMMARY

- 1.1. My name is Brendon Scott Liggett, and I hold the position of Manager of Development Planning within the Urban Planning and Design Group at Kāinga Ora – Homes and Communities (**Kāinga Ora**) and am presenting this evidence on behalf of Kāinga Ora to provide support of its primary submission (submitter #834) and further submissions (further submitter #2099) on Plan Change 14 (**PC14**) to the Operative Christchurch District Plan (**ODP**).
- 1.2. Kāinga Ora anticipates it will file further corporate evidence pertaining to qualifying matters to address these in greater detail and to respond to evidence, mediation and matters raised in hearings prior to the QM hearings in early 2024.
- 1.3. The key points addressed in this evidence are to provide:
 - (a) The background to Kāinga Ora and the statutory context in which it operates;
 - (b) An overview of the Kāinga Ora portfolio and public housing demand in the national context, and within Greater Christchurch, noting the discrepancy between the Kāinga Ora portfolio and the demand by typology for public housing.
 - (c) A summary of the overarching Kāinga Ora submission on PC14, including the rationale for the relief sought, and in particular comments about:
 - (i) The application of the National Policy Statement on Urban Development 2020 (**NPS-UD**) and the Resource Management (Housing Supply and Other Matters) Amendment Act 2021 (**Enabling Act**);
 - (ii) Heights in the City Centre Zone (**CCZ**);
 - (iii) The need for the introduction of a Metropolitan Centre Zone (**MCZ**) and an increase in heights around the proposed MCZ and CCZ;

- (iv) The introduction and implementation of a simplified planning regime; and
 - (v) Brief overview of the Qualifying Matters (**QMs**), noting that more specific evidence on these matters will be produced in advance of the 2024 hearings.
- (d) Kāinga Ora considers the current and proposed Christchurch City planning regulations constrain the ability to create and deliver a well-functioning urban environment. If the requested relief is adopted, it will provide for housing choice and increased development potential in locations throughout the City, particularly around key centres. Thus, it will enable a built form consistent with the intent of the NPS-UD and Enabling Act. This would not only allow Kāinga Ora to increase and improve its public housing provisions but will also provide for significant additional development capacity and aid in the consent and delivery of housing. Ultimately, this will enable more people to live in homes close to employment, shops, services, amenities, greenspaces and alternative transport options.

2. INTRODUCTION

- 2.1. My full name is Brendon Scott Liggett. I hold the position of Manager of Development Planning within the Urban Planning and Design Group at Kāinga Ora.
- 2.2. I hold a Bachelor of Planning from the University of Auckland. I have held roles in the planning profession for the past 21 years and have been involved in advising on issues regarding the Resource Management Act 1991 (**RMA**) and District Plans.
- 2.3. My experience includes five years in various planning roles within local government. For the past 17 years, I have been employed by Kāinga Ora (including as Housing New Zealand).
- 2.4. I have been providing development planning expertise within Kāinga Ora (as Housing New Zealand) since 2006. In this role I have:

- (a) Undertaken assessment and identification of redevelopment land within the portfolio;
- (b) Provided input into the strategic land planning, including Asset Management Strategy, various investment and land use frameworks, and various structure plan processes of Kāinga Ora;
- (c) Provided advice on, and management of, the regulatory planning processes associated with Kāinga Ora residential development projects;
- (d) Managed engagement with local authorities, local communities and other agencies on matters relating to regulatory policy frameworks associated with residential development; and
- (e) Provided advice on, and management of, input into strategic planning activities including plan changes and plan review processes throughout the country. More recently, this has included providing technical lead and project management of Kāinga Ora submissions to the Plan Changes implementing the Enabling Act and NPS-UD.

