



WAIMAKARIRI DISTRICT COUNCIL
Resource Management Act 1991

HEARING REPORT (Private Plan Change)

Hearing Date:	Commencing Monday,	Time: 9 AM
	27 July 2015	
Hearing Venue:	Waimakariri District Council, Council Chambers 215 High Street, Rangiora.	
Subject:	Private Plan Change P026 Westpark Rangiora Limited – Oxford & Lehmans Road, Rangiora	

Garry Blay
July 2015

Copies to:

His Worship the Mayor
Councillor Kirsten Barnett
Commissioners – David Caldwell, Rob Potts, Jane Whyte
Planning Officer – Garry Blay
Planning Administrator

Applicant:

Westpark Rangiora Limited
C/- Aurecon New Zealand Limited – Attention: Mark Allan

Submitters:

(see attached)

Submission Number	Submitter:
150128012146 83	Ashby Consulting Engineering (Christchurch) Ltd 19 Amoka Crescent Christchurch 8083 Attention: Colin Ashby
150120006594 84	Avionics Canterbury Wide Ltd 394 Priors Road RD 1 RANGIORA 7471 Attention: David Harnett
150216022509 85	Canterbury Aero Club PO Box 14006 CHRISTCHURCH 8544
150216022470 86	Canterbury Regional Council PO Box 345 CHRISTCHURCH 8140
150122008372 87	Ronald Bannister 11 Panckhurst Drive WOODEND 7610
150130013883 88	Chris Bell 26 Shrewsbury Street CHRISTCHURCH 8014
150130013765 89	Bizzart 47 Good Street RANGIORA 7400 Attention: Caroline Trevella
150213021656 90	Richard Brittan 161 Lehmans Road RD 1 RANGIORA 7471
150202014983 91	Fredrick Bull 47 Waddington Road Waddington CANTERBURY 7500
150123008835 92	Bruce Burdekin 1/31 Heywood Terrace CHRISTCHURCH 8013
150122008252 93	Buzzard Engineering 447 Johns Road RD 1 RANGIORA 7471 Attention: Bernard Johnston

Submission Number	Submitter:
150209017517 94	Patricia & Alistair Campbell Canterbury Aero Club PO Box 69052 LINCOLN 7640
150120006580 95	Canterbury Recreational Aircraft Club C/- 57 Gray Crescent KAIAPOI 7630 Attention: Mike Sheffield
150130013419 96	Russell Craigie 114 Swamp Road RD 2 Rangiora 7472
150127010569 97	James Elder 63 Bush Street RANGIORA 7400
150130013881 98	Lachlan Falconer 25 Yardley Street CHRISTCHURCH 8042
150216022257 99	Farmlands Park Trust PO Box 9 RANGIORA 7440 Attention: Lindsay Bain
150122008256 100	Brian Greenwood 22A Sidey Quay KAIAPOI 7630
150129012713 101	Martin Healey 5 Cass Bay Place Cass Bay LYTTLELTON 8082
150216022588 102	Kippenberger Holdings Ltd C/- 181 Lehman's Road RRANGIORA 7471 Attention: Andrew Bailey
150130013885 103	Stuart Larson 386 Bradleys Road RD 2 KAIAPOI 7692
150123009207 104	Glenn Martin 20 Rothesay Road CHRISTCHURCH 8083

Submission Number	Submitter:
150130013882 105	David Mitchell 217 Stanton Road RD 2 AMBERLEY 7482
150202014986 106	Margaret Parkinson 11B McAlpine Place Rangiora 7400
150122008253 107	Christopher Pennell 18 Bridget Land RANGIORA 7400
150119006220 108	Rangiora Aircraft Engineering 228 South Eyre Road RD 2 KAIAPOI 7692 Attention: Patrick Scotter
150216022623 109	Ryman Healthcare Ltd C/- Mitchell Partnerships Limited PO Box 489 DUNEDIN Attention: John Kyle
150122008254 110	Kevin Slattery 3 Ascot Place RANGIORA 7400
150122008367 111	SprintAero 6 Gerald Beattie Lane RANGIORA 7400
150212020358 112	Michael Spruce PO Box 562 Greymouth 7840
150211019730 113	Andrew Stevens 100 Oxford Road RANGIORA 7400
150123008682 114	James Turner 79 Rossall Street CHRISTCHURCH 8014

Submission Number	Submitter:
150211019777 115	Waimakariri District Council Attention: Victoria Caseley
150216022619 116	Westpark Rangiora Limited C/- Aurecon NZ Limited PO Box 1061 CHRISTCHURCH 8140 Attention: Daniel Thorne
150122008258 117	Wayne Wilson 35 Kintyre Drive CHRISTCHURCH 8042
150217022890 118	R & B Zahner 70 Oxford Road RANGIORA 7400
150225028701 119	LATE SUBMISSION Bruce Kivi 289 Mill Road RD 2 KAIAPOI 7692
150227030247 120	LATE SUBMISSION Transpower New Zealand Limited PO Box 1021 WELLINGTON 6140 Attention: Kelly Parekowhai
150223026183 121	LATE SUBMISSION Fraser Watt 4/15 George Street CHRISTCHURCH 8041
150220024929 122	LATE SUBMISSION Bruce & Stella Duff 42 Canterbury Street RD 7 RANGIORA 7477

Contents

- 1.0 Introduction
- 2.0 Issue Identification
- 3.0 Background
- 4.0 Statutory process
- 5.0 Description of Site
- 6.0 Existing Zoning and Planning History
- 7.0 Statutory Context
- 8.0 Assessment against Part 2 and Section 32 of the Resource Management Act 1991
 - 8.2 Section 5
 - 8.3 Section 6
 - 8.4 Section 7
 - 8.5 Section 8
 - 8.6 Section 32
- 9.0 The relevant Policy Framework
 - 9.2 Canterbury Regional Policy Statement
 - 9.3 Regional Policy Statement Conclusion
 - 9.4 Land Use Recovery Plan
 - 9.5 National Policy Statement on Electricity Transmission
- 10.0 Other relevant plans
 - 10.3 West Rangiora Structure Plan
 - 10.4 Mahaanui Iwi Management Plan
 - 10.5 Canterbury Regional Land Transport Strategy 2012-42
 - 10.6 Waimakariri District Walking and Cycling Strategy
 - 10.7 Waimakariri District Council LTP
- 11.0 Waimakariri District Plan
- 12.0 Amendments to the District Plan since notification of this request
- 13.0 Servicing
 - 13.2 Stormwater
 - 13.3 Wastewater
 - 13.4 Water
 - 13.5 Reserves
 - 13.6 Roding
 - 13.7 Servicing conclusion
- 14.0 Submissions
- 15.0 Conclusion and Recommendations

