

30 March 2012

Chief Executive Officer
Waimakariri District Council
C/- Victoria Caseley
215 High Street
Rangiora

FILE REF. _____

10359

**Request To Change the Waimakariri District Plan Under Clause 21 of the First
Schedule of the Resource Management Act 1991**

Dear Sir/Madam

Please find attached a request under Clause 21 of the First Schedule of the Resource Management Act 1991 to change the Waimakariri District Plan. We enclose a cheque payable to the Council in the sum of \$4,600 being the required filing fee.

The request is made by Peter and Ann Bagrie and seeks to rezone land at Ohoka from Rural to Residential 4A zone.

Please note that the Geotechnical Investigation Report at Appendix 11 is in draft form. The final document will be lodged at Council by Thursday the 6th of May. We do not anticipate the key findings of the draft report to significantly alter.

Please find that address for service detailed on the application.

Yours faithfully,



Hamish Frizzell
MANAGER

**REQUEST TO CHANGE THE WAIMAKARIRI DISTRICT PLAN UNDER CLAUSE 21 OF THE
FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991**

REQUEST BY: Peter & Anthea Bagrie

C/- Fiona Aston Consultancy Ltd, PO Box 1435, Christchurch 8140;
telephone (03) 332 2618; email fiona.aston@xtra.co.nz

TO: The Waimakariri District Council

INVOLVING THE: The Waimakariri District Council

1. The location to which this application relates is:

An area of approximately 53.78 ha located on the north west of Ohoka, bounded immediately by Bradleys Road to the north west, east of the Living 4B zone at Keetley Place and southwest of Main Drain Road.

2. The names of the owners and occupiers of the land to which this application relates are as follows:

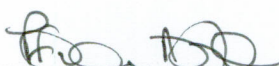
Pt RS 2561	53.98ha	Peter and Anthea Bagrie
RS 2010	24.28ha	Peter and Anthea Bagrie

The titles are attached as **Annexure 1** to this Plan Change request.

3. The Proposed Plan Change seeks to rezone the subject land from Rural to Residential 4A zone which includes the following changes to the District Plan and Maps:

- Amend Urban Planning Map 89 and Rural Planning Map 57 to rezone the subject land Residential 4A and denote the subject area as 'North-West Ohoka'
- Insert Other Planning Map 163 titled 'North-West Ohoka Outline Development Plan'

- Consequential changes to text where necessary, including but not limited to the renumbering of clauses as appropriate.

Signed: 

Fiona Aston, for and on behalf of Peter and Ann Bagrie

Dated: 15th June 2012

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1. OVERVIEW

Purpose of the Plan Change Request

- 1.1 The purpose of the Plan Change is to allow for the rezoning of approximately 53.78 ha of land on the north western side of Ohoka from its current Rural zoning to Residential 4A zoning (the Site). The plan change will provide for rural residential zoned land at an appropriate density that maintains the character and amenity values of the Ohoka Village, ensures a sensitive integration and interface with the adjoining development and land uses; and avoids reverse sensitivity effects on the poultry farm operation to the north. The land will form a logical extension of the Ohoka Village, provide rural residential land supply to cater for anticipated urban growth of Ohoka, and provide an attractive living area for Ohoka. Refer Location Plan in Annexure 2.
- 1.2 The proposed rezoning is consistent with the objectives and policies of the District Plan and gives effect to the Regional Policy Statement and Proposed Regional Policy Statement. The Plan Change request provides for sustainable and integrated provision of rural residential land with use of an Outline Development Plan to ensure co-ordinated and well planned outcomes.

Description of Site, Locality and Land Use

- 1.3 The Site is located on the north-western side of Ohoka. The land is currently zoned Rural and within one single ownership. Ohoka is a small rural village with approximately 80 existing households. Its local amenities include a primary school, service station, recreational domain and community hall.
- 1.4 The Site contains an existing dwelling, a 70,000 bird poultry farm, horse training track and stables, and various paddocks for grazing and cropping. Three of the four poultry sheds are to be replaced within the next 3-4 months with a 'state of the art' single new shed as a result of earthquake damage. The site is also used for horse training and breeding activity, mainly for private uses. A horse training track is on the southern side of the site.

- 1.5 The land to the south-east is zoned Rural and is in multiple land ownership, characterized by 4ha lifestyle lots. A large area of land along this boundary is proposed for Residential 4A zoning through private Plan Change 17.
- 1.6 On the immediate south-west boundary a 20 metre paper road which separates the site from land zoned for low density rural residential development (Residential 4B). The 'Keetly' Place rural residential subdivision has lot sizes ranging from 1ha to 1.7ha. Fronting the south side of Bradley Road, from Mill Road to the subject site, there is rural residential development, with lot sizes ranging from 4455m² to 8987m².
- 1.7 To the northwest, over Bradleys Road, are large open grazed paddocks for dairy farming. There is a smaller lot (0.8ha) on the corner of Bradley's Road and Main Drain Road which is understood to contain cat and dog boarding kennels.
- 1.8 Main Drain Road forms the north-east boundary of the site. Main Drain Road is a single vehicle track along the top of the Cust River's southern bank. Cust River and Hicklands Road lay beyond Main Drain Road. Within this area is a collection of 10 and 20 hectare lots used for grazing and crops, except for one property which is used as a base for a rural contracting business.

Background and Strategic Considerations

Regional Policy Statement – Chapter 12A

- 1.9 Chapter 12A of the Regional Policy Statement (the RPS) sets out the objective and policy framework for how urban growth is to be accommodated over the next 35 years within the Greater Christchurch area.
- 1.10 Policy 6 provides for the progressive release of greenfield land and includes a total maximum of 1570 rural residential households outside the urban limits in Waimakariri District (500 households for 2007–2016, 500 households for 2017–26 and 510 households for 2027–2041).

- 1.11 The proposed rezoning is in accordance with Policy 13 (Rural Residential Development) and associated methods (Refer Annexure 3 for an Assessment against Policy and Methods). The provision for rural residential development as part of C12A enables a choice in living environments but on the proviso that limiting the number of rural residential development is required to give effect to Objective 1 (Urban Consolidation) and Policies 1 and 2 (Urban Limit and Intensification) of C12A.
- 1.12 C12A is not directive in terms of location for rural residential development (other than specifying some general locational criteria under Policy 13). This role appears to be for the appropriate territorial authority to determine.
- 1.13 Rural residential activities are defined in C12A as
- “Residential units outside the Urban Limits at an average density of between 1 and 2 households per hectare.*
- 1.14 This request includes an indicative subdivision layout which provides for an average lot size of 5718m² and a total of 66 households. The site overall will have a mix of site sizes, with a minimum lot size of 3,000m² to maximum lot size of 2.48ha.
- 1.15 Consistency with the RPS is further discussed under statutory considerations in Section 3.

Rural Residential Development Plan

- 1.16 The Rural Residential Development Plan (RRDP) is a non-statutory document adopted by Council in July 2010. The purpose of the Development Plan is to identify preferred growth locations for rural residential development within the eastern part of the Waimakariri District. The RRDP signals an approach where the Council provides greater leadership, guidance and partnership roles in managing growth, particularly where community assets are involved.
- 1.17 The RRDP allocates the rural residential households provided under C12A to the Waimakariri District. Eight preferred locations are identified, including Ohoka. A total of 1045 rural residential lots are ‘allocated’ under the RRDP. There is an under allocation of 465 households in terms of C12A allocation.

- 1.18 Ohoka is identified as a growth location for 150 additional rural residential lots. Identified growth locations are to be centred on the existing village of Ohoka (refer p36 of RRDP – Sheet Map 04), without a specific growth location being shown in the RRDP. The RRDP supports additional rural residential lots at Ohoka because:
- Additional households assist with the provision of reticulated infrastructure; and
 - Additional households support and enhance the community facilities and the character of Ohoka.
- 1.19 The RRDP identifies that for any development proposal the following relevant matters must be considered:
- Potential impact on the character and amenity values of the Ohoka village, depending on the growth direction;
 - The total households do not exceed 150;
 - A high level of development integration; and
 - Consideration of the current District Plan growth limitation policy.
- 1.20 The District Plan has a Policy (Policy 18.1.1.9) that seeks to limit the Ohoka settlement to within its Residential 3 and 4B boundaries. The RRDP identifies that this policy will need to be amended or replaced to ensure that the location, direction and extent, design or number of households associated with any growth and development is sympathetic to the character and values of the existing settlement.

Proposed Private Plan Change 17

- 1.21 A private Plan Change by the Ohoka Plan Change group was notified in January 2012 (PC17). PC17 requests to rezone an area of 85.2ha from Rural to Residential 4A. The site is located to the immediate south east of the site subject to this Plan Change. Submissions on the PC17 closed on the 13th of February 2012.
- 1.22 PC17 is in multiple ownership consisting of 17 titles and will provide for a maximum of 150 allotments.

- 1.23 A member of the Ohoka Plan Change Group (which was not yet formed) approached the Bagries (the current Plan Change applicants) approximately 3-4 years ago regarding possible rural residential zoning of their land and part of the PC17 land. This was prior to the RRDP and at a time when there was no indication from the Council that it would support further rural residential development at Ohoka, and when the only specific policy direction relating to further growth at Ohoka was District Plan Policy 18.1.1.9 (discussed under Approach to the Plan Change below) which clearly signals no further growth at Ohoka. Given the high level of uncertainty regarding likely success of a private plan change request at this time, the Bagries declined the proposal to participate in a private plan change request seeking rural residential zoning.
- 1.24 After the RRDP was confirmed, and it had become Council policy to support some rural residential development at Ohoka, the Bagries approached a member of the Ohoka Plan Change Group regarding participating in a rezoning proposal (the Group was by that time formed). Their approach was declined by the Group. On this basis, the Bagries made their decision to pursue their individual private plan change request for rezoning (the subject request).
- 1.25 The Bagries submitted on PC17 and made the following key points:
- Providing an allocation for rural residential growth of Ohoka above 150 lots as provided by the RRDP, i.e. PC17 and the rezoning of the site, would not cause conflict with C12A;
 - If the Council wishes to restrict growth at Ohoka to 150 rural residential lots then the applicant's land is more appropriate as it is closer to the Ohoka settlement and has potential for better connectivity (in particular linking from Bradleys Road to the Southern end of Mill Road).
- 1.26 The applicants sought that PC17 and the 'Bagrie' Plan Change be heard at the same time and that PC17 be extended to include the land subject to the 'Bagrie' Plan Change.

Approach and Key Features of the Plan Change

1.27 The purpose of the Plan Change is to provide for rural residential zoned land at an appropriate density that maintains the character and amenity values of the Ohoka settlement, ensures a sensitive integration and interface with the adjoining development and land uses, and addresses reverse sensitivity with poultry farm operations to the north.

