APPENDIX 9
PART A

HIGH-LEVEL ASSESSMENT OF RELEVANT NATIONAL POLICY STATEMENTS AND NATIONAL ENVIRONMENTAL STANDARDS

National Policy Statement on Urban Development 2020 (NPS-UD)

1. The NPS-UD encourages well-functioning and livable urban environments and aims to remove barriers to the supply of land and infrastructure and make room for growth. It applies to all planning decisions that affect an "urban environment", and requires the Waimakariri District and Canterbury Regional Councils, as "Tier 1 local authorities", to "provide at least sufficient development capacity to meet expected demand for housing and for business land over the short-term, medium-term, and long-term." This is directly applicable to Kaiapoi and the Site, which is within the Christchurch tier 1 urban environment (as defined in the NPS UD and with reference to the commonly used term "Greater Christchurch"). The NPS-UD is clearly applicable to the Project.

2. Giving effect to the NPS-UD involves:

   (a) having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future (Objective 1);

   (b) making planning decisions that improve housing affordability (Objective 2);

   (c) enabling more people to live in areas of an urban environment where there is high demand for housing (Objective 3);

   (d) recognising that urban environments and their amenity values develop and change over time (Objective 4);

   (e) requiring decisions on urban development that affect urban environments to be integrated with infrastructure planning and funding decisions; strategic over the medium term and long term; and responsive to proposals that would supply significant development capacity (Objective 6);

   (f) using robust and frequently updated information about urban environments to inform planning decisions (Objective 7);

   (g) urban environments support greenhouse gas emission reductions and are resilient to the effects of climate change (Objective 8);

(h) making planning decisions that contribute to well-functioning urban environments that have or enable a variety of homes that meet the needs of different households (in terms of type, price and location); have good accessibility; and support the competitive operation of land and development markets (Policy 1(b), (c) and (d));

(i) Council providing at least sufficient development capacity to meet expected demand for housing over the short, medium and long terms (Policy 2);

(j) when making planning decisions that affect the urban environment, regard is had to the planned urban built form anticipated by RMA documents that have given effect to the NPS UD, and the need to balance changes to amenity values against the benefits of increased housing supply and choice (Policy 6); and

(k) a responsive approach to plan changes providing significant development capacity and contributing to well-functioning urban environments (Policy 8).

3. The NPS-UD directs the district and regional councils of Greater Christchurch to provide for more housing to be built in places close to jobs, community services and public transport; and to respond to market demand. It is necessary to assess the Project in the context of this higher order document for a balanced and considered view of the environment in which the Site is situated, particularly acknowledging the identified shortfall in available greenfield land in Kaiapoi with a consequential impact on affordability and efficient land use.

4. The Project will contribute to a well-functioning urban environment, i.e., integrated with the established residential environment of Kaiapoi; located near commercial centres, employment opportunities and in an area of high demand for housing; adding significantly to development capacity; meeting the needs of the different households; good accessibility to public or active transport modes; supporting reductions in GHG emissions; and resilient to the effects of climate change. The Project takes advantage of the Site's shape and location to contribute to a compact, consolidated settlement pattern in a location that will readily integrate with its surroundings.

5. The Project is an urban development in an area that is well-integrated with infrastructure planning and funding decisions. The Site is located in an area identified for future urban development in the Greater Christchurch Spatial Plan 2024 (a Future Development Strategy as required by subpart 4, Part 3, NPS-UD), the Canterbury Regional Policy Statement (Map A) and the Proposed Plan. It will provide significant development capacity to respond to the high demand for additional housing supply in the District in the short to medium term.