Appendix 1	Evidence Stormwater WDC 3 Waters Manager (Kalley Simpson)
Appendix 2	Evidence Wastewater WDC Project Delivery Manager (Gary Boot)
Appendix 3	Evidence potable water Water Asset Manager (Suresh Mudliar)
Appendix 4	Evidence Parks and Recreation WDC Green Space Community Planner (Jon Read)
Appendix 5	Evidence Roading and Traffic Oliver Brown MWH
Appendix 6	NPSET Objective and Policies
Appendix 7	Flood modelling map – 0.5% AEP
Appendix 8	Proposed Outline Development Plan
Appendix 9	Proposed District Plan Maps
Appendix 10	Recommendations on Submissions
Appendix 11	Recommended amendments if approved

1.0 **INTRODUCTION**

1.1 My name is Garry John Blay. I hold a Master of Environmental Policy from Lincoln University. I am employed as a Resource Management Planner by the Waimakariri District Council.

1.2 I have visited the site, and am familiar with the surrounding environment.

1.3 This evidence relates to Private Plan Change P026 (Rural to Residential 2 Zone) and should be read in conjunction with the attached recommendations on submissions (Appendix 10).

1.4 In this evidence I have assessed P026 from a Resource Management Act 1991 (RMA) perspective. This evidence is my professional opinion and the Panel may not reach the same conclusion having considered all the evidence brought before it.

1.5 I have read the Code of Conduct for Expert Witnesses and have prepared my evidence in accordance with the Code and agree to abide by it. I confirm that my evidence is within my area of expertise except where stated otherwise. I have not omitted to consider material facts known to me that alter or detract from the opinions I express in this statement of evidence.

1.6 In this evidence I cover the following:

- Identify the key issues;
- Set out the background, including a description of the request, the site, and the statutory process followed;
- Assess the request against the relevant requirements of:
 - the Resource Management Act 1991 (RMA);
 - the Land Use Recovery Plan;
 - the Canterbury Regional Policy Statement;
 - other relevant planning documents and processes; and
 - the Waimakariri District Plan.
- Outline servicing, roading, reserve and landscape issues;
- Address issues raised in submissions received; and
- Provide a conclusion and recommendation.

2.0 **SUMMARY OF ISSUES**

- 2.1 There are no water or sewer servicing issues of note, with the only potential issue relating to the single point of water supply to the area reducing the resilience of the water supply. This issue will be resolved should the area to the east of the site be developed, at which time a second water supply point will become available.
- 2.2 There are no traffic or pedestrian safety or movement issues, and greenspace areas are appropriately provided and located. However, additional linkages in several identified areas would improve connectivity and permeability.
- 2.3 Stormwater management areas within the ODP area are generally appropriate. However, flood water displacement to the north-east and south-west in a 0.5% AEP Ashley River breakout event requires mitigation.
- 2.4 The request for a 1.8 metre high fence as a permitted activity along the interface between the request area and Lehmans Road/the rural area to the west will potentially result in a significant adverse visual effect.

3.0 **BACKGROUND**

- 3.1 Westpark Rangiora Limited lodged a request for a private plan change under the First Schedule of the Resource Management Act 1991 (RMA)
- 3.2 The request, known as P026, seeks to rezone the following lots from Rural to Residential 2:

Address	Legal description
198 Lehmans Road	Pt RS 1175
100 Oxford Road	Pt RS 1175

The rezoning covers an area of approximately 15 hectares located to the west of the Rangiora township, fronting onto Oxford Road and Lehmans Road.

- 3.3 The applicants are proposing to re-zone land from Rural to Residential 2 in accordance with an Outline Development Plan (ODP) (Appendix 8) and changes to relevant District Plan Maps (Appendix 9). The ODP will guide future development of

the site and requires sufficient detail to show all major infrastructure requirements, stormwater management areas, reserves, roading, and zone boundaries.

- 3.4 The requested District Plan amendments include a zone change and addition of an Outline Development Plan to reflect this, amendment of Policy 17.1.1.4, amendment of several existing rules, and addition of several new rules. However, P026 essentially adopts the existing Residential 2 Zone framework with some minor amendments relevant to the particular site covered.

4.0 **STATUTORY PROCESS**

- 4.1 The request was assessed in accordance with the requirements of the First Schedule of the Resource Management Act 1991. Further information was sought from the applicant under Clause 23 of Schedule 1 of the RMA. Following receipt of this information, notification of the request was made.
- 4.2 Notification occurred on 17 January 2015 with the submission period closing on 16 February 2015. Forty submissions were received, 36 within the submission period, and 4 after the submission period closed. The late submissions were received soon after the close of submissions and before notification for further submissions, and were accepted pursuant to section 37 of the Act.
- 4.3 A public notice inviting further submissions in support of, or opposition to, the submissions received was advertised on 14 March 2015, with the further submission period closing on 27 March 2015. No further submissions were received.
- 4.4 A summary of submissions and recommendations on submissions and further submissions is attached as Appendix 10.

5.0 **DESCRIPTION OF SITE**

- 5.1 The topography of the site is flat with very minor undulations and a general fall to the south-east, although there is an overland stormwater/floodwater flow path located across the southern portion of the site, approximately aligned with the boundary of the two lots, which is indicated by an obvious depression within the Council's Lidar and flood modelling results.

- 5.2 Current land use includes two dwellings, a retail shop selling produce, and paddocks for grazing of stock.
- 5.3 To the east of the site is an area zoned Residential 2 and subject to an Outline Development Plan, and an area of Rural Zone land (Brick Kiln Lane) consisting of developed lots ranging in area from around 0.2ha to 2.2ha.
- 5.4 Vegetation within the site is mainly pasture grasses with some exotic shelter and amenity plantings and larger specimen trees, mainly along internal fencelines/boundaries and along the Oxford Road boundary where there are a number of large English Oak and Elm Trees. The Oak and Elm trees have been assessed by an arborist employed by the Council as being of significance in contributing to enhancement of the overall amenity of the surrounding area.
- 5.5 A stock water race cuts through the southern part of the site, connecting into the drainage system alongside Oxford Road to the east of the site, and from there into the Northbrook Stream.
- 5.6 There are no other physical features of significance within the site, and no landscape features of significance.

