

DEVELOPMENT PLANNING

Further Submission Form

Further submissions close on Monday, 21 November 2022 at 5pm.

I/we are further submitting on:

Proposed District Plan

Variation 1: Housing Intensification

Variation 2: Financial Contributions

Please use a separate form for each consultation.

Clause 8 of Schedule 1, Resource Management Act 1991

To: Waimakariri District Council

Further submitter details

Name of further submitter: _____

Organisation name and contact (if representing a group or organisation): _____

Postal address/Address for service: _____ Postcode: _____

Email: _____ Phone: _____

Only certain persons can make a further submission. Please select the option that applies to you.

I am:

a person representing a relevant aspect of the public interest

a person who has an interest in the proposal that is greater than the interest the general public has

the local authority for the relevant area

Please explain why you come within the category selected above:

Hearing options

I wish to be involved in any further submission? Yes No

If others make a submission I will consider presenting a joint case with them at a hearing. Yes No

Signature: _____ Date: _____

(of person making submission or person authorised to make decision on behalf)

PLEASE NOTE - A signature is not required if you submit this form electronically. By entering your name in the box below you are giving your authority for this application to proceed.

Name of person making further submission: _____

This further submission is in relation to the <u>original submission</u> of: <i>Enter the details of the original submitter:</i> <ul style="list-style-type: none"> • name, address or email; and • submission number (and point(s), if applicable) 	The particular parts of the original submission I/we support /oppose are:	My/our position on the original submission is: <i>Support or oppose</i>	The reasons for my/our support/ opposition to the original submission are:	Allow or disallow the original submission (in full or in part)	Give precise details of why you wish to allow/disallow (in full or in part) to indicate the decision you want Council to make

Name of person making further submission: _____

This further submission is in relation to the <u>original submission</u> of: <i>Enter the details of the original submitter:</i> <ul style="list-style-type: none"> • name, address or email; and • submission number (and point(s), if applicable) 	The particular parts of the original submission I/we support /oppose are:	My/our position on the original submission is: <i>Support or oppose</i>	The reasons for my/our support/ opposition to the original submission are:	Allow or disallow the original submission (in full or in part)	Give precise details of why you wish to allow/disallow (in full or in part) to indicate the decision you want Council to make

TRIM Ref: 220729129517

11 August 2022

The Chief Executive
The Waimakariri District Council

Dear Sir

SUBMISSION ON PRIVATE PLAN CHANGE 31 (PC31) – AUGUST 2022

Introduction.

1. PC31 is a request by Rolleston Industrial Developments Limited (**RIDL** or **the applicant**) to rezone the land located at or about 535 Mill Road from rural to urban in the Operative Waimakariri District Plan (**District Plan**).
2. The Oxford-Ohoka Community Board (**OOCB**) has decided that it should make a submission opposing PC31. Its position on PC31 has been informed by public meetings, discussions with the Ohoka Rural Drainage Advisory Group, and comments made in reviews of the assessments provided with PC31 by experts retained by the Waimakariri District Council (**Council**).
3. The OOCB is aware that the Council has determined that it will also submit on PC31. This is understood to be an uncommon move that indicates the extent to which the Council is concerned with PC31. The OOCB shares those concerns, and to the extent that any issue raised in this submission is the same as or similar to an issue raised by the Council, the OOCB also adopts and supports the Council's position.
4. This relates, in particular, to the Council's position on the inappropriateness of resorting to the NPS-UD as justification for PC31. The OOCB does not believe that PC31 will contribute to a well-functioning urban environment at Ohoka. Further, the OOCB considers that the absence of existing or planned public transport, lack of integration with other urban environments in the District, the uncertainty as to the contribution to any affordable housing and the potential contribution to greenhouse gases and the ability to respond to the effects of climate change (especially higher rainfall), amongst the other issues touched on below, mean that PC31 is not an appropriate development for Ohoka and should be declined.
5. The OOCB wish to make it clear, however, that they do not oppose development. However, PC31 simply goes too far. Urban scale development is not appropriate in a rural area.

Issues for the Ohoka Community

6. The key issues for the Ohoka Community relate to concerns about:
 - 6.1. drainage, stormwater and flooding;
 - 6.2. water supply;
 - 6.3. the proposal to deal with wastewater;
 - 6.4. the power grid;
 - 6.5. the local roads and transport generally;
 - 6.6. the amenity and 'feel' of Ohoka;
 - 6.7. impacts on the local school;
 - 6.8. potential reverse sensitivity effects on rural community members;

- 6.9. the consistent and supported views of the local community as expressed in existing planning documents;
- 6.10. impacts on Ohoka heritage;
- 6.11. potential to upset ecological restoration works.