6. The location and layout of the Project, in close proximity to the Kaiapoi town centre and public transport, along with the provision of a well-integrated network of pedestrian and cycle paths, will assist in encouraging alternative transport modes that support reductions in greenhouse gas emissions. A qualitative assessment has been undertaken to compare the baseline lifecycle GHG emissions of a similar, average development elsewhere in the District against the projected lifecycle GHG emissions of the Project. This shows that the Project supports reductions in GHG emissions through initiatives that reduce the direct upfront carbon impact of the infrastructure works and facilitate lower carbon forms of transport and lower overall vehicle kilometres travelled, and the restoration of a 6ha ecological area (McIntosh Drain realignment) with associated carbon sink impacts. The effects of climate change have been factored into the design of overland flow paths, raised ground levels and finished floor levels, and the stormwater management system.

7. For these reasons, and based on the technical analysis undertaken to date, the Project is consistent with a well-functioning urban environment, will meet the general directive of the NPS-UD, and will provide much-needed development capacity. It will plug a looming gap in feasible housing supply capacity by providing quality, master-planned housing that is in step with market demand. In short, the Project will give effect to the NPS-UD more than the Site's current land use or that provided for by its rural zoning.

National Policy Statement for Freshwater Management 2020 (NPS-FM)

8. The NPS-FM provides national direction for decisions regarding water quality and quantity, and the integrated management of land, freshwater, and coastal environments under the RMA. The NPS-FM contains national objectives for protecting ecosystems, indigenous species and the values of outstanding water bodies and wetlands.

9. Changing the land use of the Site from rural to urban will allow for the development of stormwater treatment and attenuation infrastructure that will ultimately improve freshwater values of receiving environments. The Project includes the construction of two treatment/attenuation basins as part of the realignment and restoration of McIntosh Drain to the east of the North Block. Stormwater will be treated prior to entering surface waterways.

10. The realignment of McIntosh Drain will have an overall positive impact on the health and well-being of McIntosh Drain. The Project seeks to naturalise the channel and support instream biota through habitat enhancement (as was consented and implemented for the section adjoining Beachgrove). Any incidental groundwater take will not impact groundwater supplies in the area and the resultant extended McIntosh Reserve will provide enhanced amenity value to the community. On this basis, the Project will meet the objective of the NPS-FM.

11. Policy 2 will be met through ongoing engagement with tangata whenua and the continued support for the proposed realignment and wet basin concept for McIntosh Drain. Tangata whenua were actively involved in the consenting of Beachgrove, acknowledging at the time that the realignment of McIntosh Drain was likely to improve the mauri of the water and add to the amenity of the wider area.

12. Policy 3 requires freshwater to be managed in an integrated way that considers the effects of the use and development of the land on a whole of catchment basis. The land use will change from rural to residential with supporting technical advice indicating the stormwater management concept will contribute to an improvement to the water quality in this area.

13. The current alignment of McIntosh Drain adjoining the east boundary of the North Block is proposed to be realigned to integrate with the existing McIntosh Reserve and accommodate the key stormwater management, ecological enhancement and open space amenity aspects of the Project. This stretch of McIntosh Drain has been assessed as having low value due to poor water quality and poor instream conditions, likely resulting from upstream land uses and its original artificial construction as a straight boxed channel.

14. The proposed realignment will deliver a naturalised meandering alignment. It will be of a similar (and likely greater) length to the current alignment, and there will be an overall net increase in wetted area, through proper formation of base flow and flood flow channels, as evident by McIntosh Reserve adjoining Beachgrove. It will also provide better outcomes for freshwater flows and water quality, instream ecological values, and amenity through provision of new habitat (plantings within the channel and on riparian edges). The hydraulic capacity of the drain will also be improved. For these reasons the Project is consistent with Policy 7, which seeks the "the loss of river extent and values is avoided to the extent possible".