1.28 The Rural R4A zone is proposed to apply to the subject Land. The District Plan describes the Residential 4 Zones in Chapter 17:

“The Residential 4 Zones are based on the former “Rural-Residential Zone”. The zones provide a living environment within the rural area. The nature of these zones has increasingly taken on urban characteristics. People value them as very low density residential sites in a rural setting. Increasingly it is expected that servicing standards will mirror urban rather than rural settings. The difference between the 4A Zone and 4B Zone relates to lot sizes. New 4A and 4B Zones can only be created by plan change. The 4B Zones are the original Rural-Residential Zones created under the Transitional District Plans based on limited public servicing and one hectare average lot sizes”

1.29 The Residential 4A zone allows subdivision at a minimum lot size of 2,500m² and an average of area not less than 5,000m².

1.30 There are no new specific objectives proposed as part of the Plan Change. The existing objectives in chapter 13 (Resource Management Framework), Chapter 17 (Residential) and Chapter 18 (Constraints on Subdivision and Development) are considered to set the policy framework ‘umbrella’ and ‘context’ that the proposed R4A Zone ‘sits under’. This is further discussed under Section 3 of this report.

1.31 While applying the provisions of the R4A zone generally, rewording of an existing policy and additional provisions are proposed to apply to the Plan Change site which will address particular resource management issues with the site. The following issues in particular are identified for the site and are addressed through the policy and regulatory framework:

- Changes in strategic objectives and policies about providing for rural residential at a district and regional level (i.e. provision in Chapter 12A of the RPS and the Waimakariri RRDP);
- Effects of reverse sensitivity with poultry operations to the north;
- Need to integrate well with adjoining land, and with potential future rural residential development to the south east;
- Interface with rural zone and existing rural residential development;
- Achieving a level of rural residential amenity for internal sites;
- Maintain the landscape character and amenity of Ohoka settlement; and
- Need for reticulated water and wastewater services

1.32 To address the above issues, the following additions to the policy framework and general provisions for the R4A Zone for the subject land for Ohoka are proposed:

- Change of Policy to reflect the strategic direction of the RRDP;
- Outline Development Plan to manage development outcomes;
- Requirement for minimum building setbacks from all internal and road boundaries;
- Maximum building coverage;
- Design provisions for frontage fencing and walls and treatment of road corridors;
- Requirement for landscape planting and surface treatments;
- Retention of some existing trees on the site;
- Provision for a mix of lot sizes to avoid uniformity and to achieve compatibility and consistency with adjoining land uses, and a rural residential character for internal lots;

- Restricting dwellings and sensitive uses within an odour control area;
- Restricting development prior to the provision of reticulated water and wastewater services

Outline Development Plan

1.33 The North-West Ohoka Outline Development Plan (ODP) is proposed as a key tool to manage the effects of the proposed zoning on surrounding land and to maintain the character of Ohoka. The ODP for the site is attached as Annexure 4 and Layer Diagrams Informing the OdP are attached as Annexure 5. Of particular importance in developing the ODP, and regulatory framework, has been providing for a quality development that maintains the landscape character of Ohoka, while providing efficiently for rural residential growth.

1.34 The Outline Development Plan has the following features:

- Two accesses to Bradleys Road (two accesses are required in the absence of a future connection to the south-east in the event that part or all of PC17 does not proceed);
- Main primary road (east – west direction) that could potentially connect to future development to the south-east;
- Two local purpose reserves for recreation and storm water management;
- 20m road corridors (to enable landscape treatments);
- Mix in lot ranges to specific locations;
 - i. Density Area A - 1 ha minimum
 - ii. Density Area B – 7,500m² minimum
 - iii. Density Area C – 5,000m² minimum
 - iv. Density Area D - 4,000m² minimum

- v.
- vi. Density Area E – 3,000m² minimum
- Odour control setback from the existing poultry sheds; and
- Planting corridors and pedestrian, cycle and equestrian access/corridors:
 - i. Potential public access strip from Main Drain to Ohoka stream along the south eastern boundary of the site;
 - ii. Potential public access strip from unformed paper road on the north western boundary to the site;
 - iii. Potential link from middle of the site to south west boundary; and
 - iv. Retention of some existing trees.

Landscape Design Led Approach

- 1.35 In relation to landscape character and amenity issues, the proposed ODP and Indicative Subdivision Design have been guided by key design principles of seeking to create a rural residential development that:
- maintains or enhances the existing character of the Rural and Rural Residential area in which it sits;
 - maintains or enhances the individual character of the existing Ohoka settlement;
 - provides long term rural residential character and amenity for occupants; and
 - provides amenity and integration with the existing Ohoka settlement via lot layout and links in the form of walkways, cycleways and roads.
- 1.36 The design therefore incorporates the following features:
- the provision of a variety of lot sizes to avoid a character of uniformity. Larger lots are provided further away from the existing Ohoka settlement in order to consolidate

most density closer to the existing settlement centre. Larger lots are also provided adjacent to the Keetly Place development so as to mitigate potential effects on these neighbours and to create consistency of character. Clusters of smaller lots are then provided for in internal locations and these lots all front onto reserves, rural farmland or larger lots in order to maintain pleasant rural residential character for future occupants. Medium sized lots adjoining the south east boundary of the site for a transition to the proposed PC17 area with similar sized lots.

- the treatment of internal road corridors has been designed so as to provide a particularly soft rural type of character featuring large grassed verges, absence of kerb and channel, single footpaths and avenues of street trees that continue the character of the existing rural residential areas of Ohoka.
- pedestrian/cycle/equestrian links via green corridors that provide connections around and through the proposed development and connect to Main Drain Road and the Cust River stop bank, the Ohoka River Track and Keetly Place and Bradley Road. These green links will provide various walking/cycling/equestrian loop options for existing residents of the Ohoka settlement and will allow occupants of the new development to easily access Mill Road and the centre of Ohoka without using roads.
- design controls and restrictions on the manner in which individual lots may be developed, particularly in relation to fencing, setbacks and road frontage treatment. These restrictions will mean that the road frontages of future lots will have a particularly soft, green and open character, consistent with the existing rural residential areas of Ohoka.

1.37 For a R4A zoning the minimum lot size is 2,500m². In terms lot sizes, initial community feedback indicates that 2,500m² is considered too small for the Ohoka settlement. The lowest lot sizes in the two rural residential developments in Ohoka (Keetly Place and Wilsons Drive) are just over 3,000m². It is also noted in more recent rural residential plan changes in the district, (i.e. PC6 and PC10) lot size minimums started at 3,000m². In consideration of community consultation no lots will be lower than 3,000m².

- 1.38 Subdivision is a Controlled Activity. The proposed provisions provide additional rules relating to the issues identified above to ensure the site is designed to ensure a sensitive development to maintain the landscape character, integration with Ohoka and good urban design and amenity within the site. Development is a non-complying activity in the absence of reticulated urban water and wastewater services.

2. PROPOSED AMENDMENTS TO THE DISTRICT PLAN

- 2.1 The following amendments to the District Plan provisions and planning maps are outlined below. Any text that is proposed to be added is shown as underlined. Any text proposed to be deleted has a strike through the text i.e. ~~text~~

Amendment 1: Chapter 18 – Constraints on Subdivision and Development

Amend Policy 18.1.1.9 as follows:

Policy 18.1.1.9 Limit the Ohoka settlement within its Residential 3, 4A and 4B boundaries ~~existing at 20 June 1998~~ as shown on District Plan Maps 57, 89 and 169 existing at [insert date when this plan change becomes operative]

The Ohoka settlement is identified through the Rural Residential Development Plan (adopted by Council in June 2010) as being appropriate for rural residential growth. However it should continue to provide the characteristics and amenity values of a small rural village. Expansion should be generally centred around and close to the existing Ohoka settlement, should occur in a manner that achieves quality urban form and function; and in locations where a sensible limit or boundary to development is evident. It is important that any further rural residential development occurs in a way, and to an extent, that does not overwhelm the special semi-rural character of the Ohoka settlement.

The Council considers ~~the~~ that expansion of ~~the~~ Ohoka settlement is undesirable where land is because of the low-lying nature of the area and the difficulty of and where providing satisfactory drainage and effluent disposal services cannot be provided.

~~The Ohoka settlement has already experienced considerable growth over recent years with the rural residential development at Keetly Place and Wilson Drive. The Council supports the argument, however, that further development has the potential for adverse effects that will overwhelm the character, and form and function of the Ohoka settlement (Armstrong vs Waimakariri District Council 1994)~~

Amendment 2: Chapter 31 – Health, Safety and Wellbeing Rules

Amend and new clause into Rule 31.1.1.9 as follows:

Structure Coverage

31.1.1.9 The structure coverage of the net area of any site shall not exceed:

c. 20% in the Rural Zone, the Mapleham Rural 4B, Residential 4A and 4B Zones, except for the Residential 4A Zone Bradleys Road, Ohoka identified on District Plan Map 169;

k. 10% or 500m² whichever is the lesser in the Residential 4A Zone Bradleys Road, Ohoka identified on District Plan Map 169

Amendment 3: Chapter 31 – Health, Safety and Wellbeing Rules

Insert new setback requirement into Table 31.1 as follows:

Table 31.1: Minimum Structure Setback Requirement

Location	A setback is required from	Setback depth (minimum)
<u>Residential 4A Zone (Bradleys Road, Ohoka) as shown on ODP in Planning Map 169</u>	<u>Any road boundary</u>	<u>15 m</u>
	<u>Any internal site boundary</u>	<u>5 m</u>

Amendment 4: Chapter 31 – Health, Safety and Wellbeing Rules

Insert new Rules 31.1.1.37 and 31.1.1.38 (Screening and Landscaping) as follows:

31.1.1.37 Within the Residential 4A Zone of Bradleys Road, Ohoka identified on District Plan Map 169 any fences/walls within any boundary setback shall be:

a. limited to a maximum height of 1.2m and a minimum height of 0.6m;

b. limited to traditional post and wire or post-and-rail fences only, and be at least 50% open; and

c. of a length equal or greater than 80% of the length of the front boundary.

31.1.1.38 Within the Residential 4A Zone of Bradleys Road identified on District Plan Map 169 within any road boundary setback:

a. The maximum total area of paving (including gravel surface) shall be 100 m²;

b. A minimum of 1 specimen tree shall be planted and maintained for each 10 m of road frontage. Specimen trees planted shall be at a grade of Pb95 selected from the following species: Maples, Silk tree, Alders, Oaks, Elms, Magnolias, Olives, Plane trees, Birches, Cypresses and Kowhai.

Amendment 5: Chapter 31 – Health, Safety and Wellbeing Rules

Insert new rule 31.5.4 (Non Complying Activities) as follows:

Rule 31.5.4 Any dwellinghouse and any rooms within accessory buildings used for sleeping or living purposes located within the Odour Control Setback Area in the Residential 4A Zone of Bradleys Road, Ohoka identified on Planning Map 169 is a non-complying activity.