2.5. I can confirm that I am authorised to give corporate evidence on behalf of Kāinga Ora in respect of PC14.

3. BACKGROUND TO KĀINGA ORA

- 3.1. Kāinga Ora was formed in 2019 as a statutory entity established under the Kāinga Ora – Homes and Communities Act 2019, and brings together Housing New Zealand Corporation, HLC (2017) Ltd and parts of the KiwiBuild Unit. Under the Crown Entities Act 2004, Kāinga Ora is a crown entity and is required to give effect to Government policy.
- 3.2. The Kāinga Ora - Homes and Communities Act 2019 (**the Kāinga Ora Act**) sets out the functions of Kāinga Ora in relation to housing and urban development.
- 3.3. The Government Policy Statement on Housing and Urban Development (**GPS-HUD**) was published on September 28, 2021, and provides a shared vision and direction across housing and urban development, to

guide and inform the actions of all those who contribute to the housing and urban development sector. The GPS-HUD outlines the need for concerted and ongoing action across six focus areas to realise the vision, outcomes, and future envisaged for Aotearoa New Zealand:

- (a) Ensure more affordable homes are built;
- (b) Ensure houses meet needs;
- (c) Enable people to live in stable, affordable homes;
- (d) Support whanau to have safe, healthy affordable homes with secure tenure;
- (e) Re-establish housing's primary role as a home rather than a financial asset; and
- (f) Plan and invest in our places.

3.4. Kāinga Ora is the Government's delivery agency for housing and urban development. Kāinga Ora therefore works across the entire housing spectrum to build complete, diverse communities that enable New Zealanders from all backgrounds to have similar opportunities in life. As a result, Kāinga Ora has two core roles:

- (a) being a world class public housing landlord; and
- (b) leading and coordinating urban development projects.

3.5. The statutory objective¹ of Kāinga Ora requires it to contribute to sustainable, inclusive, and thriving communities through the promotion of a high quality urban form that:

- (a) provide people with good quality, affordable housing choices that meet diverse needs;
- (b) support good access to jobs, amenities and services; and

¹ Section 12, Kāinga Ora Homes and Communities Act 2019

- (c) otherwise sustain or enhance the overall economic, social, environmental and cultural well-being of current and future generations.
- 3.6. The statutory functions of Kāinga Ora in relation to urban development extend beyond the development of housing (which includes public housing, affordable housing, homes for first home buyers, and market housing) to the development and renewal of urban environments, as well as the development of related commercial, industrial, community, or other amenities, infrastructure, facilities, services or works.
- 3.7. In the capacity as an Urban Development Agency, the approach Kāinga Ora has taken across the IPI plan changes among Tier 1 authorities has been to ensure the intentions of the Enabling Act and the NPS-UD are incorporated within district plans appropriately and that ultimately permissive and/or enabling provisions are introduced through these plan changes to facilitate the creation of well-designed and well-functioning urban environments.

4. OVERVIEW OF THE KĀINGA ORA PUBLIC HOUSING PORTFOLIO

National Context

- 4.1. Kāinga Ora is the largest residential landlord in New Zealand, providing public housing² to more than 186,000 people³ who face barriers (for a number of reasons) to housing in the wider rental and housing market.
- 4.2. Kāinga Ora owns or manages more than 70,000⁴ properties throughout New Zealand, including about 3,700 properties for community groups that provide housing services.⁵
- 4.3. Public housing is a subset of affordable housing and meets the housing needs of people who face barriers to housing in the wider rental and housing market. In general terms, housing supply issues and broader events such as the Covid-19 global pandemic and financial market

² Public housing is an umbrella term for state housing and community housing.

³ Kāinga Ora – Homes and Communities Annual Report 2022

⁴ Managed stock report, as at 30 June 2023 (report published on 4 September 2023), Kāinga Ora Homes and Communities. <https://kaingaora.govt.nz/publications/oia-and-proactive-releases/housing-statistics/>

⁵ *ibid*

issues have made housing less affordable and as such there is an increased demand for public housing.