6.0 **EXISTING ZONING AND PLANNING HISTORY**

- 6.1 The area is currently Rural Zone and has been identified as a greenfield priority area in the Land Use Recovery Plan and the Regional Policy Statement.
- 6.2 Council records do not indicate that the site has been subject to any planning related applications relevant to this proposal.

7.0 **STATUTORY CONTEXT**

- 7.1 Once the application for a private plan change has been accepted by the Council under Clause 25(2)(b), Part 1 of the First Schedule applies. After considering the request, the Council may decline, approve or approve with modifications the request. Section 74(1) requires assessment of the request against the:
- Council's functions under section 31;
 - The Council's duty under section 32; and
 - The provisions of Part 2.

7.2 Sections 74 and 75

7.2.1 Section 74(2) requires the Council to *have regard to* any Proposed Regional Policy Statement, any Proposed Regional Plan, and any relevant management plans or strategies prepared under other Acts. In this case I consider the following are relevant:

- Land Use Recovery Plan;
- Canterbury Regional Land Transport Strategy 2012-42;
- Waimakariri District Walking and Cycling Strategy;
- Waimakariri District Council LTP;
- West Rangiora Structure Plan; and
- Proposed Land and Water Regional Plan.

7.2.2 In addition to the above, sections 75(1), 75(3) and 75(4) require the District Plan, and therefore the request, to state objectives, policies and rules, require those provisions to *give effect to* any (operative) Regional Policy Statement (RPS), and to not be inconsistent with certain other regional plans with regard to those matters specified in section 30(1) (being the functions of Regional Councils). In this case I consider the following are relevant;

- Waimakariri District Plan;
- Regional Policy Statement; and
- Natural Resources Regional Plan.

8.0 PART 2 AND SECTION 32 OF THE ACT

8.1 Part 2 of the Act is overarching and the detailed considerations/assessments under other sections are subject to it. The Panel must be able to conclude that the request will promote the sustainable management of natural and physical resources in an efficient and effective way.

8.2 Section 5

8.2.1 The purpose of the Resource Management Act 1991 is to “*promote the sustainable management of natural and physical resources.*” Sustainable management is defined under the Act as:

“Managing the use, development and protection of natural and physical resources in a way or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while –

- a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- b) Safeguarding the life supporting capacity of air, water, soil, and ecosystems; and*
- c) Avoiding, remedying or mitigating any adverse effects of activities on the environment.”*

8.2.2 The operative Waimakariri District Plan was developed under the RMA and currently gives effect to the purpose of the Act. The Council is required to ensure that all proposed changes to the Plan will also result in outcomes that will achieve the purpose of the Act.

8.2.3 The request seeks to add an additional area to which the existing Residential 2 District Plan provisions apply through the wider application of that zone. The request adopts the existing Objectives and Policies (except for one minor amendment) relating to the Residential 2 Zone, and I consider the change resulting in the wider application of the zone will not, in itself, result in the District Plan becoming inconsistent with the purpose of the Act. However, I consider the displacement of floodwater in a 0.5% AEP Ashley River breakout event resulting in increased flooding to the north-east and south-west will not provide for the health and safety of people and will not avoid or mitigate the adverse effects of the request.

8.3 Section 6 – Matters of national importance

8.3.1 Section 6 sets out a number of matters to be recognised and provided for.

8.3.2 I consider that none of these matters are of relevance to this request.

8.4 Section 7 – Other matters

8.4.1 Section 7 of the Act sets out a number of matters which must be had particular regard to. Of these I consider the following are relevant:

- (b) The efficient use and development of natural and physical resources:*

- (c) *The maintenance and enhancement of amenity values:*
- (f) *Maintenance and enhancement of the quality of the environment:*
- (g) *any finite characteristics of natural and physical resources.*

8.4.2 I consider the request will align with the outcomes sought by b, c and g but will not maintain the quality of the environment for the following reasons:

- a) The area is able to be linked to existing sewer and water infrastructure which in turn is either able to accommodate the additional loadings, or be upgraded to accommodate it. Access to the site is also available from existing roads, and makes provision for linkage to proposed road linkages set out in the West Rangiora Structure Plan. The application also includes provision for comprehensive residential development which recognises and provides for efficient use of the land resource and recognises the finite characteristic of that resource.
- b) The area has been identified as a priority greenfield area under the Land Use Recovery Plan, and will provide for residential growth within a logical boundary. The amenity of the site, once developed, will be consistent with the amenity of the Rangiora township, while the amenity of the Rural Zone to the west will also be maintained.
- c) The area to which this application applies is adjacent to the existing Residential 2 Zones, and contains provisions which will enable the existing quality of environment of that zone to be largely maintained. However, the quality of the Residential 4A and 2 Zone to the north, and the Rural Zone to the south-west will not be maintained due to increased flooding in large scale events. In that regard, I consider re-zoning of the request area to Residential 2 is also not an efficient use of the site.

8.5 Section 8 – Treaty of Waitangi

8.5.1 Section 8 of the RMA requires the Council to take into account the principles of the Treaty of Waitangi. I consider this has no particular relevance to this proposal given the area is not within a silent file area and does not contain any identified archaeological sites.

8.5.2 However, Section 74(2A)(a) of the RMA requires the Council to take into account any relevant planning document recognised by an Iwi Authority and lodged with the Council. I have considered Mahaanui Iwi Management Plan and in my opinion there

is nothing that raises issues of inconsistency. I am not aware of any other relevant documents.

8.6 Section 32 – Consideration of appropriateness

8.6.1 Section 32 of the Act requires the Council to evaluate the proposed change and decide the extent to which each objective is necessary and the most appropriate way to achieve the purpose of the Act, and, whether having regard to their efficiency and effectiveness, the Policies, Rules, or other methods are the most appropriate for achieving the objectives of the Plan.