Amendment 6: Chapter 32 – Subdivision Rules

Insert new Rule 32.1.1.16 and renumber subsequent clauses as appropriate:

32.1.1.16 In the case of the Residential 4A Zone of Bradleys Road, Ohoka as shown on District Plan Map 169:

- a. The maximum number of residential allotments shall be 66:
- b. Allotment sizes and location shall be within the following Density Areas:
 - i. Land within Density Area A shall be developed with a minimum allotment size of no less than 1ha
 - ii. Land within Density Area B shall be developed with a minimum allotment size of 7,500m²
 - iii. Land within Density Area C shall be developed with a minimum allotment size of 5,000m²
 - iv. Land within Density Area D shall be developed with a minimum allotment size of 4,000m²
 - v. Land within Density Area E shall be developed with a minimum allotment size of 3,000m²
- c. The following features of the site identified on the ODP shall be provided for:

- i. Two public access strips for pedestrian, cycle and equestrian links*
- ii. Two public access strips for pedestrian and cycle links*
- iii. Two storm water management reserve areas*
- iv. Retention of identified existing trees*

Amendment 7: Chapter 32 – Subdivision Rules

Amend Rule 32.1.1.21 (Outline Development Plan) with the following:

Outline Development Plans

- 32.1.1.22 *Subdivision within the following areas shall generally comply with the Outline Development Plan for that area:*

w. The Residential 4A Zone Bradley's Road, Ohoka identified on District Plan Map 169

Amendment 8: Chapter 32 – Subdivision Rules

Insert new Rule 32.1.1.40

Rule 32.1.1.40 – Treatment of Road Corridors

Within the Residential 4A Zone of Bradleys Road, Ohoka identified on Planning Map 169 the treatment of road corridors shall incorporate the following elements:

- a. A minimum road corridor of 20m;*
- b. A sealed carriageway no wider or no less than 6 metres;*
- c. A soft/grassed edge to all seal with no kerb and channel;*
- d. Grassed drainage swales with no piped drainage system;*
- e. No defined visitor parking on road verges;*
- f. Road marking to be kept to a minimum to comply with traffic safety standards;*

g. A sealed footpath formed on one side of the road only; and

h. Specimen street trees planted at approximately 70 metre spacings on one side of the road.

Amendment 9: Chapter 32 – Subdivision Rules

Amend Rule 32.3.1 as follows:

32.3.1 Except as provided for by Rule 32.4 any new allotment in any zone that does not comply with Rules 32.1.1.23, 32.1.1.24, 32.1.1.25, and 32.1.1.26 and 32.1.1.40 (traffic management) is discretionary activity

Amendment 10: Urban Planning Maps

Amend Urban Planning Map 89 and Rural Planning Map 57 to rezone the subject land Residential 4A and denote the subject area as 'Subject to Outline Development Plan Map 169'. Refer to Rule 32.1.1.22(w)

Amendment 11: Other Planning Map

Insert other District Plan Map 169 titled 'Bradleys Road, Ohoka Outline Development Plan'

Amendment 12: Consequential Amendments

Any consequential amendments and renumbering of provisions as required to give effect to the plan change request.

Note new Rules 31.1.1.37 and 31.1.1.38 if not met will become Discretionary Activities under Rule 31.4.1.

Note new Rules 32.1.1.16 if not met will become a Non Complying Activity under Rule 32.4.1.

3. STATUTORY FRAMEWORK

Requests for Changes to Plans

- 3.1 Section 73(1A) of the Resource Management Act 1991 (“the Act”) gives a territorial authority the right to change its District Plan. In addition, section 73(2) enables any person to request a territorial authority to change a District Plan in the manner set out in the First Schedule of the Act. This Plan Change request has been prepared in accordance with Schedule 1, Clause 21 of the Act.
- 3.2 Under Clause 22 of the First Schedule, a plan change request must:
- a) Explain the purpose and reasons for the request;
 - b) Assess environment effects in such detail as correspond with the scale and significance of actual and potential effects anticipated from the implementation of the plan change;
 - c) Contain an evaluation under s32 of the objectives, policies, rules or other methods proposed.
- 3.3 In making a determination on the request under Clause 25 (2) Council may adopt the request, or part of the request, as if it were a proposed plan by the territorial authority, or accept the request, in whole or part, and proceed to notify.
- 3.4 It is requested that the request is accepted and notified in accordance with Clause 25(2)(b). There is considered no reasons to reject the request in whole or part under Clause 25(4) of the 1st Schedule.
- 3.5 The process for dealing with a Plan Change once it has been publicly notified and submissions received is set out in the First Schedule of the Act. In the case of a private plan change request, the procedure in Part 1 of the First Schedule, with all necessary modifications, apply except as set out in sub-clauses (2) to (9) of Clause 29 of Part 2 of the Schedule. This means that in this case:

- a) There needs to be a hearing into submissions on the proposed Plan Change (Clause 8(b) Part I);
- b) The person who made the request for the Plan Change has the right to appear at the hearing under Clause 8(b);
- c) After considering the Plan Change the local authority may decline, approve, or approve with modifications the Plan Change and shall give reasons for its decision;
- d) The decision to decline or approve shall be served on every person who made a submission and the person who made the request; and
- e) Every person who made a submission on the Plan Change and the person who made the request may refer the decision to the Environment Court.

Section 74 and 75 – Matters to be considered

3.6 The matters to be considered in respect of a Plan Change are set out in sections 74 and 75 of the Act. In summary, before a plan change can be incorporated into a District Plan, the key matters that need to be considered include:

- (a) Consistency with other provisions of the district plan;
- (b) Whether it gives effect to the regional policy statement and any relevant regional plans;
- (c) The functions of a territorial authority at section 31;
- (d) Whether the plan change will lead to the most appropriate outcome under s32;
- (e) Actual and potential adverse effects anticipated from implementation of the Plan Change; and
- (f) The purpose and principles within Part 2 of the Act.

3.7 Each matter above is addressed below.

Assessment against Waimakariri District Plan

- 3.8 The purpose of the Plan Change is to provide for rural residential zoned land at an appropriate density that maintains the character and amenity values of the Ohoka village, ensures a sensitive integration and interface with the adjoining development and land uses, and addresses reverse sensitivity with poultry farm operations to the north.
- 3.9 There are no new specific objectives proposed for the site, however there is a change in Policy 18.1.1.9 regarding limiting development in the Ohoka Settlement. The existing objectives in chapter 13 (Resource Management Framework), Chapter 15 (Urban Environments), Chapter 17 (Residential) and Chapter 18 (Constraints on Subdivision and Development) set the policy framework 'umbrella' that the proposed R4A Zone 'sits under'.
- 3.10 Annexure 3 provides a detailed assessment of the Plan Change against the relevant objectives and policies of the District Plan. An overview of the three key objectives that provide the statutory framework for incorporating the proposed plan change into the district plan is detailed below.

Overview of Objectives – Framework for incorporating 4A Zone in North West Ohoka

- 3.11 The relevant objectives and policies in the District Plan that are considered particularly important which form the framework for the inclusion of the 4A zone at north west Ohoka are as follows:

Section 14 – Resource Management Framework

Policy 13.1.1.2

Avoid, remedy or mitigate the adverse effects of the development of Residential 4A and 4B Zones by limiting the establishment of new zones to locations where the subdivision and development will not:

- a) adversely affect significant natural and physical resources;*

- b) exacerbate damage from natural hazards (including flood damage); and*
- c) create conflict with neighbouring land uses.*

Section 17 – Residential Zones

Objective 17.1.1

Residential Zones that provide for residents' health, safety and wellbeing and that provide a range of living environments with distinctive characteristics.

Policy 17.1.1.1

Maintain and enhance the characteristics of Residential Zones that give them their particular character and quality of environment.

Policy 17.1.1.2

Recognise and provide for differences between Residential Zones reflecting the community's expectations that a range of living environments will be maintained and enhanced

Objective 18.1.1

Sustainable management of natural and physical resources that recognises and provides for:

- a) changes in the environment of an area as a result of land use development and subdivision;*
- b) changes in the resource management expectations the community holds for the area; and*
- c) the actual and potential effects of subdivision, use and development*

3.12 With the adoption of the RRDP a change in Ohoka for rural residential development is anticipated. Chapter 13 Policy 13.1.1.2 provides a minimum checklist of criteria that limits the location of proposed R4A and R4B zones. As identified in Annexure 3, these

criteria are met. Therefore the next consideration is which zone is most appropriate to accommodate the planned rural residential growth for Ohoka. In this regard, Section 17 and 18 are pivotal.

- 3.13 The commissioner decision on Proposed Plan Change 10 to the Waimakariri District Plan (which was for a change to 4A zoning in Manderville) held that Objective 17.1.1 and the subsequent policies are key provisions. They seek to provide a range of living environments with distinctive characteristics, whilst maintaining and enhancing the characteristics of residential zones that give them their particular character and quality of environment. Therefore in providing for new rural residential zones, regardless of R4A or R4B, the key outcome is that the new zone has distinctive characteristics' and that the zone maintains and enhances the characteristics of residential zones. The proposed ODP and range of methods detailed in Section 2 of this document achieve this, both internally for the site, and its interface with adjoining rural and residential zones. While the plan change does represent a change to the size of the urban boundary in Ohoka, the landscape design led approach of the plan change takes particular care to ensure that the character of Ohoka village is maintained, and where possible, enhanced.
- 3.14 The commissioner decision on Proposed Plan Change 6 to the Waimakariri District Plan (which was for a change to 4A zoning in Manderville) held that Chapter 18 was of particular relevance which sets out the framework for consideration of future growth proposals and identifies matters to be considered to ensure that the purpose of the Act is achieved.
- 3.15 Objective 18.1.1 a. and b. recognise and provide for changes in the environment and resource management expectation of the community in regard to a particular area on the provision that natural and physical resources are sustainably managed. The proposal will represent a 'change' to the environment. Managing that change in a way that maintains the character of Ohoka and the community's expectations in this regard has been the reason for a landscape design led approach. In particular Policy 18.1.1.1 is the basis for determining the potential adverse effects of any plan change proposal which is considered in detail in Annexure 3.

Regional Planning Documents

- 3.16 The Regional Policy Statement (RPS”) and Proposed Regional Policy Statement (PRPS) provides an overview of the resource management issues of Canterbury. They set out how natural and physical resources are to be managed in an integrated way with the aim of sustainable management. Chapter 12A of the RPS provides more specific direction for growth, development and enhancement of the urban and rural areas of Greater Christchurch.
- 3.17 The relevant objective and policy assessments for the RPS and PRPS are outlined in Tables 2 and 3 respectively of Annexure 3.
- 3.18 The key policy in Chapter 12A to the RPS is Policy 13, which provides for additional areas, beyond those already zoned in the District Plan, as long as numbers fall within those detailed in the RPS (1570) and given that it meets a number of methods/criteria listed, which the site does.
- 3.19 In addition to the above, the Regional Land Transport Strategy (2012 – 2041) sets out the targets and vision for land transport within Greater Christchurch. The key components of this strategy are identified and assessed in Table 4 of Annexure 2.