- 4.4. There has been a marked change in the type of housing that is required by the Kāinga Ora tenant base:
- (a) Demand has increased for single bedroom housing required for single persons, the elderly or disabled, and larger homes with four to six bedrooms required to house larger families;
 - (b) As a result, the size of many statehouses do not match the changing demand for public housing, with a large proportion of the Kāinga Ora housing stock comprising older 2-3 bedroom homes on large lots which are too large for smaller households and too small for larger households; and
 - (c) This has meant that Kāinga Ora has had to review its housing portfolio and assess how it can respond to the changes in demand, given its current housing supply is skewed towards 2-3 bedroom houses that do not meet the needs of tenants and/ or a uneconomic to maintain.
- 4.5. To meet this need, Kāinga Ora is undertaking one of the largest housing delivery programmes, with an additional 6,000 new public homes (including 2,000 transitional houses) planned to be delivered and added to the Kāinga Ora housing portfolio by June 2024⁶ and a continued focus on creating more homes.

Christchurch Context

- 4.6. From a regional context, Kāinga Ora has public housing in locations spread throughout greater Christchurch; managing a portfolio of nearly 6,800 properties across Christchurch City (6,690), Waimakariri District (178) and Selwyn District (22)⁷, representing 9.9% of the national portfolio. The majority of Kāinga Ora homes within greater Christchurch are located within Christchurch City (86.6% of all homes in the

⁶ Ministry of Housing and Urban Development, Public Housing Plan 2021-2024.

<https://www.hud.govt.nz/news/public-housing-plan-2021-2024/>

⁷ Managed Kāinga Ora rental properties by Territorial Local Authority as at 30 June 2023 [Managed-Stock-TLA-June-2023.xlsx \(live.com\)](#)

Canterbury Region).⁸ The higher proportion of Kāinga Ora homes in Christchurch City reflects Christchurch City being the third biggest city in New Zealand, and largest in the South Island.

- 4.7. In the last 5 years, the housing register for Christchurch City has more than tripled, from 552 households needed in 2018⁹, to 1,947 households needed in 2023.¹⁰ This is despite Kāinga Ora adding nearly 740 additional homes over this same period, the number of homes within the portfolio has increased from 5,954 homes in 2018,¹¹ to 6,690 homes in 2023.¹² This is consistent with national and regional public housing trends; the existing Kāinga Ora portfolio in Christchurch City does not meet the needs and demands of the growing housing register waitlist.
- 4.8. In Christchurch City, the portfolio of Kāinga Ora currently consists of approximately 85.2% two bedroom and larger homes, with only approximately 14.8% of one bedroom homes.¹³ The demand for one bedroom homes makes up approximately 61% of the total demand for homes on the Housing Register in Christchurch City,¹⁴ which requires a response from Kāinga Ora to reconfigure its housing portfolio to increase the supply of more one bedroom homes.
- 4.9. In giving effect to the Public Housing Plan 2021-2024,¹⁵ which includes a target of 410-490 additional public homes to be delivered by 2024, Kāinga Ora will respond to the public housing demand by typology required in the Canterbury Region. Notable projects that are currently under investigation and/or in development to respond to this demand include the proposed developments in Domain Terrace¹⁶, Clyde Road/ Aorangi Road/ Bevan Place,¹⁷ and Jollie Street/Naldar Place¹⁸.

⁸ Managed Kāinga Ora rental properties by Territorial Local Authority as at 30 June 2023 Managed-Stock-TLA-June-2023.xlsx (live.com)

⁹ Ministry of Social Development, Housing Register as at June 2023 [Housing Register as at June 2023](#)

¹⁰ *ibid*

¹¹ Managed Kāinga Ora rental properties by Territorial Local Authority as at 31 March 30 June 2023 Managed-Stock-TLA-June-2023.xlsx (live.com)

¹² *ibid*

¹³ *ibid*

¹⁴ Ministry of Social Development, Housing Register as at June 2023 [Housing Register as at June 2023](#)

¹⁵ Public Housing Plan 2021-2024 [Public-Housing-Plan-2021-2024-web.pdf \(hud.govt.nz\)](#)