8.6.2 The requirements for an evaluation in Section 32(1) are recognised as the threshold tests for a plan change. These require that:

- a) Each objective must be the most appropriate way to achieve the purpose of the Act; and
- b) All policies, rules and methods are, with regard to their efficiency and effectiveness, the most appropriate for achieving the objectives.

8.6.3 The threshold tests reflect the top down, hierarchical structure of plans. My understanding is that the test of “most appropriate” is indistinguishable from “better”.

8.6.4 In the present case, the Plan Change does not change any objectives but does seek to make a minor amendment to Policy 17.1.1.4 to include reference to the Lehmans Road, West Rangiora Outline Development Plan (the ODP). Given this very minor change I consider the outcomes sought by the policy are not affected and therefore that the policy remains appropriate for achieving the objective.

8.6.5 It therefore follows that the Section 32 evaluation in this case is limited to the second threshold test. This involves a consideration of whether the amended policy, and new zone and the proposed rules are the most efficient and effective, and therefore the most appropriate, means to achieve the relevant objectives, and subsequently the purpose of the Act.

8.6.6 The relevant Objective is 18.1.1, which seeks management of natural and physical resources that recognises and provides for:

- Changes in the environment of an area as a result of land use development and subdivision;
- Changes in the resource management expectations the community holds for the area;
- The actual and potential effects of subdivision, use and development.

The relevant policies are 18.1.1.1 and 18.1.1.3, which require assessment of how natural and physical resources impacted on by the proposal will be managed in a sustainable and integrated way while avoiding, remedying or mitigating adverse effects on the resources and the community, and whether and how the proposed extension of the zone will avoid, remedy or mitigate effects from existing activities adjoining or near the site. With regard to the matters set out in the Objective and Policies, the character and amenity of the site will change as a result of development to be consistent with the Residential 2 Zone proposed, however, that change has been foreshadowed by the process of identification of priority greenfield areas under the Land Use Recovery Plan, and can therefore be regarded as a change expected and endorsed by the community. The proposal also includes provision for a number of mechanisms to ensure the sustainable and integrated management of the site and area, while I consider there are no activities adjoining or near to the site which generate effects requiring avoidance or mitigation. However, there is an issue relating to displacement of floodwater in a 0.5% AEP Ashley River breakout event, as set out in Mr Simpson's evidence (Appendix 1), which results in increased flood water depths to the north-east and south-west of the request area. I therefore consider the request will not avoid or mitigate the effect of flooding and therefore will not achieve the outcomes sought by Policy 18.1.1.1(c) (avoid or mitigate natural hazards).

8.6.7 Taken overall, I therefore consider the proposed changes will achieve most of the outcomes sought by the Objective in an effective and efficient manner, but that the actual effects of development of the request area, as applied for, will not be appropriately recognised or provided for. I therefore consider that the request is not the most appropriate way to achieve the purpose of the Act.

9.0 **THE RELEVANT POLICY FRAMEWORK**

9.1 The Waimakariri District Plan sits within a wider framework of both statutory and non-statutory policy documents. I have previously set out the documents I consider relevant, and the weight to be given to them under the Act.

9.2 CANTERBURY REGIONAL POLICY STATEMENT

- 9.2.1 In my opinion, Chapters 5, 6, 7 and 11 of this document require consideration with respect to this request. The applicant has assessed the Objectives and Policies of Chapters 5 and 6 and I accept the conclusions of that assessment, although I would note that the introduction to Chapter 5 states that Objectives and Policies within this chapter referred to as relating to the 'wider region' are not relevant to Greater Christchurch. Therefore, within Chapter 5 only Objective 5.2.1 (Location, design and function of development), and Policy 5.3.7 (Strategic land transport network and arterial roads) are relevant to this request.
- 9.2.2 Chapter 7 (Fresh water) is concerned with water quality and quantity. Policy 7.3.7 requires adverse effects of changes in land use, including urban expansion, to be avoided, remedied or mitigated. In this case a stormwater management area along with stormwater flow paths have been identified on the ODP to provide a catchment management system, the details of which will be determined at the time of subdivision. Initial design work has determined that discharges from the site can be retained to not exceed pre-development levels through both utilisation of ground soakage and retention of flows. The same system will also provide treatment of any discharges. Stormwater discharge consent has been obtained from Environment Canterbury (CRC152112).
- 9.2.3 Chapter 11 (Natural Hazards) is concerned with avoiding or mitigating the impacts of natural hazards, including flooding and liquefaction. In particular, effects from methods used to manage natural hazards are to be avoided (11.2.2, 11.3.7), as is inappropriate development in high hazard areas (11.3.1), and development in areas subject to inundation, unless appropriate mitigation measures are put in place (11.3.2). High hazard is defined as inundation where the water depth (metres) x velocity (metres per second) is greater than or equal to 1, or where depths are greater than 1 metre in a 0.2% AEP flood event. Areas subject to inundation are defined as areas subject to inundation in a 0.5% AEP flood event.
- 9.2.4 I consider the request is consistent with most of the outcomes sought in this chapter with regard to avoidance of area subject to inundation, with site subject to channelised overland flows of a low hazard (100 – 300mm depth) in a 0.5% AEP localised flood event. However, in a 0.5% AEP Ashley River breakout event, the site is subject to more extensive flooding. The application proposes two methods to deal

with this – a bund along the south edge of the transmission line reserve area, and a swale along the western site boundary. However, these two features result in diversion of the floodwaters to the north-east and south-west, resulting in increased flood water depths in these areas. Therefore I consider the request will not achieve the outcomes sought by Objective 11.2.2 and Policy 11.3.7.

- 9.2.5 With regard to earthquake related hazards, the site has been subject to a geotechnical investigation which has concluded the land has a low susceptibility to liquefaction and meets the requirement of Section 106 of the RMA. The Council's engineers have reviewed the geotechnical information and have raised no concerns about its validity, and I accept its findings.

9.3 **REGIONAL POLICY STATEMENT CONCLUSION**

- 9.3.1 The request will, in my opinion, result in outcomes that are largely consistent with the outcomes sought in the relevant Objectives and Policies of the RPS, the exception being those in Chapter 11 (Natural hazards) due to displacement of floodwater.