Section 31 – Consistency with RMA Functions

- 3.20 The functions of the Council are outlined in section 31 of the Act. The following functions are of particular relevance to the Plan Change:

a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district;

b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of:

(iia) the prevention or mitigation of any adverse effects of the development, subdivision or use of contaminated land

Integrated Management – section 31 (a)

- 3.21 Integrated management relates to both the management of effects at the site level and the integrated management of a district's natural and physical resources at a wider strategic level. The north west of Ohoka is signaled for rural residential growth through the RRDP. This document gives effect to Chapter 12A of the RPS which provides for rural residential growth in north Canterbury.
- 3.22 At a site level, the application seeks to integrate good urban design solutions and infrastructure extensions that manage the effects of the use, development, or protection of land and associated natural and physical resources. Methods are proposed to be implemented that avoid and mitigate the effects of urban development on adjoining land, integrate the site into Ohoka, and provide for appropriate urban level of infrastructure services for the site. Extensions of reticulated water and wastewater services are planned for Ohoka, and the provision of rural residential development at the site will assist Council in providing such services.

Avoidance or Mitigation of Natural Hazards – section 31 (b) (i)

- 3.23 The assessment of effects in Section 4 of this document concludes that based on the site investigation and assessment the report concluded there is no evidence of any liquefaction having occurred at or near the site during recent large earthquakes. The report considered that the likelihood of liquefaction or lateral spreading occurring at the site to be very low.

Prevention or Mitigation of Contaminated Land – section 31 (b) (iia)

- 3.24 The assessment of effects in section 4 of this document concludes that with the exception of an offal pit located adjacent to the southern boundary of the Site (proposed for rezoning), all of the contamination sources are located outside of the proposed residential subdivision boundary and therefore the NES does not apply for the proposed site.

Section 32 Evaluation

- 3.25 Section 32 sets out in the manner in which any proposed objective, policy, rule or other method is to be evaluated. This evaluation is set out in detail in Section 5 of this request.

Adverse Effects on the Environment

- 3.26 The actual and potential adverse effects on the environment that are anticipated from the implementation of the Plan Change are discussed in Section 4 of this request, with reference to the various assessments and reports attached as appendices.

Part 2 – Purpose and Principles of the Act

Section 5(1)

- 3.27 Under section 5(1) of the Act, the overall purpose of the Act is to promote the sustainable management of natural and physical resources. The proposed zone promotes the sustainable management of natural resources by providing for an appropriate use of the land given its proximity to the existing Ohoka village and providing for planned rural residential development in Ohoka under the RRDP. The R4A zone will efficiently provide for rural residential growth by providing for a density of development that will minimize future extensions to the Ohoka village, thus avoiding unnecessary use of natural and physical resources.
- 3.28 The proposed zone also promotes the sustainable management of physical resources. The effect of the development on the roading network is considered minor. Reticulated infrastructure services are planned for Ohoka, the proposal will assist in the 'economies of scales' in providing such services to the community and the provision of these services will mitigate and avoid environmental effects on natural resources.

3.29 Given the planned growth for Ohoka contemplated by the RRDP, retaining the existing rural zoning would create an unsustainable use of the land resource. It will result in a parcel of rural land restricted in its potential and ability to carry out sustainable rural activities, especially if Plan Change 17 goes ahead to the southeast. It is considered that extending urban zoning to the subject site will better achieve the purpose of the Act.

Section 5(2) (a) – (c)

3.30 Section 5(2) defines “sustainable management” 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, mitigating any adverse effects of activities on the environment.

3.31 Utilising the land for R4A zoning will help meet the reasonable future rural residential land needs at Ohoka. It will provide a choice of living environments in the village, a supply of appropriately located rural residential land, within reasonable proximity to the village amenities, and provide the opportunity to create an attractive and sensitive urban rural interface. The Plan Change carefully considers urban design and provides for a socially connected and high amenity living environment while avoiding and mitigating the effects of reverse sensitivity with poultry operations to the north.

The needs of future generations are well served by rural residential areas that provide integrated, well planned and appropriately designed zones in regard to the surrounding environment, which in this case is achieved. The adverse effects of the site are outlined in Section 4 of this request, which establishes that all adverse effects can be appropriately managed.

Section 7 – Other Matters

3.26 Relevant “other matters” under section 7 include the following:

(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; and

(i) The effects of climate change

3.27 In considering the “efficiency□ of the site the following factors are paramount:

a. planned growth of rural residential land at Ohoka;

b. whether re-zoning of the site will achieve appropriate form and function of Ohoka village;

c. ability to achieve a well-planned and integrated living environment;

d. The extension and provision of services such as roads, wastewater, storm water, water supply; and

e. ability for rural land to used reasonably and economically for rural activity

3.28 The site will provide for the anticipated growth of Ohoka. The area can integrate well with land to the north west and south east, in particular the ODP for the land provides for efficient and well planned connections to the site. Rural residential development is identified at a strategic level in the RPS, and in the RRDP is identified as an area for the extension of the village.

- 3.29 Whether rezoning of the site to R4A achieves appropriate form and function of Ohoka village is substantially informed by the current boundaries of the village and the site's location relative to those boundaries. The village essentially sits between Bradley's Road to the northwest and Threlkelds Road and Jacksons Road to the south east. Mill Road forms a spine along which the village generally sits with varying degrees of development along both sides of this road, but predominantly more development to the north of Mills road. The southern boundary of the site abuts an existing boundary of Ohoka village adjacent to the Keetly Place development which is zoned R4B.
- 3.30 The site itself has logical physical boundaries including Bradleys Road to the north west and Main Drain Road to the north east. These provide logical physical limits to define further growth beyond Bradley's Road to the north west and north east in Ohoka. In addition, the ODP provides for suitable zone interface between the proposed R4A zone and the balance rural zoned farm land held by the Bagries. This is achieved by provision of larger 1ha or greater sized lots along the north west boundary and an internal road along the south west boundary of the farm land. A suitable zone interface along the south east boundary is achieved by provision of a 20m reserve adjacent to an existing Council drain which combine to provide a 24m green/blue reserve that provides a transition to the rural land beyond. In the event that this rural land is rezoned by PC17, the ODP provides for transportation and walkway/cycleway connectivity between the site and the R4A zone proposed by PC17.
- 3.31 Under sections 7(c) and 7(f), particular regard must be had to the maintenance and enhancement of amenity values and the maintenance and enhancement of the quality of the environment. The amenity of the existing rural environment will be changed, however the plan change provides for a sensitive change that mitigates the effects with the requirement for landscape, roading and fencings treatments, setbacks from the adjoining poultry operations, an appropriate range of lot sizes and location of those lots in relation to the rural boundary and existing R4B boundary. The amenity expected within an urban zone will be achieved by appropriate connections to the Ohoka village and the proposed R4A zone proposed by PC17. Open space is well distributed within the proposed zone and the ODP shows a connected road layout for all land transport modes. Proposed setbacks to avoid potential odour effects from the poultry operation will ensure an appropriate amenity for residential living.

- 3.32 Under section 7(g) the Act requires particular regard of any finite characteristics of natural and physical resources. The rural resource is finite, however in this case the subject land beyond the poultry farm and existing horse training operations cannot be efficiently used for dry land farming purposes due to the size of the balance area and the restrictions that potential development to the south east may impose and existing development to the south west at Keetly Place. Enabling the subject site to be utilized for rural residential development is a better use of the land resource and will enable finite rural land parcels that do not have such constraints to better meet the purpose of the Act in terms of sustainable development of natural and physical resources.

Section 6 and 8 – Matters of National Importance / Treaty of Waitangi

- 3.33 There are not considered to be any matters of national importance Treaty of Waitangi issues associated with the site.

4 Assessment of Effects

Reverse Sensitivity

- 4.1 To the north of the proposed land to be zoned is a broiler chicken farm, which is part of the existing farming operations of P & A Bagrie. The operation currently consists of four broiler chicken sheds with capacity for up to 65,000 chickens. In the 2010 and 2011 earthquakes three of the sheds were damaged, these will be replaced with one new tunnel shed, but the number of chickens to be raised on the site will remain the same. An assessment of odour effects from the chicken farm operation on the proposed site for R4A zoning has been undertaken by Golder Associates, and is attached as Annexure 6 to this report. A summary of findings from that report are detailed below.
- 4.2 In a broiler shed, the main source of odour is the litter, due to decomposition of faeces accumulated through the growing cycle. Apart from the litter, the chickens are also a source of odour. A higher rate of odour discharge typically occurs in summer months. Apart from one existing residence on the west side of Bradley's Road (185m away), no

other residential dwelling is closer than 300m from the chicken sheds. Based on the research in the report there have been no complaints related to the chicken farm operation.

- 4.3 The odour assessment identified the areas within the land proposed for rezoning where odours from the chicken sheds may be objectionable and offensive i.e. land within the predicted 5 OD/m³ odour contour. Modelling identified that odour effects may be objectionable where land is within 320m of the existing sheds, and land is within 300m of the replacement shed and existing shed to be retained. Approximately 3ha of the proposed site for rezoning falls within the odour control setback. The assessment predicts only minor odour effects beyond 300 – 320m setback from the chicken sheds.
- 4.4 The proposed ODP for the site identifies the 300 – 320m odour control setback and a rule is proposed that makes dwellings non-complying within the odour setback.
- 4.5 Based on the above proposed measures, the adverse effects of odour and reverse sensitivity will be no more than minor. There are no other known intensive farming activities within the vicinity.

Landscape Character and Visual

- 4.6 The Plan Change site is on the fringe of the existing Ohoka rural settlement, therefore landscape and visual effects have been considered, with particular emphasis on ensuring the existing semi-rural character of the Ohoka settlement is maintained. A Landscape and Visual Effects Assessment for the site has been undertaken by Ben Espie at Viaian & Espie Ltd, and is attached as Annexure 7 to this report.
- 4.7 The surrounding landscape character is defined in Mr Espie's report as:

“the land that lies to the north and north-west of the site has an agricultural character that is relatively typical of the Canterbury Plains and is characterised by large areas of flat open pasture with views broken by the straight lines of maintained shelterbelts. The land that lies to the south-east of the site has an open lifestyle-block type of character which currently retains openness but is somewhat compartmentalised and includes a scattering of large dwellings at a density that belies any truly agricultural character.

