

**BEFORE INDEPENDENT HEARING COMMISSIONERS  
FOR TIMARU DISTRICT COUNCIL**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHAKE  
TE KAUNIHERA Ā-ROHE O TE TIHI O MARU**

**IN THE MATTER                      of the Resource Management Act 1991 (RMA)  
AND**

**IN THE MATTER                      of the hearing of submissions in relation to the  
Proposed Timaru District Plan**

**HEARING TOPIC:                      (Hearing B): B2 Urban Zones**

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**STATEMENT OF EVIDENCE OF JOSHUA NEVILLE  
ON BEHALF OF KĀINGA ORA – HOMES AND COMMUNITIES**

**CORPORATE**

**08 JULY 2024**

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## 1. EXECUTIVE SUMMARY

- 1.1. My name is Joshua Thomas John Neville, I am the Team Leader – Development Planning for the South Island at Kāinga Ora - Homes and Communities (**Kāinga Ora**). I am authorised to present this evidence on behalf of Kāinga Ora in support of its primary submission and further submissions (**submitter #229**) on the Timaru District Council's (**the Council**) proposed Timaru District Plan (**pTDP**).
- 1.2. I have previously presented corporate evidence on behalf of Kāinga Ora at Hearing A – Overarching Matters, Part 1 and Strategic Directions. Previous evidence focused on the Kāinga Ora housing portfolio, and specific provisions relevant to Hearing Stream A.
- 1.3. Kāinga Ora in making its submission on the pTDP sought a package of rules that supported a quality urban environment whilst balancing an enabling planning environment. These submission points were to support the delivery of Kāinga Ora housing in the District, in the most effective way.
- 1.4. The Section 42A report for Residential, Commercial and Mixed-Use Zones drafted by Ms White has recommended accepting some but not all the changes requested by Kāinga Ora. Kāinga Ora generally accepts the position in response to Kāinga Ora submission points (unless discussed further below) and recommends the panel adopt the proposed changes.
- 1.5. This evidence is split into two parts. Part one will discuss the rationale and intent for the outcomes sought by the Kāinga Ora in its' submission. Part two will discuss those specific provisions where Kāinga Ora continues to seek changes that were not recommended in the Section 42A report.
- 1.6. Further, Kāinga Ora will discuss the zoning of a Kāinga Ora owned development site on Grey Road and the proposed future use of the site.

## 2. INTRODUCTION

- 2.1. For an introduction to myself, and details of my qualifications, experience and role with Kāinga Ora, please refer to section 2 of my evidence dated 8 May 2024 for Hearing Stream A. This evidence also discussed the role of Kāinga Ora and the reasons for our participation in the Proposed Timaru District Plan process.

- 2.2. In preparing this evidence I have read the Section 32 and Section 42A reports together with the associated appendices prepared by the Council.
- 2.3. I can confirm that I am authorised to give corporate evidence on behalf of Kāinga Ora in respect of the pTDP.

### **Scope of Evidence**

- 2.4. I have been asked to provide corporate evidence in relation to the overall objective of the Kāinga Ora submission on the Residential, Mixed Use and Commercial Zone provisions, and specific discussion on the site at Grey Avenue.
- 2.5. This evidence relates to the submission and further submission of Kāinga Ora (#229).
- 2.6. With respect to Hearing B (Residential and Commercial and Mixed Use Zones), Kāinga Ora is generally comfortable with the recommendations Ms White has made in relation to our submission points addressed in this hearing stream.
- 2.7. Secondly, Kāinga Ora supports Ms White's recommendations responding to the Kāinga Ora submission point relating to the rezoning of the site at Grey Ave.<sup>1</sup>
- 2.8. Kāinga Ora also supports Ms White's recommendations relating to: Outlook Space<sup>2</sup>, and Minimum Unit Size<sup>3</sup>.
- 2.9. Kāinga Ora disagrees with Ms White's position on the following provisions: Policy GRZ-P1<sup>4</sup> - Residential Activities, and Outdoor living Space within the GRZ<sup>5</sup>, MUZ<sup>6</sup>, CCZ<sup>7</sup>.

### **3. INTENT OF THE KAINGA ORA SUBMISSION RELATING TO GRZ, MRZ, NCZ, MUZ, TCZ and CCZ**

- 3.1. The Kāinga Ora submission points relating to the GRZ, MRZ, NCZ, MUZ, TCZ and CCZ sought for these provisions in the PDP to focus on providing for on-site amenity, whilst balancing the effects of development.
- 3.2. The Kāinga Ora submission was comprehensive and emphasised achieving the stated intent through well-defined built form standards and clear objectives and policies in the

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<sup>1</sup> Submission point 229.86

<sup>2</sup> Submission Points 229.112, 229.122, 229.137, 229.150 and 229.164

<sup>3</sup> submission points 229.113, 229.123, 229.138, 229.151 and 229.165

<sup>4</sup> Submission point 229.64

<sup>5</sup> Submission point 229.82

<sup>6</sup> Submission point 229.135

<sup>7</sup> Submission point 229.161

eventual District Plan, rather than relying on inflexible measures like minimum site sizes. While not part of this hearing stream, the Kāinga Ora position on the subdivision chapter is to remove minimum site size requirements, and instead introduce a shape factor requirement. The separate consideration of these elements in the assessment of submissions and plan hearing process have lost some of the intent of our submission.