9.4 **Land Use Recovery Plan**

- 9.4.1 This plan sets out a recovery strategy for the greater Christchurch Area, and sets out a number of actions to achieve this. This includes the identification of priority areas for re-zoning for future residential use. The area covered by this request is identified as a greenfield priority in this plan, and is shown on Map A in Chapter 6 of the Regional Policy Statement.

9.5 **National Policy Statement on Electricity Transmission**

- 9.5.1 This national policy statement sets out the objective and policies to enable the management of the effects of the electricity transmission network under the Resource Management Act 1991.
- 9.5.2 The NPSET contains 14 policies providing a framework for the ongoing efficient operation of transmission infrastructure. Of particular relevance to this plan change are Policies 2, 10 and 11 (Appendix 6). These policies require decision makers to recognise and provide for the effective operation, maintenance, upgrading and development of the transmission network, and that these requirements are not

compromised by reverse sensitivity effects. The key mechanism for achieving the desired outcomes is providing appropriate buffer corridors.

- 9.5.3 In this case the transmission lines are located in the north-western corner of the ODP area, and a buffer has been provided, although it is not clear whether the south-eastern buffer meets the required minimum of 12 metres and the lines are not identified to enable this. However, I consider the proposal generally meets the requirements of the NPSET and with some additional detail information from the applicant this could be confirmed.

10. **OTHER RELEVANT PLANS**

- 10.1 In accordance with Section 74(2) of the Act this assessment must *have regard to* any proposed regional plan, and any other relevant management plans or strategies prepared under other Acts. I consider the following documents are relevant and regard must be had to them. My understanding is that to have regard to requires a material consideration, but does not mean that they should be determinative.

- 10.2 Relevant plans for consideration under section 74(2) are:

- West Rangiora Structure Plan;
- Mahaanui Iwi Management Plan;
- Canterbury Regional Land Transport Strategy 2012-42;
- Waimakariri District Walking and Cycling Strategy;
- Waimakariri District Council LTP

10.3 **West Rangiora Structure Plan**

- 10.3.1 The objective of the West Rangiora Structure Plan is set out as being to:

- Facilitate and manage growth and development;
- Guide and inform development proposals;
- Address relevant development issues; and
- Determine key infrastructure requirements.

The structure plan represents the Council's preference for the location and servicing of urban growth, following consultation with landowners, stakeholders and members of the community.

- 10.3.2 Key issues identified as relevant to West Rangiora and addressed in the Structure Plan relate to:

- Transport network;
- Surface water;
- Constraints;
- Open space;
- Reticulated services;
- Community facilities; and
- Overall layout

10.3.3 The Structure Plan document acknowledges that further design and refinement through District Plan Changes and subdivision processes will be required, such as the size and shape of stormwater ponds, reserves, aesthetic design details and the exact alignment of collector roads. It is therefore not intended to be a blueprint for development without flexibility, and the opportunity to embrace differing or improved alternatives is retained.

10.3.4 The Outline Development Plan proposed with this application reflects the Structure Plan and provides the infrastructure and linkages required in the locations indicated. Therefore I consider the intent of the Structure Plan is met and the proposal is consistent with the outcomes sought.

10.4 **Mahaanui Iwi Management Plan**

10.4.1 This plan has a range of policies relating relevantly to water quality and quantity management. The outcomes sought relate to ensuring water quality and quantity is maintained or improved to provide ongoing support of aquatic life. The applicant has assessed this plan and I accept that assessment.

10.5 **Canterbury Regional Land Transport Strategy 2012-42**

10.5.1 The vision of this document is that Canterbury has an accessible, affordable, integrated, safe, resilient and sustainable transport system.

10.5.2 While there are a number of objectives, I consider the only one to be particularly relevant to this request is to:

- Ensure an integrated transport system;

10.5.3 Key relevant results are listed as:

- Reduced greenhouse emissions from use of the domestic transport system;

- Improved land use and transport integration;
- Improved personal safety;
- Improved health from increase in time spent travelling by active means;

10.5.4 I consider the request will integrate with the existing roading system, develop an area close to, and integrated with, the Rangiora township and existing roads, will provide a safe road layout and linkages to existing roads, and its location will allow people to utilise active transport to access Rangiora if they desire, although some relatively minor additional linkages could improve outcomes.

10.6 **Waimakariri District Walking and Cycling Strategy**

10.6.1 The stated objectives of the Waimakariri District Walking and Cycling Strategy are to achieve:

- *An increase in the number of people who choose to walk and cycle as a means of travel and/or for recreation;*
- *An increase in the frequency with which people will choose to walk and cycle;*
- *A walking and cycling environment that is friendly, safe and accessible.*

10.6.2 Furthermore the Strategy relevantly states:

Designing for walking and cycling should not be secondary to designing for motor vehicles. Safe walking and cycling friendly environments should be based on the following:

- *Walking and cycling should be considered at every level of planning and engineering processes and take account of national guidelines available.*
- *Land use planning should facilitate the ease of travelling by bicycle or on foot.*
- *A range of traffic measures, including traffic reduction, speed limit enforcement, driver education, reallocation of road space and expansion of facilities should be implemented.*
- *Provide walking and cycling networks with linkages in both rural and urban areas.*

- *Cater for the diverse needs of people who choose to walk and cycle.*

10.6.3 I consider both the location and internal design of the request area will support walking and/or cycling. There are safe and direct linkages for both walking and cycling into Rangiora, and also within the request area utilising reserves and roads, although this could be enhanced by the addition of linkages to the north reserve, from the north-eastern and south-eastern cul-de-sac heads, and to the Brick Kiln Lane area. Mr Read and Mr Brown have expressed these views in their evidence (Appendices 4 and 5).

10.7 **LTP**

10.7.1 The Waimakariri District's Long Term Plan 2015 - 2025 was prepared with community consultation, and is the primary document through which the community expresses its views with regard to the future direction and development of the District. The community has identified a list of outcomes which are then used by the Council to develop appropriate policy. The outcomes considered to be of the highest priority generally relate to the provision of efficient and affordable servicing and facilities. With regard to this, the utility related evidence attached to this report concludes the request area can be serviced affordably and efficiently by making use of both new and existing infrastructure (Appendices 2 and 3).