The land to the south-west of the site has a different character again, it being part of the zoned settlement of Ohoka. Ohoka comprises of an area of Residential 3 zoning and an area of Residential 4B zoning. Together, these areas of zoning have developed in the form of a pleasant rural village that has a particularly treed and leafy character somewhat reminiscent of an English village, This leafy, partially enclosed and somewhat lush character is a point of difference from many Canterbury Plains settlements that often have a more exposed feel....

.... it is possible to differentiate the character of the Residential 3 and 4B zones, the former having denser buildings with a more village main street character, and the latter a rural residential character. Although I consider that most observers with no knowledge of planning matters would simply read all of the settlement as effectively being of one character. In practice, the nearby parts of Mill, Jacksons and Threlkelds Roads also read as being part of the settlement”

- 4.8 In terms of ‘significant’ landscape value, Mr Espie identifies that neither the Canterbury Regional Policy Statement or the District Plan identify Ohoka as an outstanding natural environmental feature, he therefore concludes:

“that the vicinity of the proposed Plan Change is valued by the community in that it is part of (albeit a very small part of) the rural Canterbury Plains, which are distinctive and important to the region’s landscape identity, but which fall short of being outstanding”

- 4.9 In Section 1 of this report under the ‘Approach of the Plan Change’ there is a detailed summary of Mr Espie’s report of what the key landscape character and amenity issues are for the site, and how the ODP and provisions of the plan change seek to avoid, mitigate and remedy the effects of the proposed zone to ensure that the landscape character of Ohoka.
- 4.10 The external and internal effects of the Plan Change are summarised in Mr Espie’s report as follows:

External Effects

- The proposed Plan change will result in a continuation of the existing pattern of rural residential development up Bradley's Road and in distant rural residential development being intermittently visible from this road across the Bagrie farm. The design of the Plan Change and measures that form part of it will mean that the changes that are experienced from Bradley's Road harmonise with existing character. Any effect on amenity or landscape appreciation will be slight.
- Under the proposed Plan Change, the experience of being on the adjacent section of Main Drain Road and the Cust River stop-bank will become less remote and isolated but will become that of being on part of a network of green corridors and tracks, increasing recreational amenity. Any overall effect on amenity or landscape appreciation will be slight at worst.
- The proposed Plan Change will mean that the currently unused paper road on the site's southwestern boundary will become a pedestrian and cycle access-way with a treed character that forms part of the abovementioned network. Hence I consider that any effect in relation to this paper road is positive.
- Regarding neighbouring land owners, the land to the northwest of the site is farmed pasture with the Hewitt dwelling at the junction of Bradley's and Main Drain Roads. Given the nature of the edge that development enabled by the Plan Change will present to Bradley's Road, the Plan Change will not lead to any significant effects in relation to landscape and amenity issues.
- In relation to the land to the southeast of the site that comprises of rural lifestyle type properties, the proposed Plan Change will result in an adverse effect on outlook of a moderate to substantial degree due to a decrease in openness and rural character. This effect will be mitigated by measures that ensure the new outlook of these neighbours will become considerably vegetated and green and by the benefit that these neighbours will gain from the proposed reserve strip and track network. If we consider the land to the southeast as if PC17 is operative, the effect of the currently proposed Plan Change would be much the same although in this situation these neighbours would have a considerably less rural and less open landscape experience than they currently do, regardless of what happens on the subject site.

- Regarding neighbours to the southwest of the site, the outlook and visual landscape appreciation of these neighbours will be practically unchanged by the proposed Plan Change. Consequently any landscape related effect will be negligible. These neighbours will also gain the benefits of the immediately adjacent pedestrian/cycle track that will form part of the previously described network.

Internal effects

- The ODP and the associated design controls will bring about a specific type of development within the site that will result in a specific type of amenity and landscape experience for future occupants and users. These aspects of the proposed Plan Change have been formulated in order to impart the public parts of future development with a rural residential form of character that continues the character that is evident in the existing rural residential parts of Ohoka. Additionally, within the private lots of a future development, the trappings of suburban development will be avoided; rural outlooks and an awareness of immediately adjoining rural land uses will be preserved. A genuine rural residential form of amenity will be provided that is consistent with the existing Ohoka Settlement.

4.11 Mr Espie's overall conclusions on landscape character and visual effects are:

"that the proposed Plan Change will change the site from pasture to a rural residential pattern of development and will grow the rural residential settlement of Ohoka. The Plan Change has been carefully formulated in order to create development that will provide a pleasant rural residential form of amenity for future occupants and users, that is consistent with Ohoka's character and that will not significantly degrade the character and amenity of the surrounding rural areas. However, one particular group of neighbouring properties will have their outlook affected to a moderate to substantial degree (the outlook of the rural lifestyle lots to the southeast of the Plan Change site, which are for the most part within the PC17 area). This effect will be mitigated by various measures (principally the vegetated and soft edge to the development which includes a 25m riparian margin along the southern boundary) and this type of effect is

practically unavoidable to some degree or another if rural residential growth is to be provided for”

Traffic and Land Transport

- 4.12 A detailed transportation assessment is included in Annexure 8. The key conclusions of that report are summarized here. The report concludes the road network has sufficient geometric capacity to cater for the estimated additional traffic from full development of the applicant's site. The proposal will have little effect on the levels of service and levels of delay in the immediate area and as such the traffic effects of the proposal on the operation of the surrounding road network are considered to be less than minor. The assessment considered this proposal in isolation, and the potential scenario if PC17 where to go ahead.
- 4.13 The traffic assessment was considered on the basis of approximately 80 rural residential lots will be created. Bradleys Road will provide key access to the site from, with two accesses to Bradleys Road to ensure multiple emergency access options. A primary road is proposed to run through the site in a northwest-southeast direction. The primary road will secure any potential future link to the south west, should development beyond the site in that direction be appropriate. Proposed new roads will be designed with a 20 metre legal road width.
- 4.14 The traffic report concludes that the ODP roading design will adequately cater for vehicle and pedestrian movements in a safe and efficient manner. If PC17 where to go ahead the ODP has provided for road, pedestrian and cycle connections, including connections to the northwest existing Ohoka development. This will promote social connectivity.
- 4.15 The traffic assessment considered the ability of the existing roading network in the vicinity of the site to safely cater for site generated traffic, while retaining a suitable level of service for existing residents in the immediate area.
- 4.16 The assessment calculated a traffic generation rate of 8 trips per dwelling unit per day for the site and that the site could generate a maximum of 640 vehicle trips per day. Peak hour traffic is estimated to be 64 vehicles (51 leaving the site and 13 entering). The traffic assessment concludes that this level of traffic is not significant and represents one

vehicle movement every minute over the busiest hour of the day. Including existing traffic on the road, there would be 77 vehicles over the busiest hours. This traffic volume is less than 1,500 – 3,000 vehicles per day which is generally anticipated for a local road in terms of protecting residential amenity. Bradleys Road (and Mill Road) has the ability to cater for the anticipated traffic with no noticeable reduction on the level of service along the roads. The existing carriageway width will cater for all existing as well as all traffic generated from the application site.

- 4.17 The distribution of peak traffic generation was considered for the proposal in isolation, and the potential scenario if PC17 were to go ahead. Assessing the proposal in isolation, all traffic from the application site would be loaded onto Bradley's Road towards the Mills Road intersection. Due to location of amenities, including Ohoka, Kaiapoi, Rangiora and Christchurch City, the traffic assessment assumed all traffic to make right turns at the Mills Road/Bradley Street intersection. The traffic assessment concludes that the Mills/Bradley Street intersection will perform to a high level of services based on maximum existing and proposed traffic volumes from the Bagrie proposal. No road improvements are warranted.
- 4.18 If PC17 were to proceed, traffic distribution would load traffic over a greater area, increasing accessibility to Mill Road and Threlkelds Road. Traffic volumes along Bradleys Road are likely to diminish due to route choice (i.e. Bradley's/Mill Road; PC17 access/Mills Road; and PC17 access/Threlkelds Road).
- 4.19 The traffic assessment concludes that traffic effects of these and other intersections will remain within stable operating conditions.

Infrastructure Services

- 4.20 Annexure 9 includes an Engineering Servicing Report, the key points and issues are set out below. The report concluded that given the information available and the investigations conducted recommend that the Bagries proposed development land as identified in the ODP can be effectively serviced to the requirements of WDC and the applicable national standards.

Storm water and Flooding

- 4.21 Due to the high winter ground water levels in the proposed plan area, discharge to ground is not considered an option for storm water management. To maintain peak run-off flows to pre-development levels, and not exacerbate off-site flooding, it is proposed that storm water detention storage will be provided on-site and with discharge to surface water.
- 4.22 Storm water servicing is proposed to be provided by a network of roadside swales and other (mostly) open channels, which will provide treatment as well as conveyance of storm water. The site is entirely within the catchment area of the Armstrong Drain, which flows into the Cust River at the eastern corner of the proposed plan change area. The proposed development will increase the impervious area of the 98.4ha catchment from 3.9% to 13.5%. To mitigate the effects of increased runoff from the development, detention storage is proposed to reduce the peak flows for the 10-year and 50-year storm events to the pre-development peak flows. Two options have been considered for providing detention storage:

Option 1: Detention basin by the Armstrong Drain outfall, and widening of the Armstrong Drain to provide detention storage and increased amenity value.

Option 2: Detention basin by the Armstrong Drain outfall, and a second detention basin central to the development.

- 4.23 The preferred option is Option 1, as it is more efficient with land area within the proposed development and is perceived to provide increased amenity value to Armstrong Drain. Option 1 would require a widening of Armstrong drain to 20 – 25m. The can be contoured to include recreational value with incorporating walkway/cycle path as identified the ODP. If Option 1 is acceptable to the Council the second storm water retention area shown on the ODP may not be necessary.

Water and Wastewater

- 4.24 In recent years there has been a policy focus on providing for reticulated water and wastewater systems for rural residential developments. Under the Chapter 12A of the RPS, Method 13.1 requires that rural residential development must be located so as to be economically provided with reticulated sewer and water supply integrated with a publicly owned system, and appropriate storm water and treatment disposal. A primary objective in the RRDP is to develop sustainable long term servicing solutions for existing and future rural residential development. The identification of rural residential growth location in the RRDP took into account the role of the Council as the service provider, therefore locations for development have been identified which could enable existing properties, with current servicing deficiencies, access to new or upgraded services.
- 4.25 The RRDP states that there is no public reticulated wastewater scheme in Ohoka. Existing households are served by on-site septic tanks and individual disposal fields. The existing community well has inadequate capacity to cater for additional development. The RRDP states that there is an opportunity to provide reticulated water and wastewater schemes for Ohoka, including existing households. Wastewater would be managed by a common pipeline that also serves Mandeville connecting to the existing EDSS infrastructure at either Kaiapoi or Rangiora.