¹⁶ <https://kaingaora.govt.nz/urban-development-and-public-housing/public-housing/public-housing-developments/canterbury-region/domain-terrace>

¹⁷ [Clyde Road, Aorangi Road and Bevan Place :: Kāinga Ora – Homes and Communities \(kaingaora.govt.nz\)](#)

¹⁸ [Jollie Street and Naldar Place :: Kāinga Ora – Homes and Communities \(kaingaora.govt.nz\)](#)

- 4.10. Both within the context described above, and in accordance with the statutory function of Kāinga Ora and in giving effect to government policy, Kāinga Ora seeks a planning framework that enables the delivery of more homes and typologies that meets the demand in locations within high accessibility to jobs, amenities and services.

5. KĀINGA ORA SUBMISSION ON PC14

- 5.1. Kāinga Ora lodged a comprehensive submission and further submission on PC14. The submissions arise from the operational and development needs of Kāinga Ora, but also reflect a wider interest in delivering the strategic vision and outcomes sought through the Enabling Act and the NPS-UD. The intent of the submissions is to ensure the delivery of a planning framework in Christchurch that contributes to a well-functioning urban environment that is sustainable and inclusive and contributes towards thriving communities that provide people with good quality, affordable housing choices and support access to jobs, amenities and services.
- 5.2. In making submissions on the various IPI processes, one of the strategic goals of Kāinga Ora is to seek that local authorities fully implement the outcomes of the NPS-UD. There is a high demand for housing in Aotearoa, and to supply a greater number of homes in locations that connect well to jobs, education, transport and amenities. There is, therefore, a strong need to build up, rather than out. Intensification, when done well, can bring a range of benefits to an area, such as greater opportunity for investment in infrastructure and local amenities, increased safety and a stronger sense of community and more public green spaces when part of comprehensive redevelopments.
- 5.3. As New Zealand's Urban Development Agency tasked with creating more homes across New Zealand at pace, Kāinga Ora supports plans that enable more people to live in locations that have good access to jobs, amenities and services that meet their day to day needs, and that enable enough housing supply so that current pressures are eased.
- 5.4. It is acknowledged that PC14 as notified is more enabling of residential and business development capacity compared to the Christchurch City

Council ODP. However, the following key themes of PC14, as notified, compromise the extent to which the planning provisions enable appropriate development within Christchurch City:

- (a) While PC14 has provided for Medium and High-Density Zones throughout Christchurch, the extensive number, and coverage of QMs across the whole city, mean that development capacity as intended by the Enabling Act is unreasonably and inefficiently constrained;
- (b) In addition to the extensive number of QMs, PC14 proposes an overly complex rule framework, and introduces a number of new zones and overlays, which further complicate the planning regime. This proposed rule framework does not simplify permitted development or provide for efficient or effective consenting pathways throughout Christchurch City;
- (c) Similarly, the proposed centres hierarchy does not include a MCZ. Kāinga Ora has proposed that the three Large Town Centres (Hornby, Riccarton, and Papanui) be zoned as MCZ, recognising their existing function within the network of centres within the city and their likely continued future role in providing for growth. This revised centre hierarchy provides a useful basis to support further intensification around the City Centre, Metropolitan Centres (proposed by Kāinga Ora) and Town Centres. If adopted as proposed by Kāinga Ora the Council's proposed 'walkable catchments' would then sufficiently enable development as intended by the NPS-UD and the Enabling Act;
- (d) While PC14 does enable some increased development capacity, as notified PC14 it does sufficiently enable development across Christchurch, in terms of housing choice and typology to the extent anticipated and provided for by the NPS-UD and the Enabling Act;
- (e) Kāinga Ora supports submissions of others that no height limit within the CCZ is appropriate, however acknowledge that 90m

is also enabling. These proposed heights would be enabling development to the greatest extent possible.