11.0 **WAIMAKARIRI DISTRICT PLAN**

11.1 The Objectives and Policies of this Plan I consider relevant to this assessment are contained in Chapter 18 and in particular Policies 18.1.1.1 and 18.1.1.3. Policy 18.1.1.1 ties back to other relevant Policies within the Plan, while Policy 18.1.1.3 is concerned with addressing adverse effects of nearby activities.

11.3 The relevant objectives and policies of the District Plan seek an outcome that will ensure appropriate servicing, access, internal and external connectivity, avoidance or mitigation of adverse effects relating to stormwater and flooding, and maintenance or enhancement of amenity, character and environmental quality.

11.4 As a general comment, this request is located within an area identified as a priority greenfield development area in the Canterbury Regional Policy Statement. As such a large amount of assessment has already been completed, and an area wide Structure Plan has been developed to ensure development in the wider area

achieves the above outcomes. Given this previous body of work, and that the request largely adopts the contents of the Structure Plan, I consider the request meets the outcomes sought by the Objectives and Policies of the Plan with regard to the matters above. I therefore consider there is little to be gained from an extensive assessment of the request against all of the relevant Objectives and Policies, which the applicant has done in any event, and which I generally accept.

11.5 However, I have addressed below some points that I consider warrant further specific consideration. These relate to flooding, stormwater management, linkage with Rangiora, treatment of the interface along Lehmans Road and servicing. With regards to these matters:

- An appropriate level of flood protection is being provided for by a requirement for a minimum finished floor level for dwellings. I consider a greater level of protection can be obtained through imposition of a minimum finished ground level which will ensure the area is free from inundation in a 0.5% AEP localised or Ashley River breakout flood event. A rule has been proposed to achieve this.
- Stormwater from within the request area can be managed within the site, and in the case of large events which overflow the internal infrastructure, discharges from the site can be managed to appropriately mitigate effects downstream. However, stormwater modelling also indicates a displacement of floodwaters in larger events (Ashley River breakout 0.5% AEP) to the north-east and south-west of the ODP area. The Council's 3 Waters Manager has considered this issue and concluded that the addition of an overland flow path from the area under the transmission lines to the north-south spine road/stormwater channel, and also from the end of the south-eastern cul-de-sac head to the stormwater swale alongside the spine road, may provide appropriate mitigation by allowing floodwater that would otherwise be diverted around the site to travel through the site utilising the stormwater management infrastructure thereby maintaining similarity to the pre-development situation. This needs to be confirmed by additional modelling taking these features into account.
- The West Rangiora Structure Plan identifies a 10 metre wide recreation reserve along the eastern side of Lehmans Road incorporating tree space, a cycleway/walkway and grassed area. This reserve is shown on the ODP, although no width is specified. However, detailed plans showing typical cross sections of Lehmans Road indicate a 5 metre wide recreation reserve incorporating a 2.5 metre wide path and 2.5 metre wide landscaping/grassed area. The exact width and requirements for footpaths and landscaping is a detail

for the subdivision stage, however, I would note at this stage, as have Mr Read and Mr Brown, that if 5 metres is to be the finished width of this reserve area careful consideration will need to be given to design to ensure all functional requirements can be met, and that all likely uses can be accommodated.

- The rules package proposed provides for a fence up to 1.8 metres in height along the Lehmans Road boundary, but offers not design standards or other restrictions to ensure visual amenity is of a high standard. A fence of this height and length (approximately 800m) has the potential to result in a harshly defined boundary between the proposed Residential 2 Zone and the Rural Zone/Lehmans Road boundary, and a subsequent adverse visual amenity effect. The applicant considers a fence of 1.8 metres is required to provide an appropriate amenity for residents occupying lots along the Lehmans Road frontage given the future potential for high volumes of traffic along this road. While I agree with this aspect, I consider it is important to ensure the visual impact of any such fence is mitigated appropriately. In response to a request for further information, the applicant provided a plan illustrating sample fencing and landscaping treatments, which provide some assurance that appropriate mitigation is possible. However, as noted in Mr Read's evidence there is a balance to be reached with landscaping to ensure on-going maintenance costs are not excessive. I consider the details of the fence and landscaping treatment are most appropriately dealt with at the time of subdivision, however the rules as proposed do not provide the opportunity for specific assessment at that time. This could be addressed by deleting point b of proposed new Rule 31.1.1.44 and the amendment to existing Rule 31.1.2.4. Non-compliance with this permitted standard would then default to a discretionary activity (31.3.1).

11.6 **District Plan Conclusion**

11.6.1 I consider the request is largely consistent with outcomes sought by the Objectives and Policies of the District Plan. In particular I consider the request will:

- maintain amenity values, environmental quality and character of Rangiora and will generally be able to provide an appropriate outcome with regard to the interface between the surrounding rural area and the residential area;
- generally provide appropriate internal road layout and linkages to the existing road infrastructure with direct access into the central area of Rangiora by various transport modes, although some improvements could be made;
- provide appropriate internal stormwater management and servicing; and

- provide for avoidance of inundation of dwellings in a 0.5% AEP flood event, although this could be better achieved by an additional rule requiring ground levels to be finished to a height which will avoid inundation in a 0.5% AEP flood event.

11.6.2 However, I consider there are inconsistencies with the outcomes sought with regard to the following matters:

- the request will not appropriately avoid or mitigate the displacement flooding hazard outside the ODP area and is therefore contrary to the outcomes sought in this regard in Chapter 8;
- the permitted status of a 1.8m high fence along the entire Lehmans Road frontage does not ensure an appropriate visual amenity along this frontage.

Taken overall this leads me to the conclusion that the request will not result in an appropriate use of the site.

12. **AMENDMENTS TO THE DISTRICT PLAN SINCE NOTIFICATION OF THIS REQUEST**

12.1 Action 4 of the Land Use Recovery Plan became operative on 23 February 2015 and introduced new provisions allowing comprehensive residential development within the Residential 1, 2 and 6 Zones. A number of design criteria are required to be met when comprehensive residential developments are proposed.

12.2 The key point to consider in relation to this request is that the comprehensive development provisions apply without restriction throughout the Residential 1, 2 and 6 Zones, and will therefore apply to the request area. It would therefore seem illogical to provide for comprehensive development in the request area by another mechanism, as requested.

13.0 **SERVICING**

13.1 Engineering and servicing evidence is attached as Appendices 1 to 5. Following is a brief analysis of the conclusions reached in these assessments.