Drainage, Stormwater and Flooding

- 7. The view of the Ohoka Rural Drainage Advisory Group is that local drains already reach peak capacity during high rainfall events. Adding more surface water from impervious surfaces if PC31 was approved would push local drainage beyond capacity.
- 8. Locals have limited confidence that the proposed stormwater system, particularly the proposed Stormwater Management Areas (SMAs), will work in practice. The high groundwater levels at the site and throughout Ohoka, which the application concedes can be as high as just 140mm below the surface, means that holes and depressions in the ground often fill before any additional surface water is added.
- 9. How such a detention system can deal effectively with the volumes of water that are predicted without placing more significant strain on the already stressed drainage network is difficult to comprehend. It is noted that the experts consider it may be possible, but all appear to require significant additional work to get to that position. This does not engender local confidence in a satisfactory outcome.
- 10. The OOCB is unaware of any efforts by the applicant to seek local knowledge of these issues, which if true is considered by the OOCB to be a failing.
- 11. It is unclear to what extent the flooding that occurred in 2014, or more recent events in 2021 and 2022, have been taken into account. Such events appear likely to occur more frequently and with, potentially, greater intensity as a result of climate change. The potential that PC31 will focus on 'shifting' the impacts of flooding further downstream (through raising floor/ground levels similar to Silverstream) is considered by the OOCB to be a real one, and such effects do not appear to have been sufficiently addressed.
- 12. There is also concern, given the high water table, that the compaction of the land by subdivision will also impede subsurface flows.
- 13. The impacts on drainage, stormwater flows, build-up and transfer, leading to flooding at Ohoka and further downstream, is probably the number one concern expressed by local residents. The test later and see what happens approach that appears to underlie much of the approach in PC31 is not considered satisfactory for these and many other issues being raised.

Water Supply

- 14. It is understood that, while there may be limited effects on the current water supply, though, of course, that is yet to be thoroughly tested, the water supply proposed for PC31 is not intended to be integrated with the remaining Ohoka water supply. This seems a curious decision that suggests an inward-looking approach instead of a proper effort to integrate with Ohoka.
- 15. And returning to the testing, which would include water quality and quantity, there are assumptions made regarding the sufficiency of water, though it is not clear whether the restrictions placed on the current water takes for the site would have any impact on that overall, or seasonally? The potential for well interference effects is yet to be tested.

16. Whether the recent *Aotearoa Water* Court of Appeal decision,¹ on the ability to transfer water takes to different uses, will have any impacts on the applicant's plans for water supply is another unknown.

The proposal to deal with wastewater

17. The OOCB notes that the application speaks of options regarding the infrastructure to deal with wastewater/sewage. However, in reality, a pressure system seems the only option given the need to effectively 'push it uphill' from Ohoka to the proposed destination at Rangiora.
18. There will need to be significant investment in this infrastructure if PC31 is approved, and development contributions may account for much of that investment. However, there does appear to be an expectation that a proportion will need to be covered by the Council.
19. The OOCB is aware that constraints on the route for any new pipe to increase capacity which could lead to additional costs, not to mention the likely inconvenience and impacts on roads and berms during construction.
20. That there is apparent 'excess' capacity in the Mandeville pipeline is due to other already approved rural residential developments that are now underway or are yet to be taken up, and established properties in the existing Ohoka settlement itself.
21. Using the Rangiora Wastewater Plant to treat effluent from PC31 must also logically utilise capacity that might otherwise be available closer to Rangiora, in more sensible locations for growth. This suggests that such a development at Ohoka would result in an opportunity cost for development elsewhere.

The Power Grid

22. The OOCB notes from its members' experiences that the power supply to Ohoka can be temperamental. 'Brown-outs' are known to occur and when they do, they can affect heating, water pumps and general electricity consumption.
23. The OOCB is unaware of any consideration having been given to bolstering the security of the electricity supply that would seem to be inevitably impacted by such intensification. Are upgrades to the power grid planned? Who will bear the additional costs?