Water Services

- 4.26 Council preference is to extend the existing supply from Rangiora via a new water main. The site would have a restricted supply with on-site fire fighting storage. In terms of the economics to extending services to Ohoka, it is our understanding that Council would consider a cost share arrangement to increase the pipe capacity to service the remaining Ohoka settlement.

Wastewater Services

- 4.27 Discussions with Council confirm that a pumped rising main system to serve the site, and settlements of Ohoka, is the preferred option. Council planning for this is underway with construction in the 2012/2013 financial year. The wastewater would be piped to a community pumping station. A low pressure on-site pumped wastewater system from individual lots to the public pumping station is required, as due to groundwater location to

the ground surface, construction of a gravity network may be uneconomical and susceptible to storm water ingress.

- 4.28 In conclusion, water and wastewater services will be connected to a reticulated council network and the effects of water and wastewater services are considered minor.

Telephone and Power

- 4.29 Mainpower Limited has confirmed that the proposed development area can be serviced for reticulated power from the existing network. Chorus Limited has confirmed that the proposed development area can be serviced for reticulated telecommunications from the existing network.

Social and Economic

- 4.30 Additional population can contribute positively to the Ohoka community. It is understood that residents of rural residential subdivisions at Keetly Place and Wilsons Drive have contributed strongly to the Ohoka School, local projects and social activities. In Keetly there is a home and garden that has tourist buses, wedding parties and has supported the Ohoka school every 2nd year for Garden Tours for the Ohoka school, bringing in huge money enhancing the school amenities. It is understood Ohoka used to have a local store but as the town declined the store was closed. There is a service station but it is noted that it has gone from BP to Gas; this usually indicates not enough patronage. Additional population will enhance the Ohoka market to help its existence and thrive.

Environmental Health and Safety

- 4.31 Section 31(b) (iia) requires the control of any actual or potential effects of the use, development, or protection of land, including for the purposes of the prevention or mitigation of any adverse effects on the development, subdivision, or use of contaminated land. Given the current and past agricultural and horticultural use of the

site and surrounding rural area a study was undertaken to provide an assessment of the possibility of site contamination. The assessment is attached in Annexure 10.

- 4.32 The objective of the environmental report was to identify potential sources of contamination from past and present site activities. It is important to note the new National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES) came into the effect in January 2012. The NES requires territorial authorities to enforce the regulations for particular 'land' and 'activity' criteria.
- 4.33 The findings of the assessment determined whether any hazardous activities occurred on the property which would trigger the application of the NES due to the land being proposed for subdivision and residential development.
- 4.34 Several past and present land use activities have been identified which may have resulted in site contamination. These included the storage tanks or drums for fuel, chemicals or liquid waste and livestock dips or spray operations. However, with the exception of an offal pit located adjacent to the southern boundary of the Site (proposed for rezoning), all of the contamination sources are located outside of the proposed residential subdivision boundary and therefore the NES does not apply for the proposed site.
- 4.35 The nearest of these contaminant source activity is the possible sheep dip/foot rot trough located approximately 175 m north east of the property boundary of the proposed residential subdivision. The assessment recommends the offal pit in the southern portion of the proposed site is removed and backfilled with clean fill during the site redevelopment works. In addition, due to the long history of farming activities across the site, the assessment recommends that an accidental discovery protocol is incorporated into the site redevelopment management plan to address the procedures and steps to be taken in the event potential contamination sources from historical farming practises (such as domestic and farming waste/offal pits) are encountered during the site redevelopment works.

Geotechnical

- 4.36 Section 31(b)(i) of the Act requires the control of any actual or potential effects of the use, development, or protection of land, including for the purposes of avoidance or mitigation of Natural Hazards. Given recent earthquake event in the Canterbury a geotechnical investigation of the site has been undertake and is attached in Annexure 11.
- 4.37 Based on the site investigation and assessment the report concluded there is no evidence of any liquefaction having occurred at or near the site during recent large earthquakes. The report considered that the likelihood of liquefaction or lateral spreading occurring at the site to be very low based on the nature of the sub-surface materials (namely gravel).
- 4.38 The report stated that based on the findings from test pit investigations the site characteristics were considered to be consistent with a Technical Category 1 (TC1) classification⁹, as defined by CERA and the Department of Building and Housing, where:
- “Future land damage from liquefaction is unlikely. You can use standard foundations for concrete slabs or timber floors. Foundation requirements changed in 2011 and information is available on the Department of Building and Housing’s website”.*
- 4.39 The site is considered generally suitable for the proposed future residential development, subject to the findings of the AutoScala investigation which will be presented in the final report. Dwellings constructed in accordance with the requirements of NZS 3604¹⁰ should be able to be supported on conventional shallow foundations. A geotechnical ultimate bearing capacity of 300 kPa should generally be available for all shallow foundations bearing on the natural dense gravel ground identified below approximately 0.5 m. Any future earthworks activities proposed to be carried out as part of the site development works should be carried out in accordance with NZS4431: Code of Practice for Earth Fill for Residential Development.
- 4.40 The report considered the original ground not to be subject to erosion, subsidence or slippage in accordance with the provision of Section 106 of the Resource Management Act 1991. The site would still require 224c subdivision sign off as subdivision stage or

for building consent purposes. While the site is suitable for residential sub-division, this report is not intended for 224c sub-division sign off or for Building Consent purposes.

5. SECTION 32 ASSESSMENT

5.1 This assessment has been prepared in fulfillment of the requirements of Section 32 (1)(d) of the Act which requires the person who made a request for a Plan Change under Clause 25(2)(b) of Part 2 of Schedule 1 to consider alternatives, benefits and costs in an evaluation as stated in Clauses 32(3) to 32(6) of the Act.

5.2 Section 32(3) of the Act requires:

An evaluation must examine:

- a. the extent to which each objective is the most appropriate way to achieve the purpose of the Act; and*
- b. having regard to their efficiency and effectiveness, the proposed policies, rules or other methods need to be assessed to determine whether they are the most appropriate for achieving the proposed objectives.*

Extent to which each objective is the most appropriate way to achieve the purpose of the Act

5.3 There are no new specific objectives proposed for the site, however there is a change in Policy 18.1.1.9 regarding limiting development in the Ohoka Settlement. The existing objectives in chapter 13 (Resource Management Framework), Chapter 15 (Urban Environments), Chapter 17 (Residential) and Chapter 18 (Constraints on Subdivision and Development) set the policy framework 'umbrella' that the proposed R4A Zone 'sits under'. The existing objectives in the District Plan have already gone through a rigorous statutory process and are thus considered to achieve the purpose of the Act. Section 3 outlines why existing District Plan policies are the appropriate 'umbrella' framework for the proposed zone.

Overall Purpose

- 5.4 The purpose of the Plan Change is to provide rural residential zoned land at an appropriate density that maintains the character and amenity values of the Ohoka village, ensures a sensitive integration and interface with the adjoining development and land uses; and addresses reverse sensitivity with poultry farm operations to the north.
- 5.5 In terms of the overall purpose of the Plan Change it is considered that the objective of the Plan Change is the most appropriate way to achieve the purpose of the Act for the following reasons:
- Unplanned and ad hoc development of the urban edge can result in adverse visual effects and unsustainable land transport movement and infrastructure provision. The site can assist in providing sustainable and efficient extensions in infrastructure to Ohoka, and integrate efficiently with the roading network. The site will promote the sustainable management of natural and physical resources.
 - Insensitive and poorly designed development can affect social and cultural wellbeing. The site is to be developed to maximize internal rural residential amenity, and maintain adjoining land uses landscape character and amenity. The provision of pedestrian links too and along natural features such as Ohoka stream and Cust river provide for social and environmental connection for the site and the community.
 - Results in an urban form that contains rural residential development zoned land with strong physical boundaries to the north west of Ohoka and maintains the general fit of the village between Bradleys Road and Threlkelds Road to prevent unsustainable pattern of development. The site has good proximity to the amenities of Ohoka village.
 - Rezoning the land rural residential rather than retaining the rural zoning manages the natural land resource in a manner that meets the reasonably foreseeable needs of future generations. The land is better utilized for planned low density rural residential development to manage the planned growth of Ohoka village sustainably and efficiently.

Efficiency and Effectiveness

- 5.6 There is a change in Policy 18.1.1.9 and a number of new rules are proposed to implement the proposed R4A zone. Their efficiency and effectiveness is assessed below.

Policy 18.1.1.9

- 5.7 The existing Policy 18.1.1.9 limits the Ohoka settlement to within its Residential 3 and 4B zoning boundaries as at 20 June 1998. There have been statutory and non-statutory changes in strategic direction since the District Plan was made operative in 2005. These are identified in Section One under Background and Strategic Considerations. In summary Chapter 12A of the RPS provides for rural-residential growth in greater Canterbury, with Waimakariri allocated 1570 rural residential lots. This allocation is 'further' to areas already zoned in District Plans as at 28 July 2007. The Rural Residential Development Plan identifies Ohoka as an area for rural residential growth, and identifies that the existing Policy 18.1.1.9 needs to be amended or replaced to ensure that the location, direction and extent, design or number of additional rural residential households 'allocated' to Ohoka is realized while protecting and maintaining the character and values of the existing Ohoka settlement.

- 5.8 Proposed Policy 18.1.1.9 is proposed to be amended as follows:

Policy 18.1.1.9 Limit the Ohoka settlement within its Residential 3, 4A and 4B boundaries ~~existing at 20 June 1998~~ as shown on District Plan Maps 57, 89 and 163 existing at [insert date when this plan change becomes operative]

The Ohoka settlement is identified through the Rural Residential Development Plan (adopted by Council in June 2010) as being appropriate for rural residential growth. However it should continue to provide the characteristics and amenity values of a

small rural village. Expansion should be generally centred around and close to the existing Ohoka settlement, should occur in a manner that achieves quality urban form and function; and in locations where a sensible limit or boundary to development is evident. It is important that any further rural residential development occurs in a way, and to an extent, that does not overwhelm the special semi-rural character of the Ohoka settlement.

The Council considers ~~the~~ that expansion of ~~the~~ Ohoka settlement is undesirable where land is ~~because of the low-lying nature of the area and the difficulty of and~~ where ~~providing~~ satisfactory drainage and effluent disposal services cannot be provided.