- 5.5. If the relief sought in the Kāinga Ora Submissions on PC14 is adopted, particularly in relation to the above, then the constraints inherent in PC14 would be reduced, and PC14 would enable greater development capacity in the areas of Christchurch City that are most appropriate for urban intensification in a manner that would be in accordance with the NPS-UD and give effect to the Enabling Act.

6. HEIGHTS IN THE CCZ

- 6.1. Kāinga Ora supports the enablement of heights within the CCZ and supports the introduction of no height limit within the CCZ to enable as much capacity as possible. Policy 3(a) of the NPS-UD sets a clear direction that in maximising the benefits of intensification building heights and density standards are to realise as much development capacity as possible. Further, the NPS-UD is clear that a well-functioning urban environment is one that has tall buildings enabled at the heart of New Zealand's major cities.
- 6.2. The evidence of Mr Colegrave in support of the Kāinga Ora submission identifies the economic costs and benefits of enabling taller buildings.¹⁹ Mr Colegrave concludes that the benefit of increased building heights “*are agglomeration efficiencies, economic vibrancy, greater housing choice, improved housing affordability, more efficient land use, and better infrastructure efficiency.*” I note that Mr Heath²⁰ has also provided economic evidence to support a height limit of 90m within the CCZ. His evidence concludes that a 90m height limit is necessary to improve the City Centre's profile domestically and internationally.
- 6.3. Mr Clease²¹ also provides support for greater heights within the CCZ from an urban design and planning perspective and notes that, in terms of the CBD:

¹⁹ Evidence of Mr Fraser Colegrave on behalf of Kāinga Ora – Homes and Communities, dated 20 September 2023

²⁰ Evidence of Mr Tim Heath (economics) on behalf of Christchurch City Council

²¹ Evidence of Mr Jonathan Clease on behalf of Kāinga Ora – Homes and Communities, dated 20 September 2023

In terms of tall buildings, if not here then where? Clearly the NPS-UD anticipates no restrictions on capacity in such locations and the draft Spatial Plan considers significant increases in employment and household density being accommodated within high-rise commercial and apartment towers as being integral to the City Centre purpose and function. The NPS-UD cl. 3.33 tests provide for more limited heights where justified on a strong evidential base following site-by-site analysis. I do not consider that such a case has been made out for the City Centre Zone in general.

- 6.4. Mr Cleese supports no limit on height within the CCZ and considers that a height limit of 90m achieves little as opposed to not having a height limit at all. His view is that there is no material difference in either strategic or urban design outcomes between a hotel, office, or apartment building that is say 35 stories in height rather than 30 stories.
- 6.5. Kāinga Ora supports this view.
- 6.6. Christchurch City is the largest commercial centre within the South Island and the second largest territorial authority in terms of population in Aotearoa. Therefore, Kāinga Ora consider that greater heights within the CCZ are suitable to reflect the size and economic status of Christchurch City.

7. COMMERCIAL CENTRE HIERARCHY

- 7.1. Kāinga Ora considers that there is a gap in the centres hierarchy as proposed in PC14 with the absence of Metropolitan Centres. Specifically, Kāinga Ora seeks the rezoning of Riccarton, Papanui and Hornby from Large Town Centre Zone (**TCZ**) to MCZ.
- 7.2. The reclassification of Riccarton, Papanui and Hornby to MCZ would better align with the National Planning Standards and with the NPS-UD framework. Locations where the MCZ should apply generally exhibit high level of demand, access to employment opportunities, well serviced by public and active transport, and provide a variety of business and community services.

