

08 June 2023

Attention: ICC Strategy & Policy Team  
Invercargill City Council

*Submission via email: [policy@icc.govt.nz](mailto:policy@icc.govt.nz)*

**KĀINGA ORA – HOMES AND COMMUNITIES SUBMISSION ON A NOTIFIED PROPOSAL FOR THE CODE OF PRACTICE FOR SUBDIVISION, LAND USE AND DEVELOPMENT AND RELATED PLAN CHANGES UNDER CLAUSE 6 OF SCHEDULE 1 OF THE RESOURCE MANAGEMENT ACT 1991**

**This is a submission on the Code of Practice for Subdivision, Land Use, and Development (“the COP”) from the Invercargill City Council and Southland District Council (“the Council”) and;**

- **Invercargill City Plan – Plan Change 2:**
- **Southland District Plan - Plan Change to incorporate the new Engineering Code of Practice 2023.**

**The specific provisions of the proposal that this submission relates to:**

The COP and related plan changes in their entirety. Kāinga Ora both support in part and seek relief in line with the below submission points.

**The Kāinga Ora submission is:**

1. Kāinga Ora Homes and Communities (“Kāinga Ora”) is a Crown Entity and is required to give effect to Government policies. Kāinga Ora has a statutory objective that requires it to contribute to sustainable, inclusive, and thriving communities that:
  - i. Provide people with good quality, affordable housing choices that meet diverse needs; and
  - ii. Support good access to jobs, amenities and services; and
  - iii. Otherwise sustain or enhance the overall economic, social, environmental and cultural well-being of current and future generations.

2. Because of these statutory objectives, Kāinga Ora has interests beyond its role as a public housing provider. This includes a role as a landowner and developer of residential housing and as an enabler of quality urban developments through increasing the availability of build-ready land across New Zealand.
3. Kāinga Ora therefore has an interest in the COP and related plan changes and how they:
  - i. Minimises barriers that constrain the ability to deliver housing development across the housing continuum; and
  - ii. Provides for the provision of services and infrastructure and how this may impact on the existing and planned Kāinga Ora housing developments.
4. The Kāinga Ora submission seeks amendments to the COP and related plan changes and how they:
  - i. Respond to the general housing delivery challenges, which has seen demand outpace supply of affordable market homes, increasing private rental accommodation stress and public housing delivery constraints.
  - ii. Support the delivery of affordable homes, Papakāinga/Kāinga Nohoanga, and other types of housing.
  - iii. Respond to the impacts of climate change.
  - iv. Provide for the provision of supporting services and infrastructure across Southland and Invercargill City.
5. The Kāinga Ora submission either supports or seeks amendments to the COP and related plan changes as follows;:

- i. **The District Plan and the Code of Practice.**

The COP should primarily be a technical document guiding subdivision and development and should be outside of the District Plan. This will enable the COP to be upgraded on a regular basis without the need for associated plan changes to either the Southland or Invercargill District Plan.

Kāinga Ora requests that;

- The COP in general be removed from District Plan provisions of both Invercargill City and Southland District and be used as a reference document during subdivision and development activities.
- That the subdivision and development standards currently included in the COP that only relate to any development activities within private property be retained in the District Plan documents, including
  - Access standards within private property
  - Infrastructure network standards within private property

ii. **Relationship with Ngāi Tahu Papatipu Rūnanga ki Murihiku (Section 1 3)**

Kāinga Ora recommends inclusion of Māori based design principles within the COP that reflect the values and requirements of Ngāi Tahu Papatipu Rūnanga ki Murihiku: Waihōpai Rūnaka, Te Rūnaka o Awarua, Ōraka-Aparima Rūnaka, and Hokonui Rūnanga. These design principles could guide development proposals prior to and during any engagement with Mana Whenua. This is now increasingly becoming standard practice. Māori Design Principles should be developed with/by Ngāi Tahu Papatipu Rūnanga ki Murihiku and Kāinga Ora suggest this could include concepts relating to:

- Water management (Stormwater, discharge and freshwater systems)
- Earthworks (including accidental discovery protocols)
- Protection and enhancement of any identified cultural values
- Environmental protection and enhancement
- Protection and enhancement of native flora and fauna

iii. **3.2.9 Urban Design Protocol**

Kāinga Ora supports the New Zealand Urban Design Protocol as the primary influence on the urban layouts that are encouraged in the COP.

iv. **4.3 2 (a) Low Impact Design factors**

Kāinga Ora supports the use of Low Impact Design in the development design process of this supports climate change adaption and values important to Mana Whenua.

v. **5.2.6 Rooding Design and Access Statement**

Kāinga Ora supports the requirement for a Design and Access statement when submitting rooding design plans for approval. Kāinga Ora request the following matters be added to those required to be specially addressed in the design statement;

- How road safety, particularly pedestrian and cycling safety, is addressed
- How the rooding design responds to the impacts and ongoing threat of climate change
- How relevant Mana Whenua design principals are being incorporated

vi. **Table 5.4 Road Design**

Kāinga Ora requests that an additional road cross-section be added to Table 5.4 to provide for low speed/low volume urban residential road. This road cross-section would have the following design features;

- 12m legal width
- Indicative units served – less than 20
- Recessed parking on one side only using street tree build outs
- 1.8m wide footpaths
- Mountable curbs
- Design speed of 30km/h (using speed calming devices within the design, including raised platforms, narrowing of the carriage way and street tree build outs)

vii. **5.3.20.6 Swales**

Kāinga Ora supports the use of swales wherever practical to manage stormwater, providing treatment and infiltration. The use of swales respond to;

- Climate change adaption
- Mana whenua design principles

viii. **Section 6 Stormwater**

Kāinga Ora supports the design and construction of stormwater systems as part of subdivision and development that use or replicate the natural drainage system. This design approach responds to:

- Climate change adaption
- Mana whenua design principles

ix. **6.3.4 System Design**

Kāinga understands Council's approach to seeking that the stormwater design should manage the 1% AEP Event. Given the recent experience of flooding events and exposure risks for people, property and communities Kāinga Ora considers that more work and investigation into the risks of more significant events could be warranted to better manage significant risks from flood damage and public safety issues in urban environments.

x. **Section 10 Landscape – 10.2.2 Environmentally Responsible Design**

Kāinga Ora supports the concept of 'environmentally responsible design' in relation to landscape design as part of the design and construction process. This approach responds to;

- Climate change adaption
- Mana whenua design principles
- Natural drainage systems,
- Native planting utilisation within landscape designs, and

- Street tree incorporation for shade and water absorption.

xi. **Appendix A – Designer Check List.**

Kāinga Ora supports the use of a designer checklist but requests that the following matter be added to the checklist;

- Confirmation that Mana Whenua design principles are reflected in the design.

6. Both the matters supported and the changes requested are made to:

- i. Ensure that Kāinga Ora can carry out its statutory obligations;
- ii. Ensures that the proposed design standards and District Plan provisions are the most appropriate way to achieve the purpose of the Resource Management Act 1991;
- iii. Allow Kāinga Ora to fulfil its urban development functions as required under the Kāinga Ora–Homes and Communities Act 2019.

**Kāinga Ora seeks the following decision from Southland District Council and Invercargill City Council:**

That the specific amendments, additions or retentions which are sought, are accepted and adopted into the COP and District Plan changes, including such further, alternative or consequential relief as may be necessary to fully achieve the relief sought in this submission.

**Kāinga Ora wishes to be heard in support of their submission.**

Kāinga Ora seeks to work collaboratively with the Council and wishes to discuss its submission on the COP to address the matters raised in its submission. If others make a similar submission, Kāinga Ora will consider presenting a joint case at a hearing.



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