15. Water quality improvements are expected in McIntosh Drain through the provision of appropriate stormwater management. The realignment of McIntosh Drain will also result in positive outcomes, particularly around provision of riparian planting, providing increased shade, reduced water temperature, organic matter input, and filtration of overland flow. From an ecological perspective, the Project will achieve ecological gains through enhancing the McIntosh Drain corridor, as revegetation of this area will provide significant benefits for the freshwater environment as well as terrestrial habitat. Overall, the proposal is considered to be consistent with the NPS-FM.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NES-CS)

16. The NESCS controls activities on land on which any activity or industry on the Ministry for the Environment's Hazardous Activities and Industries List (HAIL) is being undertaken, has been undertaken, or more likely than not is, or has been, undertaken on it.
17. A Preliminary Site Investigation (PSI, Tonkin & Taylor, December 2023) undertaken for the Site identifies:
    - the Site is not recorded on Environment Canterbury's Listed Land Use Register;
    - potential contaminants of concern are asbestos, metals, hydrocarbons, oils, and pesticide residues from historic pastural activities; and
    - soil sampling should be undertaken immediately following demolition of existing buildings and prior to bulk earthworks.
18. Based on the findings of the PSI, and as a Detailed Site Investigation has not been undertaken, consent will be sought for a discretionary activity (Regulation 11, NES-CS) to subdivide, disturb soil and change the use of a "piece of land" (subclause (7), Regulation 5, NES-CS).
19. While the PSI has identified the potential for contamination to be present in parts of the Site, well developed, standard processes will be used to identify and, if necessary, manage any contaminated land on the Site. An accidental discovery procedures (ADP) document has ben prepared that outlines the controls and procedures to implement if suspect ground contamination is encountered.

National Environmental Standards for Freshwater 2022 (NES-F)

20. The NES-F regulates activities that pose risks to the health of freshwater and freshwater ecosystems. The standards are intended to protect wetlands, protect streams from infilling and reclamation, maintain fish passage, and manage various effects stemming from agricultural activities.
21. No freshwater features are considered to be present on the Site. The features currently present are all considered to be artificial channels, constructed for drainage purposes. Freshwater values at the Site are therefore limited to constructed drains (both farm and roadside), with the highly modified, but natural McIntosh Drain on the eastern boundary of the North Block. The ecological instream values are limited due to the artificial nature of the channels, rural land use and lack of riparian vegetation.
22. No natural inland wetlands (as defined by the RMA and NPS-FM) have been identified on the Site.
23. The Site does not meet any of the ecological significance criteria contained within the Canterbury Regional Policy Statement and is therefore not considered to be a Significant Natural Area.

24. The reclamation and realignment of McIntosh Drain is subject to relevant NES-F regulations, including ensuring fish passage is maintained. As no natural inland wetlands have been identified on the Site, protection of wetlands is not required.

PART B

HIGH-LEVEL ASSESSMENT OF REGIONAL AND DISTRICT PLANNING DOCUMENTS

Canterbury Regional Policy Statement (CRPS)

1. The CRPS provisions of relevance to the Project are contained in Chapter 6 (Recovery and rebuilding of Greater Christchurch), Chapter 7 (Freshwater), Chapter 10 (Beds of rivers and lakes and their riparian margins) and Chapter 11 (Natural hazards).

2. The Site is in the Greater Christchurch sub-region and located within the identified Projected Infrastructure Boundary, a Greenfield Priority Area (in part) and a Future Development Area (**FDA**), the only such notation at Kaiapoi. The FDAs were introduced to the CRPS in response to an identified shortfall in housing development capacity.

3. The Project will contribute significantly to residential capacity and deliver housing supply in a managed way that integrates with the established urban form and infrastructure and transport networks at Kaiapoi. Overall, the Project achieves consistency with Chapter 6 for the following reasons:

(a) it will provide for residential development in a specified spatial area (FDA) at Kaiapoi in a way that will maintain the established urban character and amenity, protect people from unacceptable flood risk, enhance indigenous biodiversity, and not adversely affect the efficient operation of the Christchurch Airport (Objective 6.2.1, Policy 6.3.5);

(b) it will achieve a consolidated urban form and settlement pattern, avoid unplanned expansion of the urban area at Kaiapoi, provide for the development of a FDA to meet anticipated demand and enable the efficient use of network infrastructure, encourage sustainable and self-sufficient growth of Kaiapoi, and give effect to the principles of good urban design (Objective 6.2.2, Policy 6.3.2);