Local Roads and Transport generally

24. The potential impacts on the local roads are another critical concern for Ohoka locals.
25. While some upgrades are considered in the application, the extent appears insufficient to enable proper integration with other urban areas of the District. Moreover, it seems unlikely that Waka Kotahi will have available funds to complete the network improvements required to better integrate the PC31 site with the rest of the District, so that could be many years coming.
26. There are already traffic issues experienced with commuter traffic within the District and inevitably to Christchurch from Ohoka. In addition, a significant percentage of middle and high school-aged children are also schooled in Christchurch.
27. However, there is no current or planned public transport route to or through Ohoka to further afield. The bus to Oxford through Tram Road has been discontinued, and, according to advice from Environment Canterbury, appears unlikely to be reinstated in the near to medium future. There are school buses for Kaiapoi and Rangiora High Schools, however, these cater for a relatively small proportion of the total number of students and certainly do not go as far afield as Christchurch.

¹ *Aotearoa Water Action Inc. v Canterbury Regional Council & Ors* [2022] NZCA 325

28. There are park and ride facilities at Kaiapoi and Southbrook, but these are relatively poorly utilised when compared to private – generally motorised – transport. In addition, such transport is still required to access the park and ride facilities because of the distances involved and the level of safety for cyclists on the local roads. Given the 25-30 minute cycling time, it is unlikely that there would be a significant uptake of cycling as a means to then access public transport. In spite of national policy direction to reduce VKT (vehicle kilometres travelled), PC31 appears to acknowledge that the majority of the residents in the plan change area will use private motor vehicles as their primary mode of transport. The projected increase in vehicle movements represents a shift in orders of magnitude compared to current traffic levels.
29. Again, while the network for walking and cycling with PC31 has been considered, how that integrates and can be accommodated by surrounding networks appears to have received limited attention.
30. The effects on transport will also be impacted by the increase in intensity on account of the changing traffic environment and the impacts on local roads. These roads, which often currently boast wide grassed berms, or are constrained by drainage ditches and power poles are expected to change, at least in closer proximity to PC31. How that will be accommodated and how it will change the experience of those roads is another likely cost of PC31.

The Amenity and ‘feel’ of Ohoka

31. Those roads do contribute to the feel and amenity of Ohoka. The very same grassed berm roads that are exemplified as contributing to the rural character of Ohoka are elsewhere in the application proposed to be widened due to the need to accommodate increased traffic. It is understood that amenity may be a lesser consideration in areas identified for urban intensification under the NPS-UD. But it seems to be drawing a long bow to suggest that the amenity of a rural village such as Ohoka, which has been identified as a feature and made the subject of efforts for protection, should be ignored in the assessment of whether this is an appropriate place for such intensification in the first place.
32. It is evident that Ohoka and its village ‘feel’ is something worthy of some protection. Ohoka is the only location in the Operative District Plan whose rural village character is protected by its own policy, 18.1.1.9 under Constraints on Subdivision and Development. It provides a sense of place and is why many locals call Ohoka home. However, it does raise the issue of whether the locals and the OOCB are simply NIMBYs who do not want to share the experience. The OOCB considers this assessment inaccurate and unfair. It is desirable to provide for a variety of housing typologies in the district, and infringement of urban-sized sections in the rural lifestyle zone diminishes this choice. Such provision could be made more appropriately in an established urban area.
33. Ohoka is a place that still has some scope for development at a scale that will enable the values that have drawn people here to be maintained. The OOCB would like the essence of Ohoka to be something that people will continue to enjoy in the future. It is not to everyone’s taste, but what draws them in the first place is precisely what PC31 threatens, the semi-rural or peri-urban feel that comes from low-intensity development and the retention of open spaces in between as described in policy 18.1.1.9.

Impacts on Local Schools

34. While, as noted, a significant number of high school-aged student residents study in Christchurch, the local primary school services a good-sized local zone in which PC31 sits at the centre. Pressure will inevitably increase on Ohoka School, and it is unclear if the Ministry of Education has been consulted or has plans to expand the school if PC31 were approved.
35. To many a new school might be preferable in such a circumstance so that, again, the feel of the local school as a rural school servicing a broad range of locals is something they value and would prefer not to lose.

36. As noted above, the local high schools provide school buses that would presumably continue, however, the impact on these services does not appear to have been the focus of much attention. The OOCB concedes that more students might be good for these schools, but with many high school-age children already travelling to Christchurch, rolls might be more likely to be beneficially affected if the development were closer to Kaiapoi or Rangiora, and not in Ohoka.