- 3.3. We contend the functionality of the site, privacy and on-site amenity are best managed through built form standards rather than other triggers. The proposed controls in our submission sought to address this. If these standards are set right, then sufficient flexibility would be provided by the plan to enable housing variety and choice within the respective zones, while still reflecting the anticipated urban form outcomes.
- 3.4. At a practical level, it is the Kāinga Ora experience that the approach outlined above leads to a clearer understanding of the overall outcomes for the relevant zone, to inform development and design.

#### **4. RECOMMENDATIONS IN THE S42A REPORT – RESIDENTIAL; AND COMMERCIAL AND MIXED-USE ZONES WHICH KAIINGA ORA SUPPORTS**

- 4.1. Having reviewed the respective Section 42A report, Kāinga Ora generally supports the recommendations by the reporting planner Ms White relating to other Kāinga Ora submission and further submission points. These submission and further submission points have therefore have not specifically addressed in this evidence.

##### **Outlook Space**

- 4.2. In particular, Kāinga Ora supports Ms White's recommendation to accept the Kāinga Ora submission points relating to outlook space<sup>8</sup> in the medium density, commercial and mixed-use zones.
- 4.3. As discussed in section 3, it is the experience of Kāinga Ora that provisions relating to outlook space, alongside other controls, are an appropriate and effective tool to manage on-site amenity. The use of these built form standards will enable quality design outcomes, while also enabling a higher density of housing including smaller (1-2 bedroom) units to meet the changing needs of Timaru residents.
- 4.4. We consider that it would be appropriate to include a similar rule in the general residential zone if minimum site sizes are removed.

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<sup>8</sup> Submission points 229.112, 229.122, 229.137, 229.150 and 229.164

## 5. RECOMMENDATIONS IN THE S42A REPORT – RESIDENTIAL; AND COMMERCIAL AND MIXED-USE ZONES WHICH KĀINGA ORA DISAGREES WITH

- 5.1. Kāinga Ora disagrees with the conclusions and recommendations of Ms White's relating to Policy GRZ-P1<sup>9</sup>, Objective MRZ-O2<sup>10</sup>, Minimum sizes for outdoor living space in the medium density<sup>11</sup>, mixed use<sup>12</sup>, and commercial<sup>13</sup> zones.

### Policy GRZ-P1 – Residential Activities

- 5.2. As discussed in section 3 of this evidence, Kāinga Ora seeks an objective and policy framework which provides for urban form outcomes consistent with the direction set in the NPS UD and reflect the anticipated character and amenity of the zone.
- 5.3. The residual concern with GRZ-P1, following the changes recommended by Ms White, is clause (4) of the policy which seeks that *'ample open space and landscaping is provided around buildings to maintain the character and qualities of the zone'*. It is the experience of Kāinga Ora that where a policy direction seeking to 'maintain' character or amenity exists in a plan and subsequently forms part of an assessment, this results in an outcome where the built form is required to reflect the existing character and amenity of a zone, rather than the amenity or character which the plan anticipates. This creates a higher barrier for consenting, and in practise ultimately disproportionately favours the status quo.
- 5.4. An example of this in practise would be where the operative plan requires a 5m road setback, and the proposed GRZ zone requires a 2m road setback. With regards to 'open space and landscaping around buildings' maintaining existing character and qualities of the zone would mean that the proposed rule setting in the GRZ, does not intend to 'maintain' the existing development pattern. This then becomes problematic through consenting processes, as the decision making for resource consents is guided by a need to maintain the existing character or amenity, rather than seeking to achieve the urban form outcomes sought through the proposed rules.
- 5.5. It is for this reason that Kāinga Ora seeking that the term 'maintain' in clause (4) of GRZ-P1 is replaced as shown below:

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<sup>9</sup> 229.64

<sup>10</sup> Submission point 229.88

<sup>11</sup> Submission point 229.108

<sup>12</sup> Submission point 229.135

<sup>13</sup> Submission point 229.161

*'ample open space and landscaping is provided around buildings ~~that~~ to which reflect maintains the character and qualities anticipated by ~~of~~ the zone.'*