(c) development of the Site will be undertaken in accordance with an ODP that has been prepared in accordance with the relevant criteria under Policy 6.3.3;

(d) the Project will contribute to an efficient and effective transport network (Policy 6.3.4);

(e) it will deliver greenfield residential development in accordance with Map A that achieves prescribed residential net densities and contributes to housing affordability (Policy 6.3.7); and

(f) it is enabling of development in a FDA that satisfies the criteria under Policy 6.3.12, specifically it responds to an identified need for further feasible development capacity (1.), promotes the efficient use of urban land and supports the settlement pattern (2.), is aligned with the

provision and protection of infrastructure (including Christchurch Airport) (3.), will occur in accordance with the ODP (4.), and the effects of flooding hazard can be appropriately mitigated (5.).

4. Overall, the Project is consistent with providing a consolidated urban form and settlement pattern and sustainable growth at Kaiapoi, will meet the general intent for managed urban growth in the Greater Christchurch area, and will provide much-needed housing development capacity. The Project is broadly consistent with the key outcomes anticipated for Future Development Areas.

5. McIntosh Drain currently has degraded water quality and ecological values. The new alignment, following a period of adjustment and plant establishment, will have improved function, life-supporting capacity, and natural character, leading to better outcomes for the bed and its margins. Public access will also be significantly improved as the realignment will be through an expended McIntosh Reserve with interconnected walkways. Overall, the proposal is considered consistent with the provisions of Chapters 7 and 10.

Proposed Waimakariri District Plan (Proposed Plan)

6. The Project is consistent with the objectives of the Proposed Plan as they relate to MRZ-enabled development of the Site (noting the Site's location within the Kaiapoi Development Area), for the following reasons:

    i. it will improve the quality of the natural environment in respect of the natural features and potential habitat identified on the Site (SD-O1 Natural environment, ECO-O1 Ecosystems and indigenous biodiversity, NATC-O2 and -O3 Natural character and freshwater bodies);

    ii. it enables development that will be consolidated and integrated with Kaiapoi's urban environment and provide a range of housing opportunities within an identified development area (SD-O2 Urban development);

    iii. it will provide good integration and connectivity with active transport modes and commercial, community and recreational facilities in Kaiapoi, convenient access to public transport networks, and will not affect the efficient and effective operation of strategic infrastructure (SD-O3 Energy and infrastructure);

    iv. being within an identified residential development area, the Site is not required to be managed for productive rural activities, and medium density residential development represents more efficient utilisation of the land resource than RLZ (SD-O4 Rural land);

v. the values of identified sites and areas of significance to Ngāi Tūāhuriri will be recognised and protected through ongoing engagement with Rūnanga, implementation of cultural recommendations and adherence to accidental discovery protocol (SD-O5 Ngāi Tahu mana whenua/Te Ngāi Tūāhuriri Rūnanga);

vi. ground conditions and flooding hazard will be managed through detailed design to ensure natural hazard risk is appropriately mitigated and acceptable (SD-O6 Natural hazards and resilience, NH-O1 Natural Hazards);

vii. it will provide sufficient feasible development capacity to meet demand for housing (UFD-O1 Urban form and development);

viii. it will be effectively and efficiently serviced without compromising existing infrastructure (EI-O2 Energy and infrastructure);

ix. it will not compromise the safety, resilience or efficiency of the transport network, and will encourage multi modal transport choices (TRAN-O1 Transport);

x. it will deliver an integrated pattern of land use, development and urban form in accordance with a site-specific ODP and provisions relating to subdivision and land development activities in the MRZ (SUB-O1 Subdivision design);

xi. it will achieve sustainable residential growth that provides more and varied housing in an appropriate location close to amenities, and that is responsive to growth, community and district needs (RESZ-O1 Residential growth, location and timing, MRZ-O1 Provision of medium density housing); and

xii. the nature, scale and character of development is anticipated in the Kaiapoi Development Area and will not impact on the predominant character of the rural environment beyond the Site (RURZ-O1 Rural Environment).