13.2 **Stormwater** (Appendix 1)

- The site is potentially at risk of flooding from three sources:

- Breakout from the Ashley River;
- The upstream rural catchment;
- From within the site.
- The on-site ground conditions are considered to be suitable for the stormwater management system design.
- Only flooding impacting the site has been addressed in the application. Floodwater modelling indicates displacement of floodwaters in an Ashley River 0.5% AEP breakout event affecting areas to the north-east and south-west of the request area. Provision of overland flow paths in the north of the ODP and from the south-east cul-de-sac head may mitigate this, although confirmation of this is required through additional modelling.

13.3 Wastewater (Appendix 2)

- The request area can be satisfactorily provided with reticulated sewer by connection to the existing sewer reticulation to the east of the ODP area.

13.4 Water (Appendix 3)

- There are no significant impediments to providing water services to the ODP area.
- There will be a reduced level of resilience for the water supply until land to the east of the ODP area is developed and an additional main supply becomes available. While not ideal, this is acceptable.
- Levels of service for fire-fighting will be met, however, due to the single main supply down Oxford Road there is the potential for no water to be available until a second water main becomes available for connection should the single main be out of service.

13.5 Reserves (Appendix 4)

- The green linkages shown on the ODP are generally supported, however, an additional green linkage to the local purpose reserve to the north of the ODP area under the transmission lines would provide benefits for accessibility and connectivity, as would linkages from the northern and southern cul-de-sac, and a linkage to the east in the area of the cul-de-sac access road.

- Should additional area be required to provide an appropriate separation from the transmission lines to meet NZECP requirements, a strip of up to 4 metres width could be added to the local purpose reserve.
- Neighbourhood park requirements will be met by provisions on the land to the east (see Map 168) and there is no necessity to provide a neighbourhood park within this ODP.

13.6 Roading (Appendix 5)

- A generally functional road layout is provided;
- Intersection separation distances will not result in traffic safety issues with urban road speed limits.
- A connection is required east to the Brick Kiln Lane area to ensure future connectivity.
- A pedestrian access from the north-east cul-de-sac head to the collector road would increase connectivity.

Mr Brown also notes several matters that will need to be addressed at detailed subdivision design and implementation stages to ensure ongoing traffic safety and an efficient transport network is provided. However, I consider there is no need to address these matters at this plan change stage as the matters for control relevant to the subdivision process will allow conditions to be imposed to ensure appropriate outcomes are achieved.

13.7 Servicing Conclusion

- 13.7.1 Having read and considered the above evidence I am of the opinion that the area covered by the request can be appropriately serviced for water and wastewater, the roading layout and pedestrian and greenspace areas are generally suitable, and the internal stormwater management areas are appropriate. However, I consider there would be benefits to future connectivity by provision of a road linkage to the Brick Kiln Lane area and pedestrian linkages to the northern reserve area under the transmission lines and between the north-eastern cul-de-sac head, and potentially benefits to stormwater management from additional stormwater flow paths in the north and from the south-east cul-de-sac head.

14.0 SUBMISSIONS

14.1 In assessing a proposed private plan change a Local Authority may, under Clause 10 of Schedule 1 of the Resource Management Act 1991, include any consequential alterations arising out of submissions and any other relevant matters it considered relating to matters raised in submissions

14.2 A total of 40 submissions were received and the issues raised are addressed below. This section should be read in conjunction with the recommended decisions on submissions included with this evidence (Appendix 11).

14.3 Effects on the operation and development of Rangiora airfield

The concerns of submitters appear to relate mainly to reverse sensitivity relating to noise of aircraft operation, and the safety aspect of residential development becoming closer to the airfield. With regard to the first issue, noise from operation of aircraft during, or immediately before or after flight is excluded from the meaning of excessive noise (s326 RMA), and therefore this aspect of airfield operation cannot be taken into account when considering reverse sensitivity effects. I consider noise from maintenance of aircraft on the ground is very unlikely to exceed permitted limits due to the distance between the two activities (I understand the applicant is providing expert evidence on this). With regard to safety, the area covered by this application is located some distance to the south of the airfield and I understand is not directly on any flight path either after take-off or on approach. Certainly there appears to remain adequate rural area to the west of Lehman's Road and between the application site and the airfield for emergency landings by small aircraft. The ongoing development of the airfield is also a concern raised, however I am not aware of any information relating to the extent or nature of that development and therefore no conclusions can be drawn at this stage, although again I would consider the separation distance to be sufficient to mitigate the effects of any realistic development.

14.4 Gives effect to the Canterbury Regional Policy Statement and other relevant planning documents

I have previously discussed compliance with the relevant planning documents and agree that the proposal is generally consistent with the outcomes sought in these documents, except as noted.

14.5 **Consistency with Part II of the Resource management Act 1991**

I have assessed the request against sections 5 to 8 of the RMA and concluded that it will be consistent with the outcomes sought.

14.6 **Effect on stormwater/floodwater flows**

I have highlighted the flood displacement issue relating to a 0.5% AEP breakout event from the Ashley River. The Council's 3 Waters Manager has suggested some changes to the stormwater management system which may mitigate this off-site displacement. With regard to the internal stormwater management system, he has concluded that the system is generally suitable and will contain and manage typical stormwater flows. The closing of the water race and diversion around the ODP area to Oxford Road, along with contouring/channelling of the site will ensure floodwater flows are diverted from the existing overland flow path and water race.

14.7 **Effect on traffic movement/safety**

A traffic impact assessment has been provided as part of the application, and has been assessed by Mr Brown on behalf of the Council. The conclusion of that assessment is that there are no significant traffic movement or safety issues, and that the data used in that assessment is largely appropriate and relevant. The location of the north-south spine road has been through assessment during other strategic planning processes when developing the west Rangiora Structure Plan and no issues were, or are, foreseen. The internal roading layout is also considered appropriate, and is consistent with the structure plan requirements in relation to providing linkage with neighbouring lots and access onto Lehmans Road. However, no linkage is provided to the area serviced by Brick Kiln Lane, and it is recommended that this linkage be provided to future proof connectivity in this area.