- 7.3. The key centres of Riccarton, Papanui and Hornby provide significantly more services, facilities and opportunities than the other centres zoned TCZ within Christchurch City. Spending patterns, catchment, existing commercial floorspace and position within transport network support the proposed change Kāinga Ora requests.
- 7.4. It is the position of Kāinga Ora, that the centres of Riccarton, Papanui, and Hornby are already recognised and utilised as higher order centres and function differently to the other centres zoned TCZ. This is supported by:
- (a) The Council's continued recognition through planning provisions that enable greater intensification in the TCZ of Riccarton, Papanui and Hornby.²²
 - (b) The evidence of Mr Colgrave in relation to spending, size and his position that Riccarton, Papanui and Hornby do operate as a sub-regional centre providing a broad range of commercial, community, recreational and residential activities.²³
 - (c) The draft Greater Christchurch Spatial Plan which identifies Riccarton, Papanui and Hornby as 'significant urban centres' being connected by a 'mass transit network', and as 'priority development areas'.²⁴
- 7.5. It is the view of Kāinga Ora that appropriately identifying Riccarton, Papanui and Hornby as MCZ simply reflects the above existing factual context, even if one ignores the potential of these key centres to continue to grow and intensify. In addition to the change in zoning of these centres, Kāinga Ora also seek enabled intensification in and around these centres in a manner that is consistent with Policy 3(b) of the NPS-UD.

8. SIMPLIFIED PLANNING REGIME

- 8.1. Within Christchurch City and across greater Christchurch, Kāinga Ora has sought an increased application of Medium and High Density

²² For example increased heights in Rule 15.4.2.2

²³ Evidence of Mr Colgrave on behalf of Kāinga Ora, dated 20 September 2023

²⁴ [Greater-Christchurch-Summary-Document.pdf \(greaterchristchurch.org.nz\)](#)

Residential Zones (MDZ and HDZ), and increased heights in some of PC14's proposed MDZ and HDZ to facilitate the creation of a well-functioning urban environment and enable the delivery of a variety of homes to meet the needs of all people, through the sustainable management of natural and physical resources in accordance with the purpose and principles of the RMA (as amended).

- 8.2. Through its submission, Kāinga Ora has sought that the spatial application of zoning acknowledges and responds appropriately to walkable catchments and proximity to commercial amenity, services, employment opportunities and transport options, in a manner that is consistent with the principles of the NPS-UD. This includes seeking a defined and distinct spatial hierarchy and distinguishing between the proposed residential zones and enable heights commensurate with the anticipated future level of commercial activity and community services.
- 8.3. The submission has also sought a simplified, efficient and effective rule framework to enable development in accordance with the NPS-UD and the National Planning Standards. Kāinga Ora seeks amendments to reduce complexity and unnecessary or inefficient regulation that have been imposed by the Council to ensure a more streamlined and enabling framework for urban development that provides for people to live, work and participate in communities within accessible locations of their day-to-day needs.
- 8.4. While there is consistency, there are many variances also. This includes:
 - (a) Variation in the residential zoning framework include classification of various residential zones. PC14 has 10 different residential zones;
 - (b) Centres Hierarchy, and identification / classification of different centres and their surrounding zones or residential built form standards. PC14 includes a more complicated town centre hierarchy which Kāinga Ora does not consider necessary and overly complicates provisions.

(c) PC14's seven-layer centre's hierarchy creates additional complexity for little apparent gain, while also introducing subclassification of certain centres into "larger" versions of their default counterparts.

8.5. In regard to the Mixed Use Zone, Kāinga Ora consider the changes in PC14 appear much more suitable to a Schedule 1 process. However, if the provisions are to progress, then Kāinga Ora recommends a change to the Mixed-Use Zone rules proposed and the spatial extent of the mixed use zoning, including transitioning of land from industrial general to mixed-use.

8.6. The proposed provisions within the Mixed Use Zone in relation to comprehensive development provide an inefficient and convoluted pathway for development and may not be feasible for affordable development proposals. Elements such as greenhouse gas emissions being considered as part of the consent are onerous and do not support an efficient planning environment. Similarly, the proposed laneways and greenways are more akin to a master plan process and designation and funding should be provided for their implementation if this is an outcome sought by the Council.

8.7. Mr Clease provides a comprehensive assessment of the numerous changes sought in regard to the PC14 provisions for both commercial and residential zones, as such I will not repeat this here. Kāinga Ora generally support the changes recommended by Mr Clease and consider that the changes will enable capacity while still achieving a well-functioning urban environment. In particular, Mr Clease's recommendations to changes to the CCZ rules will allow increased heights that will still allow for quality urban built form.