Potential reverse sensitivity effects on rural community members

37. The potential for reverse sensitivity impacts is likely to increase given the more intensive development and consequently, more receptors in the middle of rural land. The potential impacts on lifestyle block activities and farmers having to change practices because of nuisance complaints from new residents with urban expectations unaccustomed to the noises and smells of the rural zone should not be underestimated. Conversely, established rural residential and lifestyle block owners will also likely be impacted by the reverse sensitivity of urban activity, noise and light from PC31 residents.
38. Certainly, it should be something the applicant can show has been considered and guarded against.

The consistent and supported views of the local community as expressed in existing planning documents

39. One of the most significant issues with the proposal for PC31 is that this is not the first time more intensive development has been proposed for this area. Previous propositions have been discounted by the Council, who after extensive consultation with the community, hundreds of submissions, and hearings have seen the value in having different housing typologies in Waimakariri and have moved to maintain lower density, larger sized lots, and an absence of too much intensification in Ohoka.
40. That is not to say things have not changed over the years, but changes had occurred in a way and at a rate that was in keeping with the goals for the area and constraints that exist, such as the need to acknowledge Ohoka's low lying, poorly draining, flood prone nature, avoid land subject to significant flood risk, and the impact of cumulative effects on the area's drainage systems.
41. Unsurprisingly, some landowners are tempted by the potential returns that intensive urban development can provide. But that does not mean, in the OOCB's view, such development will always be appropriate.
42. The OOCB, consistent with the views of locals, considers that there are several already identified and, in some cases, already planned for areas in which such development could be better accommodated and integrated, will be better serviced by public transport and efficient transport networks, will have access to urban scale services, and with little need for disruption or significant levels of uncertainty about the ability to deliver what's being considered.
43. Those areas around Rangiora, Kaiapoi, and Woodend/Pegasus should be developed and extended as planned. They are already approaching the scale of development that will see the labour force stay more local and reduce commuter traffic. In addition, they can be provided with interconnected public transport and cycleways that can also reduce the commuter load.
44. However, the same cannot be said for Ohoka. In short, it is simply not the most appropriate place for such a level of development.

Impacts on Ohoka Heritage

45. Ohoka has a long history and some heritage sites. It is presumed that these would remain protected but with the level of intensification envisaged, it is likely that places will lose a great deal of their context. The OOCB ask that this context be maintained, which would seem unlikely if PC31 is approved.

Potential to upset Ecological Restoration Works

46. Similarly, the OOCB is aware of areas of ecological restoration work that even include part of the subject site for PC31, that may be impacted by the level of intensification proposed. It is acknowledged that some additional mitigation in terms of waterways may be provided for. But it would seem that, again, with the proposed intensification level, there will be limits to what can be preserved, along with a heightened risk that ecological values in this rural area may be adversely affected.

Conclusions

47. The OOCB is not anti-development, however, for it to be pro-development, the development in question needs to be in the appropriate location and to an appropriate scale. The OOCB considers that PC31 is neither.
48. The potential impacts on infrastructure including 3 Waters, roading and local services such as the school, do not appear very well understood. Certainly not to the extent that the OOCB would expect in order to justify such a significant departure from recent, current, and future expectations for Ohoka. The applicant's 'approve now and design solutions later' approach also leaves much to be desired.
49. The OOCB accepts that the applicant is entitled to apply for a plan change, but this development is overly-ambitious and unsympathetic to the surrounding land uses and constraints in the area in question. The OOCB believes that presenting this plan change under the Operative District Plan undermines the integrity of the District Plan Review process now underway, which would be a more appropriate forum to weigh the merits of such a substantial proposal.
50. A plan change, such as PC31, should not effectively usurp the Waimakariri District Council's role to plan for the future of the District and its people.
51. The OOCB does not consider that demand for dwellings in Waimakariri is such that rejecting PC31 will cause significant supply issues in the near term. It is the board's view that well-considered integrated future planning is preferable to allowing *ad hoc* development that it seems few, other than those who would benefit directly, support at Ohoka.

The OOCB wishes to be heard on its submission. The OOCB is happy to consider presenting a combined case with others who share its views on PC31.

Thank you once again for the opportunity to submit.

Regards



Doug Nicholl
Chairperson
Oxford-Ohoka Community Board

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