- 5.9 The change to Policy 18.1.1.9 is efficient and effective for the reasons detailed in the preceding paragraph. The policies in the District Plan set out the 'course of action' that will be taken to achieve the objectives of the District Plan. Assessment of the relevant over-riding objectives relevant to the zone proposal identifies that a 4A zone will meet these objectives, therefore allowing further 4A zoning in Ohoka must have the appropriate 'course of action' in terms of a new policy.
- 5.10 A number of new rules are proposed to implement the proposed R4A zone in north west Ohoka. These rules are detailed in Section 1 and below. They achieve the overall purpose of the Plan Change which is to provide rural residential zoned land at an appropriate density that maintains the character and amenity values of the Ohoka village, ensures a sensitive integration and interface with the adjoining development and land uses; and addresses reverse sensitivity with poultry farm operations to the north.
- a. Outline Development Plan to manage development outcomes;
 - b. Requirement for minimum building setbacks from all internal and road boundaries; (maintain internal and external landscape character)
 - c. Maximum building coverage; (limit on built density)
 - d. Design provisions on fencing and walls and treatment of road corridors;
 - e. Requirement for landscape planting and surface treatments;
 - f. Provision for a mix of lot sizes, where the location of lots is regulated to maintain internal and external landscape character;
 - g. Restricting dwellings within odour setback

- h. Restricting development prior to the provision of reticulated water and wastewater services

Alternative Options - Cost and Benefits

Option One: Status Quo: Leave the land zoned Rural

- 5.11 This option involves retaining the Rural zoning. Under this zoning the site will continue to be available for agricultural and horticulture use.
- 5.12 The land parcel subject to this application is 53.78ha. While part of the farm has a form of intensive rural activity (poultry), those areas of the farm closer to the existing 4B zone, and the proposed 4A zone to the south, make expansion of this type of activity less likely in the future. It is also understood that beyond the existing poultry operations and horse training activity, there are no viable productive uses for the land. The site could be subdivided into 4ha lots (yielding approximately 14-15 lots); however this is not considered the best resource management outcome for the land. The provision of 4ha lots is not going to provide efficiently for an allocated 150 serviced rural residential lots for Ohoka as identified in the RRDP. Larger areas of rural land would be required well beyond the Ohoka village boundary to provide sufficient land at such low density, pushing out the Ohoka village settlement boundary. The site is identified in the RRDP as being appropriate for rural residential lots and given the site's proximity to the Ohoka village, retaining the Rural zoning would not maximize the benefit to be derived from the locational advantages of the site.
- 5.13 The significant 'connectivity' benefits proposed as part of the Plan Change (several 'loop' walkway/cycleway and equestrian links) will not occur if the land retains its current rural zoning.

Option Two: Rezone to 4B

- 5.14 This option involves applying the Residential 4B zone. Under this zone the minimum lot size is 5000m² with the average area of all allotments being 1ha, so on average, larger lots than the R4A zone. The residential zone characteristics sought by the District Plan

for the R4B zone are the same as those for the 4A zone (set out in Table 17.1 of Chapter 17 of the District Plan).

5.15 As identified above, the provision of larger lots will not provide as efficiently for an allocated 150 lots for Ohoka in the RRDP. Larger areas of rural land would be required well beyond the existing general Ohoka settlement area. In Plan Change 10 to the District Plan (Proposal to rezone 80ha of land located in Mandeville North from rural to Residential 4A), the commissioner considered R4A zoning (5000m² average lot sizes with a minimum of 2,500m²) was more enabling and more sustainable than R4B (1 ha average lot sizes). The R4A zone requires less land to achieve the additional development proposed under the RRDP than the R4B zone. The commissioner lists the following reasons why R4A zone should prevail over the R4B zone:-

- Difficult to distinguish in landscape and visual terms between the R4A and R4B zones;
- Rural character would be affected regardless of which zone was chosen;
- The zone characteristics are the same for both zones;
- There is no specific policy guidance maintaining a 'specific character' for Mandeville rural residential development, and
- The land resource required to achieve the same level of development is double for the R4B zone as compared with the R4A zone.

5.16 With regard to these criteria the landscape assessment concludes that the site will change from pasture to rural residential pattern of development but that provisions have been put in place to provide for a pleasant rural residential form that is consistent with Ohoka's existing character. The assessment also concludes that southeastern neighbours will have their outlook affected to a moderate to substantial degree. This would be the case for either a 4B or 4A zoning. Views from other boundaries with the site are not considered to be adversely affected, with only a slight change.

5.17 This option involves applying the Residential 4A zone. This zone will provide for subdivision with a minimum allotment size of 3,000m² and an average allotment size of

not less than 5000m². The Residential 4A Zone provides a living environment within the rural area. This zone will mean that more intensive building development can be provided for than under the Residential 4B zone or rural zone. There will be a loss of some rural land for rural use. However, the balance of the Bagrie farm will still remain a very viable economic farming operation given that the main income is derived from the poultry farm, which is to be retained.

- 5.18 The benefits of the zone is that rural residential growth can be provided for efficiently and sustainably, limiting the extension of the Ohoka settlement, while concurrently ensuring that the landscape character of Ohoka is maintained through proposed provisions in the District Plan. The community benefits of having more households in the community will mean that reticulated water and wastewater services can be provided, providing economies of scale in extending infrastructure in Ohoka. Increase population will also help sustain rural and community services, with more support and demand within the community.

Option Four: Apply for a resource consent for the proposed subdivision and development

- 5.19 Subdivision of the site for rural residential lots sizes, as proposed, would be a Non-Complying Activity under Rule 32.4 (Subdivision). The District Plan specifically seeks to avoid the subdivision of lots lower than 4ha in the Rural Zone because they fail to meet those characteristics listed in the District Plan rural objectives that contribute to the maintenance or enhancement of the rural character of the Rural Zone.
- 5.20 An application for subdivision and subsequent development is unlikely to be approved given the objectives and policies in the Plan under the current zoning.

Preferred Option: Rezone to 4A

- 5.21 The preferred approach is to rezone the site from Rural to 4A zone. Rezoning the site is considered appropriate and beneficial for the following reasons:
- Rezoning the site enables a more strategic approach with specific environmental outcomes for the site embedded within the District Plan in an appropriate regulatory framework

- Applies an appropriate density of development that is consistent with District strategies (RRDP) and Regional Planning documents (Chapter 12A of the RPS)
- Is immediately adjacent to the existing Ohoka village and has well defined boundaries
- Will enable a more sustainable and integrated expansion of Ohoka Village
- Is the most efficient and effective way of providing for rural residential development in Ohoka
- Provides significant 'connectivity' benefits for both the existing Ohoka community and future occupants with a variety of high amenity proposed walkways, cycleways and equestrian links

Evaluation of Risk

5.22 Section 32 requires an evaluation of the risk of not acting in circumstances where there is uncertain or insufficient information about the subject matter of policies, rules or other methods. This can be particularly relevant where the subject matter requires consideration of scientific data. In this case, there is sufficient information and no uncertainties regarding that information, in order to be able to fully assess the environmental effects of the proposed re-zoning.

6 CONSULTATION

6.1 A public meeting on the proposed Plan Change was held with the community on Thursday the 22nd of March. A number of issues were raised at that meeting and additional feedback was invited.

6.2 Summary of matters raised at public meeting:

- Concerns for security of walkway to Ohoka stream with increased use
- What are the benefits to the existing community of more rural residential development apart from sharing the wider cost for reticulated sewage?

- Would the development lead to a bridge over Main Drain to Bradley's Road?
- Why Residential 4A instead of 4B? (this sentiment repeated many times – preference for larger lots)
- What will be the cost of reticulated services be to the existing residents?
- What about air quality with more houses in Ohoka?
- Where will reticulated water supply come from?
- Flooding may be an issue at the site
- What will the effect of additional households have on the amenities of the area? (i.e. will they be overloaded) and school may not have room for more pupils
- Council has a 50m strip along paper road which restricts access
- Additional development may devalue properties
- Need to define village of Ohoka (someone at meeting said they thought it was from Bradleys Road to Jackson).

6.3 Summary of matters raised in written and phone responses to Community feedback form:

- R4A lot sizes too small, preference for 4B spread along proposed site and PC17
- Concern with the number of sections proposed and location
- No in favour of the 'straight' and long corridor of roads (Keetly Place has curved roads)
- Considered no advantages to the community
- Other alternatives are available, such as infill within the village
- Traffic effects on Mill Road, a bridge over Main Drain would divert traffic
- Increase smoke from fires
- Additional population adversely affect the rural and village character of Ohoka
- Additional foot traffic along Keetly Place in terms of security and privacy
- Costs on existing community of upgrading Ohoka to reticulated services
- Extra traffic on Jacksons Road and for horse traffic along Mill Road and Jacksons Road
- Lovely rural outlook would be changed to high density housing.

- Like that the proposal seeks the retention of the paper road between the proposed development and existing Keetly Place subdivision.
- Like larger sized lots adjacent to the Keetly Place subdivision to mitigate the effects of being “built out”.
- Walkway on the southeast side from Keetly Place through to the Main Drain would be a positive benefit
- Increased traffic flows on Bradleys Road which is largely a “no exit” road currently and pleasantly quiet.
- The impact on existing infrastructure i.e. sewerage, water supply, school, broadband (already pretty hopeless), mobile coverage, etc.
- Not keen on any bridge at the end of Bradleys Road (raised by a resident at community meeting).
- Risk for upper part of Mill Rd which has no footpath, particularly for cyclists. Mill Rd/Bradleys Rd intersection is difficult.

7. CONCLUSIONS

- 7.1 The proposed Plan Change seeks to rezone 53.78 ha of Rural Zoned land to Residential 4A zone. At a strategic level the C12A of the RPS provides for additional rural residential land in north Canterbury and the RRDP identifies 150 lots for rural residential growth in Ohoka.
- 7.2 The proposed Residential 4A zoning will efficiently provide for rural residential development. Proposed District Plan provisions and an ODP will manage design outcomes for the site to ensure and maintain the village character of Ohoka and ensure internal amenity of the site.
- 7.3 The zone meets the existing relevant objectives of the District Plan and the proposed new policy 18.1.1.9 reflects the current regional and district policy direction for rural residential development. All the effects of the zone are mitigated, as outline in the AEE in this report.
- 7.4 The proposed zone meets the purpose of the Act and all relevant statutory criteria than exist, better than existing rural zoning as outlined S32. The rezoning of the site will achieve the sustainable management of natural and physical resources.