14.8 **Internal and external connectivity**

The underlying sentiment with these submissions appears to be providing appropriate linkages internally and to the east and north for both pedestrians and vehicles. The Council's evidence (Mr Read and Mr Brown) in this regard has concluded that generally the greenspace linkages will be adequate, but that an additional pedestrian/cycle linkages would provide benefits and future proofing. Similarly an additional road linkage to the east would provide for better linkages in the future if the Brick Kiln Lane area was developed to residential standards.

14.9 Status of Lehmans Road

Amendment of the status of Lehmans Road is not included as part of this application. However, the changing of the status of this road to 'collector' has been proposed in Council documents.

14.10 Location of road under transmission lines

The location of a road corridor under the transmission lines is consistent with the structure plan for this area and is considered an appropriate use of the land. The depiction of the road corridor on the plan does not indicate that the road will be constructed should the application for zone change be approved and subdivision consent is granted.

14.11 General adverse effects

The character and amenity outcome, should the change in zone be approved, would undoubtedly be quite different to that which currently exists on the site. However, this is a consequence of the zone change and would be appropriate for the zone proposed, and similar to that which already exists in the existing Residential 2 Zone within Rangiora. The overall urban design of Rangiora from development of this site has previously been addressed through other processes to identify priority greenfield areas and I accept this. An urban-rural interface would still exist, it would simply shift from its current position to one further west, although the design of the Lehmans Road fence will require careful consideration to avoid an adverse visual effect.

14.12 Lack of public recreational space

There are no recreation reserves shown on the Structure Plan, although there is a pedestrian/cycleway linkage through to a reserve in the ODP to the east (DP Map 168). Mr Read has assessed the application and concluded that there is no need for recreational space within the ODP area as provision of such space in other nearby areas meets Council service levels.

14.13 Amount and Location of high density development

There is a submission from Westpark Rangiora Ltd to withdraw the applied for comprehensive residential provisions and areas shown on the ODP and instead adopt the comprehensive residential development provisions inserted into the District Plan via Action 4 of the LURP. I agree with this approach and have recommended it be adopted in the decision. If this recommendation is adopted by

the Commissioners, the ODP will no longer show specific areas available for comprehensive development, but if it is not I consider the CRD areas are appropriately located on the ODP, the limitation to 35 lots is appropriate, and any adverse effects on neighbouring lots from the CRD will be appropriately assessed at the time of application.

14.14 Effect on existing infrastructure

Required infrastructure will need to be installed or upgraded as required to service the site should subdivision as proposed occur.

14.15 Location of local purpose reserve adjacent to Oxford Road

The issue raised here relates to the width of the reserve impacting on two existing garages located 6 metres from the road boundary. However, the width of the reserve is 5 metres and would not appear to impact on these buildings. Additionally, Mr Read has concluded that, while the location and function of the reserve is appropriate, the 5 metre width of the reserve is only just adequate to serve its intended function. I therefore consider the reserve should remain as proposed.

14.16 Finished ground levels

Requiring a pre-determined finished ground level will ensure residential sites at a level that will be free from inundation in a 0.5% AEP flood event. I consider this is sound planning practise that will provide for an appropriate level of flood avoidance.

14.17 Comprehensive Residential Development provisions

Action 4 of the Land Use Recovery Plan requires the Council to change or vary the objectives, policies and methods of the District Plan to the extent necessary to identify appropriate sites within the existing urban area for intensified residential and mixed use development and enable comprehensive development of these sites. This requirement has been given effect to and is now operative and there are a number of Objectives, Policies and rules providing a framework for comprehensive residential development. In my opinion it is therefore logical to extend these provisions to this application, and I consider it would provide for a better outcome than that available through the approach proposed in the application.

14.18 **Effect on transmission lines**

Extend reserve to the south (approx. 4m) or provide no build line 12m from centreline.

The intention is to provide adequate separation between structures which may impact on, or be impacted on by the transmission lines. In my opinion the preferable way to achieve this would be to ensure the reserve boundary is at 12 metres from the centreline of the conductors of the ISL-KIK A line, rather than through a building line restriction which would require a set of rules and for which resource consent could be applied for to breach. The Council's Parks and Recreation Unit Manager is agreeable to this solution.

Compliance with NZECP

Compliance with the NZECP is mandatory, and I understand and consider ensuring the reserve provides a 12 metre buffer between the lines and any developable areas will ensure compliance with the NZECP as far as this can be done in this process. In my opinion, ensuring the reserve provides for the 12 metre separation is by far the most simple and effective management tool. I consider any additional awareness of the requirements of the NZECP is better encapsulated at the time of subdivision through such methods as consent notices on the titles of lots adjacent to the lines.

Show location of transmission lines

The lines can be shown on the ODP and I recommend this change to the ODP should the request be approved.

NPSET

The NPSET has been given consideration in the assessment above, the conclusion of which is that outcomes sought within this document can be achieved.

15. **CONCLUSION AND RECOMMENDATIONS**

- 15.1 With regard to Section 32(1)(b) I consider the request will generally provide an efficient and effective outcome, and will mostly achieve the outcomes sought by the relevant plans – the exception being those relating to natural hazard management and visual amenity along Lehmans Road. The diversion of floodwaters to the north-east and south-west of the plan change area in large scale events results in a potentially significant adverse effect and therefore, overall, I consider the plan change is not appropriate and will not achieve the purpose of the Resource

Management Act 1991. There are also benefits to be gained from additional roading and/or pedestrian linkages and ensuring appropriate design treatments to the fence along Lehmans Road.

15.2 With regard to these outstanding issues I consider it is possible to put in place appropriate features to mitigate flood diversion, to increase connectivity, and to ensure appropriate design of the Lehmans Road fence. This would require:

- amendment of the ODP to show an overland flow path from the north and from the south-eastern cul-de-sac head along with accompanying revised modelling confirming remediation of the diversion issue, provision for road linkage to the Brick Kiln Lane area (aligning with the east-west road accessing the eastern cul-de-sacs);
- provision for pedestrian linkages to the transmission line reserve (utilising the same area as the overland stormwater flow path) and from the northern and southern cul-de-sac heads to the collector road and the spine road respectively;
- removal of the permitted status and exemption for the 1.8 metre Lehmans Road fence.

15.3 Should the Panel be of a mind to approve the request, I have included a schedule of recommended changes to the District Plan in Appendix 11.