9. QUALIFYING MATTERS

9.1. PC14 contains an extensive list of Qualifying Matters (**QMs**). It is the view of Kāinga Ora, that in some cases, the proposed QMs do not meet the legislative test for a QM. As outlined earlier within this evidence, a further brief of corporate evidence will be filed prior to the QM hearings in early 2024.

- 9.2. A high-level summary is therefore provided on those QMs Kāinga Ora seek deletion or revision to:
- (a) **Tsunami Management Area – Management** - The Kāinga Ora submission sought that amendments are made to the proposed Tsunami Management Area QM (in addition to mapping request), to reflect a 1:100 year event, rather than a 1:500 year event with a 1.06m sea level rise (SLR). Kāinga Ora is concerned that classifying a 1:500 year + 1m SLR as a 'high risk' natural hazard which restricts MDRS density is overly restrictive and inconsistent with the s6(h) of the RMA 1991 and Policy 25 of the New Zealand Coastal Policy Statement (**NZCPS**).
 - (b) **Low Public Transport Accessibility Area** - It is the position of Kāinga Ora that the Low Public Transport Accessibility Area (**LPTAA**) QM is inconsistent with the Enabling Act and should be deleted. Kāinga Ora considers that the Council's proposed LPTAA QM will only further restrict the development or identification of new public transport route needs. Generally, public transport is proposed, considered and amended in response to its need, and restricting development because there is no existing routes, within existing urban areas, would just result in a lack of increased demand for public transport options, and therefore no investigation and/ or assessment of the need for new routes.
 - (c) **Residential Heritage Areas** - Kāinga Ora acknowledges the need to protect areas of historic heritage where the requirements of section 6 of the RMA are met. However, in accordance with the Kāinga Ora submission on Plan Change 13 (**PC13**), and its the submission on PC14, the proposed residential heritage areas will place a significant constraint on (if not, preclude) the ability for urban development in accordance with the NPS-UD and the Enabling Act in circumstances where the identified areas do not represent historic heritage. Kāinga Ora is particularly concerned about the proposed Residential Heritage Area Piko/Shand. This area was a larger cluster of State housing constructed as part of the first Labour government's state housing programme. The intention then - and the intention now - is that Kāinga Ora provides warm, dry and

affordable housing close to services and amenities for the people who live within these homes.

- (d) **Residential Character Areas** - The Kāinga Ora submission on PC14 questions in promoting Residential Character Areas, and proposed extension of the Residential Character areas, as a QM, if these have been appropriately assessed against the tests of s77j and s77L of the Enabling Act. The identification of these additional areas as QM and the subsequent recommendations of the Council and associated provisions cannot be supported to the extent that intensification and urban development are restricted in Residential Character Areas if the appropriate statutory assessments have not been undertaken.
- (e) **Riccarton Bush and Riccarton Bush Interface Area** - Kāinga Ora supports the need for protection of Riccarton Bush. However, Kāinga Ora does not support the proposed application of controls in the Riccarton Bush Interface Area. As discussed by the expert evidence of Mr Joll, Dr Hoddinott and Ms Strachan, the existing height limit of 8m maybe an appropriate control within the Riccarton Bush Interface Area. However, as discussed by Mr Joll in his evidence additional built form controls are not necessary to protect the values of Riccarton Bush and restrict increased density within one of the most suitable areas of the city for intensification. That said, Kāinga Ora notes that in reaching these conclusions on a height of 8m, these have been informed by Council assessments that have broadly considered the current built environment rather than an environment where a built height of 8m is present. The assessment provided by the Council has not considered what views, if any would remain, to the bush if that 8m height were to be fully realised. Kāinga Ora remains concerned that a height limit of 8m may not be justified when considered against s77I and s77L of the Act.
- (f) **Sunlight Access** - The proposed sunlight access qualifying matter does not meet the tests of the NPS-UD for new QMs. Kāinga Ora does not support the application of this QM across the city, and believe the Council has erred in their proposal.