### **Outdoor Living Space**

- 5.6. The Kāinga Ora submission point relating to outdoor living space in the GRZ<sup>14</sup> was accepted in part by Ms White. The part of the submission points accepted largely related to the above floor outdoor living space.
- 5.7. The parts of the submission point<sup>15</sup> which was not accepted relates to the minimum size. Kāinga Ora considers that outdoor living space should also reflect the unit size, and that if a unit was only one to two bedrooms, outdoor living space of 50m<sup>2</sup>, with a minimum dimension of 5m would restrict opportunities onsite for housing choice and variety.
- 5.8. Kāinga Ora notes that the relevant matters of discretion include (clause 1) *'provision of sufficient outdoor living space'*. Alternative relief to the reduction in minimum outdoor living space sought by Kāinga Ora would be that this matter of discretion is amended to include reference to what is 'sufficient' reflecting bedrooms/ occupancy of the dwelling.
- 5.9. Kāinga Ora suggests alternative wording as below for GRZ-S8 Clause 1:
- 'provision of sufficient outdoor living space, which reflects the anticipated occupancy of the associated dwelling; and...'*
- 5.10. The Kāinga Ora submission points for outdoor living space in the MUZ<sup>16</sup> and CCZ<sup>17</sup> also sought a minimum size for outdoor living space of above ground residential units and/ or an alternative option for communal outdoor living space at ground level.
- 5.11. Ms White accepted the submission points in relation to private living space for above ground floor units in the MUZ<sup>18</sup> and CCZ<sup>19</sup>.
- 5.12. The part of the submission point relating to communal outdoor space in the MUZ was not accepted. It is the view of Kāinga Ora that the current drafting of MUZ-S5, is somewhat confusing with the reference to 'a common living space'. In reviewing the s42A assessment it appears that the 'common living space' relates to a principal habitable

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<sup>14</sup> Submission point 229.82

<sup>15</sup> Submission point 229.82

<sup>16</sup> Submission point 229.135

<sup>17</sup> Submission point 229.161

<sup>18</sup> Submission point 229.135

<sup>19</sup> Submission point 229.161

room (e.g. lounge room) rather than communal/ common outdoor living space for the residential units as a whole.

- 5.13. The intent of the Kāinga Ora submission on MUZ-S5 was to provide for an option for the outdoor living space for residential units above the ground floor to be made up of both private and communal space.

## **6. Grey Road Site**

- 6.1. The Kāinga Ora submission sought to support the rezoning of the site bound by Grey Road, Arthur Street and Theodosia Street to MRZ<sup>20</sup> and opposed the mapping of a 'Specific Control Area – Potential Large-Scale Retail' area over the site bound by Grey Road/ Arthur Street and Theodosia Street.<sup>21</sup>
- 6.2. This site is owned by Kāinga Ora and we are currently in the process of applying for a resource consent to establish a comprehensive housing complex consisting of 49 new residential units, pedestrian / vehicle access and circulation, carparking and landscaping. This site will provide the opportunity for a range of housing typologies and communal space to be created.
- 6.3. Kāinga Ora understands that the mapping of the 'Specific Control Area – Potential Large-Scale Retail' was a mapping error, which Ms White recommends is removed. Kāinga Ora support the removal of this mapping layer, and that the site retains its MRZ.

## **7. CONCLUSION**

- 7.1. Kāinga Ora appreciates the thorough work undertaken by Ms White in her Section 42A report for the Residential, Commercial, and Mixed-Use Zones. We broadly support her recommendations, which demonstrate a careful consideration of the submissions received and the overall objectives of the Proposed Timaru District Plan.
- 7.2. The changes recommended by Ms White largely align with the objective of Kāinga Ora in its submission for a quality urban environment that balances enablement with appropriate controls. We particularly contend her acceptance of our submissions regarding outlook space in medium density, commercial, and mixed-use zones, which will contribute to better on-site amenity and design outcomes.

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<sup>20</sup> Submission point 229.85

<sup>21</sup> Submission point 229.86

- 7.3. The few areas where Kāinga Ora continues to seek changes are not in opposition to the s42A report's overall direction, but rather aim to better reflect the intent of our original submission. These refinements, particularly regarding Policy GRZ-P1 an outdoor living space requirements, are designed to:
- 7.4. Ensure the policy framework supports urban form outcomes consistent with the National Policy Statement on Urban Development;
- 7.5. Provide flexibility in housing typologies to meet diverse community needs;
- 7.6. Clarify the distinction between existing and anticipated character in residential zones;
- 7.7. Enable a more nuanced approach to outdoor living space that reflects unit sizes and occupancy.
- 7.8. We believe these adjustments will enhance the Plan's ability to deliver the housing outcomes needed in Timaru while maintaining high standards of urban design and amenity.
- 7.9. Regarding the Grey Road site, we support Ms White's recommendation to remove the erroneous 'Specific Control Area – Potential Large-Scale retail' mapping and retain the Medium Density Residential zoning. This aligns with our plans for a comprehensive housing development that will contribute positively to Timaru's housing stock.
- 7.10. In conclusion, Kāinga Ora commends the Council and Ms White for their work on the Proposed Timaru District Plan. We believe that with the incorporation of our suggested refinements, the Plan will provide a robust and enabling framework for Timaru's future growth and development. We look forward to continuing our collaborative approach with the Council to achieve the best outcomes for the Timaru community.

**Josh Neville**

**09 July 2024**