7. The Project is also generally consistent with the associated policies that support these objectives.

Waimakariri District Development Strategy 2048 (WDDS)

8. The WDDS guides the District's anticipated residential and business growth over the next 30 years (2018-2048). It identifies a need for 17ha of additional retail/commercial land in Rangiora and Kaiapoi[1] and identifies northeast Kaiapoi (including the Site) as a future direction for residential growth (Figure 1E, Attachment 1). Relevantly from the WDDS, *"new growth directions take into*

[1] WDDS, page 5

account the areas of unacceptable natural hazard risk", *"new growth areas to connect into existing sewer and water networks"*, *"stormwater levels of service designed to meet increased performance requirements"* and *"existing strategic infrastructure is considered, including Christchurch International Airport's proposed review of the airport noise contours"*[2].

9. The WDDS notes that providing for growth around Kaiapoi would maximise the efficiency of infrastructure, services, amenities and transport, and create critical mass for business and retail. Kaiapoi will remain the second largest town in the District (behind Rangiora) and retain its existing character. These are all elements of the WDDS that the Project will deliver on.

Mahaanui Iwi Management Plan (IMP)

10. The Site is within the takiwā of Te Ngāi Tūāhuriri Rūnanga. Natural resources (water, mahinga kai, indigenous flora and fauna, cultural landscapes and land) are taonga to manawhenua, and integral to the history and identity of mana whenua. The protection of sites and areas of significance to Māori for the benefit of current and future generations is essential to the cultural identity of Kaiapoi and Greater Christchurch, so it is therefore important that urban development does not impact them.

11. The Site is subject to Historic & Cultural Overlays (Wāhi Tapu SASM 005 – silent file, Ngā Tūranga Tūpūna SASM 013 – cultural landscape of high coastal settlement) under the Proposed Plan. The identification of these sites and areas of significance to Māori ensures cultural values are appropriately addressed through the consenting and development processes and ongoing engagement with the rūnanga.

12. The Site is located within the area covered by the IMP. The IMP identifies the silent files that the Site is subject to / in proximity of. An archaeological assessment and a cultural values statement have been prepared for the Site, and these will be refined and updated through the preparation of the substantive application and in response to further consultation with the rūnanga. All works on the Site will be subject to an accidental discovery protocol. For these reasons, matters concerning natural and physical resources of special importance to the rūnanga can be recognised.

Greater Christchurch Spatial Plan

13. The Spatial Plan was endorsed by the Greater Christchurch Partnership Committee in February 2024 and adopted by all Partner Councils (including Waimakariri District and Canterbury Regional Councils) as their Future Development Strategy (**FDS**) to satisfy the requirements of the NPS UD.

[2] WDDS, page 41

The purpose of the Spatial Plan is to set a desired urban form for a projected population of 700,000 (to 2051) to ensure Greater Christchurch is future-proofed in the context of population growth.

14. The geographic extent of Greater Christchurch area covered by the Spatial Plan is shown on Map 1, which corresponds to that shown on Map A in the CRPS. One of the Spatial Plan's priorities in creating a well-functioning and sustainable urban environment is to accelerate the provision of quality, affordable housing. The Spatial Plan sets out how sufficient housing and business development capacity will be provided to meet expected demand over the next 30 years. Consistent with the spatial and statutory planning frameworks preceding the Spatial Plan, the Site is identified within a 'Future urban area' (Map 2, Spatial Plan).

15. For the reasons outlined above in regard to the NPS-UD, the Project supports the broad intent of the Spatial Plan. Relevantly, the identification of the Site for future urban use in the Spatial Plan, being a FDS as defined by the NPS-UD, means that the Site is considered 'plan-enabled' in the long term (Clause 3.4(1) Meaning of plan-enabled), and Waimakariri District and Canterbury Regional Councils are required to have regard to the FDS when preparing or changing their statutory planning documents (Clause 3.17 Effect of FDS).