Whilst Kāinga Ora supports the evidence prepared by the Council and its experts on the matter of sunlight access and availability in Christchurch, Kāinga Ora contends that the matter of sunlight access was grappled with in the design and intention of the legislation, and that in considering the MDRS the government signalled that the cost of lost sunlight access did not outweigh the benefits provided by introduction of the MDRS.

- (g) **Residential Industrial Interface** – The submission of Kāinga Ora opposes the Industrial Interfaces QM in full. Kāinga Ora considers that mitigation of effects should be the primary responsibility of those businesses within the industrial zone. The District Plan provides suitable noise controls to achieve this. Kāinga Ora supports the evidence of Mr Joll who has also provided extensive assessment of the existing activities within these industrial zones that are subject to ‘protection’ and concludes that he *“disagrees that the industrial interface QM can be justified in terms of 771(i) of the RMA as in the main they are already comprised of benign activities that are compatible with a residential interface.”*
- (h) **City Spine Transport Corridor** - The Kāinga Ora submission opposes the ‘City Spine’ being a qualifying matter and considers this to be inconsistent with the requirements of Section 77L. Kāinga Ora therefore requests that the City Spine QM be deleted in its entirety. Kāinga Ora understand that the QM has been included within PC14 mostly for ‘landscape amenity’ reasons. Kāinga Ora note that effects on residential amenity generated by intensification are addressed explicitly in the NPS-UD. Objective 4 is clear that amenity values will change over time.

Further, if road widening is a key consideration, then Council has land acquisition powers available to it through the Public Works Act and associated designating powers as a Requiring Authority under the RMA. These tools are the appropriate planning and legal instruments for seeking land acquisition to support future transport projects.

- (i) **Tree Financial Contributions** - Kāinga Ora opposes the Tree Canopy Financial Contribution (**the Tree FC**) package in its entirety and sought for the Tree FC provisions to be deleted. Kāinga Ora consider that the Tree FC is fundamentally flawed, and it is unclear how the Tree FC meets the requirements of a financial contribution as anticipated by s77T of the Enabling Act.

The Planning evidence of Mr Cleese outlines in detail why the Tree FC is flawed from a planning perspective, which Kāinga Ora agree with. This matter will also be addressed in legal submissions to be filed for Kāinga Ora.

- (j) **Airport Noise** – Kāinga Ora proposes amendments to the proposed approach in PC14 in relation to the management of sensitive activities in proximity to the Airport. Kāinga Ora consider that the approach set out within the Operative Canterbury Regional Policy Statement, which continues to be recommended by Environment Canterbury to be the most appropriate approach for land use planning purposes.

Further, Kāinga Ora consider that the existing District Plan rule 6.1.7.2.2 is a more appropriate to responding to the exposure to aircraft noise than applying density restrictions as a QM. Kāinga Ora note that even with its recommended approach adopted, any existing residents within the spatial locations between the 50 and 60 contours are unlikely to have been protected to the level now sought by the Council.

10. CONCLUSION

- 10.1. Whilst Kāinga Ora has been generally supportive of PC14 as notified in regard to enabling density and the provision of the MDRS, the current PC14 provisions and particularly the implementation of 32 QMs are considered to constrain the ability to create and deliver well-functioning urban environments, as required by the Amendment Act and the NPS-UD.
- 10.2. Kāinga Ora considers that if its submission on PC14 is adopted, then the zoning provisions of PC14 would be further enhanced and more

efficient and effective at achieving the objectives of the operative plan. The relief sought provide additional appropriately located development capacity for delivery of additional public housing, affordable housing, homes for first-home buyers, and improve market capacity to provide a greater number and range of housing types and sizes of dwellings for Christchurch residents.

Brendon Scott Liggett

Dated 22 September 2023