Annexure 1

Certificates of Title



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952
Limited as to Parcels**




R.W. Muir
Registrar-General
of Land

Historical Search Copy

Identifier CB382/45
Land Registration District Canterbury
Date Issued 11 August 1926

Prior References

DI 8C/S1186 DI 8C/S169

Estate Fee Simple
Area 53.9876 hectares more or less
Legal Description Part Rural Section 2561

Original Proprietors

Peter Dale Bagrie as to a 1/2 share
Anthea Gaye Bagrie as to a 1/2 share

Interests

A29622.3 Mortgage to Peter Dale Bagrie, Rosanne Mavis Dunn and Shelly Hunter and to Margaret Elaine Bagrie in shares - 17.12.1992 at 11.32 am
A29622.4 Mortgage to Peter Dale Bagrie, Rosanne Mavis Dunn and Shelley Hunter and to Margaret Elaine Bagrie in shares - 17.12.1992 at 11.32 am
A451453.3 Mortgage to Nancy Maria Hay and to Raymond Stanley Newton in shares - 24.3.2000 at 11.08 am
A451453.4 Memorandum of Priority making Mortgages A451453.3, A29622.3 and A29622.4 first, second and third mortgages respectively - 24.3.2000 at 11.08 am
A451453.3 Mortgage to Nancy Maria Hay and to Raymand Stanley Newton in shares - 24.3.2000 at 11:08 am
5365864.1 Discharge of Mortgage A451453.3 - 7.10.2002 at 10:13 am
5530715.1 Discharge of Mortgage A29622.3 as to the share of Peter Dale Bagrie, Rosanne Mavis Dunn and Shelley Hunter - 25.3.2003 at 9:00 am
5530715.2 Discharge of Mortgage A29622.4 - 25.3.2003 at 9:00 am
6519598.1 Discharge of Mortgage A29622.3 - 3.8.2005 at 9:00 am
6519598.2 Mortgage to ANZ National Bank Limited - 3.8.2005 at 9:00 am

Land Transfer (Compulsory
Registration of Titles)
Act, 1924.

Reference: Deeds Index B 3/169.1186
Application No. C. 2586

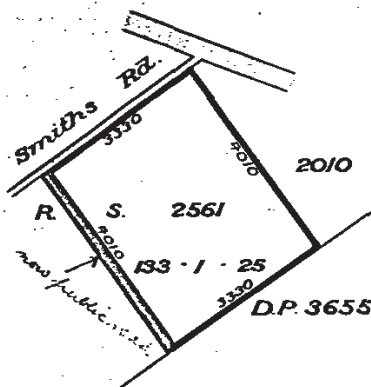


CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT. LIMITED AS TO PARCELS AND TITLE.

This Certificate, dated the Eleventh day of August, one thousand nine hundred and Twenty-six
under the hand and seal of the District Land Registrar of the Land Registration District of Canterbury Witnesseth that
HUGH KEARNS of Ohoka Farmer and JOHN CATHERWOOD of Rangiera Retired Farmer are

is seized of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial under written or endorsed hereon, subject also to any existing right of the Crown to take and lay off roads under the provisions of any Act of the General Assembly of New Zealand) in the land hereinafter described, as the same is delineated by the plan hereon bordered green, be the several admeasurements a little more or less, that is to say: All that parcel of land containing ONE HUNDRED AND THIRTY-THREE ACRES ONE ROOD AND TWENTY-FIVE PERCHES or thereabouts situated in Blocks X and XIV of the Rangiera Survey District being part of Rural Section 2561 and being more particularly described in Conveyance Registered No. 121062 (193/481)

Image Quality due
to Condition
of Original



METRIC AREA:— 53.9875 ha

Scale: 20 Chains to an Inch

Outstanding Deed of Conveyance No. 28313 (43/261) registered 28th April 1907 at 2.50 pm. creating a Right of Way hereunto as part of above described land over the Accommodation Road coloured pink on the plan hereon
W. Thompson
District Land Registrar.

Outstanding Deed of Mortgage No. 111494 (176/349) registered 26th June 1911 at 12.1 p.m. John Kearns to The State Advances Superintending Increase No. 113043 (178/404) registered 12th June 1912 at 12.40 p.m.
W. Thompson D.L.R.

Outstanding Deed of Mortgage No. 121298 (195/4) registered 26th February 1919 at 11.15 a.m. John Hyland and Hugh Kearns to State Advances
W. Thompson D.L.R.

Transfer 17539 produced 21 May 1917 at New. Hugh Kearns and John Catherwood to the Public Trustee
W. Thompson

Variation of the terms of Outstanding Mortgage 121298 produced 10 June 1927 at 2.55 pm
W. Thompson

Extension of the term of Outstanding Mortgage 121298 produced 7 March 1930 at 2.45 pm
W. Thompson

Variation of the terms of Outstanding Mortgage 121298 produced 27 May 1935 at 11.20 a.m.
W. Thompson


Variation of the terms of Outstanding Mortgage 121298 produced 18 Aug 1943 at 12.9 pm
W. Thompson

- OVER -

6707285

Transmission A288462/1 of his share
William Lindsay Bagrie in Mortgage
A29622/3 to Peter Dale Bagrie, Rosanne
Mavis Dunn and Shelley Hunter as
Executors - 24.3.1997 at 9.32am

Transmission A288462/1 of his share
William Lindsay Bagrie in Mortgage
A29622/4 to Peter Dale Bagrie, Rosanne
Mavis Dunn and Shelley Hunter as
Executors - 24.3.1997 at 9.32am


for A.L.R.

A451453.3 Mortgage to Nancy Maria Hay and
to Aynsley Miln Ferguson in shares

A451453.4 Memorandum of Priority making
Mortgages A451453.3, A29622.3 and A29622.4
first, second and third mortgages
respectively

all 24.3.2000 at 11.08


for RGL

A466395.1 Transfer of the share of
Aynsley Miln Ferguson in Mortgage
A451453.3 to Raymond Stanley Newton
- 17.7.2000 at 9.40


for RGL



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952
Limited as to Parcels**

Historical Search Copy




R.W. Muir
Registrar-General
of Land

Identifier CB384/184
Land Registration District Canterbury
Date Issued 22 September 1926

Prior References

DI C2010

Estate Fee Simple
Area 24.2811 hectares more or less
Legal Description Rural Section 2010

Original Proprietors

Peter Dale Bagrie as to a 1/2 share
Anthea Gay Bagrie as to a 1/2 share

Interests

A29622.3 Mortgage to Margaret Elaine Bagrie and to Peter Dale Bagrie, Rosanne Mavis Dunn and Shelley Hunter as Executors in shares - 17.12.1992 at 11.32 am
A29622.4 Mortgage to Margaret Elaine Bagrie and to Peter Dale Bagrie, Rosanne Mavis Dunn and Shelley Hunter as Executors in shares - 17.12.1992 at 11.32 am
A29622.5 Mortgage to Margaret Elaine Bagrie and to Peter Dale Bagrie, Rosanne Mavis Dunn and Shelley Hunter as Executors in shares - 17.12.1992 at 11.32 am
A451453.3 Mortgage to Nancy Maria Hay and to Raymond Stanely Newton in shares - 24.3.2000 at 11.08 am
A451453.4 Memorandum of Priority making Mortgages A451453.3, A29622.3, A29622.4 and A29622.3 first, second, third and fourth mortgages respectively - 24.3.2000 at 11.08 am
A451453.3 Mortgage to Nancy Maria Hay and to Raymand Stanley Newton in shares - 24.3.2000 at 11:08 am
5321216.1 Departmental dealing correcting the name of a mortgagee under Mortgage A451453.3 from Raymond Stanely Newton to Raymond Stanley Newton. Conversion error. - 21.8.2002 at 12:30 pm
5365864.1 Discharge of Mortgage A451453.3 - 7.10.2002 at 10:13 am
5530715.1 Discharge of Mortgage A29622.3 as to the share of Peter Dale Bagrie, Rosanne Mavis Dunn and Shelley Hunter - 25.3.2003 at 9:00 am
5530715.2 Discharge of Mortgage A29622.4 - 25.3.2003 at 9:00 am
5530715.3 Discharge of Mortgage A29622.5 - 25.3.2003 at 9:00 am
5648197.1 Discharge of Mortgage A29622.3 - 8.7.2003 at 9:00 am
5648197.2 Mortgage to The National Bank of New Zealand Limited - 8.7.2003 at 9:00 am
6521155.1 Variation of Mortgage 5648197.2 - 4.8.2005 at 9:00 am

NEW ZEALAND.

Reference: Land Transfer (Compulsory Registration of Titles) Act, 1924.
Deeds Index. C 2010
Application No. C3010



Register-book,
Vol. 384, folio 184

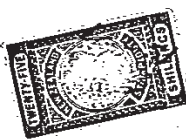
384/184

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT. LIMITED AS TO PARCELS AND TITLE.

This Certificate, dated the Twenty-second day of September, one thousand nine hundred and Twenty-six
under the hand and seal of the District Land Registrar of the Land Registration District of Canterbury Witnesseth that
CLAUDE HEDLEY SKINNER of Rangiora Farmer

is seized of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial under written or endorsed hereon, subject also to any existing right of the Crown to take and lay off roads under the provisions of any Act of the General Assembly of New Zealand) in the land hereinafter described, as the same is delineated by the plan hereon bordered green, be the several admeasurements a little more or less, that is to say: All that parcel of land containing SIXTY ACRES or thereabouts situated in Block X of the Rangiora Survey District being Rural Section 2010 and being more particularly described in Conveyance Registered No. 128660 (205/445)

Image Quality due
to Condition
of Original



M. M. Mungli
District Land Registrar.

Outstanding Deed of Mortgage No. 122848 (196/389)
registered 16th ~~January~~ February 1924 at 2.15 a.m. Claude Hedley
Skinner and Ralph William Skinner to His Majesty the King
varied by Outstanding Voluntary Deed of Terms No. 131648 (211/226)
registered 8th October 1924 at 2.15 p.m.

M. M. Mungli D.L.R.

Outstanding Deed of Mortgage No. 128661 (205/446)
registered 24th ~~January~~ February 1923 at 2.20 p.m. Claude Hedley
Skinner to His Majesty the King *M. M. Mungli*
see K 9513

The above limitation as to title has been D.L.R.
removed this 3 day of August, 1927

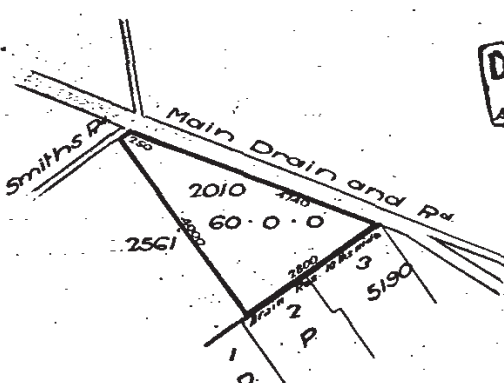
Discharged
Variation of ~~Terms~~ of Outstanding
Deed of Mortgage 122848 produced in
November 1926 at 2.30 p.m. *R. M. S. S. S.*

K. 9513 produced the 29 day of
November 1937 at 9.20 a.m. Order
of Adjustment under the Mortgages and Lessees

Rehabilitation Act, 1936, affecting the
above limited land and Outstanding
Mortgages 122848 and 128661

Discharged
Mortgage 198504 produced 4th May 1938 at
2.45 p.m. Varying the ~~terms~~ of Deed of Mortgage
Mortgage 128645 Claude Hedley Skinner
to the State Land Corporation of New
Zealand

- over -



METRIC AREA:— 24.2811 ha

Scale: 20 Chains to an Inch

384/184